mortgaged property for the purpose of causing such prior lien to become a prepaid lien as defined in Section 1.01 shall not be deemed to be trust moneys within the meaning of Section 8.09 but shall be applied by the Trustee from time to time to the payment of the principal and interest of or to the redemption of such indebtedness, or shall be repaid to the Company proportionately as such indebtedness shall be paid or reduced out of other funds (except the proceeds of the release or the taking by eminent domain of, or the proceeds of insurance upon, any of the property securing such prepaid lien) or shall be ascertained by judicial determination or otherwise to be in whole or in part invalid, upon the filing with the Trustee of a certificate of the Company, to the effect that the indebtedness secured by such prepaid lien has been paid or reduced out of other funds (except as aforesaid) or has been ascertained by judicial determination or otherwise to be in whole or in part invalid and specifying the amount of payment or redemption or the extent of the invalidity, as the case may be, accompanied by a concurring opinion of counsel; *provided, however,* that in case moneys shall have been deposited with the Trustee for the payment or satisfaction, other than by redemption prior to maturity, of any indebtedness secured by a prepaid lien, and in case any of the property subject to such prepaid lien shall have been released from the lien of this Indenture or shall be taken by eminent domain in accordance with the provisions of this Article or in case there shall become available any proceeds of insurance on any such property, prior to the actual payment or satisfaction of such indebtedness, then and in that event, to the extent that such proceeds of insurance or of such releases or of such taking shall have been applied to the payment of the principal and interest on or to the redemption of such indebtedness, the moneys so deposited with and remaining in the hands of the Trustee upon the satisfaction and discharge of such indebtedness shall be deemed to be trust moneys within the meaning of Section 8.09.

Section 8.08. No purchaser in good faith of property purporting to have been released herefrom shall be bound to ascertain the authority of the Trustee to execute the release, or to inquire as to the existence of any conditions required by the provisions hereof for the exercise of such authority, or be bound to see to the application of the purchase moneys; nor shall any purchaser or grantee of any property or rights permitted by this Article to be sold, granted, exchanged or otherwise disposed of, nor any party to any contract permitted to be changed, be under any obligation to ascertain or inquire into the authority of the Company to make any such sale, grant, exchange or other disposition, or such change.

Section 8.09. All moneys received by the Trustee in consideration of any release by the Trustee under this Article, including payment on account of the principal of any obligations secured by purchase money mortgage, and all moneys herein provided to be held and applied as in this Section provided, and all moneys, if any, received by the Trustee the disposition of which is not elsewhere herein specifically otherwise provided for (herein sometimes referred to as "trust moneys"), shall be held by the Trustee as a part of the mortgaged property, and, upon default in the payment of the principal of any of the bonds when and as the same shall become due and payable, whether by the terms thereof or by declaration or otherwise, as herein provided, said moneys shall be forthwith applicable to the purposes specified in, and in accordance with the provisions of, Section 9.08; but, unless a default as defined in Section 9.01 shall have happened and shall be continuing, all or any part of said trust moneys, at the request and election of the Company, shall, subject to the provisions of this Section, be applied by the Trustee from time to time as follows:

(1) trust moneys may be withdrawn from time to time by the Company (a) in an amount equal to the cost of property additions (not theretofore funded) acquired, made or con-