

on or to the lands so cultivated or to be cultivated by him, and in consideration thereof the said E. M. Holliday hereby, for himself and his heirs and assigns, owners for the time being of land adjacent to the tract hereinbefore described, hereby covenants and agrees that he and they will waive any and all question of damage which may accrue to him, the said E. M. Holliday, his heirs or assigns, by reason of any damage occasioned by the flowage or back water from the said Saluda River occasioned directly or indirectly in consequence of any dam built or to be built, or any other development made on the said river by the said Ellison A. Smyth, his heirs or assigns.

Beginning at a stone on east bank of Saluda River, Greenville County, S. C., on line of Miles Williams and E. H. Acker, and running thence along said line N. 15.10 E. 90 feet to a stone on said line; thence N. 53.15 W. 288 feet to a stone; thence N. 10.25 W. 445 feet to a stone; thence S. 10.20 W. 381 feet to a stone; thence S. 82.20 W. 263 feet to a stone; thence N. 51.15 W. 403 feet to a stone; thence N. 26.00 W. 241 feet to a stone; thence S. 8.00 W. 249 feet to a stone; thence S. 89.35 W. 497 feet to a stone; thence S. 76.00 W. 303 feet to a stone on line of E. H. Acker, and P. G. Acker; thence along said line S. 70.15 W. 530 feet to a stone on said line on river bank; thence along river bank to beginning stone. Said tract containing 25.3 acres, more or less. Being land heretofore conveyed by E. H. Acker to Ellison A. Smyth, by deed bearing date the 22nd day of March, 1904, and recorded in R. M. C. O., Greenville County, in Book LLL, page 674.

Beginning at a stone on east bank of Saluda River, Greenville County, S. C., on line between E. A. Smyth and B. M. McGee, and running thence along said line N. 80.45 E. 140 feet to a stone on said line; thence N. 1.30 W. 72 feet to a stone; thence N. 31.30 W. 115 feet to a stone; thence N. 47.45 E. 111 feet to a stone; thence N. 80.15 W. 193 feet to a stone; thence N. 57.15 W. 199 feet to a stone; thence N. 22.45 E. 198 feet to a stone; thence N. 57.30 E. 415 feet to a stone; thence N. 88.30 W. 133 feet to a stone; thence S. 72.00 W. 225 feet to a stone; thence S. 51.50 W. 335 feet to a stone; thence N. 31.00 E. 310 feet to a stone; thence N. 12.45 E. 231 feet to a stone; thence N. 59.00 E. 146 feet to a stone; thence N. 27.20 W. 225 feet to a stone; thence N. 33.30 E. 68 feet to a stone, on line of B. M. McGee and Mrs. Mattie McGee; thence along said line S. 80.00 W. 228 feet to a stone on said line; thence S. 47.00 W. 206 feet to a stone; thence N. 43.45 W. 135 feet to a stone on line of B. M. McGee and Mrs. Mattie McGee; thence along said line S. 80.00 W. 130 feet to a stone on river bank on line of B. M. McGee and Mrs. Mattie McGee and H. B. Williams; thence along river bank to beginning stone. Said tract containing 14.9 acres, more or less.

Also, beginning at a stone on line of B. M. McGee and Mrs. Mattie McGee, and running thence along said line N. 80.00 E. 243 feet to a stone on said line; thence S. 47.00 W. 206 feet to a stone; thence S. 43.45 W. 135 feet to beginning stone. Tract containing 0.31 acres.

Being land heretofore conveyed by B. M. McGee to Ellison A. Smyth by deed bearing date the 24th day of March, 1904, and recorded in R. M. C. O. for Greenville County, in Book LLL, page 562.

All that parcel or tract of land beginning at mouth of Cedar Shoals Creek on east bank of Saluda River, Greenville County, S. C., it being line between E. A. Smyth and Miles Williams, and running thence up said creek to a stone on said creek; thence S. 32.15 W. 20 feet to a stone; thence S. 57.45 E. 193 feet to a stone; thence S. 48.10 E. 229 feet to a stone; thence S. 44.20 W. 157 feet to a stone; thence N. 97.30 W. 195 feet to a stone; thence S. 72.50 W. 296 feet to a stone; thence N. 38.15 W. 275 feet to a stone; thence N. 9.30 W. 176 feet to a stone; thence N. 84.55 W. 136 feet to a stone; thence N. 13.05 W. 255 feet to a stone; thence N. 67.30 W. 190 feet to a stone; thence N. 37. W. 211 feet to a stone; thence N. 5. E. 103 feet to a stone; thence S. 75. W. 132 feet to a stone; thence N. 72.45 W. 141 feet to a stone on line of E. H. Acker and Miles Williams; thence along said line S. 15.10 W. 90 feet to a stone on said line on river bank; thence along said bank to beginning mouth of Cedar Shoals Creek. Said tract containing 12.9 acres, more or less. Being land heretofore conveyed to Ellison A. Smyth by D. P. Verner, Master, by deed bearing date the 7th day of July, 1904, and recorded in R. M. C. O. for Greenville County, in Book KKK, page 77.

All that piece, parcel or tract of land situate, lying and being in the County of Greenville, State aforesaid, beginning at a stone on east bank of Saluda River, Greenville County, S. C., on line between Enoch Cothran and Ernest Cothran, and running thence along said line N. 48.00 E. 329 feet to a stone on said line; thence E. 35.00 W. 263 feet to a stone; thence N. 11.15 E. 70 feet to a stone; thence N. 27.30 W. 360 feet to a stone; thence E. 3.05 W. 397 feet to a stone; thence N. 33.10 E. 159 feet to a stone on bank of creek; said creek being line between Ernest Cothran and J. W. Poore's estate; thence down said creek to river; thence along river bank to beginning stone. Said tract containing 7.2 acres, more or less. Being land heretofore conveyed by D. P. Verner, Master, to Ellison A. Smyth, by deed bearing date the 25th day of March, 1904, and recorded in R. M. C. O. for Greenville County, in Book KKK, page 65.

All those three (3) certain small islands situate, lying and being in the County of Greenville and State of South Carolina in Saluda River, near the mouth of Cedar Shoals Creek, and not far from a certain tract of upland, containing 46- $\frac{1}{2}$ acres, more or less, conveyed this day by Thomas A. Williams to Ellison A. Smyth; the larger of said three islands containing by estimation ten and one-half (10- $\frac{1}{2}$) acres, more or less; the second containing by estimation one and one-half (1- $\frac{1}{2}$) acres, more or less; and the third island, perhaps one-tenth (1/10) of an acre. Being land heretofore conveyed by A. J. Williams, H. B. Williams, T. A. Williams and S. A. Ramsay to Ellison A. Smyth, by deed bearing date the 24th day of December, 1902, and recorded in R. M. C. O. for Greenville County, in Book JJJ, page 208.

Beginning at a stone on line of B. M. McGee and Mrs. Mattie McGee, Greenville County, S. C., and running thence N. 29.30 E. 340 feet to