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CO. S. C.
PH '80
GREENVILLE
SHERSLEY

1190-387

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

A G R E E M E N T

WHEREAS, by rights of way dated October 31, 1979, Pebblepart, Ltd., a South Carolina limited partnership, granted to Metropolitan Sewer Subdistrict certain rights of way for the construction, maintenance and operation of a sanitary sewer line through and across property of the said Pebblepart located in Greenville County, South Carolina and shown on the Greenville County Tax Maps as Sheet P23, Block 2, Lot 2 and Sheet P23, Block 3, Lot 2; and

WHEREAS, Pebblepart has inserted in said rights of way certain special terms and conditions; and

WHEREAS, said rights of way have now been delivered to Metropolitan for acceptance and for recording in the public records of Greenville County, South Carolina; and

WHEREAS, Metropolitan desires, before acceptance of said rights of way, to further clarify and define the rights and responsibilities of the parties under the terms and conditions of the rights of way and specifically the special terms and conditions inserted therein by Pebblepart;

NOW, THEREFORE, for and in consideration of the sums paid or to be paid by Metropolitan Sewer Subdistrict to Pebblepart, Ltd. in consideration for the rights of way described above the parties do hereby further agree as follows:

1. The special condition numbered A in Paragraph 5 of the rights of way granted by Pebblepart, Ltd. to Metropolitan Sewer Subdistrict dated October 31, 1979 is hereby amended to read as follows: All trees measuring 12 inches DBH or greater within the bounds of the right of way are to be protected and preserved. None of such trees shall be cut down or removed from the right of way except for those marked on the ground by orange flagging.

2. Special condition B of Paragraph 5 of the rights of way granted by Pebblepart, Ltd. to Metropolitan Sewer Subdistrict dated October 31, 1979 is understood and agreed between the parties to mean that in the construction of the sanitary sewer line Metropolitan will construct "T's" or stub-outs along the line at which points Pebblepart or its assigns may tie into the sewer line

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