

In the event the survey of the selected tract does not disclose 165 acres within the area selected, or in the event that the interior and variable lines come closer to the dwelling house than as is herein provided, in order to accomplish an area of 165 acres, then either party, as so affected, may waive the discrepancy by written notice to the other party, but if there be no such waiver, then the division of the property shall proceed by arbitration in the manner and on the terms provided by paragraphs numbered (2) and (3) of the Agreement heretofore entered into between the parties under date of July 22, 1957.

Performance of this Agreement is conditioned only on the matters of survey recited in the preamble and body of this Agreement, and if such questions of survey be determined in accordance with this Agreement, then completion of the Agreement shall be accomplished by the exchange of Deeds and other appropriate instruments, without the necessity of arbitration; otherwise, in the absence of waiver of discrepancies as hereinabove provided, arbitration to proceed as provided. This Agreement shall be binding upon each of us and our respective heirs, executors, administrators and assigns.

IN WITNESS WHEREOF we have hereunto set our hands and seals at Spartanburg, South Carolina, the day and year first above written.

In the presence of:

Raymond G. Wilson

Elford C. Morgan (SEAL)  
Elford C. Morgan

Durrell Ruffin  
As to Elford C. Morgan

Rowena Morgan Mayson (SEAL)  
Rowena Morgan Mayson

Lucile H. Seixas

Jesse W. Boyd  
As to Rowena Morgan Mayson.

Lucile H. Seixas

Jesse W. Boyd  
As to Elford C. Morgan also

STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG

Personally appeared before me Lucile H. Seixas, who being duly sworn, deposes and says that she saw the within named Rowena Morgan Mayson and Elford C. Morgan, sign, seal and as their act and deed deliver the above written Agreement, and that she with Jesse W. Boyd witnessed the execution thereof.

Sworn to before me this  
25th day of March, 1961.

Lucile H. Seixas

Jesse W. Boyd (SEAL)  
NOTARY PUBLIC FOR S. C.

RECORDED MARCH 29th, 1961, AT 9:45 A.M. #23853