

11. Further Modification: This Agreement may not be modified or amended except in writing signed by the parties.

12. Time of Essence: Time is of the essence in all matters herein.

13. Costs: In the event this offer of modification is accepted by LENDER, BORROWER agrees to pay all costs in connection therewith, including, but without limitation thereto, recordation fees, taxes, attorneys' fees and title insurance premiums.

14. Miscellaneous: The covenants 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, and the use of any gender shall include both genders.

15. Trust: The name CONTINENTAL MORTGAGE INVESTORS is a designation of the Trustees for the time being under a Declaration of Trust dated November 29, 1961, as amended, and all persons dealing with CONTINENTAL MORTGAGE INVESTORS must look solely to the Trust property for the enforcement of any claims against CONTINENTAL MORTGAGE INVESTORS as neither the Trustees, officers, agents nor shareholders assume any personal liability for obligations entered into on behalf of CONTINENTAL MORTGAGE INVESTORS.

Date Offer Made: \_\_\_\_\_

X ARCADIA LIMITED PARTNERSHIP

By: Jerry Wolman  
Jerry Wolman

Offer Accepted On Feb 12, 1974

CONTINENTAL MORTGAGE INVESTORS,  
a Massachusetts Business Trust

By: J. Frank Armstrong  
J. Frank Armstrong, Treasurer

