

- 2 -

WHEREAS, said walkway at the present consists of a series of steps and passageways connecting said steps, all being constructed of rock or granite, and

WHEREAS, all of the parties hereto desire that said walkway be maintained and continued in use, but the first party desires that said walkway be altered in certain respects, and

WHEREAS, the first party has had said walkway surveyed by Dalton and Neves, Engineers, and a plat thereof has been made by said engineers, dated August 19, 1948, and attached hereto as Exhibit "A" and made a part hereof.

NOW, THEREFORE, the parties hereto, for and in consideration of the sum of One Dollar (\$1.00) by each to the other in hand paid, and for the further consideration of the mutual promises and advantages passing from one party to the other, it is agreed:

(1) That the present course of said walkway from where it commences on South Main Street and runs therefrom S. 31 E., as stated in the agreement recorded in Deed Book 12, Page 277, and is shown on plat recorded in Plat Book E, Page 163, as running S. 30-40 E., be continued.

(2) That said walkway be altered so that the first steps downward, commencing eight feet from South Main Street be changed to commence 45 feet from South Main Street, all of which is shown on plat of Dalton and Neves attached hereto.

(3) That the first party, at its own expense, construct, in a workmanlike manner, a hard surfaced sidewalk eight feet in width for a distance of 45 feet running from South Main Street along the course of the Dalton and Neves plat hereto attached.

(4) That the first party, at its own expense, shall construct, in a workmanlike manner, a series of steps either of concrete, rock, granite, or some similar material, starting at a