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OLLIE FARNSWORTH
R. M. C.

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STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

RIGHT OF WAY

1. KNOW ALL MEN BY THESE PRESENTS: That I. H. Philpot, Sr., John B. Campbell, N. H. Newton, John L. Newton, N. S. Newton, H. L. Rosamond, Rex L. Carter, Harold N. Newton, A. M. Loudermilk, S. A. Philpot, L. A. Hall, and I. Henry Philpot, Jr., GRANTORS, in consideration of \$648.00, paid by Berea Public Service District Commission, a body politic under the laws of South Carolina, hereinafter called the Grantee, receipt of which is hereby acknowledged, do hereby grant and convey unto the said Grantee a right of way in and over our tract(s) of land situate in the above State and County and deed to which is recorded in the office of the R.M.C. of said State and County in Deed Book 854, page 423, and encroaching on our land a distance of 398 feet, more or less, and being that portion of our said land 40 feet wide during construction and 25 feet wide thereafter as same has been marked out on the ground, and being shown on a print on file in the offices of Berea Public Service District Commission and on file in the R.M.C. Office in Plat Book 46, at page 21.

The Grantors herein by these presents warrant that there are no liens, mortgages or other encumbrances to a clear title to these lands, except the following: Mortgage to Cecil Morris which is of record in Mortgage Book 1106 at page 645, RMC Office for Greenville County; and that they are legally qualified and entitled to grant a right of way with respect to the lands described herein.

The expression or designation "Grantor" wherever used herein shall be understood to include the Mortgagee, if any there be.

2. The right of way is to and does convey to the Grantee, its successors and assigns the following: The right and privilege of entering the aforesaid strip of land, and to construct, maintain and operate within the limits of same, pipe lines, manholes, and any other adjuncts deemed by the Grantee to be necessary for the purpose of conveying sanitary sewage and industrial wastes, and to make such relocations, changes, renewals, substitutions, replacements and additions of or to the same from time to time as said Grantee may deem desirable; the right at all times to cut away and keep clear of said pipe lines any and all vegetation that might in the opinion of the Grantee, endanger or injure the pipe lines or their appurtenances, or interfere with their proper operation or maintenance; the right of ingress to 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 or 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 sewer pipe line nor so close thereto as to impose any loan thereon.

3. It is Agreed: That the Grantors may plant crops, maintain fences and use this strip of land, provided: That crops shall not be planted over any sewer 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 Grantors 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 sewer pipe lines or their appurtenances.

4. It is Further Agreed: That in the event a building or other structure should be erected contiguous to said sewer pipe line, no claim for damages shall be made by the Grantors, their 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 of said pipe lines or their appurtenances, or any accident or mishap that might occur therein or thereto.