

(e) if to Remarketing Agent, to Bankers Trust Company, One Bankers Trust Plaza, 31st Floor, New York, New York 10015, Attention: Public Finance Group; and

(f) if to Tender Agent, to Bankers Trust Company, Four Albany Street, New York, New York 10015, Attention: Corporate Trust and Agency Group.

Notice given to one party shall be given to all parties.

Notice given hereunder shall be deemed given upon receipt by the principal addressee.

(16) Severability and Governing Law: The parties agree that if it should ever be held by a court of competent jurisdiction that any one or more sections, clauses or provisions of this Mortgage is invalid or ineffective for any reason, any such section, clause or provision shall be deemed separate from the remainder of this Mortgage and shall not affect the validity and enforceability of such remainder. The parties agree that this Mortgage, its terms and conditions and any interpretation thereof, shall be governed by the laws of the State of South Carolina.

(17) Captions and Counterparts; Amendments: The section headings and captions and underscorings contained herein are included for convenience only and shall not be considered a part hereof or affect in any manner the construction or interpretation hereof. This Mortgage is simultaneously executed in several counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument. This Mortgage may only be amended by written instrument among the parties to the extent and only to the extent permitted in Article X of the Agreement.

(18) Definitions. The words and expressions used in this Mortgage shall have the meanings specified in this Section, except where such meanings would be inconsistent with the context or subject matter.

"Acquisition and Construction Fund" means a trust fund, created and established with the Trustee, under the terms of Section 6.05 hereof.

"Act of Bankruptcy" means the filing of a petition in bankruptcy (or the other commencement of a bankruptcy or similar proceeding) by or against Company or Issuer under any applicable bankruptcy, insolvency, reorganization or similar law, now or hereafter in effect.

"Agent" means The First National Bank of Boston in its capacity as agent under the Loan Agreement.

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