

TITLE TO REAL ESTATE

hereinafter described and to the Northwest on property now or formerly of the Town of Summerville.

(b) And also the right, privilege, easement and license as conveyed to South Carolina Power Company by the Town of Summerville by the deed hereinafter referred to, to Southern Ice Company, its successors and/or assigns to the use, possession and enjoyment of the following described lot of land, including the well located thereon, until Southern Ice Company and/or its successors and assigns shall have no further use therefor in the operation of the Ice Plant now located on the property next hereinabove described, which use, possession, enjoyment and operation, however, are to be in accordance with and subject to the terms of the contract dated December 5th, 1929 between the said Town of Summerville and South Carolina Power Company, as construed by Supplemental Agreement between said Parties dated July 27th, 1931 hereinafter referred to namely,

All that piece, parcel or lot of land belonging to the said Town of Summerville and lying Southwest of the property above conveyed, Measuring and Containing on the Northeast line Sixty-seven and 2/10 (67.2) feet, on the Southwest line Sixty-six and 7/10 (66.7) feet and on the Northwest and Southeast lines each One Hundred (100) feet, be all of said dimensions a little more or less, and abutting and bounding to the Northeast on the lot hereinabove described and conveyed, on the Southeast on property now or formerly of Bank of Dorchester and/or of Priscilla C. U. Ladd, on the Southwest on land now or formerly of Estate of Solomon and Morris Mirmow and on the Northwest on land now or late of the Town of Summerville and of Solomon and Morris Mirmow, and being included within the white lines connecting the lines A B C D and A on the plat hereinabove referred to.

The plat to which reference is hereinabove made, blue print of which is annexed to the deed from South Carolina Power Company to Southern Ice Company hereinafter referred to, is a plat of a lot of land in the Town of Summerville, Dorchester County, South Carolina, about to be conveyed by the Town of Summerville to the South Carolina Power Company, Surveyed at their request December 3rd, 1929, by Randolph B. Lee, Reg. C. E. & L. S. Scale 1" = 20'. Legant:-The portion of the above lot designated A-B-C-D is not included in this conveyance, but is reserved by the Town of Summerville. Authority-Map by René Ravenel, March 1916. Copied this 22nd day of April, 1931 and additions made thereto showing portion, lettered A-B-E-F-G-H to be conveyed to the Southern Ice Company by the South Carolina Power Company, together with certain rights and easements in and to the property marked thereon, A. B. C. D and in and to the artesian well likewise marked thereon by L. Y. Dawson, Reg. C. E. & L. S., and the said plat is recorded in the Office of the Clerk of Court for Dorchester County, South Carolina in Plat Book No. 4 at page 251½.

The property described in paragraph (a) hereof is a part of the property conveyed, and the right, privilege, easement and license referred to in paragraph (b) hereof is the same as were conveyed by the Town of Summerville to South Carolina Power Company by its deed dated the 5th day of December, A. D. 1929 and recorded in the Office of the Clerk of Court for Dorchester County, South Carolina in Book 56 at page 197 and in Misc. Book 4 at page 383.

And also so much of a certain contract between South Carolina Power Company and the said Town of Summerville dated December 5th, 1929 as construed by Supplemental Agreement between said Parties dated July 27th, 1931, and so much of a certain franchise dated November 15th, 1929 granted in and by an ordinance adopted and ratified by the said Town of Summerville on the said 15th day of November 1929 and accepted by South Carolina Power Company the 5th day of December 1929, and so much of the rights, powers and privileges of South Carolina Power Company under the said contract as so construed and under the said franchise as have to do with the maintenance, operation and conduct of an Ice plant for the manufacture of artificial ice and the furnishing and selling of ice in the said Town of Summerville and the providing an adequate supply of ice to meet the needs of the Town and its inhabitants and the fixing of the maximum price of ice and in general all matters set out in the said franchise and agreement as so construed which constitute a part of and have to do with the maintenance of an ice business as therein provided for as distinguished from the other matters and things and the other kinds of business referred to and provided for in the said franchise and agreement, subject, however, to the restrictions, limitations and obligations therein provided to be performed by South Carolina Power Company, its successors and assigns, with respect to the operation of the said ice plant and the conduct of the said ice business, but it is distinctly understood and agreed by and between the parties hereto that no obligation shall be held to be imposed upon or assumed by Southern Ice Company, its successors or assigns, as to any of the matters and things set forth in the said contract and/or franchise by reason of this sale, conveyance and assignment, save in connection with the property and rights hereby assigned, sold and conveyed.

The property above described having been conveyed by South Carolina Power Company to Southern Ice Company by deed dated the 1st day of July, A. D., 1933, and recorded in the Office of the Clerk of Court for Dorchester County, South Carolina, in Book 57 at page 481, which conveyance was subject to the terms and conditions of the contract between South Carolina Power Company and Southern Ice Company dated July 29, 1931, and recorded in the Office of the Clerk of Court for Dorchester County in Miscellaneous Book 5 at pages 67-79 and in Book 58 at pages 208 to 220.