

STATE OF SOUTH CAROLINA GREENVILLE CO, S.C.
 COUNTY OF GREENVILLE AUG 3 11 26 AM '81
 DONNIE W. BARKERSLEY
 R.H.C.

AGREEMENT

WHEREAS, the Town of Simpsonville was heretofore granted a sewer right-of-way over that certain lot known and designated as Lot No. 774, Westwood, Section VI, such right-of-way being shown on a Plat designated as "Property of Donald Hoffman and E. Jeanette Hoffman", dated July 23, 1981, and being attached hereto and made a part of this agreement, and

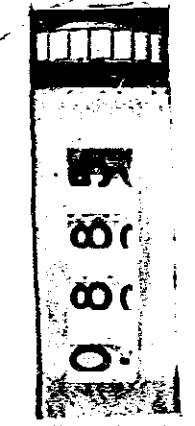
WHEREAS, in the construction of a dwelling on said lot, the driveway was so constructed that it encroaches to the extent that it is located twelve and one-half feet into the right-of-way at the rear of the dwelling and angles off to 7.5 feet at the front property line, and

WHEREAS, Donald E. Hoffman and E. Jeanette Hoffman are desirous of keeping and maintaining said driveway in its present location and both parties desire that the rights be defined.

NOW, THEREFORE, for and in consideration of the mutual covenants herein expressed and the further sum of One (\$1.00) Dollar paid by Donald E. Hoffman and E. Jeanette Hoffman to the Town of Simpsonville, the receipt whereof is hereby acknowledged, the parties hereto do agree as follows:

1. That the Town of Simpsonville does hereby give to Donald E. Hoffman and E. Jeanette Hoffman, their heirs and assigns, a license to allow and permit the driveway constructed on Lot 774, Westwood, Section VI, to remain in its present position. Provided, however, that should it hereafter be necessary or desirable that maintenance or repairs be made to the sewer line, the Town of Simpsonville, or its successors and assigns, shall not be responsible for any damage or liability to Donald E. Hoffman and E. Jeanette Hoffman, their heirs and assigns, by reason of the location of the driveway within the right-of-way, and should any repairs or modification of said sewer line be hereinafter carried out by the Town of Simpsonville, Donald E. Hoffman and E. Jeanette Hoffman, their heirs and assigns, shall be responsible for any additional costs incurred by reason of the encroachment of the dwelling into said right-of-way.

2. The Town of Simpsonville will take reasonable precautions to avoid any interference with the encroachment of said driveway during



4328 RV.2