

In Witness Whereof, The Landlords and Tenant have hereunto set their hands and seals and caused this instrument to be executed in duplicate the day and year first above written.

Witnesses as to Landlords:

Mildred Barton
H. B. McManaway

Nelle W. Mills' (SEAL)
Annie W. Cely (SEAL)
Landlords.

Witnesses as to Tenant:

Mary Lou Thomas
Gladys Hodges

EMERY STORES COMPANY, INC. (SEAL)
BY: E. L. Emery
President,
Tenant.

State of South Carolina,
County of Greenville.

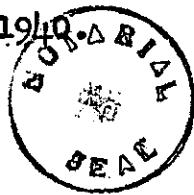
Personally appeared before me Mildred Barton who, being duly sworn, says that she saw the within named Nelle W. Mills and Annie W. Cely, Landlords, sign, seal, and as their act and deed deliver the within lease, and that she with H. B. McManaway witnessed the execution thereof.

Sworn to before me this 9 day of April, 1940.

H. B. McManaway (SEAL)

Notary Public for S. C.

Mildred Barton



State of Georgia
County of Fulton

Personally appeared before me Mary Lou Thomas who, being duly sworn, says that she saw the within named Emery Stores Company, Inc., Tenant, by its duly authorized officer, E. L. Emery, as President, sign, seal, and as its act and deed deliver the within lease, and that she with Gladys Hodges witnessed the execution thereof.

Sworn to before me this 29 day of April, 1940.

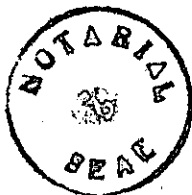
Corinne C. Cole (SEAL)

Notary Public for Georgia

Notary Public, State at Large, Atlanta, Ga.

My commission expires Aug. 7, 1942.

E. L. Emery.



April 17, 1940.

Mr. H. T. Mills,
Greenville, South Carolina.

Dear Mr. Mills:

Referring to lease between Nelle W. Mills and Annie W. Cely, as landlords, and ourselves, as tenant, we have executed the original and copy of the lease and we are returning herewith the signed copy with the following understanding:

Following the words "Pendleton Street" in paragraph No. (1) on page 1, there should be inserted, in parenthesis the following: "first and second floors".

Likewise, in paragraph No. (3) on page 1, following the words "Pendleton Street" there should be inserted the same words in brackets, namely, "(first and second floors of each)."

To clarify paragraph (4) on page 1, there should be added after the words "Pendleton Street" on the second line of this paragraph before the comma, the following: "Commencing March 1, 1942."

To clarify the last sentence in paragraph (7) on page 2, the following to be inserted in lieu of said sentence:

"The term 'gross sales' as used herein shall be interpreted to mean sales on all merchandise sold by the tenant in the demised premises, or in any concession therein, provided, however, that this shall include merchandise only as is usually and customarily sold in five and ten cent stores and does not refer to nor include groceries or unrelated items which might be sold by any sub-tenant of the tenant herein. Sales to be thus included shall be those made for cash or credit, less: (1) refunds made to purchasers (not to include credits for returned merchandise or credits accruing to the tenant arising from the transfer of merchandise from said store to other stores of the tenant, nor credits received resulting from claims or losses or damage to merchandise in transit), and (2) less the amount of any sales tax, federal, state or municipal, however imposed, computed, and paid on account of sales in, upon or from said leased premises, if such tax is or must be assumed or paid by the tenant, to the extent that such taxes shall have been included in sales."

The first sentence in paragraph (10) to be rewritten to read as follows: