

RATES, CHARGES, IMPOSTS, LEVIES OR LIENS, LEVIED OR ASSESSED OR LAID ON THE PROPERTY HEREBY MORTGAGED OR ANY PART THEREOF, OR ON ANY INTEREST OF THE HOLDERS OF THE BONDS AND COUPONS HEREBY SECURED, OR ANY OF THEM, OR OF THE TRUSTEE, ARE DUE AND UNPAID, AND IF SO, AS TO WHAT PROPERTY AND THE REASON THEREFOR AND THE AMOUNT THEREOF, AND IN SIMILAR FASHION, WHETHER ANY TAX SALES HAVE OCCURED AFFECTING ANY OF THE PROPERTY MORTGAGED HEREBY.

ARTICLE XI.

MISCELLANEOUS PROVISIONS.

SECTION 1. ALL THE COVENANTS AND STIPULATIONS IN THIS INSTRUMENT CONTAINED BY OR ON BEHALF OF THE COMPANY SHALL BE BINDING UPON ITS SUCCESSORS AND ASSIGNS, AND ALL OF THE RIGHTS AND POWERS APPERTAINING TO THE TRUSTEE SHALL LIKEWISE APPERTAIN TO ITS SUCCESSORS IN THE PERFORMANCE OF THIS TRUST. ALL RIGHTS, POWERS AND PRIVILEGES BY THIS INDENTURE GRANTED TO THE TRUSTEE AND/OR THE HOLDERS AND OWNERS OF BONDS AND COUPONS, ANY, OR EITHER OF THEM, ARE, AND SHALL BE CONSTRUED TO BE CONTINUING AND CUMULATIVE RIGHTS, POWERS AND PRIVILEGES AND NOT EXHAUSTED BY ONE OR MORE USERS THEREOF.

SECTION 2. IN CASE IT SHALL BE HELD OR SHALL AT ANY TIME BE FOUND THAT ANY STIPULATION, PROVISION OR COVENANT IN THIS INSTRUMENT CONTAINED IS ILLEGAL, CONTRARY TO PUBLIC POLICY OR FOR ANY REASON VOID, SUCH PROVISION SHALL NOT BE DEEMED TO BE OF THE ESSENCE OF THIS INSTRUMENT, BUT SHALL BE REJECTED AS SURPLUSAGE, AND ITS INCLUSION ^{HEREIN} SHALL NOT AFFECT THE OBLIGATORY CHARACTER OF THE REMAINDER OF THIS INSTRUMENT, BUT THIS INSTRUMENT SHALL IN SUCH CASE BE CONSTRUED AS IF THE SAID STIPULATION, PROVISION OR COVENANT HAD NOT BEEN INSERTED HEREIN.

SECTION 3. IN CASE ANY PROVISION OF THIS INSTRUMENT SHALL BE DEEMED TO EXACT OR CALL FOR THE PAYMENT OF INTEREST IN EXCESS OF THE AMOUNT WHICH MAY BE LAWFULLY EXACTED OR COLLECTED, THEN SUCH STIPULATION OR PROVISION OF THIS INDENTURE SHALL BE CONSTRUED AS REQUIRING ONLY SO MUCH OF THE INTEREST CALLED FOR HEREIN AS MAY LAWFULLY BE EXACTED AND COLLECTED, AND THE COMPANY SHALL, UNDER NO CIRCUMSTANCE, BE OBLIGED HEREUNDER TO PAY INTEREST IN EXCESS OF THE RATE AND AMOUNT WHICH MAY BE LAWFULLY CONTRACTED FOR.

SECTION 4. WHEREAS, IT IS ONE OF THE TERMS OF SAID BONDS AFFECTING THE RATE OF INTEREST AND THE PRICE AND VALUE THEREOF UPON WHICH PURCHASERS WILL RELY, THAT THE SAME SHALL NOT BE PAID PRIOR TO MATURITY THEREOF WITHOUT THE PAYMENT OF PREMIUM PROVIDED THEREIN, IN CASE OF SUCH REDEMPTION, IT IS FURTHER PROVIDED THAT ANY DEFAULT OF THE COMPANY RESULTING IN THE DECLARATION OF ALL OUTSTANDING BONDS IMMEDIATELY DUE AND PAYABLE SHALL BE DEEMED A CALLING OF SUCH BONDS FOR REDEMPTION, AND THE HOLDERS THEREOF SHALL BE ENTITLED TO PAYMENT THEREOF AT THE CALL PRICE THEN PREVAILING, EQUALLY AND RATABLY.

SECTION 5. ANY REQUEST, DIRECTION OR OTHER PAPER REQUIRED BY THIS INSTRUMENT TO BE SIGNED AND EXECUTED BY BONDHOLDERS MAY BE SIGNED OR EXECUTED IN ANY NUMBER OF CONCURRENT WRITINGS OF SIMILAR TENOR.

IN WITNESS WHEREOF, THE COMPANY HAD CAUSED ITS CORPORATE NAME TO BE HEREUNTO SIGNED AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED BY ITS PRESIDENT AND SECRETARY, THEY BEING THERETO DULY AUTHORIZED, AND THE TRUSTEE, TO SHOW ITS ACCEPTANCE OF THE TRUSTS HEREBY CREATED, HAS CAUSED ITS CORPORATE NAME TO BE HEREUNTO SIGNED AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED BY ITS PRESIDENT AND ITS