

Four of the Fourth Supplemental Indenture, (iv) the Guadalupe main line compressor station described in subdivision (2) of Division Five of said Part I and (v) the Tucson compressor station described in subdivision (6) of said Division Five, and shall state that such leases have been duly recorded, or that recordation thereof is not necessary in order to protect the lien of the Mortgage on the interest of the Company in the properties covered thereby, that the lessors under such leases had good title, subject only to liens or encumbrances of the nature of permitted encumbrances, to the lands covered thereby at the time of the execution and delivery of such leases, and that such leases and permits conform with the requirements of the second sentence of the fourth paragraph of Section 1.09, then the Company shall be deemed to have good title to such facilities located on the lands covered by such leases or permits.

SECTION 6.04. From and after the date of delivery to the Corporate Trustee of the documents specified in Section 6.03, any funds then remaining in the Pipe Line Construction Fund shall be held by the Corporate Trustee as part of the trust estate hereunder and shall be paid over or applied by it from time to time as provided in Section 4.06. The Company covenants and agrees that if the total cost of the acquisition and construction of the New Pipe Line, as completed within the meaning of Section 1.12, is less than the sum of \$66,212,000, it will deposit with the Corporate Trustee, prior to or simultaneously with the delivery to it of the documents specified in Section 6.03, an amount which, together with any funds then remaining in the Pipe Line Construction Fund, will equal the difference between such cost of the New Pipe Line and \$66,212,000. Any amounts remaining in the Current Construction Fund provided for in Section 6.09 may be used for such purpose. Such additional amount shall also be held by the Corporate Trustee as part of the trust estate hereunder and paid over or applied by it as provided in Section 4.06.

If any cash deposited with or held by the Corporate Trustee pursuant to this Section shall not have been paid out or applied as provided in Section 4.06 within three years after the date of delivery to the Corporate Trustee of the above mentioned documents, such cash,