

450
18
450
18
The Partial Release Substitution Properties Case No. 1036 at P. 271-

450

74310

Greenville County

VOL 912 PAGE 459

BOOK 442 PAGE 839

STATE OF ALA. MADISON CO.
CERTIFY THIS INSTRUMENT

JAN 14 9 29 AM '71

AMENDMENT DATED AS OF JANUARY 31, 1970
OF LEASE DATED AS OF OCTOBER 1, 1961

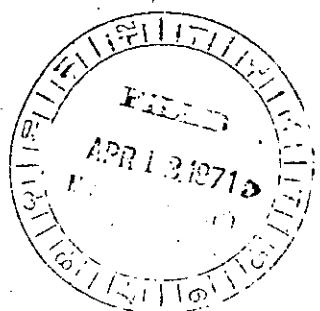
RECORDED & PAID TAX
AS REQUIRED BY LAW HAS BEEN
PD. ON THIS INSTRUMENT

BETWEEN

TENNESSEE PRODUCTION COMPANY

AND

TENNECO OIL COMPANY



THIS AMENDMENT OF LEASE dated as of January 31, 1970, for convenience, but actually executed by the parties hereto on the dates shown on the notarial certificates, by and between TENNESSEE PRODUCTION COMPANY, a Delaware corporation ("Lessor"), and TENNECO OIL COMPANY, a Delaware corporation ("Lessee");

WITNESSETH:

WHEREAS, Lessor and Lessee heretofore have entered into that certain Indenture of Lease dated as of October 1, 1961, as amended and supplemented (the "Lease"), under which Lessor leased and demised the marketing terminals, extraction plants, products lines and service station properties described therein and in Schedules 1 and 2 thereto (the "demised premises") for a term commencing October 1, 1961, and ending on October 1, 1976, for basic rentals in the aggregate amount of \$12,304,705 and upon the other terms and conditions set forth in the Lease; and

WHEREAS, Lessor and Lessee desire to amend certain terms of the Lease relating to surrender and substitution of the demised premises;

NOW, THEREFORE, in consideration of the premises and the sum of \$10 received by Lessor, it is agreed that effective January 31, 1970:

- I. The Lease is amended by:
 - A. Substitution in lieu of the third paragraph of Section 3 thereof the following:

In the event that at any time any Property included in the Properties shall in the judgment of Lessee (which must be reasonably exercised and supported by such factual data as Lessor may reasonably request) become unprofitable to operate or unsuitable for use for the purposes for which it is being used on the date hereof for any reason, including without limitation by reason of obsolescence, legal restrictions, a change in business, industry or residential centers,

420
25
25
50
5.20

(Continued on next page)