**Rider to Project Note – TEL**

**Legal Non-Conforming Property**

(Revised 6-27-2023)

The following changes are made to the Project Note that precedes this Rider:

A. Section 14(c)(xiii) is deleted and replaced with the following:

(xiii) A casualty occurs affecting the Mortgaged Property and which results in loss or damage to Holder because of either of the following:

(i) (A) the Mortgaged Property is legally non-conforming under the applicable zoning laws, ordinances and/or regulations in the Property Jurisdiction (“**Zoning Code**”), (B) the affected Improvements cannot be rebuilt to their pre-casualty condition under the terms of the Zoning Code, and (C) the Property Insurance proceeds available to Holder under the terms of the Continuing Covenant Agreement are insufficient to repay the Indebtedness in full.

(ii) Borrower fails to commence and diligently pursue completion of any Restoration within the time frame required by the Zoning Code and any permits issued pursuant to the Zoning Code which are necessary to allow the Restoration to the pre-casualty condition described in Section 14(c)(xiii)(i)(B).