

or creation of a new lease after termination of the Leasehold by City (as above provided) shall be as follows:

(1) Neither Mortgagee nor Successor Owner shall have any obligation to cure any monetary defaults of Hyatt accrued prior to termination or transfer of the Leasehold; provided this provision does not affect any obligation they may incur for Transferee Rental Payments, as hereinafter defined.

(ii) Mortgagee or Successor Owner shall not be required to cure those non-monetary defaults which are not susceptible of being cured by Mortgagee or Successor Owner. Mortgagee or Successor Owner shall cure those non-monetary defaults which are susceptible of being cured, within a reasonable period of time after the Leasehold is transferred pursuant to foreclosure proceedings or deed or transfer in lieu of foreclosure, or possession of the property covered by the Leasehold is obtained by or delivered to Mortgagee or Successor Owner following execution of a new lease with City, as provided above. Mortgagee or Successor Owner shall also be required to reimburse City (within thirty days after obtaining actual possession of the property covered by the Leasehold) for any monies which City may have spent to remedy or mitigate the effect of non-monetary defaults by Hyatt, provided (A) City shall have previously notified Mortgagee of the need for such expenditures and obtained Mortgagee's consent (if the projected cost of such expenditure is over \$5,000), which consent shall not be unreasonably withheld; (B) City shall have used only reputable vendors and/or service providers to effect such cures, and shall have received bids from at least three such parties prior to spending such funds; and (C) the actions taken by City were necessary to preserve or protect the basic integrity and viability of the Project.

(d) Mortgagee shall not be required to continue possession or continue foreclosure proceedings under subdivision (b) or (c) of this Section if the particular default has been cured.

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