

monthly payments shall be paid on the first day of each month in advance, and any additional rent due by reason of the five (5%) per cent of the total gross quarterly sales exceeding the guaranteed minimum shall be paid on or before the 10th day of the month next succeeding the close of each quarter.

4. The term "gross sales" as used herein shall be interpreted to mean the sales of all goods, wares and merchandise sold by the Tenant in and from the demised premises, or any concession therein, whether for cash or credit, and charges or fees received for all services therein, less refunds made to purchasers. The term "gross sales" shall not include credits for returned merchandise or credits resulting from claims for loss or damage to merchandise in transit or the amount of any sales tax, State, Federal and/or Municipal, however imposed, computed and/or paid for sales in, upon or from the leased premises, if said tax is, or must be, assumed or paid by the Tenant, to the extent that such taxes shall have been included in said sale.

5. The tenant agrees to submit a statement of his gross sales for each month to the landlord on or before the tenth (10th) day of the next succeeding month and agrees that his books shall be open to inspection or audit by the landlord or his agent at all reasonable times and places.

6. The tenant agrees not to use nor permit said building to be used for any<sup>un-</sup>lawful purpose or for any business that may become a nuisance, and that it will not do or permit to be done on said premises anything which may render void or voidable any policy for insurance of said premises against fire, nor which may cause the landlord to have to pay a fire insurance premium at a rate in excess of that which he is forced to pay by reason of the business conducted by the Tenant; and the Tenant further agrees to comply with all laws, Municipal Ordinances and Regulations as to the occupancy of said premises.

7. The landlord agrees to furnish lighting fixtures of the same type and quality as those now in the building and also to furnish partitions

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