

respect of or be a lien upon (a) the Trust Estate or any part thereof or any rent therefrom or any estate, right or interest therein, or (b) any occupancy, use or possession of or activity conducted on the Property or any part thereof.

Improvements - as defined in the granting clauses hereof.

Instalment Payments - the monthly payments of principal and interest payable on the Partnership Note beginning on June 1, 1981 and continuing through April 30, 2006.

Insurance Requirements - all terms of any insurance policy covering or applicable to the Property or any part thereof, all requirements of the issuer of any such policy and all orders, rules, regulations and other requirements of the National Board of Fire Underwriters (or any other body exercising similar functions) applicable to or affecting the Property or any part thereof or any use or conditions of the Property or any part thereof.

Legal Requirements - all laws, statutes, codes, acts, ordinances, orders, judgments, decrees, injunctions, rules, regulations, permits, licenses, authorizations, directions and requirements of all governments, departments, commissions, boards, courts, authorities, agencies, officials and officers of governments, federal, state and municipal, foreseen or unforeseen, ordinary or extraordinary, which now or at any time hereafter may be applicable to the Property or any part thereof, or any of the adjoining sidewalks, curbs, vaults and vault spaces, if any, streets or ways or any use or condition of the Property or any part thereof.

Lessee's Equipment - as defined in the Ground Lease dated January , 1981 made by Color Tile Supermart, Inc. to Pine Lake Associates covering the premises described in Schedule A.

Lien - any mortgage, lien, charge, lease, encumbrance, pledge or conditional sales or other title retention agreement, other than Permitted Exceptions.

Loan Year - any year commencing June 1, 1981 or on any June 1 thereafter.

Net Awards - all awards and payments payable on account of a Taking of all or any part of the Property (less the actual fees, costs and expenses incurred in the collection thereof).

Net Insurance Proceeds - all insurance proceeds payable on account of any Destruction (less the actual costs, expenses and fees incurred in the collection thereof).