

10.2 **No Extinguishment Through Merger.** Grantor and Grantee herein agree that should [name of Grantee] come to own all or a portion of the fee interest in the Property, (i) [name of Grantee] as successor in title to Grantor shall observe and be bound by the obligations of Grantor and the restrictions imposed upon the Property by this Easement, as provided in paragraph [#]; (ii) this Easement shall not be extinguished, in whole or in part, through the doctrine of merger in view of the public interest in its enforcement; and (iii) [name of Grantee] as promptly as practicable shall assign the Grantee interests in this Easement of record to another holder in conformity with the requirements of this paragraph 10.2. Any instrument of assignment of this Easement or the rights conveyed herein shall refer to the provisions of this paragraph 10.2, and shall contain language necessary to continue it in force.