

6/14/78

EASEMENT AGREEMENT

(29)
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THIS EASEMENT AGREEMENT, made as of the 26th day of June, 1978, by and among HAYWOOD MALL, INC., a Georgia corporation qualified to do business in the State of South Carolina and MONUMENTAL HAYWOOD, INC., a Maryland corporation qualified to do business in the State of South Carolina, a joint venture doing business under the name HAYWOOD MALL ASSOCIATES (hereinafter referred to as the "Developer"), the J. C. PENNEY COMPANY, INC., a Delaware corporation qualified to do business in the State of South Carolina (hereinafter referred to as the "Penney Company") and the J. C. PENNEY PROPERTIES, INC., a Delaware corporation qualified to do business in the State of South Carolina (hereinafter referred to as "Penney Properties") (Penney Company and Penney Properties are herein collectively referred to as "Penney"), FEDERATED DEPARTMENT STORES, INC., a Delaware corporation qualified to do business in the State of South Carolina (hereinafter referred to as "Federated"), SEARS, ROEBUCK AND CO., a New York corporation qualified to do business in the State of South Carolina (hereinafter referred to as "Sears"), NEW SOUTH DEVELOPMENT CO., a South Carolina general partnership (hereinafter referred to as "New South") and HAYWOOD PROPERTIES, a South Carolina limited partnership (hereinafter referred to as "Haywood").

W I T N E S S E T H:

WHEREAS, the Developer is the owner of the fee and the leasehold title to certain real property (hereinafter referred to as the "Developer Site") which is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof; and

WHEREAS, Penney Properties has acquired a leasehold estate to certain real property (hereinafter referred to as

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GREENVILLE CO. S. C.

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