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point 45 feet from South Main Street, and said steps to extend downward therefrom to a point approximately 86 feet from South Main Street as shown on the Dalton and Neves plat hereto attached and said steps to connect with and join the eight-foot walkway now in existence at said point of approximately 86 feet from South Main Street.

(5) The party of the first part, at its own expense, is to construct or install along the steps which it is to build, commencing 45 feet from South Main Street and extending to a point of approximately 86 feet from South Main Street, the necessary hand rails or guard rails to support and protect pedestrians using said walkway. Said hand rails or guard rails are to be constructed of metal piping or some other similar permanent material.

(6) All costs and expense incident to the alteration of the eight-foot walkway as above stipulated is to be borne solely by the first party hereto without any cost or expense whatsoever to the second party or third party hereto.

(7) The area beneath the eight-foot hard surfaced sidewalk and the steps to be constructed by the first party as above provided shall be filled with dirt by the first party.

(8) When the first party completes the construction or building of the steps, hard surfaced sidewalk, hand rails, and all other necessary work incident thereto, in a workmanlike manner, then the first party shall have no further liability for the maintenance in the future of said walkway, steps or passageway.

IN WITNESS WHEREOF, said parties have hereunto set their hands and seals the day and year first above written, and by these presents do hereby bind themselves, their successors