

APR 8 10 04 AM 1960

STATE OF SOUTH CAROLINA) OLLIE F. WORTH
) R.M.C.
COUNTY OF GREENVILLE)

For Plat See Deed Book 647, pages 467, 468, and 469

THIS AGREEMENT Made this the 9 day of March,

1960, by and between PIEDMONT AND NORTHERN RAILWAY COMPANY, a corpora-
tion organized under the laws of the State of South Carolina, party of the first part,
hereinafter called "Railway", and UNITED BISCUIT COMPANY OF AMERICA, a cor-
poration organized under the laws of the State of Delaware, party of the second part,
hereinafter called "United",

WITNESSETH:

WHEREAS, by deed dated October 16, 1958 and recorded in the
R. M. C. Office of Greenville County, South Carolina, in Deed Book 609 at page
505, the Railway sold and conveyed to United a tract or parcel of land on White
Horse Road in Greenville County, South Carolina, and

WHEREAS, Railway owns a tract or lot of land adjoining and lying
to the east of said parcel of land sold by Railway to United; and

WHEREAS, United constructed a one-story warehouse building on the
property and after said building had been commenced it was discovered that the
footing of the building encroaches on Railway's property to the rear of the lot a
maximum distance of 1.58 feet, said encroachment being shown within red line on
print Drwg. F-1280 dated February 9, 1960, a copy of which is hereto attached; and

WHEREAS, Railway has agreed to waive said encroachment upon its
property upon the conditions herein set out:

NOW, THEREFORE, in consideration of the premises and of \$1.00 to
Railway in hand paid by United, the receipt of which is hereby acknowledged, Railway
does hereby waive said encroachment and does hereby consent and agree that United,
its successors and assigns, may continue to use and occupy said portion of the land
of Railway above mentioned upon which the footing of said building encroaches so long
as said building remains on said land; provided, however, that in the event of the

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