

appropriate legal proceedings, provided that such security for such payment or compliance thereof shall be given as the Trustee may require; nor shall anything contained in this §5.05 prevent the abandonment of any property as and to the extent permitted by §8.02(b).

§5.06. The Company will:

(a) At all times cause all of the mortgaged property, which is of a character usually insured by companies similarly situated and operating like properties, properly to be insured against loss or damage from such hazards and risks as are usually insured against by companies similarly situated and operating like properties, including public liability and other insurance, in amounts customarily carried by such companies, and cause all of its insurable property to be insured against war and sabotage risks in amounts not less than 100% of the full insurable value thereof, as and when such insurance is generally available, by insurers believed by the Company to be responsible, but no particular hazard or risk need be insured except to the extent of the excess thereof, if any, over \$100,000. From time to time another method or plan of protection against such loss or damage may be substituted, in whole or in part, for the aforesaid insurance, if, in the opinion of the signer of an Independent Engineer's Certificate, such plan or method shall afford protection to the Trustee and the trust estate at least equal to the plan or method of protection against such loss or damage then generally in use with respect to similar properties subject to similar or greater hazards or risks, but before any such other method or plan may be so substituted, there shall be filed with the Trustee:

(1) An Independent Engineer's Certificate stating that, in the opinion of the signer, such method or plan of protection is in accordance with the requirements of this *Subdivision (a)*, affords adequate protection to the Trustee and the trust estate against loss and damage from hazards and risks covered thereby, and does not lessen the protection against such loss or damage existing immediately prior to the substitution of such method or plan.

(2) An Officers' Certificate setting forth such method or plan in reasonable detail.

Any amounts of cash required to be paid by the Company pursuant to any method or plan of self insurance shall for the purposes of this Indenture be deemed to be proceeds of insurance.