

(f) If all or any part of the Premises or City Project, or both, shall be damaged by fire or other casualty, Mortgagor will promptly restore the Premises or City Project, or both, to the equivalent of their original condition; and if part of the Premises or City Project or both shall be damaged through condemnation, Mortgagor will promptly restore, repair or alter the remaining portions of the Premises and City Project in a manner satisfactory to Mortgagee. Notwithstanding the foregoing, Mortgagor shall not be obligated so to restore, repair or alter unless in each instance, Mortgagee agrees to make available to Mortgagor (pursuant to the procedure set out in Article 1.03 hereof) any net insurance or condemnation proceeds actually received by Mortgagee hereunder in connection with such casualty loss or condemnation, to the extent such proceeds are required to defray the expense of such restoration, repair or alteration; provided, however, that the insufficiency of any such insurance or condemnation proceeds to defray the entire expense of restoration, repair or alteration shall in no way relieve Mortgagor of its obligation to restore, repair or alter. In the event all or any portion of the Premises or City Project, or both, shall be damaged or destroyed by fire or other casualty or by condemnation, Mortgagor shall promptly deposit with Mortgagee a sum equal to the amount by which the estimated cost of the restoration of the Premises or City Project or both of them (as determined by Mortgagee in its good faith judgment) exceeds the actual net insurance or condemnation proceeds with respect to such damage or destruction.

1.08 Leases, Contracts, Etc.

(a) As additional collateral and further security for the Indebtedness, Mortgagor does hereby assign to Mortgagee Mortgagor's interest in any and all leases, tenant contracts, rental agreements, franchise agreements, management contracts, construction contracts, and other contracts, licenses and permits now or hereafter affecting the Premises, City Project or both