

has been discharged and satisfied or that the property subject to such lien has been released or disposed of in accordance with provisions of this Indenture, and the Officers' Certificate prescribed by § 9.10.

§ 9.06. Any moneys received by the Trustee pursuant to § 8.03(d), § 8.04 or § 8.05 upon the release of any fixed non-bondable property, any moneys received by the Trustee in payment of the principal of obligations deposited with the Trustee pursuant to § 8.03(d), § 8.04 or § 8.05 upon the release of any such property or upon the release of any such obligations, any insurance moneys received by the Trustee pursuant to § 5.06 on account of the damage, loss or destruction of non-bondable property and any moneys received pursuant to § 8.02 or § 8.07, shall be paid over from time to time by the Trustee to or upon the written order of the Company, in an amount equal to the lesser of the cost or the fair value to the Company of other fixed non-bondable property acquired by the Company subsequent to the date of the application for the release with respect to which such cash or obligations were deposited, but only upon receipt by the Trustee of the resolutions, certificates, instruments and Opinion of Counsel of the kind described in, and setting forth the facts with respect to such property specified in, § 9.01(a) to § 9.01(f), both inclusive, together with the cash prescribed in § 9.01(g), except that such certificates, instruments and Opinions:

(a) need not state that the property therein described consists of property additions, but in lieu thereof shall state that such property is fixed property; and

(b) shall omit the statements required by paragraphs (ii) and (iii) of § 9.01(b) and in lieu thereof shall state that no portion of such property has theretofore been included in any certificate filed pursuant to the provisions of this § 9.06 and that the construction or acquisition of such property was desirable in the conduct of the business of the Company.

§ 9.07. Any moneys held by the Trustee as a part of the trust estate (other than moneys deposited with the Trustee pursuant to § 4.02 or held on account of construction or judgment liens), and not paid over to the Company pursuant to the other provisions of this Article 9 or § 5.06, shall, at the election and in accordance with the request of