

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

AGREEMENT

THIS AGREEMENT entered into this 20th day of September, 1957, by and between Frank M. Watkins and Frances L. Watkins, both of Greenville, S. C., hereinafter called the First Party, and Alice Mae Wilbanks, of Greenville, S. C., hereinafter called the Second Party,

W I T N E S S E T H:

WHEREAS, the First Party is the owner of the lot located on the westerly side of Rice Street (formerly Henrietta Avenue), in the City of Greenville, S. C., designated as Lot 48 of the G. F. Camner Property as shown by plat thereof recorded in the REC Office for Greenville County, S. C. in Flat Book "L", page 115; and

WHEREAS, the Second Party is the owner of the lot adjacent to that of the First Party which is designated as Lot 47 on the aforesaid Flat Book "L", page 115; and

WHEREAS, a fence was erected by a prior owner of the Second Party's lot and, as a result of a mistake, said fence was erected not on the line separating the lots described herein but was placed on a line commencing at the joint front corner of Lots 47 and 48 and running thence on a straight line at a slight angle into Lot 48 until said fence encroached a maximum distance of approximately ten feet into the rear of said lot,

NOW, THEREFORE, for and in consideration of the sum of Five Dollars to each party in hand paid the other, receipt whereof is hereby acknowledged, the parties hereto do hereby agree as follows:

- (1) The First Party agrees that the fence shall remain as it is now located until such time as they desire the removal thereof.
- (2) The Second Party agrees that the location of the fence on the property of the First Party is by permission of the First Party and is not adverse, nor shall the continued use thereof create in the Second Party, her successors, heirs, or assigns, any right by prescription or any right arising out of adverse possession but to the contrary is remissive in nature.
- (3) Upon request of the First Party, their heirs, administrators, executors or assigns, the Second Party will, with reasonable dispatch, remove