

The above conveyance is made subject to the following:

Grantor reserves unto itself, its successors and assigns, the right and easement as to Tract No. 2 described above to go upon said tract, place thereupon spoil dirt, rock and debris, and, further, to pump water from the stream crossing said tract and/or to dam said stream and build thereupon any necessary water lines, pump stations and electric lines.

Grantee, by accepting this deed, agrees for itself and its successors and assigns that all present and future operations on the quarry premises of grantor located adjacent or near to the above-described property may be conducted with whatever noise, vibration and dust which may occur in or result from such operations; that no such present or future operations shall be claimed by grantee or its successors or assigns to be offensive, injurious, dangerous, an annoyance, or a nuisance; and that the foregoing covenant shall run with the land and be binding upon its successors and assigns.

Title to the property herein conveyed is subject to all existing rights-of-way and easements of public utilities, roads, highways and railroads, whether or not specifically set out in the description, and to the lien for nondelinquent ad valorem taxes.

TOGETHER WITH all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee and the grantee's heirs or successors and assigns, forever. And, the grantor does hereby bind itself and its successors to warrant and forever defend all and singular said premises unto the grantee and the grantee's

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