

TITLE TO REAL ESTATE

L E A S E

This Agreement, made this 18th day of February, 1942, by and between J. L. Martin, (City) Simpsonville, (County) Greenville (State) South Carolina, hereinafter described as Lessors and the Tobin Quarries, Inc., 220 West 39th Street, Kansas City, Missouri, hereinafter designated as Lessee.

Witnesseth:

Lessors hereby give and grant to Lessee the exclusive right to remove, quarry and remove rock on the following described real estate owned by Lessors in Greenville, County _____

to-wit:

"All that piece, parcel and tract of land situated in Grove Township, in the County of Greenville, and State of South Carolina, containing thirty-two acres, more or less, bounded by land of P. F. Cox, Dayton Clark, on Log Shoals Road, Fred Cox and others, being a part of the land conveyed by J. E. Ashmore to Bessie S. Ashmore, bearing date Feb. 19, 1916, being part of the land conveyed to T. M. Cox by Bessie S. Ashmore bearing date of January 6, 1917, in Book G, (37) and being the same land conveyed to S. J. Cox by T. M. Cox bearing date of Jan. 23, 1918, in book G, page (38) and more particularly described as following:

Beginning at a stone corner of the south edge of Log Shoal Road corner of land of Dayton Clark and Fred Cox; thence S. 27 5/8 E. 8.57 to stone corner of land of Dayton Clark and P. F. Cox; thence S. 89 3/4 W. 18.65 to corner in Log Shoal Road; thence with Log Shoal Road S. 54 3/4 W. 11.84 to iron pin corner of land of P. F. Cox and W. J. Riddle; thence N. 14 1/2 E. 31.61 to iron pin corner of land of W. J. Riddle and J. M. Riddle and Fred Cox; thence S. 34 1/4 E. 2028 along the land of Fred Cox to iron pin in Log Shoal Road; thence with Log Shoal Road N. 88 E. 4.90 to beginning corner, see plat of same made by J. W. Riddle, surveyor, Dec. 5, 1916."

Containing 32 acres more or less, this lease to run for 3 months beginning February 18, 1942, and ending May 18, 1942, lessee shall have the right to renew this lease for 5 years upon giving lessors thirty days written notice before the expiration of this lease.

Lessee shall have the privilege of installing and operating crusher on the leased premises and be allowed to deposit waste dirt where most convenient for him.

All stone to be remove to be in accordance with the U. S. Government specifications and subject to U. S. Government Representatives.

It is agreed that lessee shall pay to lessor as royalty the sum of .05 cents per ton for stone and spalls removed, measurements to be governed by the United States Corps of Engineers, their inspectors or authorized agents, measurements of such stone as may be removed and allowed by said inspectors; payment of said royalty shall be made monthly, on or before the 20th day of each month, when payment of royalty for the amount of rock quarried during the previous calendar month shall be made by lessee to lessor.

A payment of \$50.00 by the lessee to the lessors to be applied as advanced royalty is hereby acknowledged by the lessors.

Lessee shall have the right to remove all improvements erected thereon by him, and all machinery and equipment placed thereon by him.

Lessor shall not be liable in any way for acts or operations of the lessee.

In witness whereof: the parties have subscribed their names to duplicate copies hereof both originals, on the day and year above mentioned.

Palmer Bramlett

Witness

Theron T. Earle

Witness.

Subscribed and sworn to before me a Notary Public
this 18 day of Feb. 1942.

Theron T. Earle

Notary Public for S. C.

My commission expires at the will of the Gov.

State of South Carolina,
County of Greenville.

Personally appeared before me Theron T. Earle and made oath that he saw the within named J. L. Martin & Thos. P. Barnes sign, seal and as his her their act and deed, deliver the within instrument and that he with Palmer Bramlett witnessed the execution thereof.

Sworn to before me this 18 day of Feb. A.D. 1942.

Theron T. Earle

J. W. Griffith (SEAL)

Notary Public, S. C.

J. L. Martin

Lessors

Tobin Quarries, Inc.,

Lessee

BY: Thomas P. Barnes

S. C. Stamps 4¢

Recorded February 18th, 1942 at 10:30 A. M. #2180 BY: E.G.