

OR DIRECTORS OF THE COMPANY OR OF ANY PREDECESSOR OR SUCCESSOR CORPORATION OR ANY OF THEM, BECAUSE OF THE INCURRING OF THE INDEBTEDNESS REPRESENTED BY THE BONDS OR COUPONS, OR UNDER OR BY REASON OF ANY OF THE OBLIGATIONS, COVENANTS OR AGREEMENTS CONTAINED IN THIS INDENTURE OR IN ANY OF THE BONDS OR COUPONS, OR IMPLIED THEREFROM; AND THAT ANY AND ALL PERSONAL LIABILITY OF EVERY NAME AND NATURE, EITHER AT COMMON LAW OR IN EQUITY OR BY STATUTE OR CONSTITUTION, OF EVERY SUCH INCORPORATOR, STOCKHOLDER, OFFICER OR DIRECTOR, IS HEREBY EXPRESSLY WAIVED AND RELEASED AS A CONDITION OF, AND AS PART OF THE CONSIDERATION FOR, THE EXECUTION OF THIS INDENTURE AND THE ISSUANCE OF THE BONDS AND COUPONS.

### ARTICLE THIRTEEN.

#### EVIDENCE OF RIGHTS OF BONDHOLDERS.

SECTION 86. ANY REQUEST, CONSENT OR OTHER INSTRUMENT REQUIRED BY THIS INDENTURE TO BE SIGNED AND EXECUTED BY BONDHOLDERS MAY BE IN ANY NUMBER OF CONCURRENT WRITINGS OF SIMILAR TENOR AND MAY BE SIGNED OR EXECUTED BY SUCH BONDHOLDERS IN PERSON OR BY AGENT OR AGENTS DULY APPOINTED IN WRITING. PROOF OF THE EXECUTION OF ANY SUCH REQUEST OR OTHER INSTRUMENT OR OF A WRITING APPOINTING ANY SUCH AGENT, OR OF THE HOLDING BY ANY PERSON OF BONDS TRANSFERABLE BY DELIVERY, SHALL BE SUFFICIENT FOR ANY PURPOSE OF THIS INDENTURE AND SHALL BE CONCLUSIVE IN FAVOR OF THE TRUSTEES OR OF THE COMPANY, IF MADE IN THE MANNER PROVIDED IN THIS ARTICLE.

SECTION 87. THE FACT AND DATE OF THE EXECUTION BY ANY PERSON OF ANY SUCH REQUEST, CONSENT OR OTHER INSTRUMENT OR WRITING MAY BE PROVED BY THE AFFIDAVIT OF A WITNESS OF SUCH EXECUTION OR BY THE CERTIFICATE OF ANY NOTARY PUBLIC OR OTHER OFFICER OF ANY JURISDICTION, AUTHORIZED BY THE LAWS THEREOF TO TAKE ACKNOWLEDGMENTS OF DEEDS, CERTIFYING THAT THE PERSON SIGNING SUCH REQUEST, CONSENT OR OTHER INSTRUMENT ACKNOWLEDGED TO HIM THE EXECUTION THEREOF.

SECTION 88. THE AMOUNT OF BONDS TRANSFERABLE BY DELIVERY HELD BY ANY PERSON EXECUTING ANY SUCH REQUEST OR OTHER INSTRUMENT AS A BONDHOLDER, AND THE DISTINGUISHING NUMBERS OF THE BONDS HELD BY SUCH PERSON, AND THE DATE OF HIS HOLDING THE SAME, MAY BE PROVED BY A CERTIFICATE EXECUTED BY ANY TRUST COMPANY, BANK, BANKERS OR OTHER DEPOSITARY (WHEREVER SITUATED), IF SUCH CERTIFICATE SHALL BE DEEMED BY THE CORPORATE TRUSTEE TO BE SATISFACTORY, SHOWING THAT AT THE DATE THEREIN MENTIONED SUCH PERSON HAD ON DEPOSIT WITH SUCH DEPOSITARY, OR EXHIBITED TO IT, THE BONDS THEREIN DESCRIBED; OR SUCH FACTS MAY BE PROVED BY THE CERTIFICATE OR AFFIDAVIT OF THE PERSON EXECUTING SUCH REQUEST OR OTHER INSTRUMENT AS A BONDHOLDER, IF SUCH CERTIFICATE OR AFFIDAVIT SHALL BE DEEMED BY THE CORPORATE TRUSTEE TO BE SATISFACTORY. THE TRUSTEES AND THE COMPANY MAY CONCLUSIVELY ASSUME THAT SUCH OWNERSHIP CONTINUES UNTIL WRITTEN NOTICE TO THE CONTRARY IS SERVED UPON THE CORPORATE TRUSTEE. THE FACT AND DATE OF EXECUTION OF ANY REQUEST OR OTHER INSTRUMENT AND THE AMOUNT AND DISTINGUISHING NUMBERS OF BONDS HELD BY THE PERSON SO EXECUTING SUCH REQUEST OR OTHER INSTRUMENT MAY ALSO BE PROVED IN ANY OTHER MANNER WHICH THE CORPORATE TRUSTEE MAY DEEM SUFFICIENT.

THE OWNERSHIP OF COUPON BONDS REGISTERED AS TO PRINCIPAL AND REGISTERED BONDS WITHOUT COUPONS SHALL BE PROVED BY THE REGISTER OF SUCH BONDS.

ANY REQUEST OR CONSENT OF THE HOLDER OF ANY BOND SHALL BIND EVERY FUTURE HOLDER OF THE SAME BOND AND THE HOLDER OF EVERY BOND ISSUED IN EXCHANGE THEREFOR OR IN LIEU THEREOF, IN RESPECT OF ANYTHING DONE BY THE TRUSTEES OR EITHER OF THEM IN PURSUANCE OF SUCH REQUEST OR CONSENT.