

WHEREAS, Evelyn T. Darby makes no claim whatsoever as to that property which is encumbered by her encroachments on the property of Chester W. Taylor and Margaret E. Taylor as set forth on "Exhibit A"; and

WHEREAS, Chester W. Taylor and Margaret E. Taylor are not insisting that said encroachments be removed from their property at the present time, but wish to have this agreement executed in order to avoid any future misunderstanding that may arise between these parties, their heirs or assigns, concerning their common property line and the aforementioned encroachments,

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the undersigned parties agree as follows:

1. That the common boundary line between Lots 354 and 355 of Botany Woods, Section 7, as shown on the attached exhibit is recognized as the common boundary line between said properties;

2. That Evelyn T. Darby, as the owner of Lot 355, acknowledges the encroachments set forth on the attached exhibit and makes no claim whatsoever as to that portion of Lot 354 which is affected by said encroachments;

3. That the owners of the Lot 354 presently have no desire to insist upon the immediate removal of said encroachments, but reserve the right to require said encroachments to be removed upon any one of the following conditions:

(a) the transfer of title of Lot 355 by deed, devise, contract, bond for title or otherwise;

(CONTINUED ON NEXT PAGE)

RECORD

4328-W-21