

If Assignee should elect to abandon or surrender the herein assigned lease, either in whole or in part, then Assignee shall give notice to Assignor of such election at least thirty (30) days prior to the intended date of abandonment or surrender and at the request of Assignor, Assignee shall reassign said lease to Assignor. Assignee, however, shall not be liable to Assignor for failure to give such notice or to make such reassignment within the time specified if such failure is the result of clerical error or oversight on the part of Assignee.

CHP
5/23/09