

party, or cause the mortgagee to be liable in any way for the debts or obligations of the mortgagor or any other party; and that, with respect to the premises and the mortgagor's operations thereof, (A) the mortgagor will keep proper books of record and account in accordance with sound accounting practice, which shall reflect and disclose in reasonable detail the data required to determine Gross Income, (B) the mortgagee shall have the right to examine and audit the books of account of the mortgagor and the statements furnished by the mortgagor pursuant to this Article (and which books, records and statements, and the data used as a basis for their preparation, shall be kept and preserved for at least five years) and to discuss the affairs, finances and accounts of the mortgagor and to be informed as to the same by, its officers, all at such reasonable times and intervals as the mortgagee may desire, and (C) the mortgagor will furnish to the mortgagee within 60 days after the end of each Calculation Year, copies of the statement of income and surplus of the mortgagor for such Calculation Year, in reasonable detail and stating in comparative form the figures as of the end of and for the previous Calculation Year, with each such statement showing separately and in reasonable detail the Gross Income, and certified by independent certified public accountants of recognized standing satisfactory to the mortgagee; and, with such financial statements for each Calculation Year, the mortgagor will furnish to the mortgagee a written statement of such accountants that in making the examination necessary for their certification of such financial statements, they have obtained no knowledge of any default by the mortgagor under this mortgage, or, if such accountants shall have obtained knowledge of any such default, they shall disclose in such statement such default or defaults and the nature thereof, it being understood that such accountants shall not be liable directly or indirectly for any failure to obtain knowledge of any default.

R
A
K