

MAR 7 2 18 PM '78

DONNIE S. TANKERSLEY
R.M.C.

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

RIGHT-OF-WAY AGREEMENT

1. KNOW ALL MEN BY THESE PRESENTS that H. CALDWELL HARPER and THE ESTATE OF HUGH B. CROXTON, hereinafter called the Grantor, in consideration of Three Dollars (\$3.00) and other good and valuable consideration, in hand paid by the Grantor to J. W. BURRESS, INCORPORATED, hereinafter called the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the said Grantee, its successors and assigns, an easement appurtenant and right-of-way in and over that certain tract of land of the Grantor, over a path and along the line as depicted by an excerpt of a drawing by Freeland & Associates, dated March 20, 1978, entitled "Proposed Sanitary Sewer R/W to serve Burress, Inc." attached hereto as Exhibit A and made a part hereof.

2. The said right-of-way shall commence at the joint rear corners of J. W. Burress, Inc., R. C. Roundtree, J. E. Wilson, and Grantor, and thence run north along and parallel to rear line of Grantor approximately 394.6 feet to an existing sewer line maintained and operated by the Metropolitan Sub-District. Subject right-of-way shall be twenty (20) feet in width during construction and shall be fifteen (15) feet in width following construction and as set forth in Exhibit A.

3. The right-of-way is for the purpose of allowing the Grantee, its successors and assigns, to enter upon the Grantor's tract of land as described above and to construct, maintain and operate a sewer line within said right-of-way.

4. As part of the consideration of this right-of-way, the Grantee agrees that the Grantor is to be given four (4) residential taps, at no cost, and to be able to connect at any future date selected by the Grantor. This right shall pass on to any owners of the property.

5. It is understood and agreed that during construction of the sewer line, it will be necessary to undertake excavation and to clear land and it is further understood that it shall be the duty of the Grantee to clean the construction area after construction is finished and to grade the area excavated and plant grass as so desired by Grantor. Also, it is agreed by the Grantee that any manholes located along the property shall be set so as the top does not project over twelve (12) inches from ground level.

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