

TO HAVE AND TO HOLD all said properties, real, personal and mixed, mortgaged, pledged and conveyed by the Company as aforesaid, or intended so to be, unto the Trustees and each of them and their successors in the trust and their assigns forever;

SUBJECT, HOWEVER, to the exceptions, reservations and matters herein recited, and to permitted liens and construction liens as defined in *Article 1* of the Indenture;

IN TRUST, NEVERTHELESS, upon the terms and trusts herein and in the Indenture set forth, for the equal and proportionate benefit and security of all present and future holders of the Bonds and coupons issued and to be issued under the Indenture, as herein and hereafter supplemented and modified, or any of them, without preference, distinction or priority as to lien or otherwise of any of the Bonds and coupons of any particular series over any other Bond or coupon of such series or over any Bond or coupon of any other series, by reason of priority in the time of the issue, sale or negotiation thereof, or by reason of the purpose of issue or otherwise howsoever, except as in the Indenture, as herein and hereafter supplemented and modified, otherwise expressly provided;

PROVIDED, HOWEVER, and these presents are upon the condition that if the Company, its successors or assigns, shall pay or cause to be paid unto the holders of the Bonds the principal, interest and premium, if any, to become due in respect thereof at the times and in the manner stipulated therein and in the Indenture, as herein and hereafter supplemented and modified, and shall keep, perform and observe all and singular the covenants and promises in the Bonds and coupons and in the Indenture, as herein and hereafter supplemented and modified, expressed as to be kept, performed and observed by or on the part of the Company, then this Fifth Supplemental Indenture and the estate and rights hereby granted shall cease, determine and be void, otherwise to remain in full force and effect;

AND IT IS HEREBY COVENANTED, DECLARED AND AGREED, by and between the parties hereto, that all the Bonds and coupons are to be issued,