

driveway of Sirrine's Patewood facility. Due to a contractor error, this domestic waterline was not relocated as heretofore agreed. Rather than dig up the existing driveway and relocate the waterline at this time, J. E. Sirrine Company agrees that if the domestic waterline fails, J. E. Sirrine Company shall, at its cost and expense, relocate the domestic waterline in its entirety on Pate Homestead Tract "B". This provision of the within Agreement shall terminate if the structure on Pate Tract "A" is ever provided water service from another source and the existing domestic waterline is abandoned. In connection herewith, it is understood and agreed that the exact location of said waterline pursuant to the terms and provisions of this paragraph shall be approved in writing by Alethea F. Pate and/or her successors in interest, heirs or assigns. Likewise, J. E. Sirrine Company shall guarantee the uninterrupted service of water to Pate Tract "A" and shall reimburse and hold harmless Alethea F. Pate and/or her successors in interest, heirs or assigns, for any and all damages incurred with respect to any failures of said waterline.

3. J. E. Sirrine Company has installed certain utilities, including water and sewer lines, to serve the "Premises" and Pate Tracts "A" and "B". These water and sewer lines have been put into operation by the Greenville Water System and the Metropolitan Sewer Sub-District Commission, both public authorities, under instruments dated April 16, 1982, and March 29, 1983, and recorded in the RMC Office for Greenville County, S. C. in Deed Book 1165, at Page 914, and Deed Book 1185, at Page 215, respectively. In connection herewith, J. E. Sirrine Company acknowledges that Alethea F. Pate has fulfilled any and all agreements and obligations with respect to the payment for construction and/or installation of said water and sewer lines. Likewise, J. E. Sirrine Company acknowledges the ownership interest of Alethea F. Pate, her successors in interest, heirs and assigns, in and to said water and sewer lines, together with her right and her successors in interest, heirs and assigns' right -----Continued on Page 4-----