

THIS AGREEMENT, Made and entered into this 17th day of September, 1947, by and between the ATLANTIC COAST LINE RAILROAD COMPANY, a corporation under the laws of the State of Virginia, hereinafter for convenience styled the Railroad Company, party of the first part, and the SOUTH CAROLINA STATE HIGHWAY DEPARTMENT, acting by and thru its Chief Highway Commissioner, hereinafter for convenience styled Licensee, party of the second part:

WITNESSETH, That the Railroad Company, for and in consideration of the sum of One Dollar to it in hand paid by Licensee, the receipt whereof is hereby acknowledged, and of the covenants and agreements to be kept and performed by Licensee, as hereinafter expressed, hereby gives and grants to Licensee the right or license of reconstructing, widening and maintaining the highway grade crossing across the right of way and track of the Atlantic Coast Line Railroad Company near Bruner, in Richland County, South Carolina, at a point 1478 feet southeastwardly, measured along the center line of said Railroad Company's main track, from mile post KA-361, as shown in red on the blue print attached hereto and made a part hereof; said right of way, at the location of said road crossing, being 65 feet wide on each side of said center line.

And Licensee hereby covenants and agrees in consideration thereof:

First: That said crossing shall be reconstructed, widened and maintained by and at the expense of Licensee, except however, that the portion of said crossing between the rails of each track and for two feet on the outside of each rail thereof shall be reconstructed, widened and maintained by and at the expense of the Railroad Company.

Second: That the Railroad Company shall have the right, if it so desires, to construct an additional track or tracks across the land covered by this license and will place planking between the rails of such additional track or tracks and for two feet on the outside of each rail thereof.

Third: That Licensee, for and in consideration of the privileges and benefits granted by the Railroad Company, and benefits flowing therefrom unto Licensee, agrees to save harmless the Railroad Company from any and all claims on account of personal injuries or damage to property of whatsoever nature arising during the reconstruction and widening of said crossing; and Licensee agrees to indemnify and save harmless the Railroad Company from any and all damages that might occur to said Railroad Company on account of improper or faulty drainage at said crossing due to the reconstruction and widening thereof.

In Witness Whereof the parties hereto have executed these presents in duplicate the day and year first above written.

Witnesses for Railroad Company:

E. C. Adams
M. P. Williford

ATLANTIC COAST LINE RAILROAD COMPANY

By B. S. [Signature] (L.S.)
Asst. Vice-President

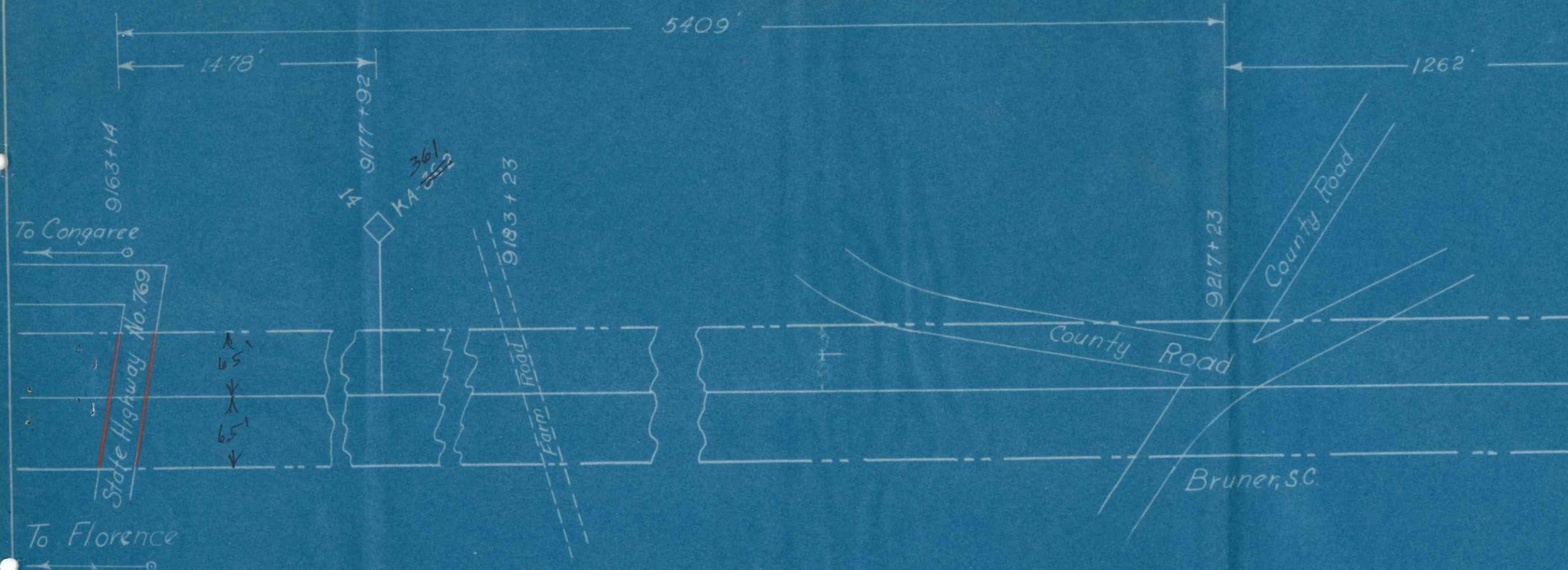
Witnesses for Licensee:

[Signature]
A. C. Barr

SOUTH CAROLINA STATE HIGHWAY DEPARTMENT

By C. R. McMillan
Chief Highway Commissioner

KA-362



ATLANTIC CO
 NORTH
 PROPOS
 NEAR
 SCALE: 1" = 100'
 OFFICE, ENGINEER
 SA