

according to the terms and conditions hereof as modified by an amendment or deletion of such provision as may be necessary to bring such provision into conformity with the law.

16. It is understood and agreed that an assignment of all or part of the rentals due under the lease is to be executed by Mortgagor as additional security for the indebtedness secured hereby simultaneously with the execution of this Mortgage. It is understood and agreed that this Mortgage shall be and is subsequent to and subordinate to the leasehold estate now vested in D-X pursuant to the terms and conditions of the lease.

17. Upon assumption of Mortgagor's obligations hereunder by D-X under Section 9(B) of the lease, Mortgagor shall be released from any and all obligations under this Mortgage.

The covenants, conditions and agreements herein contained shall bind, and the benefits and advantages shall inure to, the respective heirs, executors, administrators, successors and assigns of the parties hereto. Whenever used, the singular number shall include the plural, the plural the singular, the use of any gender shall include all genders, and the term "Mortgagee" shall include any payee of the indebtedness hereby secured or any transferee thereof whether by operation of law or otherwise, including, without limitation, any assignee or pledgee.

IN WITNESS WHEREOF, this instrument has been signed, sealed and delivered and shall become and is effective as of the day and year first above mentioned.

FRANK B. THOMPSON and IDA WEBB THOMPSON,
his wife,

Mortgagor

Witnesses to the signing, sealing and delivery hereof:

R. L. Nessen
R. L. NESSEN
J. M. Lotsch
J. M. LOTSCH

By *H. J. Knapp* [SEAL]
H. J. KNAPP, Attorney-in-Fact

STATE OF NEW YORK } ss:
COUNTY OF NEW YORK }

Before me, the undersigned, a Notary Public in and for said County and State, on this 19th day of February, 1959 personally appeared H. J. KNAPP, to me personally known to be the same and identical person named and described in and whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he signed, sealed, executed and delivered said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and official seal this 19th day of February, 1959.

Augusta Colucci
AUGUSTA COLUCCI, Notary Public [SEAL]

My Commission expires: AUGUSTA COLUCCI
NOTARY PUBLIC, State of New York
No. 30-5768200
Qualified in Notary Public
Certificate filed in New York County
Commission Expires March 30, 1960

