

JUL 1 4 54 PM '76

DONNIE S. TANKERSLEY  
R.H.C.

STATE OF SOUTH CAROLINA ) EASEMENT AND RIGHT  
COUNTY OF GREENVILLE ) OF WAY AGREEMENT

KNOW ALL MEN BY THESE PRESENTS that M & K Properties, a general partnership consisting of Lawrence E. McNair and Larry F. Klang (hereinafter referred to as "Grantor"), in consideration of the sum of \$1.00 paid by The Great Atlantic & Pacific Tea Company, Inc., a Maryland corporation (hereinafter called "Grantee"), the receipt of which is hereby acknowledged, does hereby grant and convey unto the Grantee a non-exclusive easement and right of way in and over the following described property:

ALL that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Greenville as is more fully shown on a plat entitled "Survey for M & K Properties, a partnership" dated May 7, 1976, prepared by Piedmont Engineers-Architects-Planners and having according to said plat the following metes and bounds, to-wit:

BEGINNING at an iron pin on the southeastern side of the within property at the corner of property of Jack E. Shaw and Frank G. and Lois Fine, and running thence S. 77-26 W. 90 feet to an iron pin to the corner of property shown on said plat as belonging to Realty Growth Corp.; running thence with the line of said property N. 31-03 W. 54 feet to an iron pin at the corner of property of Jack E. Shaw; thence with the line of the said property N. 22-28 E. 212.9 feet to an iron pin; running thence S. 53-37 E. 48 feet to an iron pin and running thence S. 59-09 E. 52.0 to an iron pin; running thence S. 58-49 E. 45 feet to an iron pin; thence S. 51-18 E. 50 feet to an iron pin; thence S. 48-05 W. 170.4 feet to the point of beginning.

Said easement and right of way shall be forty feet in width during construction and twenty-five feet in width after construction is completed and shall be located as nearly as possible in the location shown on the aforesaid plat as proposed sanitary sewer right of way. However, it is understood between the parties that prior to construction said easement and right of way may be located other than as is provided for above if it is reasonably necessary to do so because of topography, trees, stone and good construction practices. After construction, said easement shall be twelve and one-half feet in width on each side of the sanitary sewer line. No building or other structures may be constructed over said easement.

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