

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )  
AGREEMENT  
WASLEY

WHEREAS, Billy F. Benton and Betty Benton own the house and lot located at 301 Great Glen Rd., Greenville County, South Carolina, and

WHEREAS, Joseph J. Hunter, III and Carroll Gage Hunter own the house and lot located at 224 Compton Drive, Greenville County, South Carolina, and

WHEREAS, in good faith the Bentons had installed a chain-link fence on their property which had been inadvertently placed on the property of the Hunters due to an error in the original survey for Lot 31, Del Norte by Piedmont Engineers, said fence was installed in June, 1972.

NOW THEREFORE, it is mutually agreed between the parties as follows:

1. That the fence installed around the property of the Bentons does infringe and cause an encroachment upon the property of the Hunters.
2. The Bentons agree to remove the fence should it become an inconvenience to the Hunters or should the Hunters request the removal of such fence.
3. The Bentons and the Hunters agree that this Agreement is to be recorded so as to place any subsequent purchaser of either the Bentons property or the Hunters property on notice that the fence is an encroachment on the property of the Hunters and will be removed by the Bentons or their successors should the Hunters or their successors so require.
4. That the Bentons are aware that the fence is placed on the property of the Hunters and that the costs of moving or maintaining the fence is solely their responsibility or their successors and the Hunters or their successors will bear no responsibility for removing or maintaining the fence.
5. The parties agree that there is no attempt to adversely possess the property but rather the location of the fence is an accommodation to the Bentons granted by the Hunters.
6. The creek bed was moved by the County of Greenville in 1972 due to flooding and the pin placed by Freeland & Associates during the survey dated December 14, 1982, is the northeast pin on the Hunters property.
7. This Agreement is binding on the heirs, successors and assigns of the parties.

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