

(d) easements, rights of way, servitudes, restrictions or other minor defects, encroachments, encumbrances or other irregularities in the title to such Property set forth in the title insurance policy relating to such Property issued pursuant to Section 6.4 of the Note Agreements which do not materially impair the use of such Property for the purposes for which it is held by the Company and leased by the Lessee or materially and adversely affect the value thereof;

(e) rights reserved to or vested in any municipality or public or governmental authority to control or regulate such Property or any part thereof or to use such Property or any part thereof, which rights do not materially impair the use of such Property or materially and adversely affect the value thereof;

(f) the lien hereof and any rights granted as provided herein;

(g) the rights of the Lessee under the Lease of such Property;

(h) the Assignment relating to the Lease of such Property;

(i) the Option Agreement relating to such Property; and

(j) the sublease referred to in paragraph 18(b) of the Lease of such Property.

The term "person" means an individual, partnership, corporation, trust, unincorporated association, syndicate, joint venture or organization, or a government or any department or agency thereof.

The term "Predecessor Individual Trustee" has the meaning specified in Section 9.5(d).

The term "Predecessor Trustee" has the meaning specified in Section 9.4(b).

The term "Properties" has the meaning specified in Granting Clause First.

The term "Register" has the meaning specified in Section 2.3.

The term "Subsequent Owner" has the meaning specified in Section 5.6(a)(i).

The term "Successor Individual Trustee" has the meaning specified in Section 9.5(d).

The term "Successor Trustee" has the meaning specified in Section 9.4(b).