

2020005630

AGREEMENT

RECORDING FEES

\$25.00

PRESENTED & RECORDED:

03-06-2020 10:20 AM

JUDITH WARNER

REGISTER OF MORTGAGE CONVEYANCE

AIKEN COUNTY, SC

BY: JENNIFER YOUNG DEPUTY

BK: RB 4832

PG: 489 - 494

STATE OF SOUTH CAROLINA
COUNTY OF AIKEN

ACCESS EASEMENT AGREEMENT

THIS ACCESS EASEMENT AGREEMENT, made and entered into this 4 day of March, 2020, from HAL BAUGHMAN, his heirs, successors and assigns (hereinafter "Grantor") in favor of BRINKLEY FAMILY, LLC, its successors and assigns (collectively hereinafter "Grantee");

WITNESSETH:

WHEREAS, Grantor is the owner of that certain tract of land more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein (hereinafter the "Baughman Land"); and

WHEREAS, Brinkley Family LLC is the owner of that certain tract of land more particularly described on Exhibit "B" attached hereto and by this reference incorporated herein (hereinafter "Brinkley Land"); and

WHEREAS, Grantee and Grantor desire to establish certain permanent, non-exclusive easements for pedestrian and vehicular access, ingress and egress servicing Brinkley Land over a portion of the Baughman Land; and

WHEREAS, Grantor has, subject to the terms and conditions of this Agreement, agreed to grant such easements to Grantee; and

WHEREAS, as consideration for the easement, Grantee has relinquished any other access easement rights that it has across the Baughman Land.

NOW, THEREFORE, for and in consideration of the premises contained herein, the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration,

in hand paid by Grantee to Grantor, the receipt and sufficiency of which being hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. Grantor hereby declares, establishes, creates, grants and conveys to Grantee, its successors and assigns, for the benefit of and as an appurtenance to the Brinkley Land, a non-exclusive perpetual right, privilege and easement (hereinafter referred to as the "Access Easement") for vehicular and pedestrian access, ingress and egress over and across that certain 30' Ingress/Egress Easement as shown on that certain Plat prepared for Hal Baughman by Tripp Land Surveying, Inc. dated January 14, 2020 and recorded in the Aiken County RMC Office on March 6 2020 in Record Book 601, Page 958. (the "Easement Area").

2. Grantor and Grantee agree that they shall evenly split the cost of maintenance of the Easement Area.

3. Grantor warrants that it is the owner of fee simple title to the Baughman Land, subject to easements and other matters of record, and that it has the full right and authority to grant the easements herein contained.

4. The terms and conditions of this agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective legal representatives, successors, grantees, and assigns, and shall be deemed to benefit and burden and run with the title of the Brinkley Land and the Baughman Land.

5. This Easement Agreement shall be construed under and in accordance with the laws of the State of South Carolina.

6. Grantee agrees to indemnify, defend and hold harmless the Grantor of and from any and all loss, cost, damage or expense, including reasonable attorneys' fees actually incurred, by Grantor due to the negligent or willful acts or omissions of the Grantee in exercising their easement rights hereunder.

TO HAVE AND TO HOLD, the said bargained Easement Agreement, together with all and singular the rights and entitlements thereof, to the same being, belonging, or in anywise appertaining to, the only proper use, benefit, and behoof of Grantee, its successors and assigns.

[Signatures Commence on Next Page]

IN WITNESS WHEREOF, the parties hereto have signed, sealed and delivered this Agreement as of the date set forth above.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

Witness: _____

GRANTOR:

Hal Baughman (LS)
Hal Baughman

Notary: _____

STATE OF SC)
COUNTY OF Aiken)

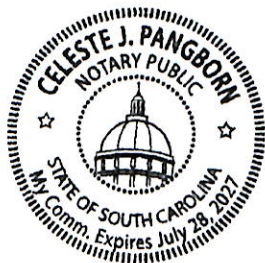
ACKNOWLEDGEMENT

I, the undersigned notary, do hereby certify that Hal Baughman personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 4 day of March, 2020

SC
Notary Public for the State of _____
My Commission Expires: 7-28-27

[NOTARY SEAL]



SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

Witness: [Signature]

Notary: [Signature]

STATE OF SC)
COUNTY OF Aiken)

GRANTEE:
BRINKLEY FAMILY, LLC

By: Richard Brinkley (LS)
Name: Richard Brinkley
Title: Managing Member

ACKNOWLEDGEMENT

I, the undersigned notary, do hereby certify that Richard Brinkley personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of Brinkley Family, LLC.

Witness my hand and official seal this the 4 day of March, 2020

[Signature]
Notary Public for the State of SC
My Commission Expires: 7-28-27

[NOTARY SEAL]

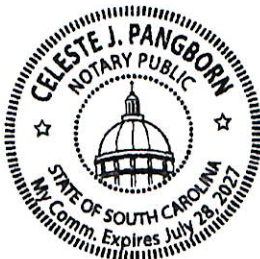


EXHIBIT A

BAUGHMAN LAND

ALL that certain piece, parcel or tract of land, situate, lying and being approximately two (2) miles South of New Holland In Rocky Springs School District, Aiken County, South Carolina, containing 7.0 acres, more or less as shown and delineated upon a plat prepared for Arnold J. Baughman by Joseph E. Hovas, RLS, dated October 26, 1963, and subdivided by A. W. Courtney, Registered C.E. and L.S., No. 545 on a plat dated August 4, 1972. The same being more fully set forth and described by metes, bounds, courses and distances and designated as Tract C recorded in Misc. Book 171 at page 80 and is hereby referred to for a better description of the lands hereby conveyed.

THIS being the same property conveyed to Hal Baughman by deed of Laura Baughman a/k/a Laurel Baughman dated December 21, 1995, and recorded December 27, 1995, in Record Book 1579, Page 5, Aiken County Records.

Tax Parcel No.: 202-00-03-002

EXHIBIT B

BRINKLEY LAND

ALL that certain piece, parcel or tract of land, situate, lying and being in Aiken County, South Carolina, in Wagener Attendance Area No. 8, formerly Rocky Springs School District and containing 112.93 acres, more or less, as shown and designated on a plat prepared by Joseph E. Hovas dated November 1963 and recorded in Plat Book 2, Page 124, Aiken County Records. Reference is made to said plat for a more accurate and complete description of the metes and bounds of the subject property.

ALSO ALL that certain piece, parcel or tract of land, containing 2.75 acres, more or less, in the County of Aiken, State of South Carolina, approximately two miles South of New Holland as shown and designated on a plat prepared by Joseph E. Hovas, RLS, on March 8, 1964 and recorded in Misc. Book 87, Page 7, Aiken County Records. Reference is made to said plat for a more accurate and complete description of the metes and bounds of the subject property.

ALSO ALL that certain piece, parcel or tract of land, situate, lying and being in the County of Aiken, State of South Carolina, approximately two miles South of New Holland as shown and designated on a plat prepared by Joseph E. Hovas, RLS, on March 8, 1964 and recorded in Misc. Book 87, Page 6, Aiken County Records. Reference is made to said plat for a more accurate and complete description of the metes and bounds of the subject property.

BEING a portion of the property conveyed to Brinkley Family, LLC by deed of Richard H. Brinkley, Jr., Stephen C. Brinkley and Marie Elizabeth English aka Elizabeth Brinkley English dated March 18, 2015 and recorded March 30, 2015 in Record Book 4546, Page 403, Aiken County Records.

Tax Parcel No. 202-00-03-001