

STATE OF SOUTH CAROLINA )  
 COUNTY OF GREENVILLE ) EASEMENT

WHEREAS, Haywood-Rogers Properties, a limited partnership, is the owner of certain real property adjoining property of Hampton Inns, Inc., and more specifically identified as that tract of property conveyed to the partnership by deed of Robert L. Rogers, dated February 18, 1981, and recorded in the RMC Office for Greenville County in Deed Book 1143, page 59, consisting of .958 acres, more or less, and shown on a plat prepared by Enwright Associates, Inc. for Robert L. Rogers, dated November 19, 1980, and also shown on a topographic survey for Robert L. Rogers and Rogers-Haywood Properties by Enwright Associates, dated November 19, 1980, consisting of 6.523 acres of land conveyed to the partnership by deed dated February 18, 1981, and recorded in Deed Book 1143, page 60, RMC Office for Greenville County; and

WHEREAS, by its deed to Hampton Inns, Inc., the grantor herein conveyed certain surface and storm water drainages to this identical tract of property above cited; and

WHEREAS, the Hampton Inns, Inc. intends upon constructing improvements on the tract of property consisting of 2.18 acres of land that adjoins properties of Haywood-Rogers Properties, and even though specific easements for surface and storm drainage were provided by deed to Hampton Inns, Inc., the purpose of this easement is to provide a water retention area to cope with any and all surface and storm drainages for Hampton Inns, Inc.; and

WHEREAS, the South Carolina Highway Department has tentative plans on the improvement of Congaree Road, and has assured grantor by letter of intent that its construction should improve the required facilities and drainages for said surface and storm drainage for the properties.

NOW, THEREFORE, the grantor does hereby grant and set aside to Hampton Inns, Inc., its successors or assigns, certain properties for a "water retention area", if so required, for a period of thirty (30) years, and said retention area shall be located as followings: Beginning at the corner of Congaree Road and running east for a distance of two hundred (200) feet, being the portion of said property identified as the rear boundary line above cited; that said area of water retention, if required, shall be placed along this boundary line and conform to the requirements of the City of Greenville for storage facilities; and said retention area shall encompass any and all required property within the boundaries of the tract for a maximum distance of two hundred (200) feet from its point of beginning on Congaree Road, and abutting the properties of Hampton Inns, Inc. Grantor agrees if the two hundred (200) feet area is insufficient to meet the parties' needs, this agreement will be amended as required.

That Grantor has acquired certain surface water and storm drainage easements from the adjacent landowners (heirs of Gertrude Ware Smith), and grantor guarantees Hampton Inns, Inc. that said easement provisions shall in no way adversely affect the development of land owned by Hampton Inns, Inc., and further guarantees that said easement is for the mutual benefit of the parties hereto.

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