

THE STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON/RICHLAND

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RIGHT OF ENTRY AGREEMENT

Road/Route P027662
Project ID No. I-20/I-26/I-126
Tract 289

THIS AGREEMENT entered into this 26th day of November, 2020, by and between Gary A. Shull, Trustee under the Kathryn N. Shull Residuary Trust their successors and assigns, 363 Poindexter Lane, Lexington, SC hereinafter referred to as the "the Landowner", and South Carolina Department of Transportation, hereinafter referred to as "the Department".

In consideration of mutual promises and covenants each running to the other, the receipt of which is hereby acknowledged, the parties agree as follows:

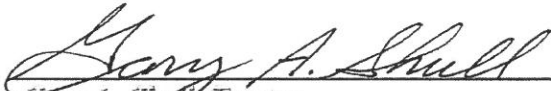
1. The Landowner hereby grants to the Department and its contractors the right to enter the Landowner's property to build the above referenced highway project. It further grants to utility companies and their contractors the right to relocate utilities as necessary for the project, but only within the limits of the new right of way.
2. At such time as the right of way for the above referenced project is acquired, the Department agrees to pay just compensation.
3. The parties agree that for purposes of establishing just compensation, the date of this agreement shall be the date of taking for valuation purposes.

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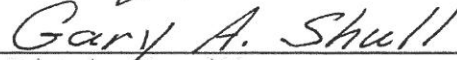
4. The granting of these rights to the Department and its contractors by the Landowner does not in any way constitute a waiver of any other rights of the parties under the Constitution, statutes, or rules and regulations relating to eminent domain and such rights are expressly reserved, except for the condition expressed in paragraph 3 above.

5. Landowner has the right to cancel this agreement at any time upon thirty (30) days written notice to the Department. In the event that Landowner elects to cancel this agreement, the Department shall institute a condemnation action and further access will be governed by South Carolina's Eminent Domain Procedure Act.

6. The Department will conduct all operations hereunder at its own risk and expense and in granting this Right of Entry, the Landowner assumes no responsibility or liability whatsoever to any person for any injury, including death or property damage caused by or attributable to or resulting from the Department's operations on the Landowner's property.



Gary A. Shull, Trustee



Printed or Typed Name



Title

South Carolina Department of Transportation



Special Projects Manager, MBI

Oscar K. Rucker

12/16/2020

Assistant Director, Rights of Way for Mega
Projects

William C. Johnston

December 16

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