

4) It is the intent of this Agreement to insure the proper maintenance of on-site storm water detention facilities by the Landowner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or be caused by storm water drainage.

5) The Landowner, its executors, administrators, assigns, and other successors in interest, shall indemnify and hold the City and its agents and employees harmless for any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the City from the construction, presence, existence or maintenance of the storm water detention facilities by the Landowner.

6) This agreement shall be recorded among the land of records of Greenville County, S.C., and shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs, and any other successors in interest.

WITNESS the following signatures and seals:

WITNESS:

1) *A. L. Peto*
2) *Paul D. Williams*

1) _____
2) _____

LANDOWNER:

DIAMOND WINTER LTD., SOUTH CAROLINA

Dirk Alfred Lindenbeck
Dr. Dirk Alfred Lindenbeck

ATTEST:

1) *Charles H. Hendrix*
2) *Louise Bruce*

THE CITY OF TRAVELERS REST, S.C.

BY *[Signature]* (SEAL)

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