

attorney's fees, incurred by Lessor or the Trustees in connection with any such Taking and the seeking and obtaining of any award or payment in respect thereof. For the purpose of this Lease, all amounts paid pursuant to any agreement with any condemning authority in settlement of any condemnation or other eminent domain proceeding affecting any Leased Property shall be deemed to constitute an award made in such proceeding.

17.2. Taking for Temporary Use. In case of a Taking for temporary use, there shall be no termination, cancellation or modification of this Lease, and Lessee shall continue to perform and comply with (except as such performance and such compliance may be rendered impossible by reason of such Taking) all of its obligations under this Lease and shall in no event be relieved of its obligation to pay punctually all Basic Rent, Additional Rent or any other sums payable hereunder. Lessor shall pay the net awards received by it (whether by way of damages, rent or otherwise) by reason of such Taking to Lessee, if no Event of Default shall have occurred.

17.3. Other Taking; Damage or Destruction; Repair or Replacement. (a) In case of any damage to or destruction of any Leased Property or any part thereof, or in case of any Taking other than for temporary use, Lessee (except as otherwise provided in Section 17.3(b)) will, at its expense, promptly commence and complete with due diligence (subject to Unavoidable Delays) the replacement and repair of the Leased Property in order to restore it as nearly as practicable to the value and condition thereof immediately prior to such damage, destruction or Taking, whether or not the insurance proceeds or the award for the Taking shall be sufficient for such purpose. In such event, the net proceeds of insurance and the net awards for the Taking received by Lessor, if no Event of Default shall have occurred shall be paid to Lessee (or as Lessee may direct), from time to time as the Leased Property is replaced or repaired, in amounts equal to the cost of such