

6/14/78

VOL 1987 PAGE 598

designated as the "Future Development Parking" on the Plot Plan. The Developer agrees that, at such time as Federated is obligated to construct such ground level parking area, either the Developer Parking Facility or the area designated as the "Future Development Parking" on the Plot Plan shall be available for such purpose and the Developer shall notify Federated of which area Federated is to improve pursuant to the terms of this Section 1.10. In the event that at such time as Federated gives such notice to Developer, Developer does not own fee simple or leasehold title to either the Developer Parking Facility or the area designated as the "Future Development Parking" on the Plot Plan or owns such title but is unable to make either such area or portion thereof available to Federated for the construction of such ground level parking area, Federated shall have the right, upon twenty (20) days notice to Developer and the other Department Stores, to terminate the easement granted to Developer pursuant to this Section 1.10 with respect to the Easement Premises, or to such portion thereof as shall have been designated by Federated in its notice to the Developer, and upon the expiration of such twenty (20) day period, such easement shall expire and terminate and be of no further force or effect. The parking area to be improved by Federated pursuant to this Section 1.10 shall contain the same number of parking spaces as specified by Federated by such notice to the Developer, such that upon completion of the construction of said parking area by Federated, the total of the parking spaces of the Developer whether located on the Developer Site, the Easement Premises, the Developer Parking Facility or the area designated as the "Future Development Parking" on the Plot Plan shall meet the minimum requirements for the Developer Site which are set forth in Section 1.03(z) hereof, and shall be constructed such that the aisle spacing, parking stall width and striping are the same as the design criteria which are shown on the Plot Plan and the extent and