

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

P. C. Johnston,)
Plaintiff)
vs.)
Greenville Water Works,)
Defendants)

FILED
IN THE COUNTY COURTS. C.

AUG 24 3 20 PM '73

DONNIE S. TANKERSLEY
R.M.C.

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ORDER

This action involves a dispute concerning the width of a right of way owned by the Greenville Water Works, for the purpose of conveying water through two separate pipe lines from the Table Rock Reservoir to The City of Greenville and alleged damages claimed by the Plaintiff resulting from the clearing of the right of way.

It appears that the Plaintiff owns two (2) tracts of land affected by the right of way, which property was conveyed to the Plaintiff by two (2) deeds recorded in the RMC Office for Greenville County, South Carolina in Deed Book 902 at page 377, and Deed Book 902 at page 379. It appears that on June 26, 1925, Clara Bates Turner, et al, the Plaintiff's predecessors in title, conveyed to the City of Greenville (Greenville Water Works) a permanent right of way 50 feet in width for the purpose of installing a water line to convey water from the Table Rock Reservoir to the City of Greenville, which deed is recorded in the RMC Office of Greenville County, South Carolina in Deed Book 120 at page 11. It further appears that on January 11, 1939, Clara Bates Turner conveyed to the City of Greenville, South Carolina (Greenville Water Works) an additional permanent right of way and easement 15 feet in width and lying on the northern side of said original 50 foot right of way and easement, the deed to which was recorded in the RMC Office for Greenville County, South Carolina in Deed Book 212 at page 378.

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At the time of the beginning of this action, the Plaintiff was unable to determine the exact outer boundaries of said right of way and raised some question concerning the exact width of the total permanent right of way, and the rights and privileges conveyed to the Greenville Water Works by said latter right of way. By instrument dated August 5, 1972, and recorded on August 9, 1972 in the RMC Office of Greenville County, South Carolina in Deed Book 951 at page 320, Clara Bates Turner, the original Grantor of said 15 foot right of way, confirmed that said 15 foot right of way was granted by her with the same rights, privileges, members, hereditaments, and appurtenances as permitted under the terms of said original 50 foot right of way.