

mart will promptly furnish to the Company or any Beneficiary a Partnership Certificate certifying, with respect to the Partnership and Supermart, that to the best of their knowledge there is no Default hereunder or if any Default exists specifying the nature and period of existence thereof and what action the Partnership is taking or proposes to take with respect thereto. The Partnership will also promptly furnish to the Company full information concerning any material adverse change in the condition, business or prospects of the Partnership.

20. Furnishing of Financial Statements and Information; Inspection.

(a) The Partnership will deliver to the Company, so long as the Partnership Note is outstanding

(i) as soon as practicable after the end of each fiscal year, and in any event within 90 days thereof, statement of earnings and a balance sheet of the Partnership as at the end of each year, setting forth in comparative form figures for the previous fiscal year, all in reasonable detail and certified to be true and complete by each of the general partners,

(ii) with reasonable promptness, such other financial data and information as from time to time the Company may reasonably request.

So long as the Net Lease is in full force and effect and no Event of Default exists thereunder, the Company waives the foregoing requirements of this Section 20.

Together with each delivery of financial statements required by paragraph (i) above, the Partnership will deliver to the Company a Partnership Certificate of the Partnership, to the effect that the signers are familiar with the terms and conditions of this Deed of Trust and all agreements or instruments referred to herein and that there exists to the best knowledge of the Partnership no Default or if any Default exists or has existed during the period since the last such report, what action the Partnership is taking or proposes to take with respect thereto.

(b) The Company and each Beneficiary and their authorized representatives, at their expense, may at all reasonable times, upon reasonable notice to Color Tile, enter and examine the Property and all properties, books and records (and make copies thereof and extracts therefrom) of the Partnership, and may discuss the business and affairs of the Partnership with its officers, representatives, general partners, employees and certified public accountants, if any (each of whom shall regard this provision as expressly authorizing