

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and the promises contained herein, M & K Properties, a general partnership consisting of Milford D. Kelly and Lawrence E. McNair and C.W.I., a general partnership consisting of Braxton M. Cutchin, III, Gerald C. Wallace, Jr. and Robert P. Ingle, do hereby grant, bargain, sell and release unto Fidelity Federal Savings & Loan Association, its successors and assigns, forever:

A perpetual right-of-way and/or easement for ingress and egress to the 14.172 acre tract and the 0.228 acre lot owned by Fidelity Federal from U. S. Highway No. 276. Said right-of-way and/or easement shall be located across such portion of the property owned by M & K at such points and places as M & K or C.W.I. may from time to time determine and M & K or C.W.I. shall have the right to change the location of said right-of-way and/or easement at any time and from time to time provided that said right-of-way and/or easement gives Fidelity Federal, its successors and assigns, access to and from the 14.172 acre tract owned by M & K and the 0.228 acre lot owned by Fidelity Federal and U. S. Highway No. 276 with the terminal points to be located along the joint rear line of the properties owned respectively by M & K and Fidelity Federal. Said right-of-way and/or easement is to be used for all purposes for which public roads and streets are commonly used, including but not limited to, the right of ingress and egress to the 14.172 acre tract and the 0.228 acre lot from U.S. Highway No. 276.

This Right-of-Way and Easement Agreement shall be deemed as a covenant running with the land and shall be for the benefit of the parties hereto and their successors and assigns forever, who are the owners of the property hereinafter described in Schedule A and Schedule B attached.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 27th day of February, 1976.

IN THE PRESENCE OF:

Carroll A. Theis
 As to Milford D. Kelly and Lawrence E. McNair

M & K PROPERTIES, A GENERAL PARTNERSHIP
 CONSISTING OF MILFORD D. KELLY AND LAWRENCE
 E. McNAIR, NOW KELMAC PROPERTIES
 BY: *Milford D. Kelly* (SEAL)
 Milford D. Kelly
Lawrence E. McNair (SEAL)
 Lawrence E. McNair

Carroll A. Theis
 As to Braxton M. Cutchin, III

C.W.I., A GENERAL PARTNERSHIP CONSISTING OF
 BRAXTON M. CUTCHIN, III, GERALD C. WALLACE,
 JR. AND ROBERT P. INGLE
 BY: *Braxton M. Cutchin III* (SEAL)
 Braxton M. Cutchin, III

Carroll A. Theis
 As to Gerald C. Wallace, Jr.

Gerald C. Wallace, Jr. (SEAL)
 Gerald C. Wallace, Jr.

Robert P. Ingle
 As to Robert P. Ingle
Carroll A. Theis
 As to Fidelity Federal

Robert P. Ingle (SEAL)
 Robert P. Ingle
 FIDELITY FEDERAL SAVINGS & LOAN ASSOCIATION
 BY: *Small Skitt* (SEAL)

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