

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

RIGHT OF WAY
BLOCK BOOK SHEET B3.1-1-4

KNOW ALL MEN BY THESE PRESENTS: That Billy Lee Herman, Grantor, in consideration of One and No/100 (\$1.00) Dollar and other valuable consideration paid by the Western Carolina Regional Sewer Authority, a body politic under the laws of South Carolina, hereinafter called Grantee, receipt of which is hereby acknowledged, do hereby grant and convey unto the said Grantee a right of way in and over my 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 Deed Book 720 at Page 390 encroaching on my land a distance of 650 feet, more or less, and being on that portion of my said land 25 feet wide, extending 12 feet on each side of the center line as same has been marked out on the ground, and being shown on a print on file in the Offices of the Western Carolina Regional Sewer Authority, including 50 feet wide, 25 feet on each side during construction. The boundaries of this right of way conveyed shall be the same as that right of way heretofore acquired by the Grantee on or about June 24, 1977.

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 in addition to any rights heretofore conveyed the right to maintain within the limits of said right of way water lines and any other adjunct deemed necessary by the Grantee for the conveyance and treatment of sewage and the right at all times to cut away and keep clear of said road any and all vegetation that might, in the opinion of the Grantee, endanger or injure the roadway or interfere with its 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 right of way nor so close thereto as to impose any load thereon.

It is agreed that the Grantor may use this strip of land, provided that the use of said strip of land by the Grantor shall not, in the opinion of the Grantee, interfere or conflict with the use of said strip of land by the Grantee for the purposes herein mentioned, and that no use shall be made of the said strip of land that would, in the opinion of the Grantee, injure, endanger or render inaccessible the road or pipelines located within the right of way conveyed. In addition to the rights conveyed herein and heretofore, the Grantor will simultaneously with the execution of this instrument grant a right of way to Duke Power Company within the limits of this right of way and the consideration being a part of the consideration recited above.

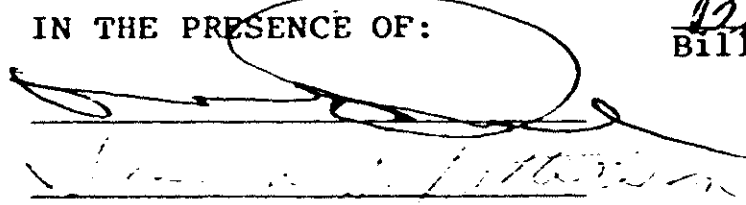
TO HAVE AND TO HOLD all and singular, the said premises unto the said Grantee, its successors and assigns, forever. And I do hereby bind my heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns, from and against my heirs and assigns, and every person whomsoever lawfully claiming or to claim the same or any part thereof.

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.

IN WITNESS WHEREOF, the hand and seal of the Grantor herein and of the Mortgagee, if any, has hereunto been set this 26 day of April, 1978.

IN THE PRESENCE OF:


Billy Lee Herman, GRANTOR (SEAL)



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