

proceeding or notice of sale relating to the Properties, nor by any change in the title or ownership of the Properties, nor by the occupation or use of the Properties for purposes more hazardous than permitted by the policy.

So long as a Lease is in effect and no Event of Default thereunder has happened which has not been remedied, compliance by Krystal with the insurance requirements of the Leases shall be deemed compliance with this Section 4.18 by the Company in respect of the portion of the Leased Premises covered by such Lease.

The Company hereby pledges, assigns, mortgages and conveys to the Trustee all right, title and interest of the Company of, in and to all insurance required by this Indenture and the proceeds thereof. The proceeds of all insurance required to be maintained by the Company shall be deposited, administered and applied in accordance with the provisions of Article V.

The Company shall promptly notify the Trustee of any damage to or destruction of any part of the Properties exceeding \$15,000 as to any occurrence involving a single Property, whether or not the same is covered by insurance.

**SECTION 4.19. Maintenance and Repairs.** The Company will at all times maintain, preserve and keep, or cause to be maintained, preserved and kept, the Properties, and every part thereof, in good repair, operating order and condition, and from time to time shall make or cause to be made all needed and proper repairs, renewals, replacements, extensions, additions, betterments and improvements thereto so that the business carried on in connection therewith may be properly and advantageously conducted at all times.

Subject to the provisions of Section 5.9, without limiting the generality of the foregoing, the Company shall, at its sole cost and expense, and whether or not the insurance proceeds or condemnation awards, if any, shall be sufficient for the purpose, restore, repair, replace, rebuild or alter a Property as nearly as possible to its value, condition and character immediately prior to any damage or destruction or partial taking or purchase by governmental authority. Such restoration, repairs, replacements, rebuilding or alterations shall be commenced promptly and completed with reasonable diligence.