

(h) Notwithstanding the contrary provisions herein contained, or contained in any other agreement between Mortgagor and Mortgagee, the parties agree: (i) that Mortgagor, or any subsequent owner of the Property, ^{AFFILIATED WITH JACQUES-MILLER, INC.} may place junior financing on the same, or may sell the same to a limited partnership or other entity affiliated with Mortgagor, or with Mortgagor's principals; (ii) that any such sale, or subsequent sale, or junior financing, shall not affect the financing arrangements contemplated hereby and by the Wrap Note, and shall not result in any acceleration of any amounts due Mortgagee; (iii) that in the event the Property is otherwise sold to an unaffiliated third party, such sale shall not result in an acceleration of the indebtedness evidenced by the Wrap Note, but ^{AND ANY SUBSEQUENT SUBORDINATE FINANCING} Mortgagee shall have the right to approve the buyer, which approval shall not be unreasonably withheld; and (iv) no such sale or junior financing shall entitle Mortgagee, or any subsequent holder of the Wrap Note, to accelerate or to charge any additional fees or payments (other than the Five Hundred dollar administration fee mentioned above), or result in any increase in the interest rates thereunder, or a change in any other term or condition thereunder.

PROVIDED ALWAYS, nevertheless, and it is the true intent and meaning of the parties to these presents, that if Mortgagor does and shall well and truly pay or cause to be paid unto Mortgagee, its successors and assigns, the indebtedness hereby secured, with interest thereon, if any be due according to the true intent and meaning of the Wrap Note, and any and all other sums which may become due and payable hereunder, the estate hereby granted shall cease, determine and be utterly null and void; otherwise to remain in full force and virtue.

IT IS AGREED BY and between the said parties that Mortgagor shall be entitled to hold and enjoy the Property until default shall be made as herein provided.

IN WITNESS WHEREOF, Mortgagor has caused this instrument to