

DAMAGE,
DESTRUCTION

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16. It is agreed that if the premises hereby leased shall be damaged or destroyed, in whole or in part, by fire or other cause, during the term hereof, the Lessor shall repair and restore the same to a good tenantable condition with reasonable dispatch, and the rent herein provided for shall abate entirely in case the entire premises are untenable, and pro-rate for the portion rendered untenable in case a part only is untenable until the same shall be restored to a tenantable condition. In the event said premises, because of such damage or destruction, are not repaired, or are not repairable to a condition suitable for use by the Lessee within a period of ninety (90) days from the date of damage or destruction, the Lessee may, at its option, terminate this Lease by written notice to the Lessor, and thereupon the Lessee shall be released from all liability and obligations under this Lease. In the event said premises are totally destroyed by fire or other casualty and the Lessor intends to rebuild, the Lessor shall give Lessee written notice of its intention to rebuild, and the Lessee shall have the option, to be exercised by the Lessee in a written statement delivered to the Lessor within ten(10) days after the Lessee's receipt of such notice, of continuing its tenancy in the new building for the then unexpired term of this Lease under the terms hereof, such unexpired term to commence from the date the rebuilt premises are ready for occupancy. The Lessor hereby waives all rights to subrogate any claims it may have during the term of this Lease against the Lessee by reason of any damage caused to the Lessor's property by fire or other casualty covered by an insurance policy.

WAIVER OF
LIEN

17. The Lessor expressly waives and disclaims any lien or right of lien upon the goods, wares, merchandise, and other property of the Lessee, located on the demised premises or elsewhere, to secure the payment of rent by the Lessee or the performance by the Lessee of any other covenants of this