

not significantly alter the character or purpose or detract from the value or operating efficiency of the Facilities and will not significantly impair the revenue producing capacity of the Corporation; provided, however, that the consideration received by the Corporation pursuant to a transaction permitted by this subparagraph (b) is in the form of cash (or, if not in cash, accompanied by an Opinion of Bond Counsel that the exemption from Federal income taxation of interest on the Bonds will not be impaired as a result of such receipt) and, to the extent not used to replace the Equipment, is deposited into the Debt Service Reserve Fund to the extent that the amount in the Debt Service Reserve Fund is less than the Debt Service Reserve Requirement; and provided further that the Corporation shall not be required to make any such deposits to the Debt Service Reserve Fund until such time as the cash proceeds received by the Corporation exceeds \$50,000 in any Fiscal Year.

The removal from the Facilities of any portion of the Equipment pursuant to the provisions of this Section 3.2 shall not entitle the Corporation to any abatement or diminution of the amounts payable under the Note or the Agreement.

Upon the request of the Corporation, the Issuer and the Trustee shall deliver or cause to be delivered to the Corporation, such instruments as are reasonably necessary to confirm the release of removed items of the Equipment from the mortgage lien and security interest of this Mortgage and the Indenture and cancelling any lien or security interest with respect thereto, provided that such request is accompanied by a certificate of the Authorized Company Representative to the effect that such release complies in all respects with this Section and further provided, that the Bank shall have released its lien and security interest in such Equipment.

Section 3.3. Release of Certain Land. If no event of default shall have occurred and be continuing, the Corporation hereto reserves the right, at any time and from time to time, to amend this Mortgage for the purpose of effecting the release of or removal from the mortgage lien of this Mortgage of (i) any unimproved part of the Land (on which no building or equipment owned by the Corporation and essential to the continued operation of the Facilities is situated or proposed to be situated) or (ii) any part of the Land with respect to which the Corporation proposes to convey fee title to a public utility or public body in order that utility services or roads may be provided for the Facilities; provided that the Bank shall have released its lien and security interest in such Land and provided further, that if at the time any such amendment is made any of the Bonds are