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Whereas, James Luther LaFoy, Jr. and James F. Elrod, herein called "Owners", are the present owners of the property described above, or a portion thereof, have requested Colonial Pipeline Company to grant to the present owners their successors and assigns the right to impound water on, over and across Colonial's existing pipelines for the purpose of creating a pond, and in consideration for such grant the owners have agreed to supplement the terms and conditions of said right of way easement to the effect and subject to the following conditions:

Owners agree to install a valve for the purpose of drawing the water down, thereby allowing Colonial Pipeline Company to work on that portion of the existing pipelines inundated by the pond.

Owners agree to provide ingress and egress at all times to that portion of Colonial Pipeline Company's easement lying westerly of the proposed pond, via a road, for the purpose of maintenance to the easement area.

Any physical damages resulting directly or indirectly from the presence of said pond whether they be to the pond, fish, or surrounding area shall be at the sole expense of the owners of said property, their successors or assigns.

The foregoing additional grants, terms and conditions shall not, in any manner whatsoever, diminish or detract from the present rights of Colonial with respect to said easement other than those specifically mentioned above, it being intended that the same shall be supplementary to presently existing rights, terms, and conditions of the original grant, whether expressed or implied therein.

The terms, conditions and provisions of this agreement shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties herein have hereunto set their hands and seals this 9th day of Sept., 1981.

Witness:

Alex J. Jamieson
Carol C. LaFoy

James Luther LaFoy, Jr.
James Luther LaFoy, Jr.

James F. Elrod
James F. Elrod

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Personally appeared before me Alex J. Jamieson, who being duly sworn, says that he saw the within named James Luther LaFoy, Jr. and James F. Elrod, sign, seal, and as their act and deed, deliver the foregoing instrument, and that he, with Carol C. LaFoy, witnessed the execution thereof.

Alex J. Jamieson
Notary Public

My Commission Expires:
MY COMMISSION EXPIRES 6-15-1983

MY COMMISSION EXPIRES 6-15-1983

RECORDED OCT 14 1981 at 10:00 A.M.

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