

## **LEASE TERMINATION AGREEMENT**

### **1. RETURN OF POSSESSION OF PREMISES:**

Subject to Paragraph 4 hereof, Tenant will surrender and return possession of the Premises to Landlord on or prior to August 31, 2008:

- (i) in the same condition as exists as of the date of this Agreement, ordinary wear and tear excepted, and free and clear of all of Tenant's personal property, trash and other removable items and free and clear of any other leasehold occupants. Landlord and Tenant acknowledge and agree that the recent damages to the Premises caused by a partial collapse of the roof and broken sprinkler line will be repaired and/or replaced in accordance with the terms, covenants and conditions of the Lease regarding the same. Nothing herein is intended to or does release the Parties or their insurers from any obligations relating to such damage and loss. Except as otherwise provided in Paragraph 2 hereof, Landlord acknowledges and agrees that the restoration obligations under the Lease are hereby waived and prior to vacating the premises Tenant shall not be obligated to
- (ii) remove any Lessee Owned Alterations
- (iii) remove or replace any Utility Installations,
- (iv) remove any other improvements to the Premises, and
- (v) repair or replace the parking lot, truck bays or any other portion of Premises.

**2. LEASE TERMINATION:** Subject to Paragraph 4, Landlord and Tenant each acknowledges and agrees that the Lease and all of the Parties' right, title and interest under the Lease and any estate created thereby shall be deemed terminated effective on the Termination Date; provided, however, that the following obligations of the Tenant and/or Landlord shall not be released and shall survive termination of the Lease:

- I. Tenant's obligation to return the Premises in good operating condition and state of repair, ordinary wear and tear excepted;
- II. Tenant's obligations under Paragraphs 6.2(c) and 6.2(d) of the Lease (hazardous substances);
- III. Tenant's obligations under Paragraph 8.7 of the Lease which arise on or prior to the Termination Date (personal injury claims),
- IV. Tenant's obligation to pay the rent, expenses, real estate taxes, triple net charges and other amounts due from Tenant under the Lease thru the Termination Date;

# Sample Early Termination Clause Of Residential Lease

**Terry C. Jones**



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## **Table of Contents Sample Early Termination Clause Of Residential Lease**

1. Understanding the eBook Sample Early Termination Clause Of Residential Lease
  - The Rise of Digital Reading Sample Early Termination Clause Of Residential Lease
  - Advantages of eBooks Over Traditional Books
2. Identifying Sample Early Termination Clause Of Residential Lease
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Sample Early Termination Clause Of Residential Lease
  - User-Friendly Interface
4. Exploring eBook Recommendations from Sample Early Termination Clause Of Residential Lease
  - Personalized Recommendations
  - Sample Early Termination Clause Of Residential Lease User Reviews and Ratings
  - Sample Early Termination Clause Of Residential Lease and Bestseller Lists
5. Accessing Sample Early Termination Clause Of Residential Lease Free and Paid eBooks
  - Sample Early Termination Clause Of Residential Lease Public Domain eBooks
  - Sample Early Termination Clause Of Residential Lease eBook Subscription Services
  - Sample Early Termination Clause Of Residential Lease Budget-Friendly Options
6. Navigating Sample Early Termination Clause Of Residential Lease eBook Formats

- ePub, PDF, MOBI, and More
  - Sample Early Termination Clause Of Residential Lease Compatibility with Devices
  - Sample Early Termination Clause Of Residential Lease Enhanced eBook Features
7. Enhancing Your Reading Experience
    - Adjustable Fonts and Text Sizes of Sample Early Termination Clause Of Residential Lease
    - Highlighting and Note-Taking Sample Early Termination Clause Of Residential Lease
    - Interactive Elements Sample Early Termination Clause Of Residential Lease
  8. Staying Engaged with Sample Early Termination Clause Of Residential Lease
    - Joining Online Reading Communities
    - Participating in Virtual Book Clubs
    - Following Authors and Publishers Sample Early Termination Clause Of Residential Lease
  9. Balancing eBooks and Physical Books Sample Early Termination Clause Of Residential Lease
    - Benefits of a Digital Library
    - Creating a Diverse Reading Collection Sample Early Termination Clause Of Residential Lease
  10. Overcoming Reading Challenges
    - Dealing with Digital Eye Strain
    - Minimizing Distractions
    - Managing Screen Time
  11. Cultivating a Reading Routine Sample Early Termination Clause Of Residential Lease
    - Setting Reading Goals Sample Early Termination Clause Of Residential Lease
    - Carving Out Dedicated Reading Time
  12. Sourcing Reliable Information of Sample Early Termination Clause Of Residential Lease
    - Fact-Checking eBook Content of Sample Early Termination Clause Of Residential Lease
    - Distinguishing Credible Sources
  13. Promoting Lifelong Learning
    - Utilizing eBooks for Skill Development
    - Exploring Educational eBooks
  14. Embracing eBook Trends
    - Integration of Multimedia Elements
    - Interactive and Gamified eBooks

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