

Management Development Center) now or thereafter located on the Remaining Land; or (ii) the construction of additional parking facilities or roadways and driveways on any portion of the Remaining Land.

2.2 Costs. To the extent DIC is not reimbursed for the cost of such maintenance by third parties, such unreimbursed costs (the Unreimbursed Costs) shall be shared by DIC and DP-17, with DP-17's share to be 85% of the Unreimbursed Costs, until such time as one or more additional buildings are constructed on the Remaining Land, in which event DP-17's share shall be equal to the amount of the Unreimbursed Costs multiplied by the lesser of (a) 85% or (b) a fraction, the numerator of which shall be the number of net rentable square feet of improvements constructed on the Leased Land and the denominator of which shall be the number of net rentable square feet of improvements (less and except the Management Development Center) constructed on the Overall Parcel.

3. Successors and Assigns. The provisions hereof shall be binding upon and inure to the benefit of any and all parties having any right, title or interest in or to the Overall Parcel or any portion thereof, including, but not limited to, the parties hereto, every trustee and noteholder under any mortgage or deed of trust constituting a lien on any portion of the Overall Parcel and all tenants, subtenants,