

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

AGREEMENT

WHEREAS, by Deed dated November 2, 1977 and recorded in the R.M.C. Office for Greenville County on November 3, 1977 in Deed Book 1067 at Page 859, WENDY'S OF SOUTH CAROLINA, INC. (hereinafter "Wendy's") purchased a parcel of land containing approximately 0.12 acres from C.W.I., a partnership, a copy of the description of such property being attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, THE LIFE INSURANCE COMPANY OF VIRGINIA (hereinafter "Life of Virginia") is the present owner and holder of a certain mortgage executed by C.W.I., a partnership, to First National Bank of South Carolina, such mortgage being recorded in the R.M.C. Office for Greenville County on September 24, 1976 in Mortgage Book 1378 at Page 615 and assigned by First National Bank of South Carolina on March 31, 1977 to Life of Virginia, such assignment being recorded on April 1, 1977 in Mortgage Book 1393 at Page 415, such mortgage initially covering the property described in Exhibit A as well as certain property adjacent thereto; and

WHEREAS, Life of Virginia released the property described in Exhibit A from such mortgage, such Partial Release from Mortgage being recorded in the R.M.C. Office for Greenville County on November 3, 1977 in Mortgage Book 1414 at Page 788; and

WHEREAS, Life of Virginia wishes an agreement from Wendy's that it will screen with a permanent enclosure any trash area which it might keep on the property described in Exhibit A.

NOW, THEREFORE, in consideration of One Dollar, receipt of which is hereby acknowledged, and other good and valuable consideration, Wendy's and Life of Virginia agree as follows:

1. Wendy's agrees that any trash area which it keeps on the property described in Exhibit A shall be screened by a permanent enclosure;

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