

held by the Landlord and applied in payment of future rent due and unpaid hereunder. If such reletting shall yield rentals insufficient for any month to pay the rent due by the Tenant hereunder for that month, the Tenant shall be liable to the Landlord for the deficiency and same shall be paid monthly. No such re-entry or taking possession of the demised premises by the Landlord shall be construed as an election to terminate this lease unless a written notice of such intention be given by the Landlord to the Tenant at the time of such re-entry. Notwithstanding any such re-entry and reletting without termination, the Landlord may at any time thereafter elect to terminate this lease for such previous breach, in which event the Landlord may recover from the Tenant damages incurred by reason of such breach, including the cost of recovering the demised premises and the difference in value between the rent reserved hereunder for the remainder of the term and the reasonable rental value of the demised premises for the remainder of the term. In determining the rent which would be payable by the Tenant hereunder, subsequent to default, the annual rent for each year of the unexpired term shall be equal to the average of the annual rent and other charges paid by the Tenant from the commencement of the term to the date of default.

22. HOLDING OVER: If the Tenant shall remain in possession of the demised premises or any part thereof after the expiration of the term of this lease, with the Landlord's acquiescence and without any agreement of the parties, the Tenant shall be only a tenant at will, and there shall be no renewal of this lease or exercise of an option by operation of law.

~~23. TERMINATION BY TENANT: This Lease Agreement may be terminated by the Tenant or by the legally appointed representative of his estate by giving a thirty (30) day prior written notice to the Landlord upon the happening of any of the following events:~~

~~(a) the death of the Tenant.~~

~~(b) the permanent disability of the Tenant rendering him unable to continue the practice of medicine.~~