

Company shall first notify the Bank of its intention so to do, the Company may in good faith contest any mechanics', materialmen's or other liens filed or established against the Mortgaged Property, and in such event may permit the items so contested to remain undischarged and unsatisfied during the period of such contest and any appeal therefrom, unless the Bank shall notify the Company that, in the opinion of Independent Counsel, by nonpayment of any such items, the lien or security interest of this Mortgage as to any part of the Mortgaged Property will be materially endangered or the Mortgaged Property or any part thereof will be subject to loss or forfeiture, in which event the Company shall promptly pay and cause to be satisfied and discharged all such unpaid items.

SECTION 4. Taxes, Other Governmental Charges and Utility Charges. (A) The Company shall pay, as the same become due, all taxes and governmental charges of any kind whatsoever that may at any time be lawfully assessed or levied against or with respect to the Mortgaged Property, including all ad valorem taxes lawfully assessed upon the Mortgaged Property, all utility and other charges incurred in the operation, maintenance, use, occupancy and upkeep of the Mortgaged Property and all assessments and charges lawfully made by any governmental body for public improvements that may be secured by a lien on the Mortgaged Property; provided, that with respect to special assessments or other governmental charges that may lawfully be paid in