

same include donations or sales for charity or receipts from the sale of government stamps, obligations, etc., from which tenant derives no profit, nor shall the total price of any merchandise sold be deemed to include any overcharge, over-tax, sales tax, stamp tax or other tax or cost imposed upon the sale of commodities by any governing authority for tax purposes, nor shall same include any promissory notes or other forms of hypothecation purchased and/or sold by tenant and not in the course of its merchandising business, nor shall same include any sales from any other property than the property hereby demised except as hereinafter stated, but shall include the net receipts to tenant derived from vending machines, telephones, weighing machines and other concessions, if any, operated by sub-tenants or concessionaires of tenant in said demised premises.

Anything herein to the contrary notwithstanding, it is agreed that said percentage rental shall be based only on the sale of merchandise in said leased premises in the ordinary course of business and shall not apply to any sale or transfer of the entire stock of merchandise of tenant in said leased premises or of the merchandise and business of tenant located and conducted in said leased premises to another person, firm or corporation, or to any successor of tenant's business in whole or in part, which tenant may organize or cause to be organized for that purpose.

As hereinbefore stated/^{tenant}herein heretofore occupied the first floor and basement of the building known as Nos. 29-31 South Main Street which is a portion of the herein demised premises. Said building was heretofore partially destroyed by fire and tenant hereby agrees to rehabilitate, alter, remodel and/or restore the premises

Wm. J. [Signature]