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the opinion of the Grantee, endanger or injure the pipelines 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 and all of the same. No building shall be erected over said sewer pipeline nor so close thereto as to impose any load thereon.

It is Agreed: That the Grantor may plant ornamental shrubbery or grass, maintain fences and use this strip of land, provided, that plantings of shrubbery shall not occur over any sewer pipes where the tops of the pipes are less than 18 inches under the surface of the ground; 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 sewer pipeline or its appurtenances.

It is further Agreed: That in the event a building or other structure shall be erected contiguous to said sewer pipeline, no claim for damages shall be made by the Grantor, its successors and assigns, on account of any damage that might occur to such structure, building or contents thereof due to the operation or maintenance, or negligence of operation or maintenance, of said pipelines or their appurtenances, or any accident or mishap that might occur thereon or thereto.

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