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RIGHT-OF-WAY AGREEMENT

This Agreement, Made this *5<sup>th</sup>* day of *August*, in the year of our LORD one thousand nine hundred and sixty-four (1964).

BETWEEN, BRANDYWINE REALTY COMPANY, a corporation of the State of Delaware, ANN GORDON WINCHESTER KING of the City of Annapolis and State of Maryland, by her Attorney-in-Fact George Winchester and THOMAS S. KING, husband of Ann Gordon Winchester King, of the City of Annapolis and State of Maryland, by his Attorney-in-Fact George Winchester; HENRY McCOMB WINCHESTER and ANNE C. WINCHESTER, his wife, of the City of Wilmington, New Castle County and State of Delaware; GEORGE WINCHESTER and ANNE CANBY WINCHESTER, his wife, of the City of Wilmington, New Castle County and State of Delaware; ELIZABETH WINCHESTER JACKSON, a divorced woman of Nantucket, Commonwealth of Massachusetts, by her Attorney-in-Fact, George Winchester; MABEL ELIZABETH WINCHESTER, widow of James P. Winchester, Jr. and MABEL ELIZABETH WINCHESTER, single woman, daughter of James P. Winchester, Jr., of the City of Wilmington, New Castle County and State of Delaware; and JAMES PRICE WINCHESTER III of the City of Rehoboth, Sussex County and State of Delaware, parties of the first part,

A N D

GENERAL WATERWORKS CORPORATION, a corporation of the State of Delaware, party of the second part,

WITNESSETH: That the said parties of the first part for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party of the second part, its successors and assigns:

ALL that certain ten (10) feet wide easement for the installation, construction, operation, maintenance, repair, replacement and removing of a water line, main or pipe, twelve (12) inches in diameter adjacent and parallel to the Southwesterly side of the Wilmington and Northern Railroad (Delaware River Extension Branch) at sixty (60) feet wide, from the Southwesterly boundary of the premises conveyed by the parties of the first part to Laidlaw Corporation of the East, a corporation of the State of Delaware, dated June 2, 1964, and running to the presently existing right of way of the Philadelphia, Baltimore and Washington Railroad and their meeting with a certain water line, main or pipe, of the Delaware Water Company; provided that the parties of the first part, their heirs, successors and assigns, may make a connection to said water line on the condition that such connection is separately metered, and on the further condition that such connection does not impair an adequate water supply and water pressure available for Laidlaw Corporation of the East's contemplated use of the premises conveyed to it by the above recited deed, for adequate fire protection purposes and for the obtaining of the desired fire insurance upon the property described in said deed, and the buildings to be erected thereon, and upon the further condition that such connection be made subject to the rules and regulations of the Public Utility Commission of Delaware.

IN WITNESS WHEREOF, the said BRANDYWINE REALTY COMPANY, a corporation of the State of Delaware, hath caused its name by A. FELIX duPORT, Jr.

its President, to be hereunto set, and the common and corporate seal of the said corporation to be hereunto affixed, duly attested by its Secretary, the day and year first above written.

Sealed and Delivered in the Presence of:

BRANDYWINE REALTY COMPANY

By Wm. H. Radcliffe President

Attest Edward [Signature] Secretary

IN WITNESS WHEREOF, the said ANNE GORDON WINCHESTER KING by her Attorney-in-Fact, George Winchester, and Thomas S. King, husband of Anne Gordon Winchester King, by his Attorney-in-Fact, George Winchester; HENRY McCOMB WINCHESTER and ANNE C. WINCHESTER, his wife, GEORGE WINCHESTER and ANNE CANBY WINCHESTER, his wife, ELIZABETH WINCHESTER JACKSON, a divorced woman, by her Attorney-in-Fact George Winchester, MABEL ELIZABETH WINCHESTER widow of James P. Winchester, Jr., MABEL ELIZABETH WINCHESTER, single woman, daughter of James P. Winchester, Jr., and JAMES PRICE WINCHESTER III, parties of the first part, have hereunto set their Hands and Seals, the day and year aforesaid.

Sealed and Delivered in the Presence of:

- John Lewis 388 Anne Gordon Winchester King (SEAL) 506 ✓ 712 ✓  
Anne Gordon Winchester King by her Attorney-in-Fact George Winchester
- John Lewis 426 Thomas S. King (SEAL) 523 ✓  
by George Winchester
- John Lewis 708 Henry McComb Winchester (SEAL) 713 ✓  
Henry McComb Winchester
- John Lewis 698 Anne C. Winchester (SEAL) 706 ✓  
Anne C. Winchester
- John Lewis 704 George Winchester (SEAL) 712 ✓  
George Winchester
- John Lewis 698 Anne Canby Winchester (SEAL) 706 ✓  
Anne Canby Winchester
- John Lewis 705 Elizabeth Winchester Jackson (SEAL) 495 ✓  
by George Winchester  
Elizabeth Winchester Jackson by her Attorney-in-Fact George Winchester
- John Lewis 715 Mabel Elizabeth Winchester (SEAL) 714 ✓  
Mabel Elizabeth Winchester, widow
- John Lewis 716 Mabel Elizabeth Winchester (SEAL) 714 ✓  
Mabel Elizabeth Winchester, single
- John Lewis 711 James Price Winchester III (SEAL) 715 ✓  
James Price Winchester III