

(D) The Company shall not remove, or permit the removal of, any of the Equipment from the Land except in accordance with the provisions of this Section, the CIC Mortgage or the CIC Financing Agreement.

SECTION 11. Bank's Right of Access to the Mortgaged Property. The Company agrees that the Bank and the duly authorized agents of the Bank shall have the right at all reasonable times to enter upon the Land to examine and inspect the Mortgaged Property. The Company further agrees that the Bank and its duly authorized agents shall have such rights of access to the Mortgaged Property as may be reasonably necessary to enable it to provide for the proper maintenance of the Mortgaged Property in the event of the failure by the Company to perform its obligations under Section 3 hereof.

SECTION 12. Release of Certain Land. (A) The Company and the Bank may at any time and from time to time effect the release of and removal from this Mortgage of any part (or interest in such part) of the Land on which the Project is located with respect to which the Company proposes to grant an easement or convey fee title to a railroad, public utility or public body in order that railroad services, utility services or roads may be provided for such Mortgaged Property; provided, that if at the time any such release is made any amount is outstanding and unpaid upon the Note there shall be deposited with the Bank the following:

- (1) A copy of said release as executed;