

thereto. In the event same is **not** paid on or before February 15th of the next year, than an additional seven percent (7%) penalty plus the sum of \$2.00 shall be added thereto. In the event any residence is connected on to said sewer system, and becomes occupied prior to the time the value of said residence is assessed on the tax books of Greenville County for that current year for tax purposes, then the Owner shall pay a monthly charge of \$4.00 per month to the City until the end of that calendar year. The payment for the first month shall be prorated. Said monthly charge shall be due by the tenth of the following month and if not paid when due, a penalty of \$1.00 shall be added to any delinquent monthly charge.

8. It is agreed that said sewer charge shall be a lien against said real estate, which lien shall be valid and binding for a period of ten years after the due date thereof. Said lien shall be prior and superior to all other liens except liens for county taxes. In the event the said charge is not paid when due, the City shall have the right to foreclose its lien and sell said real estate at public auction and apply the proceeds from such sale to the payment due on account of said sewer charge. Such foreclosure proceeding shall be brought in the County Court for Greenville County or Court of Common Pleas. The City shall make all persons claiming any interest in or lien to said real estate as parties to said action and said proceeding shall be similar to proceedings for the foreclosure of a mortgage lien. In the event of foreclosure, the City shall have the right to add all costs including a reasonable attorneys fee to said sewer charge, which shall be paid out of the proceeds of sale. The City agrees to give notice of intention to foreclose to any mortgage holder thirty days prior to the commencement of such action.

9. This instrument is to be recorded and shall be binding on all subsequent owners of said real estate or any person or firms claiming a lien thereon or interest therein.

10. In the event the real estate affected by this is ever offered the opportunity to come into the incorporated limits of the City, then it is agreed that said property shall forthwith be annexed to and become a part of the City of Mauldin and the property owners will sign any

1
5
0

4328 RV.2