STATE OF SOUTH CAROLINA

ASSIGNMENT OF EASEMENT AND RIGHT-OF-WAY

COUNTY OF GREENVILLE

THIS INDENTURE made this 7 day of 1954, between FORSYTH AGGREGATES, INC., a corporation organized under the laws of North Carolina, party of the first part, and BOWMAN GRAY, GORDON GRAY, NEELY J. CROMER, and DOROTHY C. CROMER, stockholders of Forsyth Aggregates, Inc., parties of the second part;

WITNESSETH:

THAT WHEREAS, H. C. Davidson did, by a certain indenture of easement and right-of-way, bearing the date June 10, 1953, and recorded in Deed Book 480 at page 33 in the Office of the Register of Mesne Conveyance, Greenville County, South Carolina, grant, bargain, sell and convey unto Forsyth Aggregates, Inc., its successors and assigns, the right, privilege and easement of constructing and maintaining and operating a dam across Lakeside Creek, on the property of said H. C. Davidson, at any point within 600 feet of the point where said creek enters the property of H. C. Davidson on the north, and to maintain said dam and back water on the property of H. C. Davidson, provided that said water is not backed out of the banks of said creek as it existed on June 10, 1953; and

WHEREAS, the party of the first part has been duly liquidated and dissolved pursuant to a resolution adopted by the parties of the second part on the 27th day of February, 1954 and wishes to transfer and assign all its assets to its stockholders as a liquidating dividend in complete liquidation; and

WHEREAS, the parties of the second part wish to receive the assets of the party of the first part in kind for their use or disposal as they see fit,

NOW, THEREFORE, the party of the first part does hereby assign to the parties of the second part, and their heirs and assigns, all its right, title and interest to the right, privilege and easement hereinabove described.

The party of the first part further assigns unto the parties of the second part, their heirs and assigns, a right-of-way extending 15 feet on the west side of Lakeside Creek from the center line thereof and 25 feet on the east side of said creek from the center line thereof for the purpose of maintaining and operating said dam and pipe line and power line hereinafter referred to, but the back water from the dam of the parties of the second part shall not overflow the banks of said creek as it existed on June 10, 1953 and cover any part of said additional right-of-way beyond the banks of said creek.