

powers and authorities, but shall only be held liable for proper application of funds actually received as Rents from the Property. Assignee shall not be liable for failure to collect Rents. After Landlords shall have been barred and foreclosed of all right, title and interest and equity of redemption in the Property, Assignee shall not be liable to account to Landlords for the Rents thereafter received.

9. REPRESENTATIONS: Landlords hereby represent, covenant and warrant to Assignee that Landlords have not, except as the same has been explained to Assignee in writing:

1. Executed any prior assignment of leases or rents;
2. Performed any acts or executed any other instrument which might prevent Assignee from operating under any of the terms and conditions of this Assignment, or which would limit Assignee in such operation;
3. Accepted Rents for more than thirty (30) days in advance of the due date thereof.
4. Received knowledge of a lease default by any tenant; or
5. Executed or granted any modification of any lease, either orally or in writing.

10. LANDLORDS' COVENANTS: Landlords do hereby covenant and agree that during the term of this Assignment, Landlords will not without the written consent of Assignee first had and obtained:

1. Permit the payment of any rent more than thirty (30) days in advance of the due date thereof or anticipate, discount, compromise, forgive, encumber or assign the rents or any lease or any interest therein.
2. Consent to an assignment or sublease of any tenant's interest in a lease.
3. Accept a surrender or abandonment or vacation of the premises prior to the end of the term of a lease.
4. Modify a lease, either orally or in writing.
5. Fail to comply with all of the terms, conditions and covenants of a lease imposed upon Landlord so as to permit any termination of a lease because of a default by Landlords; or
6. Permit the payment of rent in any medium other than lawful money of the United States.

Any of the above acts, if done without the written consent of the Assignee, shall be null and void.

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