STATE OF NORTH CAROLINA

AGREEMENT

COUNTY OF MECKLENBURG

This Agreement made and entered into this __ day of June, 1998 by Iredell County Health Department (hereinafter "Department"); John and Terri Kindley (hereinafter "Owner"); and Kings Point Marina, Inc. (hereinafter "Kings Point").

WITNESSETH:

WHEREAS, Owner is the fee simple owner of certain property and lands located in Iredell County, North Carolina, upon which is located Skipper's Marina which includes a convenience store and marina docks, all of which is more particularly described on the attache Exhibit A which is incorporated herein by reference; and

WHEREAS, Kings Point owns the adjoining property, upon which is located a waste water distribution and leachfield ("System"); and

WHEREAS, the Owner has a need, because of limitation of land and space, to connect to the System at Kings Point; and

WHEREAS, the System is duly permitted by the Department and has adequate capacity for the distribution and disposal of waste water from the Owner's property; and

WHEREAS, the Owner is applying to the Department for the issuance of appropriate and applicable permits to connect to the System; and

WHEREAS, the parties hereto desire to insure that the waste water collection, treatment and disposal from the Owner's property is properly operated in accordance with the laws, rules and permit conditions in order to protect the public health, the quality of the waters of the State and the public interest therein.

NOW, THEREFORE, for and in consideration of the premises and the benefits to be derived by each of the parties hereto, the Department, Owner and Kings Point do hereby mutually agree as follows:

1. The Owner will be permitted access and authority to connect to Kings Point's System by gravity feed or by pump.

2. The waste water of the Owner will be pre-treated and disposed of in accordance with applicable rules and regulations into the nitrification field on Kings Point's property.