

non-payment thereof, then such owner shall pay, or cause to be paid, such tax or assessment in time to prevent such foreclosure.

10. Eminent Domain. In the event any part of the Subject Property shall be taken by right of eminent domain or any similar authority of law, the entire award for the value of the land so taken shall belong to the owner of the property so taken, or to their tenants, as their interests may appear, and no other owner of land in the Subject Property shall claim any portion of such award by virtue of any interest created by this Agreement; provided, however, any such other owner may file a collateral claim with the condemning authority over and above the value of the land being so taken to the extent of any damage suffered by such owner resulting from the severance of the area so taken, provided that such claim shall in no way diminish or affect the award of the owner or the mortgagee or tenants of the said owner whose property is taken. The owner of the portion of the Subject Property so condemned may restore the remaining portion of the Shopping Center owned by such owner as nearly as possible to the condition existing just prior to such condemnation without contribution from the owners of the area not so taken. Nothing contained in this Section 10 shall be construed to require an owner to acquire additional land to comply with its obligations hereunder.

11. Default

(a) If any owner of any portion of the Subject Property shall, during the term hereof default in the full, faithful and punctual performance of any obligation hereunder to be performed by such party, then the owners of Parcels I and II shall, in