

of same, a drain pipe; the right of ingress and egress from said strip of land across the land referred to above for the purpose of exercising the rights herein granted; provided that the failure of the Grantee to exercise any of the rights herein granted shall not be construed as a waiver of abandonment of the right thereafter at any time and from time to time to exercise any or all of same. No building shall be erected over said drain pipe nor so close thereto as to impose any load thereon.

It is agreed that the Grantor may plant crops, maintain fences and use this strip of land, provided: That the crops shall not be planted over any pipes where the tops of the pipes are less than eighteen (18") inches under the surface of the ground; that the use of said strip of land by the Grantor shall not, in the opinion of the Grantee, interfere or conflict with the use of said strip of land by the Grantee for the purposes herein mentioned; and that no use shall be made of the said strip of land that would, in the opinion of the Grantee, injure, endanger or render inaccessible the drain pipe or their appurtenances.

It is further agreed that in the event a building or other structure should be erected contiguous to said drain pipe, no claim for damages shall be made by the Grantor, his heirs or assigns, on account of any damage that might occur to such structure, building or contents thereof due to the operation or maintenance, or negligences of operation or maintenance, on said pipe lines or their appurtenances or any accident or mishap that might occur therein or thereto.

It is further agreed that the Grantee shall restore the property to original condition as near as is possible and practical.

The payment and privileges above specified are hereby accepted in full settlement of all claims and damages of whatever nature for said easement.

WITNESS the Grantor's hand and seal this 27th day of November, 1984.

IN THE PRESENCE OF:

Wayne Simons

Robin Pittman

W. L. Lacher (L.S.)  
WILLIAM L. LACHER

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