

FILED
GREENVILLE CO. S. C.

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File No. 3674

MAR-19 4 11 PM 1965

STATE OF SOUTH CAROLINA
Greenville COUNTY

OLLIE L. WORTH
R.M.C.

RIGHT OF WAY AGREEMENT

THIS INDENTURE, made and entered into this 19th day of March, 1965,

by and between Henry K. Clark, individually and as executor of the estate of Nona W. Clark, Charles Lloyd Clark, William B. Clark, Hazel C. Cole, Julia Genoble, James O. Clark, Robert M. Clark, individually and as executor of the estate of Nona W. Clark, Ruth Ann Herlong (formerly Ruth Ann Herlong Williams), Fredrick C. Atkins and Thomas L. Atkins, all by Margaret W. Ross, Clerk of Court, pursuant to Order of Honorable Frank Robes, Resident Judge of the Court of Common Pleas, Greenville County, South Carolina, dated October 2, 1965,

hereinafter called "Grantor" (whether one or more), and DUKE POWER COMPANY, a New Jersey corporation, hereinafter called "Grantee";

WITNESSETH:

That Grantor, in consideration of \$15,000.00 paid by Grantee, the receipt of which is hereby acknowledged, does grant and convey unto Grantee, its successors and assigns, the right to erect, construct, reconstruct, replace, maintain and use towers, poles, wires, lines, cables, and all necessary and proper foundations, footings, crossarms and other appliances and fixtures for the purpose of transmitting electric power and for Grantee's communication purposes, together with a right of way, on, along and in all of the hereinafter described tract(s) of land lying and being in Greenville County, South Carolina, and more particularly described as follows:

Being a strip of land 150 feet wide extending 75 feet on each side of a surveyed line which has been marked on the ground ~~substantially~~ and shown on the attached print, said strip being more particularly described as follows: BEGINNING at a point in the common boundary between the land of Henry K. Clark and the other devisees of Nona Clark and the land of Lee West (said beginning point being N. 57° 43' E. 59.6 ft. from the southern corner of Lee West's said tract of land and the western corner of the land of the said Nona Clark devisees in the center of Frohawk Creek); running thence with the common boundary of the said Clark devisees and the said West N. 57° 43' E. 185.4 feet to a point (said point being S. 57° 43' W. 107.7 feet from a stake set in the common boundary between the said Clark devisees and Lee West); thence leaving said boundary S. 68° 15' E. 1583.2 ft.; thence due East 668 ft. to a point in the center of Mostella Road between Frohawk Creek and the intersection of Miller Road with Mostella Road; thence with the common boundary between the land of R.E. Wright and the land of the said Clark devisees and between the land of Lizzie B. Moore and the land of the said Clark devisees and with the center of Mostella Road S. 49° 55' E. 117 ft.; thence again with the center of said road and with the common boundary between said Moore and said Clark devisees S. 36° 43' E. 50 ft. to a point in said road, corner with E.F. Kelley, Lizzie B. Moore, and the said Clark devisees; thence with the boundary between the said Kelley and the said Clark devisees S. 18° W. 37 ft.; thence leaving said boundary due West 805 ft.; thence N. 68° 15' W. 1720.8 ft. to the BEGINNING, containing an area within said right of way limits of 8.3 acres, more or less.

(Continued on next page)

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