

6/14/78

VOL 1087 PAGE 578

Section 6.04	Certificates of Insurance	41
Section 6.05	Waiver of Subrogation	41
Section 6.06	Joint Policy of Public Liability Insurance	42
Section 6.07	Self Insurance	43

ARTICLE VII LIENS, TAXES, REGULATIONS

Section 7.01	Liens	44
Section 7.02	Taxes and Other Charges	44
Section 7.03	Laws, Ordinances and Regulations	44

ARTICLE VIII ADDITIONS; ALTERATIONS; PROHIBITED CONSTRUCTION AND CHANGES TO COMMON FACILITIES

Section 8.01	Prohibited Construction	45
Section 8.02	Additions	45
Section 8.03	Alterations	46
Section 8.04	Changes to the Common Facilities	47

ARTICLE IX RIGHT TO TRANSFER, ASSIGN AND MORTGAGE

Section 9.01	Transfer of Site	47
Section 9.02	Transfer of a Department Store Site to Secure Indebtedness	49
Section 9.03	Transfer of the Developer Site to Secure Indebtedness	51
Section 9.04	Notice to Mortgagee	53
Section 9.05	Option to Purchase the Developer Facilities	54
Section 9.06	Divestiture	58

ARTICLE X MISCELLANEOUS

Section 10.01	Binding Effect	58
Section 10.02	Liability of Penney Properties and Penney Company	58
Section 10.03	Recordation of Operating Agreement	59
Section 10.04	Termination of Agreement	59
Section 10.05	Independent Contractors	59
Section 10.06	Waivers	59
Section 10.07	Remedies Cumulative	60
Section 10.08	Modifications	60
Section 10.09	Applicable Law	60
Section 10.10	Partial Invalidity	60
Section 10.11	Notices	60
Section 10.12	Estoppel Certificates	61
Section 10.13	Successors and Assigns	62
Section 10.14	Term of this Agreement	62
Section 10.15	Survival of Easements	62
Section 10.16	Conveyance to Fourth Department Store	63
Section 10.17	Gender	64
Section 10.18	Section Headings	65

EXHIBITS

- A - Survey of Entire Premises
- B - Entire Premises
- C - Federated Site
- D - Penney Site
- E - Sears Site
- F - Developer Site
- G - Plot Plan
- H - Sign Criteria for Shopping Center
- I - Rules and Regulations for the Common Facilities