

Differential between \$1,769,700.00 and the sum payable pursuant to Item (ii) above; (iv) to the holder of any mortgage(s) the unpaid principal balance(s) thereof together with any unpaid accrued interest; (v) to Tenant the sum equal to Tenant's Termination Damages; and (vi) to Landlord and Tenant equally the balance of the award.

(d) Anything contained in this §12 to the contrary, notwithstanding, the Taking of any portion of the Demised Premises not shown as the "Area of Prohibited Taking" on Exhibit A, shall not result in termination of this Lease or create any option in either Landlord or Tenant to terminate this Lease, or create any option on the part of Tenant to purchase the Demised Premises, provided, however, the foregoing shall not be deemed to modify or terminate any of the rights of Landlord and/or Tenant, in the event that:

- (i) access to the Demised Premises is affected by any such Taking;
- (ii) a change in traffic patterns results from any such Taking; or
- (iii) portions of the Demised Premises constituting portions of the Area of Prohibited Taking are made subject to a Taking together with such portions of the Demised Premises which are not designated as the Area of Prohibited Taking, in which event, for purposes of determining the percentage of the Demised Premises subjected to the Taking the portions of the Demised Premises not included in the Area of Prohibited Taking shall be included as if part of the Area of Prohibited Taking.

Buildings and
Lessee's
Improvements
(Section 13
of the Lease)

8. Lessee shall have the right, at any time to erect one or more new buildings and improvements, or to make additions to any buildings and improvements ("New Construction") from time to time included in the Demised Premises, provided that all such New Construction shall be located entirely on the land included in the Demised Premises. Lessee shall also have the right, at any time, to remodel or alter any existing or subsequently constructed buildings and improvements from time to time included in the Demised Premises or to demolish or remove any existing or subsequently constructed buildings; provided that after completion of the New Construction following any such demolition or removal, the over-all value of the improvements on the Demised Premises shall not be diminished by any such demolition or removal from the original value of the improvements located thereon. In the case

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