

**DECLARATION OF RESTRICTIVE COVENANTS**

FOR VALUE RECEIVED, the undersigned **Clyde David Jenkins, III and Susan Jenkins, as Successor Co-Trustees Under Will of Clyde D. Jenkins, Jr., Deceased** (collectively, "Declarant"), as owner and holder of the property described on Exhibit "A" attached hereto and incorporated herein (the "Property"), and in connection with the conveyance herewith of certain nearby property by Declarant to **Enigma Corporation**, a South Carolina corporation ("Beneficiary"), hereby restricts the Property, and any portion thereof, from being used as or for a gasoline station, gasoline dispensary, filling station, or any business operation involving or including sales or dispensing of gasoline, kerosene, diesel fuel, bio-diesel fuel, ethanol, blended fuels, or other gasoline or petroleum products.

The aforesaid restrictions shall run with the title to the Property, and all portions of the Property, for a period of ten (10) years from the date hereof and shall be for the benefit of and be enforceable (individually and/or collectively) by each of Beneficiary, The Spinx Company, Inc., Spinks Investments, Inc., L. S. Spinks, its, their and his heirs, successors, lessees, and assigns, or any person or entity to whom Beneficiary, The Spinx Company, Inc., Spinks Investments, Inc. or L. S. Spinks (individually or collectively) may assign (either exclusively or non-exclusively) any rights of enforcement; provided that any such assignment of enforcement rights shall become effective when duly filed of record in the Office of the Register of Deeds for Greenville County.

The foregoing restrictions shall be enforceable by any proceedings allowable at law or in equity, including but not limited to actions seeking injunctive relief to prevent any violation thereof, and shall be binding for a period of ten (10) years from the date hereof, at the conclusion of which time these restrictions shall automatically expire and terminate without the necessity of any further action by the Declarant, Beneficiary, or any other parties whomsoever and shall thereafter be of no further force or effect.

WITNESS the hand and seal of the Declarant this 19<sup>th</sup> day of July, 2010.

Signed, Sealed and Delivered  
In the Presence of:

*[Signature]*  
*[Signature]*

*Clyde David Jenkins, III* (Seal)  
Clyde David Jenkins, III, as Successor Co-Trustee  
Under Will of Clyde D. Jenkins, Jr., Deceased

*[Signature]*  
*[Signature]*

*Susan Jenkins* (Seal)  
Susan Jenkins, as Successor Co-Trustee  
Under Will of Clyde D. Jenkins, Jr., Deceased

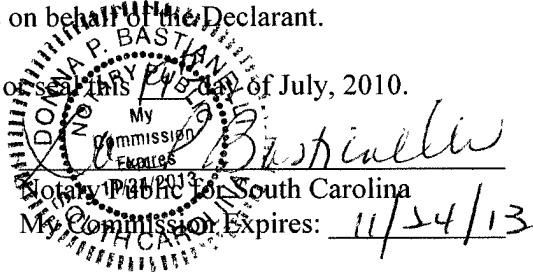
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July 20, 2010 11:50:30 AM  
Rec: \$10.00 Cnty Tax: \$0.00  
FILED IN GREENVILLE COUNTY, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

ACKNOWLEDGMENT

I, Donna P Bastianelli, a Notary Public in and for the County and State aforesaid, certify that Clyde David Jenkins, III, as Successor Co-Trustee Under Will of Clyde D. Jenkins, Jr., Deceased, the Declarant, personally appeared before me this day and acknowledged the execution of the foregoing Declaration of Restrictive Covenants on behalf of the Declarant.

WITNESS my hand and official stamp or seal this 4th day of July, 2010.

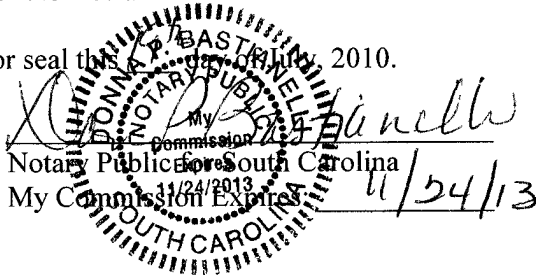


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

ACKNOWLEDGMENT

I, Donna P Bastianelli, a Notary Public in and for the County and State aforesaid, certify that Susan Jenkins, as Successor Co-Trustee Under Will of Clyde D. Jenkins, Jr., Deceased, the Declarant, personally appeared before me this day and acknowledged the execution of the foregoing Declaration of Restrictive Covenants on behalf of the Declarant.

WITNESS my hand and official stamp or seal this 4th day of July, 2010.



**EXHIBIT "A"**  
**Legal Description of the Property**

All that certain piece, parcel or tract of land, containing Eight and sixty-three hundredths (8.63) acres, more or less, situate, lying and being in the County of Greenville, State of South Carolina, along the southwesterly side of the road from Greenville to Fork Shoals, commonly known as the Fork Shoals Road, and more particularly described according to a plat by M. J. Riddle, Surveyor, dated December 12, 1951, as follows:

BEGINNING at an iron pin on the southwest side of the Fork Shoals Road at or near the intersection of said road with a county road; and running thence South 16 degrees East 73.9 feet to an iron pin; thence with line of property now or formerly owned by Henry Sullivan, South 26 degrees 30 minutes West 1038 feet to a stone; thence turning and running South 86 degrees 30 minutes East 306 feet to a stone; thence turning and running North 54 degrees 18 minutes East 632.5 feet to center of the said Fork Shoals Road; thence running along the center of Fork Shoals Road North 28 degrees 29 minutes West 763 feet to a point in center of said road; thence running South 27 degrees 00 minutes West 20.8 feet to the beginning corner.

**LESS AND EXCEPT:** All that certain piece, parcel or tract of land, situate, lying and being in the State of South Carolina, County of Greenville, near Fork Shoals, and containing 6.64 acres, more or less, fronting on the western edge of Fork Shoals Road near its intersection with S. C. Highway 418, and having the following metes and bounds, to wit:

BEGINNING at an iron pin in the northwestern edge of the right-of-way of Fork Shoals Road at a joint corner with property now or formerly of Billy and Lillian Mitchell, which point is approximately 25 feet from the center line of the said Fork Shoals Road, and running thence S. 63-36 W., 255 feet to an iron pin; thence turning and running S. 26-24 E. 95 feet to an iron pin; thence turning and running S. 63-36 W. 450 feet to an iron pin; thence turning and running N. 26-24 W. 445 feet to a point; thence turning and running N. 63-36 E., 705 feet to a point in the northwestern edge of the right-of-way of Fork Shoals Road, which point is approximately 25 feet from the center line of said Road; thence continuing along the edge of the right-of-way of Fork Shoals Road, S. 26-24 E., 350 feet to an iron pin, being the point of beginning.

**LESS AND EXCEPT:** The 180.7' x 188.4' x 203.9' triangular parcel which is shown as part of Tax Map Parcel 0577040100200.

The aforesaid residual property is comprised of approximately two (2) acres lying at the intersection of S. C. Highway 418 and Fork Shoals Road which is identified on the Greenville County Tax Maps as Lot No. 0577.04-01-002.00