

Dollars on the 15th day of February, 1948, and a like sum upon the same day of the month of March, April, May, June, July, August, September and October during the year 1948.

4. That the Lessee does hereby covenant and agree that he will use said premises for the conducting thereon of a drivein restaurant, that he will not, without the prior consent of the Lessor, sell, assign, hypothecate or pledge this lease or sublet said premises in whole or in part.

5. In the event the Lessee, his heirs or assigns, shall be adjudicated bankrupt, insolvent according to law, or shall file a voluntary petition in bankruptcy, or if any payment of rent shall be past due and unpaid, then in any or all of such events, this agreement of lease shall henceforth terminate at the option of the Lessor and any unmatured rent shall become immediately due at the option of the Lessor, and the Lessor may thereupon lawfully enter into and upon the premises or any part thereof and reposses the same and expel the Lessee and those claiming under him and remove their effects by force, if necessary, without prejudice to any other claim or remedies the Lessor may have or use for arrears of rent or breach of covenant.

6. Should the buildings on said property or the personal property herein leased be destroyed or so damaged by fire or other catastrophe as to be unfit for use and can be repaired and restored at a cost not to exceed the insurance carried on same, the Lessor shall promptly repair and restore said buildings and personal property. If same are destroyed or damaged to such an extent that said insurance will not replace and restore same, Lessee shall have the right at his option to contribute the difference between the amount of insurance and the cost of repairing and replacing same and same shall be promptly repaired and replaced. Should same be destroyed or so damaged to such an extent that the amount of the insurance will not replace and restore same and Lessee should elect not to contribute the difference between the amount of insurance