State of South Carolina, County of Greenville.

Release and Easement.

Whereas, Joo M. Chandler commenced an action in the Court of Common Pleas against Southern Public Utilities Company, a corporation, on or about May 1st, 1935, to recover damages to a tract of land in Dunklin Township, County of Greenville, State of South Carolina, which is a part of a tract of approximately 69 acres, more or less, owned by the plaintiff, Joe M. Chandler, on Little Horse Creek, and its tributaries, which flow into Reedy River, said tract having been conveyed to Joe M. Chandler by deed of Nallie G. Brown, dated February 2nd, 1927, and recorded in the R. M. G. Office for Greenville County in Deeds Volume 109, at page 135; and

Whereas, the properties of Southern Public Utilities Company have since been transferre' to Duke Power Company, a corporation, and

Whereas, a settlement of all the issues involved has been made dismissing said action and it is now desired that the plaintiff, Joe M. Chandler, release the defendant, Southern Public Utilities Company and Duke Pewer Company from all claims and causes of action on account of the erection, construction and maintenance of a dam at wumbling Shoals in Laurens County, S. C., across the Reedy River.

Now, therefore, Know all men by these presents that for and in consideration of the sum of One Hundred (\$100.00) Dollars, to me in hand paid at and before the sealing of these presents, the receipt whereof is hereby acknowledged, there being no other consideration promised other than am herein specified, I have remised, released and forever discharged and do hereby, for myself, my executors, administrators, heirs and assigns, Borever remise, release and discharge Duke Power Company and Southern Public Utilities Company, their successors and assigns of and from all claims and demands, actions and causes of action on account of or in any way growing out of, resulting, or to result, from the erection, construction and maintenance of the dam of Duke Power Company and Southern Public Utilities Company at Tumbling Shoals in Laurens County, S. C., on Reedy River, and all issues involved in the suit of the said Joe M. Chandler against Souther Public Utilities Company;

And I, Joe M. Chandler, do further bargain, grant, sell and release unto Duke Power Company, its successors and assigns, an easement in perpetuity over the land described herein, and all other land owned by me adjacent to or near Little Horse Creek, its tributaries and Reedy River, for backwater and all things incident thereto, arising out of the construction and maintenance of said dam, and I do hereby consent to the construction, operation and maintenance of the dam and the granting of the easement herein this easement and release also to be binding upon the parties to this agreement in the event that the dam is elevated to a level of three feet above the top of the present concrete dam; and I do hereby bind myself, my heirs, executors, administrators and assigns to warrant and forever defend all and singular the said premises unto the said Duke Power Company, its successors and assigns, against me and my heirs, and against every person whomsoever lawfully claiming or to claim same or any part thereof.

In witness whereof I have hereunto set my hand and smal this 7th day of

October, 1935. In the presence of:

Lucyle S. Dargan C. S. Bowen.

Joe M. Chandler. (L. S.)