

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

AGREEMENT AND  
COVENANT NOT TO SUE

FOR AND IN CONSIDERATION of the payment of the sum of  
Fifteen Thousand <sup>Five Hundred</sup> and No/100ths (\$15,400.00) Dollars to the under-  
signed, the receipt whereof is hereby acknowledged, we, Barbara  
M. Poston, Paul F. Barnett, Daniel L. Egerdahl and Patricia M.  
Egerdahl, the owners of Lots 29, 28 and 27, Timberlake according  
to plat made by Dalton & Neves, May 1956, and recorded in the  
R.M.C. Office for Greenville County in Plat Book EE, at Page 4,  
do hereby covenant and agree with W. C. Balentine and David W.  
Balentine individually and d/b/a Ramblewood Apartments, Balentine  
Brothers Builders, Inc. and the South Carolina Highway Department,  
their heirs, executors, administrators, successors and assigns,  
that we will never institute, prosecute or in any way aid in the  
institution or prosecution of any claim, demand, action or cause  
of action for damages, costs, loss of use, expenses or compensation  
at law or in equity for or on account of any damage, loss or injury  
either to person or property, or both, whether developed or unde-  
veloped, resulting or to result, known or unknown, which we now  
have or have ever had or which we, our heirs, executors, or adminis-  
trators hereafter can, shall, or may have for, on or reason or any  
matter, cause of thing whatsoever and especially resulting from the  
ownership, construction, use and operation, of the Ramblewood Apart-  
ments on East North Street, Greenville, South Carolina by W. C.  
Balentine and David W. Balentine individually and d/b/a Ramblewood  
Apartments, and/or Balentine Brothers Builders, Inc. and any and  
all improvements and construction work done or performed or caused  
to be performed on East North Street, Greenville, South Carolina by  
the South Carolina Highway Department. This Agreement and Covenant  
Not to Sue includes and extends to any claims or causes of action  
that may arise after the date of this Agreement by way of continuing  
damages due to the construction work and improvements heretofore

4328 RV-2

0194