

COPY

The option and all rights hereunder may be assigned by Optionee only to an entity, in which Optionee and/or members of Optionee's family own controlling interest, and if assigned to such assignee, any and all acts performed by Optionee hereunder may be performed by any assignee, regardless of whether such assignment be before or after the exercise of this option.

In the event that Optionee fails to exercise the option to purchase within the term hereof, the money paid by Optionee to Optionor for the grant of said option shall be forfeited, except as hereinafter provided.

The parties hereto mutually agree that during the option term, Optionee shall immediately apply to the City of Lawrence, Kansas for a curb cut granting direct access onto the subject premises from Wakarusa Drive. In the event that Optionee fails to exercise this option within the term of this option or attempts to exercise the option and closing of said sale fails to occur for any reason other than refusal of the City of Lawrence, Kansas to issue the above described curb cut, then in that event the consideration paid by Optionee to Optionors for the option shall be deemed forfeited to Optionors. Optionee agrees to authorize Douglas County Title Company to release to Optionors the Ten Thousand Dollar (\$10,000.00) consideration immediately upon the permission of the City of Lawrence, Kansas, to the above-described curb cut, but in any event, no later than October 15, 1995. However, in the event that Optionee seeks to exercise this Option and applies to the City of Lawrence, Kansas for the above described curb cut and, notwithstanding Optionee's best efforts, Optionee is unsuccessful in obtaining said permission of the City of Lawrence, Kansas, then in that event, Optionee shall be entitled to a refund of all monies paid by Optionee to Optionors for the grant or extension of this option, whether in the custody of the Title Company or Optionors and the release of any and all other obligations