

- 2 -

the Estate of W. M. Tindal, without monetary charge and in consideration of alleged benefits and improvements accruing from a proposed roadside improvement and beautification project, executed and delivered to the Highway Department four (4) separate instruments, each termed "Easement for Roadside Improvement", agreeing thereby to furnish free of charge additional land adjacent to the outside boundaries of the highway right-of-way, on both the Southwest and Northeast side, two of which easements are:

<u>WIDTH</u>	<u>SIDE</u>	<u>LOCATION (STATIONS)</u>
(1) 50'	Left	85/00 & 99/00, 104/00 & 111/60
(2) 50'	Right	85/00 & 89/85, 91/35 & 99/00, 104/00 & 111/60

and neither of the alleged easements above set forth appears of record in the R.M.C. Office of this County, although one of the two crosses the entire northeast boundary of said original 52-acre tract to a depth of fifty (50) feet; and

WHEREAS, upon acquiring said tract as set forth above, the Owner subsequently subdivided and developed same, the area now being known as Sans Souci Heights, a portion of which is shown by the partial plat of this sub-division hereto attached, made a part hereof, and marked Exhibit "A", and which plat is recorded in the R.M.C. Office for the aforesaid county in Plat Book W, at page 155; that as noted on said plat, some twenty-five (25) lots (numbered from No. 1 through No. 25, inclusive) face upon and abut the Southwestern right-of-way of U.S. Highway No. 25; that the Owner is possessed of title to said twenty-five (25) lots, exclusive of Lot No. 18, which has been heretofore sold to one Clarence C. Coleman, Jr. as will appear by reference to Deed Book 434, at page 189, said R. M. C. Office; that no dwellings have been erected upon Lots No. 1 through No. 25, inclusive, except upon the Coleman lot whereupon a brick residence is now virtually completed; that the brick dwelling upon Lot No. 18 encroaches upon the alleged fifty (50) foot beautification easement to a total depth of 18 inches,