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GREENVILLE CO. S. C.

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STATE OF SOUTH CAROLINA SCOTTIE S. TANKERSLEY AGREEMENT
COUNTY OF GREENVILLE R.M.C.

THIS AGREEMENT made this *12th* day of August, 1977, between Robert H. Yeargin, Robert M. Austell as Trustee for Robert Lynn Yeargin and Nancy Sitton Yeargin under Trust Agreement dated March 2, 1962, and Lloyd D. Auten,

W I T N E S S E T H:

WHEREAS, Robert M. Austell as Trustee, is the owner of the premises described on Exhibit A (Parcel A) attached hereto and made a part hereof, and

WHEREAS, Robert H. Yeargin is the owner of the buildings and improvements situate upon the premises described in Exhibit A, and

WHEREAS, Lloyd D. Auten is the owner of the premises described in Exhibit B (Parcel B) attached hereto, together with the improvements situate thereon, and

WHEREAS, the western wall of the building located on Parcel A and the eastern wall of the building located on Parcel B form a common wall and boundary between Parcels A and B, and

WHEREAS, the parties hereto desire to settle all questions relating to the ownership and use of such common wall and any differences between them relating to the boundary,

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the parties hereto agree as follows:

(1) The wall shall be a party wall, and the parties shall have the right to use it jointly.

(2) Either party, or his heirs, successors or assigns, may, in connection with extension of his respective building, extend the height of the wall up to a maximum height of *ten* feet, so long as the extension is the same width as the existing wall and does not impair its strength or injure the foundations of the buildings.

The other party shall have the right to use the extended part of the wall and to join it by paying the constructing party one-half the cost of such part of the wall as he shall use. Any extension of the wall shall be a party wall and part of the existing wall.

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