

"Managing General Partner" means Oxford Equities Corporation, an Indiana corporation, or any other person who becomes Managing General Partner of the Developer pursuant to its Partnership Agreement.

"Mortgage" means this First Mortgage dated as of October 1, 1984, from the Developer to the Authority and the Surety, as amended and supplemented.

"Permitted Encumbrances" means as of any particular time:

(a) Zoning laws and use regulations and other similar reservations, rights and restrictions then applicable to the Project and which are not violated by the Project or the use thereof;

(b) The rights reserved to or vested in any municipality or public authority by the terms of any right, power, permit or provision of law to terminate such right, power or permit, or to purchase, condemn, appropriate, recapture or designate a purchaser of the Project or any part thereof;

(c) Any Liens for taxes, assessments and other governmental charges and any Liens of mechanics, materialmen and laborers for work or services performed or materials furnished in connection with the Project which are not due and payable or the amount or validity of which is being contested at the time by appropriate legal proceedings which shall operate to prevent the collection thereof or other realization thereon or the sale or forfeiture of the Project or any part thereof to satisfy the same, provided, that the Developer shall have complied with the provisions of the Mortgage dealing with the contest of any such Lien;

(d) The Loan Documents;

(e) The rights of tenants (as tenants only) under leases of space in the Project;

(f) The Second Mortgage Documents so long as a Surety Bond shall be in effect and provided that the same shall be junior and subordinate to the Lien of the First Mortgage and the other Loan Documents;

(g) The Land Use Restriction and Regulatory Agreement dated as of October 1, 1984, between the Developer and the Authority, and all supplements and amendments thereto approved by the Surety; and

(h) Such other title exceptions as may be specifically approved in writing by the Surety.

"Person" means natural persons, firms, partnerships, associations, corporations, trusts and public bodies.

"Premises" means the Land, Appurtenant Rights, Improvements and Fixtures.

"Premiums" means premiums payable with respect to Insurance Policies (as defined in Section 6 hereof).

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