

(a) the portion of the Land so proposed to be released is necessary or desirable in order to obtain railroad, utility services or roads to benefit the Project and

(b) the release so proposed to be made will not impair the usefulness of the Mortgaged Property for the purpose for which it is intended and will not destroy the means of ingress thereto and egress therefrom.

(B) If all of the conditions of this Section 12 are met the Bank shall release any such property from the lien of this Mortgage.

(C) No release effected under the provisions of this Section shall entitle the Company to any postponement, abatement, or diminution of the amounts payable under Section 4.3(A) of the Loan Agreement.

SECTION 13. Granting of Easements. (A) If no event of default under the Loan Agreement shall have happened and be continuing, the Company may at any time grant easements, licenses, rights of way (including the dedication of public highways) and other rights or privileges in the nature of easements with respect to the Land free from the lien of the Mortgage, and the Company may release existing easements, licenses, rights of way and other rights or privileges with or without consideration, and the Bank shall execute and deliver any instrument necessary or appropriate to confirm

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