

Supermart hereunder may, at the option of the Partnership, be performed or taken by Color Tile, and the performance or the taking of such action by Color Tile shall be deemed to be the performance or the taking of action by the Partnership.

46. Notices. All notices and other communications hereunder shall be in writing and shall be delivered or mailed by first class registered or certified United States mail, postage prepaid, addressed (a) if to the Partnership at 3400 Executive Parkway, Toledo, Ohio or at such other address as the Partnership shall have furnished to the Company in writing (b) if to Color Tile at 1700 One Tandy Center, Fort Worth, Texas or at such other address as shall have been furnished to the Company in writing, (c) if to Supermart at P. O. Box 2475, Fort Worth, Texas, or (d) if to the Company attention of "Investment Department" at 711 High Street, Des Moines, Iowa 50307 or at such other address as the Company shall have furnished to the Partnership in writing, or (e) if to a Beneficiary, other than the Company, at such address as such Beneficiary shall have furnished to the Partnership and the Company in writing. All notices and other communications hereunder mailed as aforesaid shall be deemed to have been given 3 days after the date of such mailing.

47. Miscellaneous. This Deed of Trust may be changed, waived or amended only by an instrument in writing signed by the Partnership, Supermart and the Company and may be discharged or terminated only in accordance with Section 42 hereof. This Deed of Trust shall be binding upon Supermart and the Partnership and their successors and assigns, and all Persons claiming under or through the Partnership, Supermart or any such successor or assign, and shall inure to the benefit of and be enforceable by the Company and its successors and assigns. The headings in this Deed of Trust are for purposes of reference only and shall not limit or define the meaning thereof. This Deed of Trust may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Partnership and Supermart have caused this Deed of Trust to be executed as of the date first above set forth.

Signed, sealed and delivered in the presence of:

Paul L. Simpson
Richard A. Payne

Philip Robertson
Margaret E. Faddach

PINE LAKE ASSOCIATES

By Marle E. Pheasant, Jr.
By John M. Bloomfield, General Partners

COLOR TILE SUPERMART, INC.

By L. O. Bolduc

