

(except real estate held for the purpose of sale or resale) that has, in the opinion of the Company, permanently ceased to be used or useful in its business.

§5.08. (a) At any and all times, upon the written request of the Trustee, the Company will permit the Trustee, by its agents and attorneys, to make reasonable examinations of the books of account, records, reports and other papers of the Company and to take copies and extracts therefrom.

(b) The Company will file with the Trustee, within 15 days after the Company is required to file the same with the Securities and Exchange Commission, copies of the annual reports and of the information, documents and other reports (or copies of such portions of any of the foregoing as the Securities and Exchange Commission may from time to time by rules and regulations prescribe) which the Company may be required to file with said Commission pursuant to Section 13 or Section 15(d) of the Securities Exchange Act of 1934; or, in the event that this Indenture shall have been qualified under the Act, then, if the Company is not required to file information, documents or reports pursuant to either of such sections, it will file with the Trustee and said Commission, in accordance with any rules and regulations that may be prescribed from time to time by said Commission, such of the supplementary and periodic information, documents and reports which may be required pursuant to Section 13 of the Securities Exchange Act of 1934 in respect of a security listed and registered on a national securities exchange as may be prescribed from time to time in such rules and regulations.

(c) In the event that this Indenture shall have been qualified under the Act, the Company will file with the Trustee and with the Securities and Exchange Commission, in accordance with the rules and regulations prescribed from time to time by said Commission, such additional information, documents and reports with respect to compliance by the Company with the conditions and covenants provided for in this Indenture as may be required by such rules and regulations, including, in the case of annual reports, if required by such rules and regulations, certificates or opinions of independent public accountants,