

NOV 12 10 26 AM 1965

THIS AGREEMENT, made this 13th day of August, 1965, between the ATLANTIC COAST-LINE RAILROAD COMPANY, hereinafter referred to as the Railroad, and CITIZENS LUMBER COMPANY OF GREENVILLE, SOUTH CAROLINA, a corporation under the laws of the State of South Carolina,

hereinafter referred to (severally, if more than one) as the Industry;

WITNESSETH:—that

WHEREAS, the Industry desires track facilities, hereinafter called sidetrack, at or near Greenville, County of Greenville, State of South Carolina, to serve plant and storage facilities of the Industry for the storage and handling of lumber and other building materials; said sidetrack being shown in red and green on the print dated April 23, 1965, revised July 27, 1965, of Plan No. 1-A-16, hereto attached and made a part hereof, and more particularly described as follows:

Diverging from the Bleachery Lead Track at location 5089 feet westwardly from its switch point connection in the Laurens to Greenville Line of the Railroad (said point of connection being located about 3330.9 feet westwardly from Milepost KJ-590) and extending westwardly and northwestwardly 525 feet; the first 115 feet on the right of way of the Railroad (of which 33 feet lies within and across the paved area of Westfield Street, i.e., between Survey Station 0+24 and 0+57), the next 35 feet on that portion of the property of the Industry for which an easement has been granted the Railroad pursuant to the provisions of Article 10 hereof, and the last 375 feet on property of or provided by the Industry.

A 450-foot sidetrack facility was heretofore provided on basis of the former Charleston & Western Carolina Railway Company (which was merged with and become a part of the Atlantic Coast Line Railroad Company), at its expense constructing the first 150 feet and the Industry's predecessor, at its expense, constructing the last 300 feet, and now covered by agreement dated April 7, 1947, between the Railroad and Citizens Lumber Company, Inc. (incorrectly describing the facility as being 452 feet in length), which agreement will be terminated and superseded with the execution of this agreement dated August 13, 1965. The track facility was subsequently rearranged and extended on basis of the Railroad, at its expense, relocating the 150-foot turnout from the northwest end to the southeast end of the facility, and the Industry, at its expense, constructing a 75-foot extension to the facility to form the sidetrack herein described and hereby covered.

The Railroad owns the first 150 feet of the said sidetrack, and the Industry owns the last 375 feet thereof.

Now, therefore, in consideration of the covenants and agreements herein contained, it is mutually agreed that the said sidetrack shall be constructed, maintained, and operated under the following terms and conditions:

(CONTINUED ON NEXT PAGE)

Plat Recorded in Deed Book 786 Page 144