

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE ) RIGHT TO MOVE RAIL  
CARS OVER RAIL SIDING

WHEREAS, the undersigned, Blue Ridge Corporation, owns a tract of land in the Town of Mauldin, South Carolina, adjacent to a main line of Seaboard Coastline Railroad; and

WHEREAS, the undersigned is the owner of a rail siding springing from said main line of Seaboard Coast line Railroad as shown on the attached drawing which is made a part hereof, marked Exhibit "A"; and

WHEREAS, Emery Industries, Inc., owns an adjacent tract of land to that of the undersigned, and Emery desires to have the right to move freight cars from said main line to its property and the undersigned is willing to grant said right as hereinafter set forth,

NOW, THEREFORE, for valuable consideration the undersigned does hereby agree as follows:

1. That it does grant unto Emery Industries, Inc., its successors and assigns forever, the right to move (but not to store) rail cars over and through the siding (said right being non-exclusive and in common with the undersigned's right to move rail cars over and through said siding) as shown on Exhibit "A", it being expressly understood that no interest is being conveyed by this instrument to Emery Industries, Inc., of any portion of said rail siding; however, this right of use shall be a covenant running with the land.

2. Each party agrees that the use of said siding will be in such way as to not unreasonably interfere with the use by the other

3. Emery Industries, Inc., its successors and assigns, shall have the right, but not the duty, to make repairs to said siding and for such purpose shall have the right of entry on and to said siding, provided, if Emery Industries, Inc., elects not to maintain said siding when such repairs are reasonably necessary for the use of the same, and the undersigned in writing requests such repairs to be made, 30 days thereafter the undersigned by written notice to Emery may cancel the right herein granted.

This instrument executed and delivered this 29<sup>th</sup> day of March, 1977.

WITNESS:  
Edna L. Smith  
Jimmie D. Chasing  
As to Blue Ridge  
Edna L. Smith  
Jimmie D. Chasing  
As to Metal Products

BLUE RIDGE CORPORATION (SEAL)  
By [Signature]  
President

METAL PRODUCTS CORPORATION (SEAL)  
By [Signature]  
President

As Lessee, Consents to the above Agreement.

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