

paragraph 5 hereof) any expenses of operating, maintaining and repairing (including capital expenditures in lieu of repair) under paragraph 5 of said Sewer Line Rider and, provided further, that if Grantor shall utilize such easement prior to the utilization of such easement by Grantee, Grantee shall, upon utilizing such easement, pay to Grantor such one-half share of such paragraph 1 construction costs paid by Grantor.

2. Grantor hereby reserves and Grantee hereby grants to Grantor, its successors and assigns, in perpetuity, a 25-foot utility easement for the purpose of installing and maintaining a sanitary sewer line, said easement to run along the eastern boundary of the property conveyed hereby (the "Property") from Old Boiling Springs Road on the North of said Property to its Southerly boundary and thence along and co-extensive with the easement reserved by Grantor in its deed to T. Walter Brashier, conveyed to Grantor in paragraph 1 above, or said easement is to run from the said Old Boiling Springs Road to the actual location of a sanitary sewer line or lines that may be constructed by Grantee on the Property. Grantor further reserves and Grantee hereby grants to Grantor, in perpetuity, the right and privilege of connecting with and utilizing any sewer line that may be installed by Grantee on and from the Property to the nearest serviceable trunk line (the "Trunk Line") subject to the payment by Grantor at the time of hook-up by Grantor of one-half of Grantee's capital costs of construction of said sewer line, to the Trunk Line, (limited to hard construction costs and net of costs recovered from other users and subject to such costs being established as provided in paragraph 2 hereof) provided that Grantee has the power to permit Grantor to discharge through such sewer line into the Trunk Line and provided further that Grantee hereby covenants and agrees to execute any document and to take all steps necessary to permit Grantor to utilize Grantee's connection to the Trunk Line subject to any use charges normally imposed

06990

4328 RV.2