cate with respect to net bondable value of property additions filed with the Trustee or, if included in any such certificate, that an amount equal to the cash to be withdrawn on the basis of such gross property additions has been deducted or omitted in such certificate in determining net bondable value of property additions; and that the construction or acquisition of such property additions was desirable in the conduct of the business of the Company.

(5) The facts with respect to such property additions specified in paragraphs (10) to (13), both inclusive, of § 5.02(a).

(c) An opinion of counsel, dated within 5 days prior to the date of the application, with respect to such property additions, of the kind prescribed in § 5.02(b).

(d) The certificates and instruments of the kind prescribed in § 5.02(c).

(e) The cash prescribed in § 5.02(d).

§ 10.02. Any moneys received by the Trustee pursuant to § 5.03(a) shall be paid over from time to time by the Trustee to or upon the order of the Treasurer or an Assistant Treasurer of the Company in an amount equal to 60% of the net bondable value of property additions, but only upon receipt by the Trustee of:

(a) A certified resolution authorizing the application for withdrawal from the trust estate of cash in the amount therein specified.

(b) The certificates, instruments, opinions and cash prescribed in § 5.02(a) to § 5.02(d), both inclusive, except that such documents shall refer to the withdrawal of cash instead of the issue of additional Bonds.

§ 10.03. Any moneys deposited with the Trustee pursuant to any of the provisions of this Indenture on account of construction liens or judgment liens or other liens prior to the lien of this Indenture shall be held by the Trustee as a part of the trust estate and applied by the Trustee towards the payment, cancellation and discharge of the

respective construction liens and judgment liens and other liens with respect to which such moneys were deposited, or toward reimbursing the Company for expenditures made by the Company for any such purpose. Any balance of any moneys deposited with the Trustee with respect to any particular construction lien or judgment lien or other lien remaining on deposit with the Trustee after the cancellation and discharge of such construction lien or judgment lien or other lien or the release or disposal of the property subject to such lien in accordance with the provisions of this Indenture shall be paid to the Company.

Upon any request for application or payment of moneys under this § 10.03 the Trustee shall be furnished with an officers' certificate and an opinion of counsel specifying the particular construction lien or judgment lien or other lien with respect to which such moneys were deposited and stating either that (a) such moneys will be sufficient to obtain the cancellation and discharge of such lien or that (b) such lien has been canceled and discharged or that the property subject to such lien has been released or disposed of in accordance with the provisions of this Indenture.

§ 10.04. Any moneys held by the Trustee as a part of the trust estate [other than moneys (*i*) in the Pipe Line Construction Fund, (*ii*) deposited with the Trustee pursuant to § 5.03 or on account of construction liens or judgment liens or other liens prior to the lien of this Indenture, and (*iii*) received by the Trustee pursuant to Article 8] and not paid over to the Company pursuant to the other provisions of this Article 10, shall, at the election and in accordance with the request of the Company, evidenced by a certified resolution, be applied by the Trustee from time to time to the redemption of Bonds outstanding hereunder (of such series as may be specified in the resolution) in accordance with the terms thereof. Any particular moneys in excess of $25,000 held by the Trustee as a part of the trust estate [other than moneys (*i*) in the Pipe Line Construction Fund, (*ii*) held on account of construction or judgment liens or other liens prior to the lien of this Indenture, and (*iii*) received by the Trustee pursuant to Article 8] which shall not have been withdrawn within a period of three years after the date of deposit, shall be applied forthwith by the Trustee to