and discharge, or cause to be paid and discharged, the following, whether or not payable directly by the Company or subject to withholding at the source and whether or not the failure to pay the same might result in the creation of a lien upon any asset of the Company or the Trust Estate or any part thereof or upon the revenues, rents, issues, income and profits of the Trust Estate or any part thereof or in diminution thereof: (a) all taxes, assessments (including assessments for benefits from public works or improvements whenever begun or completed), levies, fees, water and sewer rents and charges, and all other governmental charges of every kind, general or special, ordinary or extraordinary, and whether or not within the express contemplation of the Company or the Trustees, all charges for water, gas, light, heat, telephone, electricity, power and other utility or communications services, which may at any time be assessed, levied or imposed on the Company, the Trust Estate or any part thereof, or upon this Indenture or the indebtedness secured hereby, or upon the revenues, rents, issues, income and

profits of the Trust Estate or any part thereof, or arising in respect of the occupancy, use or possession of the Trust Estate or any part thereof, (b) all corporate franchise, excise and other taxes, fees and charges assessed, levied or imposed in respect of the corporate existence of the Company or its right to do business in any jurisdiction, (c) all income, excess profits, sales, gross receipts and other taxes, duties or imposts, whether of a like or different nature, assessed, levied or imposed by any governmental authority on the Company or the Trust Estate or any part thereof or upon the revenues, rents, issues, income and profits of the Trust Estate or any part thereof, and (d) all lawful claims and demands of mechanics, laborers, materialmen and others which, if unpaid, might result in the creation of a lien on the Trust Estate or any part thereof, or upon the revenues, rents, issues, income and profits of the Trust Estate or any part thereof. The Company will do, or cause to be done, everything necessary so that the lien hereof shall be fully preserved, at the cost of the Company and without expense to the Trustees or the holders of the Notes. Nothing in this Section 4.9 shall require the payment of any sum which is required to be paid by the Company pursuant to this Section 4.9, so long as the Company shall contest the amount or validity thereof by appropriate legal proceedings which shall have the effect of preventing (i) the collection thereof or other realization thereon and (ii) the sale or forfeiture of the Trust Estate or any part thereof to satisfy the same.