

SECTION 11.08. State Law to Govern. The laws of the State shall govern the construction of this Agreement.

SECTION 11.09. Rights of Lender. The agreements or obligations made herein by the Corporation to or for the benefit of the Lender are intended by the Corporation to be specifically enforceable by the Lender, and the Corporation acknowledges that the acquisition of the Note by the Lender is consideration for any such agreements or obligations.

IN WITNESS WHEREOF, the City of Greer, South Carolina, has executed this Mortgage and Financing Agreement by causing its name to be hereunto subscribed by the Mayor of the City Council and the official seal of said City to be impressed hereon and attested by the Clerk of the City and Messer Mirror Corporation has executed this Mortgage and Financing Agreement by causing its corporate name to be hereunto subscribed by its President or a Vice President and its corporate seal to be impressed hereon and attested by its Secretary or an Assistant Secretary, all as of the date first above written.

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