

LEASE MODIFICATION AGREEMENT No. 4

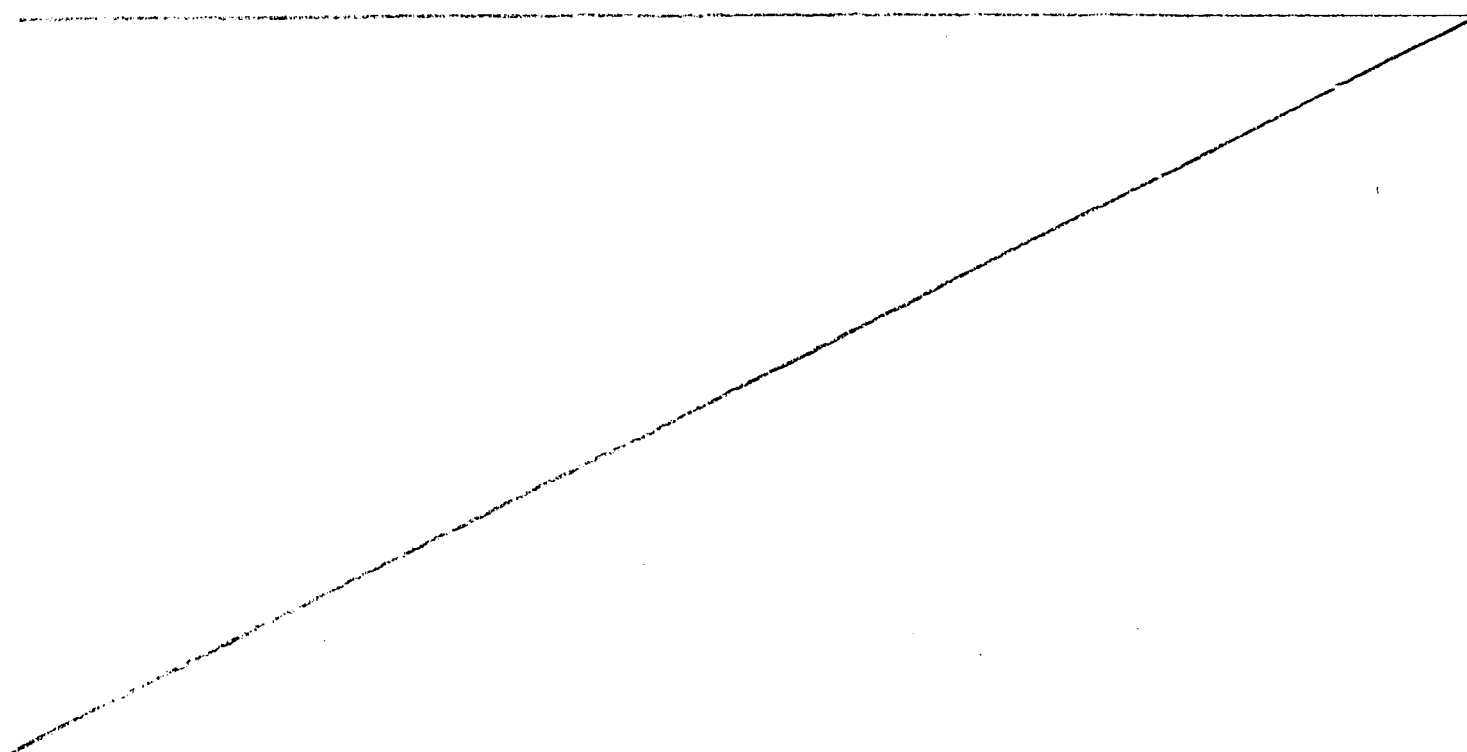
WITNESSETH,

WHEREAS, the undersigned parties now being Landlord and Tenant, respectively, under the terms of a lease dated March 5, 1980 and thereafter modified by three (3) separate modification agreements, and primarily covering a Kroger storeroom located at north side of Hall Road, between Gill Street and Lindsay Street City of Alcoa, County of Blount, and State of Tennessee do now desire to modify and amend such lease.

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, and of the promises and undertakings hereinafter set forth, the parties agree that such lease shall be and is hereby amended and modified as follows:

Pursuant to Paragraph 3 of Lease Modification No. 3 the minimum sales base set forth in Line 185 of the Lease Agreement and as modified in Paragraph 3 of the Rider to the Lease Modification Agreement No. 2, shall be amended as follows:

"Effective May 18, 1992, (Grand New Reopening Date), the minimum sales base is increased to Thirty-six Million (\$36,000,000.00) Dollars for the balance of the Lease and any extensions thereof".



All other terms and conditions of said lease and of any previous modification thereof shall remain unchanged.

The provisions of this Lease Modification Agreement shall bind and inure to the benefit of the parties hereto, their heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, said parties have hereunto set their hands and seals, 19 (as to Landlord), 19 (as to Tenant).

Signed and acknowledged in triplicate in presence of:

Witnesses for Landlord:

Handwritten signatures of witnesses for the landlord on three lines.

Landlord: KING HOLDING COMPANY

Handwritten signature of H. G. King, President, with "(Seal)" next to it.

LANDLORD: REGAL INVESTMENT COMPANY

Handwritten signature of H. G. King, President, with "(Seal)" next to it.

Handwritten signature of H. G. King, President, with "(Seal)" next to it.

Tenant:

THE KROGER CO.

By Mark Thompson, President

Nashville Marketing Area

Witnesses for Tenant: Handwritten signatures of Edward J. [unclear] and [unclear] on two lines.



STATE OF  
COUNTY OF

} SS

This day, before me, a Notary Public in and for said County, personally came H G KING, PRES King Holston COMPANY  
the Landlord in the foregoing Lease Modification Agreement, and acknowledged the signing to be voluntary act.

Witness my hand and official seal this 12<sup>TH</sup> day of OCTOBER A. D., 19 92

Charles E. Boon  
Notary Public

My commission expires

1-3-93

STATE OF  
COUNTY OF

} SS

This day, before me, a Notary Public in and for said County, personally came H.G. KING,  
of REGAL INVESTMENT COMPANY President and Secretary, respectively  
the corporation described in and which executed the above instrument; who being by me duly sworn, did depose and say that: they know the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that they signed their names thereto by like order.

Witness my hand and official seal this 12<sup>TH</sup> day of OCTOBER A. D., 19 92

Charles E. Boon  
Notary Public

My commission expires

1-3-93

STATE OF Tennessee }  
COUNTY OF Davidson } SS

This day, before me, a Notary Public in and for said County, personally came Mark Thompson  
Vice President, Nashville Marketing Area  
of The Kroger Co., the corporation described in and which executed the above instrument; who being by me duly sworn, did depose and say that: he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Witness my hand and official seal this 1<sup>st</sup> day of October A. D., 19 92

Beth Jones  
Notary Public

My commission expires

5-23-96