

SECTION 85. NO HOLDER OF ANY BOND SHALL HAVE THE RIGHT TO INSTITUTE ANY SUIT, ACTION OR PROCEEDING AT LAW OR IN EQUITY UPON, OR IN RESPECT OF, THIS INDENTURE, OR FOR THE EXECUTION OF ANY TRUST OF POWER HEREOF, OR FOR ANY OTHER REMEDY UNDER OR UPON THIS INDENTURE, OR OF THE BONDS OR INTEREST COUPONS SECURED HEREBY, UNLESS SUCH HOLDER SHALL PREVIOUSLY HAVE GIVEN TO THE TRUSTEE WRITTEN NOTICE OF AN EXISTING DEFAULT; NOR UNLESS, ALSO, SUCH HOLDER OR HOLDERS SHALL HAVE TENDERED TO THE TRUSTEE SECURITY AND INDEMNITY SATISFACTORY TO IT AGAINST ALL COSTS, EXPENSES AND LIABILITIES WHICH MIGHT BE INCURRED IN OR BY REASON OF SUCH ACTION, SUIT OR PROCEEDING; NOR UNLESS, ALSO, THE HOLDERS OF AT LEAST TWENTY-FIVE PER CENT. IN AGGREGATE PRINCIPAL AMOUNT OF ALL THE BONDS THEN OUTSTANDING SHALL HAVE REQUESTED THE TRUSTEE IN WRITING TO TAKE ACTION IN RESPECT OF SUCH DEFAULT AND THE TRUSTEE SHALL HAVE DECLINED TO TAKE SUCH ACTION OR SHALL HAVE FAILED SO TO DO WITHIN THIRTY DAYS THEREAFTER; IT BEING UNDERSTOOD AND INTENDED THAT NO HOLDER OF ANY BONDS OR INTEREST COUPON SHALL HAVE ANY RIGHT IN ANY MANNER WHATEVER TO AFFECT, DISTURB OR PREJUDICE THE LIEN OF THIS INDENTURE BY HIS ACTION, OR TO ENFORCE ANY RIGHT HEREUNDER, OR UNDER OR IN RESPECT OF ANY OF THE BONDS, EXCEPT IN THE MANNER HEREIN PROVIDED, AND THAT ALL PROCEEDINGS HEREUNDER SHALL BE INSTITUTED, HAD AND MAINTAINED IN THE MANNER HEREIN PROVIDED AND FOR THE EQUAL BENEFIT OF ALL HOLDERS OF OUTSTANDING BONDS,

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SUCCESSOR CORPORATIONS

SECTION 86. NOTHING CONTAINED IN THIS INDENTURE OR IN ANY BOND HEREBY SECURED, SHALL PREVENT ANY LAWFUL CONSOLIDATION OR MERGER OF THE COMPANY WITH OR INTO ANY OTHER CORPORATION OR CORPORATIONS, OR A SERIES OF CONSOLIDATIONS OR MERGERS, OR SUCCESSIVE CONSOLIDATIONS OR MERGERS IN WHICH THE COMPANY OR ITS SUCCESSOR OR SUCCESSORS SHALL BE A PARTY OR PARTIES, OR ANY SALE, SUBJECT TO THE CONTINUING LIEN OF THIS INDENTURE AND TO ALL THE PROVISIONS HEREOF, OF ALL, OR SUBSTANTIALLY ALL, THE MORTGAGED PROPERTIES AS AN ENTIRETY, TO A CORPORATION AUTHORIZED TO ACQUIRE THE SAME; PROVIDED, THAT SUCH CONSOLIDATION, MERGER OR SALE SHALL NOT IMPAIR THE LIEN, PRIORITY AND SECURITY OF THIS INDENTURE, OR ANY OF THE RIGHTS OR POWERS OF THE TRUSTEE OR OF THE HOLDERS OF THE BONDS, AND THAT, UPON ANY CONSOLIDATION, MERGER OR SALE, THE CORPORATION FORMED BY SUCH CONSOLIDATION OR INTO WHICH SUCH MERGER MAY BE MADE, OR MAKING SUCH PURCHASE, SHALL IN WRITING ASSUME THE DUE AND PUNCTUAL PAYMENT OF THE PRINCIPAL AND INTEREST OF ALL OF THE BONDS, ACCORDING TO THEIR TENOR, AND THE DUE AND PUNCTUAL PERFORMANCE AND OBSERVANCE OF ALL THE COVENANTS AND CONDITIONS OF THIS INDENTURE.

SECTION 87. IN CASE THE COMPANY SHALL BE CONSOLIDATED WITH OR MERGED INTO ANY OTHER CORPORATION, OR SHALL SELL, SUBJECT TO THIS INDENTURE, ALL, OR SUBSTANTIALLY ALL, THE MORTGAGED PROPERTIES AS AN ENTIRETY, AS AFORESAID, THE SUCCESSOR CORPORATION FORMED BY SUCH CONSOLIDATION OR INTO WHICH THE COMPANY SHALL HAVE BEEN MERGED, OR WHICH SHALL HAVE RECEIVED A CONVEYANCE OF SALE AS AFORESAID, ^{IN FORM SATISFACTORY TO THE TRUSTEE} UPON EXECUTING AND CAUSING TO BE RECORDED AN INDENTURE WITH THE TRUSTEE, WHEREBY SUCH SUCCESSOR SHALL EFFECTUALLY ASSUME THE DUE AND PUNCTUAL PAYMENT OF THE PRINCIPAL AND INTEREST OF ALL THE BONDS ACCORDING TO THEIR TENOR AND THE PERFORMANCE AND OBSERVANCE OF ALL THE COVENANTS AND CONDITIONS OF THIS INDENTURE, SHALL SUCCEED TO AND BE SUBSTITUTED FOR THE COMPANY HEREUNDER, WITH THE SAME EFFECT AS IF IT HAD BEEN NAMED HEREIN AS PARTY OF THE FIRST PART HERETO. SUCH SUCCESSOR CORPORA-