

to the Company and any prior lien bonds deposited with the Corporate Trustee pursuant to the provisions of this Section shall be held by the Corporate Trustee subject to the provisions of Article IX hereof.

Section 78 Should any of the mortgaged and pledged property be taken by exercise of the power of eminent domain or should any governmental body or agency, at any time, exercise any right which it may have to purchase any part of the mortgaged and pledged property, the Trustees may release the property so taken or purchased, and shall be fully protected in doing so upon being furnished with an opinion of counsel to the effect that such property has been taken by exercise of the power of eminent domain or purchased by a governmental body or agency in the exercise of a right which it had to purchase the same. The proceeds of all property so taken or purchased shall be paid over to the ^{the} Corporate Trustee (unless same shall have been paid or delivered to the trustee or other holder of a mortgage or other lien constituting a prior lien or lien prior thereto, in accordance with the provisions thereof and a Treasurer's certificate to that effect shall have been furnished to the Corporate Trustee) and (if paid over to the Corporate Trustee hereunder) may thereafter be withdrawn, used or applied in the manner, to the extent and for the purposes and subject to the conditions provided in Section 77 hereof.

Section 79. The Company may, at any time, by resolution delivered to the Corporate Trustee, request the Trustee to subordinate the lien of this indenture with respect to any property additions which were not just prior thereto funded property to the lien of any prior lien ^{but only for the purpose} for the purpose of subjecting such property to the lien of any prior lien as a lien or liens prior to the lien of this indenture and in order to secure release of property or withdrawals of cash held by the trustee or other holder of such prior lien; provided however, that in every such case so withdrawn or the full value of the property so released shall be at least equal in amount to the fair value (as shown by an engineers certificate as of the date of such engineers certificate) of the property additions so subordinated, and such cash shall be forthwith paid over to the company and the Corporate Trustee shall forthwith upon receipt by it of such request and such engineers certificate execute any or all instruments that may be necessary or appropriate for such purposes which are submitted to it by the Company and approved in an opinion of the counsel.

Section 80 In case the mortgaged and pledged property shall be in the possession of a receiver lawfully appointed the power heretofore conferred upon the company with respect to the sale or other disposition of the mortgaged and pledged property may be exercised by such receiver notwithstanding the Company may be in default and any request certificate or appointment made or signed by such receiver for such purposes shall be as effective as if made by the Company or its Board of Directors or Executive Committee or any of its officers or appointees in the manner herein provided and if the Trustees or either of them shall be in possession of the mortgaged and pledged property under any provision of this indenture then such powers may be exercised by the Trustees in possession or either of them or if only one shall be in possession then that one in their, its or his discretion notwithstanding the Company may be in default.

Section 81. No Purchaser in good faith of property purporting to have been released hereunder shall be bound to ascertain the authority of the Trustees to execute the release or to enquire as to any facts required by the provisions hereof for the exercise of their authority; nor shall any purchaser or grantee of any property or rights permitted by this Article XII to be sold, granted, exchanged or otherwise disposed of be under obligation to ascertain or inquire into the authority of the Company to make ^{any} such sale, grant, exchange or other disposition.

ARTICLE XIII.

REMEDIES OF TRUSTEES AND BONDHOLDERS UPON DEFAULT.