

STATE OF SOUTH CAROLINA)
COUNTY OF YORK)
CITY OF ROCK HILL)

GRANT OF RIGHTS-OF-WAY
AND EASEMENTS
(WITH LIEN SUBORDINATION)

Grantees: City of Rock Hill, S.C., its successors, assigns and licensees

Purposes: Storm Water Management, Gas; Natural Gas; Sanitary Sewer, Water, Electricity and Communications

Subject to the conditions as hereinafter set forth, the undersigned Grantor(s), in consideration of payment to the Grantor(s) of the sum of twelve- thousand dollar(s), (\$12,000.00), the receipt and sufficiency of which is hereby acknowledged, does (do) hereby grant, bargain, sell and release unto the City of Rock Hill, S.C. ("City") referred to herein as, the ("Grantee"), and its collective successors, assigns and licensees, with respect to the property described under "Description of Right of Way Property herein below, as follows:

- (1) the right, privilege and easement to enter and re-enter at any time and to install, dig, build, erect, maintain, repair, rebuild, operate, and patrol one or more line(s) of pipe, and other appurtenances for proper transmission of water, the proper conduct of storm water or sanitary sewerage effluent overground or underground; the right, privilege and easement to enter and re-enter at any time and to install, dig, build, erect, maintain, repair, rebuild, operate, and patrol one or more electric power transmission lines, overground or underground, including the right to erect poles and other transmission line structures, wires, fiber, cable and any necessary appurtenances for the proper conduct of electricity, electronic information, data and communications, perpetual right of way and easement for the installation, maintenance, relocation and replacement of pipeline(s) for the transmission distribution and service of natural gas, gas or nitrogen gas and related products, together with below and above ground appurtenant equipment, e.g., anodes and other cathodic protection devices, control valves, and test and monitoring equipment;
- (2) the right, privilege and easement to enter and re-enter at any time and to install, dig, build, erect, maintain, repair, rebuild, operate, and patrol one or more line(s) of telephone lines including related wires, fiber, cable and any necessary appurtenances for the proper conduct of telephone services; and
- (3) the right to clear the rights-of-way area and keep it clear of brushes, trees, buildings, and fire hazards; and the right to remove trees, if any, located beyond the limits of the rights-of-way area; but only if they interfere with the rights-of-way; the above described rights being incident to performance by the Grantee of its functions as a municipality or as the operator of any public utilities system, or the performance by any licensee, successor or assignee of the Grantee of any public utilities functions, utility or any other operation or function related to the above rights set forth in this instrument, the premises to be affected hereby being as follows:

DESCRIPTION OF RIGHT OF WAY

All of those certain strip of land situated in York County, South Carolina located in the vicinity of 780 Cel River Road same being 35 ft. in width, and extending for a total length of 530 ft., more or less, as shown on attached Exhibit "A" entitled "Utility Easement", Parcel Number 663-00-00-078 , Property of L & D Real Estate Holdings, LLC, Los Angeles, Ca., Dated December 29, 2014 together with a temporary construction easement being 10' feet in width on either side of the easement areas described above with such temporary construction easement terminating upon completion of the installation of utilities, which in any event be not later than thirty- six (36) months from the date hereof.

The specific right-of-way width and usage is shown in more detail on attached Exhibit "A"(hereinafter the "Premises")

To have and to hold the same unto the Grantee, its licensees, successors and assigns forever, together with any and all rights normally incident thereto, and particularly the right of ingress and egress thereto from time to time as necessary for construction, reconstruction, enlargement and/or maintenance. The Grantor and Grantee specifically acknowledge and agree that Grantee may assign its rights hereunder in whole or in part. The premises shall be leveled and graded and restored to substantially the same condition after any construction or subsequent maintenance or repair as at commencement of use insofar as possible, all at the expense of the Grantee.

And the Grantor(s) hereby represent(s) that said Premises are owned by the undersigned in fee and are not subject to any mortgage or lien whatsoever, except as follows: a real estate mortgage; the holder of such encumbrance(s), by joining in the execution hereof, hereby waive(s) in favor of and subordinates to the rights hereby granted.

Grantor(s) covenants and warrants that it is the sole owner in fee simple absolute of the subject property, subject to any lien(s) set forth above. Grantor(s) covenants and warrants that Grantor(s) will not transfer, alienate, devise, encumber, or otherwise affect title to the subject property above for a period of 7 days from the date of this Right-of-Way, which will allow the Grantee time to have this Right-of-Way and plat recorded in the Office of the Clerk of Court for York County, South Carolina.

The Grantor(s) shall have the right to use the above-described Premises for purposes not inconsistent with Grantee's full enjoyment of the rights hereby granted, included but not limited to the right of Grantor to park its delivery trucks and to store its pallets and containers on the Premises; provided however that the Grantor(s) shall not erect or construct any building or other structure thereon; maintain or permit any underground or overground system of piping, poles or wiring within such strip; make any use of the facilities installed, buried, erected or constructed thereon; or drill or operate any well or septic system within such strip, without the express written permission of the Grantees.

It is the condition of the grant of the rights by Grantor to Grantee hereunder that such granted rights apply only to the installation and maintenance of utilities within the Premises in connection with the Cel- River widening project.

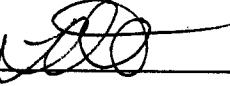
The Grantor(s), as evidenced by their execution and acceptance hereof, hereby agree that the rights herein granted shall be subject to any and all rights, easements and privileges established by the dedication of a public road or street to the City of Rock Hill or the acceptance of a public road or street by the City of Rock Hill.

IN WITNESS WHEREOF these presents have been duly executed under seal by the Grantor(s) on this the 29 day of December, 2014.

In the Presence of:

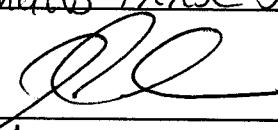
L & D REAL ESTATE HOLDINGS, LLC

#1(Sign) 

By: (Sign)  (SEAL)

(Print) Donald Feles Jr.

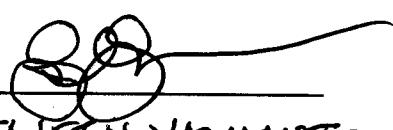
(Print) Lloyd W. Gilbert (SEAL)

#2(Sign) 

Title: Member Manager (SEAL)
Grantor(s)

(Print) Amy Feles

Witnesses (2)

#1 (Sign) 

By: (Sign) Janet N. Yamamoto (SEAL)

(Print) JANET N. YAMAMOTO

(Print) Janet N. Yamamoto (SEAL)

#2(Sign) 

Title: Vice President (SEAL)
Lienholder(s)

(Print) Duval G. Davis

Witnesses (2)

For a Corporate Grantor:

STATE OF California,
COUNTY OF Los Angeles

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this

29th Dec 2014 (date) by Lloyd Talbert

(name of officer or agent, title of officer or agent) Of LTD Real Estate Holdings (name of corporation acknowledging) a

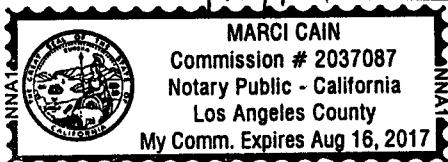
(state or place of incorporation) corporation, on behalf of the corporation.

CA (Sign) Marci Cain

(Print) Marci Cain

Notary Public for California

My Commission Expires: 9/10/17



For a Lienholder:

STATE OF California,
COUNTY OF Los Angeles

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this 29th December 2014 (date) by

Tamara Banks (name of officer or agent, title of officer or agent) of
(name of corporation acknowledging) a Delaware (state or place of incorporation) corporation, on behalf of the corporation.
Wells Fargo Bank, N.A.

Tamara Banks (Sign)

TAMARA BANKS (Print)

Notary Public for California

My Commission Expires: 2/2/2018



00116078.4

Instrument
201500288810 OR
14705 201
Vol Page
14705 201



BAD ORIGINAL

LEGEND



Street



Utility Easement



Parcel



PARCEL NUMBER
663-00-0078

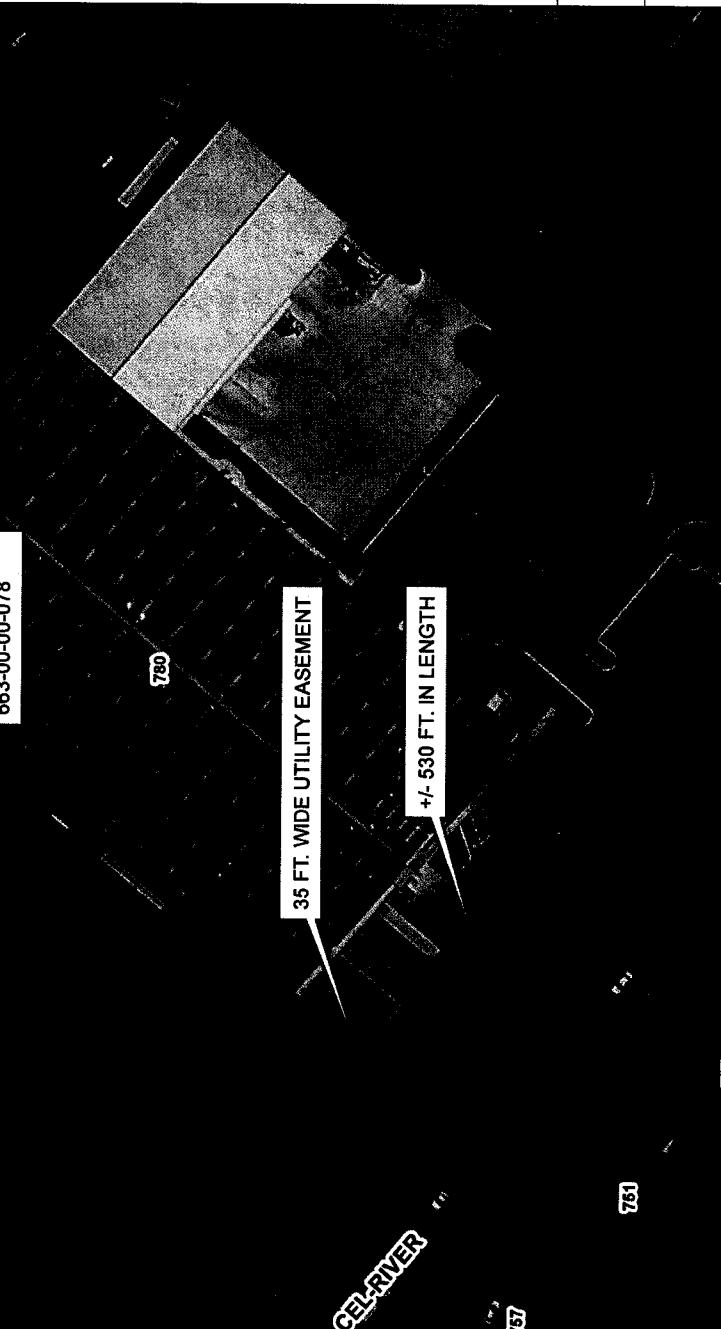


EXHIBIT 'A'

UTILITY EASEMENT

L & D Real Estate Holdings, LLC
780 Cel River Road
663-00-00-078
Rock Hill, S.C.

DRAWN BY: HLW DATE: 12-29-14 NOT TO SCALE