

10-23-53
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BOOK 502 PAGE 289

DEPARTMENT
LEASES,
CONCESSIONS,
SUCCESSORS,
ETC.

16. Anything hereinbefore contained to the contrary notwithstanding, it is expressly understood and agreed:

(a) That at any time during the term of this lease, Tenant may lease departments, or grant concessions, giving other persons, firms or corporations the right to sell goods, wares, merchandise and service in the demised premises upon the condition that the net retail sales made by any such concessionaire or department lessee shall be included for the purpose of determining the rental payable by Tenant hereunder on the same basis as if such sales were made by the Tenant, and that the leasing of departments, or the granting of concessions, shall not be considered a subletting within the provisions of this lease. Tenant agrees to require each such concessionaire or department lessee to keep adequate records of all sales made by it in the demised premises in accordance with sound accounting practice and to have the same available for examination and audit by Landlord in the same manner and to the same extent as provided in clause 10 hereof with respect to Tenant's records of sales.

(b) That at any time during the term of this lease, Tenant may sublet the demised premises, or assign this lease, to any corporation which may take over the business of Tenant in the State of South Carolina, or to any corporation which may, as the result of a reorganization, merger or consolidation, succeed to the business now carried on by the Tenant in the State of South Carolina, or to any subsidiary corporation of Tenant, and that the occupancy of the demised premises by any such subtenant or assignee which continues to operate a business on the