

THIS Agreement made and entered into this *first* day of December, 1955, by and between W. R. Cely, Jr. and ISABELLE Cely, his wife, residents of GREEN, South Carolina, parties of the first part hereinafter referred to as "Land Owners" and American Telephone and Telegraph Company, a corporation of the State of New York having an office in the City of Charlotte, North Carolina, party of the second part hereinafter referred to as "Telephone Company".

WITNESSETH

WHEREAS, by instrument executed on April 18, 1929, and recorded in Deed Book 146 at Page 478 of the Land Records of Greenville County, South Carolina, the Citizens Bank of Taylors granted and conveyed to American Telephone and Telegraph Company of South Carolina, predecessor in interest of Telephone Company, a right of way and easement for the construction, operation and maintenance of lines of telephone and telegraph including the necessary poles, wires, cables and fixtures upon, over and across certain lands in the Township of Butler, County of Greenville and State of South Carolina, bounded by the lands of Ernest Hudson, Jim Hudson and others.

WHEREAS, Telephone Company, pursuant to the authority granted in said instrument, has heretofore constructed and now maintains its lines of telephone and telegraph upon, over and across said lands which lines form a portion of Telephone Company's Charlotte-Atlanta "A" and "B" cable lines, and

WHEREAS, Land Owners, now the owners of said lands, propose to construct a pond or lake as a result of which water will flow over a portion of said lands and a portion of said Telephone Company's right of way and around the poles and fixtures forming a part of said telephone lines, and

WHEREAS, Telephone Company is willing to permit the construction of said pond or lake and the flowing of water over its said right of way and around its said poles in consideration of certain covenants and agreements on the part of Land Owners.