

THIS AGREEMENT, made and entered into this 10th day of December, 1953, by and between

SOUTHERN RAILWAY COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Virginia, hereinafter for convenience styled the Railway Company, party of the first part; and

GREENVILLE COUNTY AMERICAN LEGION FAIR ASSOCIATION, a corporation organized and existing under and by virtue of the laws of the State of South Carolina, hereinafter for convenience styled the Licensee, party of the second part;

WITNESSETH:

1. That the Licensee has fenced off and is now occupying and using a certain strip, piece, parcel or lot of land claimed by Railway Company to be the right of way for its main track running between Columbia and Greenville at or near Gantt, in the County of Greenville and State of South Carolina, substantially as shown delineated in red on print in sketch dated February 27, 1952, revised January 26, 1953 hereunto annexed and hereby made a part of this agreement.

2. That while the Railway Company claims a right of way for its said main track opposite the property of the Licensee 200 feet in width or 100 feet in width on each side of the center line of said main track, as indicated on said annexed print, such claims being acknowledged by the Licensee, such width of right of way is not admitted by the Licensee, and it is agreed by the parties hereto that except as hereinafter provided, neither party hereto shall be prejudiced in or as to its or their respective property rights involving the width of said right of way by anything herein contained or represented by the print attached to this agreement; provided that the Licensee will, and does hereby, waive the right to rely on adverse possession of all or any part of said parcel of right of way of the Railway Company, or other similar defenses, in the event the Railway Company shall hereafter bring an action for the purpose of requiring the Licensee to vacate and discontinue use of said parcel of right of way, or any portion thereof.

3. That this agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto, as well as upon the parties themselves.

IN WITNESS WHEREOF, the parties hereto have executed these presents, in duplicate, each part being an original, as of the day and year first above written.

For Plat in connection with this Agreement See Deed Book 494, page 465

dim.

In the Presence of:

James W. Miley  
Joseph W. Dorothy  
M. L. Shuman  
Ernest F. Miller

SOUTHERN RAILWAY COMPANY

By John B. Huser  
Vice President

R. L. Edgington  
Assistant Secretary

GREENVILLE COUNTY AMERICAN LEGION FAIR ASSOCIATION

By W. W. Wilkins  
President

Harry J. Ellr  
Secretary

HARRY J. ELLR