

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

RIGHT OF WAY AND AGREEMENT  
BLOCK BOOK SHEET 238.2, Block 1, Lot 3 and 4

KNOW ALL MEN BY THESE PRESENTS: That JOHNNY H. HYATT and SHARON K. HYATT, Grantors, in consideration of \$1.00 and other valuable consideration, paid by the Western Carolina Regional Sewer Authority, a body politic under the laws of South Carolina, hereinafter called the Grantee, receipt of which is hereby acknowledged, do hereby grant and convey unto the said grantee a right of way in and over our tract of land situate in the above State and County and deed to which is recorded in the office of the RMC of said State and County in Book 1042 at Page 670 encroaching on our land a distance of 858 feet, more or less, and being on that portion of our said land 30 feet wide.

The Grantors herein by these presents warrants that there are no liens, mortgages or other encumbrances to a clear title to these lands and they are legally qualified and entitled to grant a right of way with respect to the lands described herein.

The right of way is to and does convey to the grantee, its successors and assigns the following: The right and privilege of entering the aforesaid strip of land, and to construct, maintain and operate within the limits of same, water lines, pipe lines, manholes and any other adjuncts deemed by the grantee to be necessary for the purpose of conveying sanitary sewage and industrial wastes, and for operation of the sewage treatment plant located at the end of said right of way, and to make such relocations, changes, renewals, substitutions, replacements and additions of or to the same from time to time as said grantee may deem desirable; the right at all times to cut away and keep clear of said pipe lines any and all vegetation that might, in the opinion of the grantee, endanger or injure the pipe lines or their appurtenances, or interfere with their proper operation or maintenance; the right of ingress to and egress from said strip of land across the land referred to above for the purpose of exercising the rights herein granted; provided that the failure of the grantee to exercise any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time and from time to time to exercise any or all of same. No building shall be erected over said sewer pipe line nor so close thereto as to impose any load thereon, and in the event a building or other structure should be erected contiguous to said sewer pipe line, no claim for damages shall be made by the grantors, his heirs or assigns, on account of any damage that might occur to such structure, building or contents thereof due to the operation or maintenance, or negligences of operation or maintenance, of said pipe lines or their appurtenances, or any accident or mishap that might occur therein or thereto.

The location of said right of way shall be as shown on a plat of property prepared of Piedmont Engineers and Architects which plat is recorded in the RMC Office for Greenville County in Plat Book \_\_\_ at Page \_\_\_. There will be a paved drive located within the limits of said right of way and same may be used by the grantors, their heirs and assigns, so long as such use does not interfere with the use by the Western Carolina Regional Sewer Authority.

The payment and privileges above specified are hereby accepted in full settlement of all claims and damages of whatever nature for said right of way and for any and all claims of the grantors herein by reason of the operation of the sewage treatment plant located on the adjoining property.

IN WITNESS WHEREOF, the hand and seal of the Grantors herein, has hereunto been set this 25<sup>th</sup> day of April, 1978.

IN THE PRESENCE OF:  
[Signature]  
[Signature]

[Signature] (SEAL)  
Johnny H. Hyatt  
[Signature] (SEAL)  
Sharon K. Hyatt

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared the undersigned and made oath that (s)he saw the within named Johnny H. Hyatt and Sharon K. Hyatt sign, seal and as their act and deed, deliver the within Right of Way and Agreement and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 25<sup>th</sup> day of March, 1978.

[Signature]

[Signature] (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 5-29-83

32000

GCTO ----- 3 MAY 1 78 1034 1.00CI

4328 RV-2