STATE OF SOUTH CAROLINA)
IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE)

Western Carolina Regional Sewer Authority, Respondent (Condemnor) v. Clinton Stables, Inc., Trustee, et. al., Appellant (Landowner)

EXHIBIT "B"

The right of way is to be acquired by Western Carolina Regional Sewer Authority, its successors and assigns, for the following purposes:

The right and privilege of entering the aforesaid strip of land and to construct, maintain and operate within the limits of same, pipe lines, manholes and any other adjuncts deemed by Western Carolina Regional Sewer Authority to be necessary for the purpose of conveying sanitary sewage and industrial wastes, and to make such relocations, changes, renewals, substitutions, replacements and additions of or to the same from time to time as said Western Carolina Regional Sewer Authority may deem desirable, the right at all times to cut away and keep clear of said pipe lines any and all vegetation that might, in the opinion of the Western Carolina Regional Sewer Authority endanger or injure the pipe lines or their appurtenances, or interfere with their proper operation or maintenance; the right of ingress or egress from said strip of land across the land referred to above for the purpose of exercising the rights herein taken; provided that the failure of the Western Carolina Regional Sewer Authority to exercise any of the rights herein taken shall not be construed as a waiver or abandonment of the right thereafter at any time and from time to time to exercise any or all of same. No building shall be erected over said sewer pipe line nor so close thereto as to impose any load thereon.

The Landowner may, nevertheless, continue to plant crops, maintain fences, driveways, parking areas, roadways, a lawn and use this strip of land in any manner not inconsistent with the right of way purposes; provided: That crops shall not be planted over any sewer pipes where the tops of the pipes are less than eighteen (18) inches under the surface of the ground; that the use of said strip of land by the Landowner shall not, in the opinion of Western Carolina Regional Sewer Authority, interfere or conflict with the use of said strip of land by Western Carolina Regional Sewer Authority for the purposes herein mentioned, and that no use shall be made of the said strip of land that would, in the opinion of Western Carolina Regional Sewer Authority, injure, endanger or render inaccessible the sewer pipe line or appurtenances.

The Contractor, upon reasonable and timely request by the Landowner to Western Carolina Regional Sewer Authority, will cut and stack such usable timber as is upon the right of way on the property line in usable lengths so the same may be removed by the Landowner. It shall be the responsibility of the Landowner to notify Western Carolina Regional Sewer Authority within reasonable time of his desire to have said timber.

The Landowner shall have the right to connect to the line unless the same be a forced main, however, such connection shall be made in accordance with regulations applicable and shall be made when possible at existing manholes. All such connection costs must be borne by the Landowner, and he shall not be relieved of paying any tap fees which may be required by any subdistrict nor shall he be relieved from paying other charges. However, no tap fee shall be charged of the Landowner by Western Carolina Regional Sewer Authority.

The acquisition of this right of way is not a taking of the land in fee simple, but only for the purposes stated above.