

JAN 22 '79
LUTHER & JACKSON

SUPPLEMENT NO. 35A TO LEASE

For True Consideration See Affidavit
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THIS SUPPLEMENT NO. 35A TO LEASE dated as of 8/10/78 by and between LEASED STATIONS, INC., a Delaware corporation (herein called the "Lessor"), having a place of business at 1404 Bank of Delaware Building, 300 Delaware Avenue, Wilmington, Delaware 19801 and TEXACO INC., a Delaware corporation (herein called the "Lessee"), having a place of business at 2000 Westchester Avenue, White Plains, New York 10650.

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WHEREAS, Lessor and Lessee have executed and delivered a certain lease dated as of 12/15/61 (herein called the "Lease") covering certain properties situated in the United States of America; and

WHEREAS, Lessor has executed an Assignment of certain rents, moneys and rights accruing to Lessor under the Lease (herein called the "Assignment"), and

WHEREAS, This Supplemental Lease with a copy of the Lease and Assignment attached will be recorded and/or filed in the appropriate office located in those counties or jurisdictions where the properties, described in Schedule A attached hereto, are situated and where the Lease and Assignment have not been heretofore recorded and/or filed; and

WHEREAS, the Lease and the Assignment are annexed hereto and incorporated herein, and

WHEREAS, Sections 30 and 31 of the Lease provide that there may be substituted for properties subject to the Lease other properties located in the United States of America upon the execution and delivery of an instrument subjecting such properties so to be substituted to the Lease.

NOW, THEREFORE, WITNESSETH:

Lessor and Lessee hereby specifically subject to the terms of the Lease the following real estate improved for gasoline service station purposes (whether one or more):

- (a) the lands described in Schedule A attached hereto;
- (b) all buildings, structures, and improvements, including underground tanks and spectacular signs (but excluding pumps, hoists, air compressors, lights and other signs) now or hereafter located on such land and all appurtenances thereto; and
- (c) all rights-of-way or use or other servitudes, licenses, easements, tenements, hereditaments and appurtenances belonging or appertaining to any of the foregoing;

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