

4. WARRANTY: The City hereby warrants to the Bank that any and all, construction, improvement and maintenance work that it does to the Bank's property, and as provided for hereinabove, shall be done in a workmanlike manner.

5. POSSESSORY INTEREST: The City understands that the Bank intends, and by this instrument is, conveying and granting a temporary easement to the City in the property in question. It being further recognized that this instrument is an agreement by and between the City and Bank for the purpose of establishing the rights and obligations of the parties insofar as the construction and installation of the improvements are concerned and the obligations of the City thereafter. In addition, this instrument in no way nullifies, limits or otherwise restricts any rights-of-ways, easements or other rights in and to the property in question that may currently appear of record.

6. HOLD HARMLESS AND INDEMNIFICATION: It is further agreed:
(A) That during the construction and installation of the improvements to the Bank's property, including removal and demolition of the existing sidewalk and other improvements, that the City shall, insofar as permitted by law, hold the Bank, its successors, assigns and agents harmless and it agrees to indemnify same from any and all suits, actions, causes of actions, claims and demands whatsoever in law or equity as a result of, growing out of, or in any way connected with, personal injuries, property damages, assessments or other charges that may arise out of said construction and installation. This hold harmless and indemnity provision specifically includes any such suits, actions, causes of actions, claims and demands whatsoever in law or equity that may arise out of the performance and activities of the City's employees, agents, subcontractors, and invitees.
(B) That after the initial construction and installation of the improvements to the Bank's property, the City agrees that its obligations and duties in regard to the improved property for which this easement is given shall be the same as it is for all other streets, sidewalks, and public ways in the City of Greenville and

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