

the premiums on such insurance, together with interest per annum at the legal rate, from the party failing to obtain such insurance.

9.6 SELF INSURANCE AND BLANKET COVERAGE. In lieu of the foregoing, any party whose net worth shall be \$50,000,000.00 or more, or any guarantor of such party's obligations under this ARTICLE IX who shall have a net worth of \$50,000,000.00 or more, and whose net worth bears a ratio to its liabilities of at least 1:1 and whose current assets bear a ratio to its current indebtedness of at least 2:1, or whose obligations under this AGREEMENT are guaranteed by any guarantor having such financial standing, may carry any insurance required to be maintained under this ARTICLE IX, either in whole or in part, under: (i) a policy or policies covering other liabilities and locations of such party or guarantor, and covering other liabilities and locations of any subsidiary, successor, affiliate or controlling corporation of such party or guarantor; or (ii) any plan of self insurance which such party or guarantor may have in effect. The annual report and any published periodic financial reports of any such party or guarantor shall be sufficient evidence of the foregoing financial standard at such dates. The statement from a party or guarantor that it has elected to be a self insurer of the risk and in the amount specified in such statement, may be supplied in lieu of the appropriate insurance certificate otherwise required under 9.5.

ARTICLE X

CONDEMNATION

10.1 CONDEMNATION. In the event that either (i) 20% or more of DEVELOPER TRACT or 20% or more of that portion of DEVELOPER TRACT lying in the MERCANTILE EASEMENT AREA or any part of the land under MERCANTILE BUILDING shall be condemned and taken by right of eminent domain or for public or quasi-public use or sold under threat of condemnation, or (ii) as a result of condemnation or sale MERCANTILE TRACT is separated from and no longer contiguous to DEVELOPER TRACT, MERCANTILE may, in any of such events and at its option, exercisable by written notice to DEVELOPER, within the period from 90 days before to 30 days

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