

268

Assignee agrees that prior to its surrender or relinquishment of its interest in said Lease as to all or any part of the land included in this Assignment, Assignee will give Assignor notice of its intention so to do by mailing notice to Assignor at the address of Assignor set out on this Assignment at least 45 days before the anniversary date of said Lease, and if requested by Assignor within 15 days after receipt of said notice, Assignee will assign to Assignor, without warranty of title, express or implied, its then interest in said Lease as to the land described in said notice, the provisions of this rider, however, being subject to the following conditions: (1) failure of Assignee to actually and timely receive written notice of Assignor's election shall be conclusively deemed an election by Assignor not to exercise Assignor's right to assignment hereunder; (2) there shall be no liability on the part of Assignee for any failure to comply with the terms hereof; and (3) in the event Assignee from time to time assigns this Lease in whole or in part, Assignee shall have no further duty, obligation or liability hereunder as to the interest and land assigned, Assignee agreeing, however, to advise its Assignee of the provisions hereof.

Jfz