

demnify and hold harmless the Railroad, its successors and assigns, from and against all loss, costs, expense, including attorneys' fees, claims, suits and judgments whatsoever in connection with injury to or death of any person or persons, or loss of or damage to property, including said gate and fence, caused by or in any way connected with the installation, maintenance, operation or presence of said gate and fence across and/or adjacent to said sidetrack, or removal thereof, whether resulting from the operation of engines, cars or trains on said track, or from any cause whatsoever, and whether such injury, death, loss or damage results from negligence of the Railroad, its agents, or otherwise.

NOTE: The following changes were made in this agreement prior to execution thereof:
Sheet 5: Typewritten.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly signed, sealed and delivered in duplicate the day and year first above written.

WITNESSES FOR RAILROAD:

D. M. Nichols
W. D. Furquhar

ATLANTIC COAST LINE RAILROAD COMPANY:

By: *D. C. Hastings*
D. C. Hastings, Vice President - Operations

WITNESSES FOR INDUSTRY:

[Signature]
Patricia H. Rameer

F. H. ROGS & COMPANY:

By: *[Signature]* (SEAL)
President
Attest: *[Signature]* (SEAL)
Secretary

(Continued on next page)