

he purports to act, that the person signing such request, other instrument or writing acknowledged to him the execution thereof, or by an affidavit of a witness to such execution. Any request, other instrument or action by the holder of any Note shall bind every future holder of the same Note and the holder of any Note issued in exchange therefor or in lieu thereof in respect of anything done or suffered to be done by the Trustees or the Company pursuant to such request, other instrument or action.

Section 12.3. Limitation of Rights of Others. Nothing in this Indenture, expressed or implied, is intended, or shall be construed, to give to any person other than the Company, the Trustees and the holders of the Notes any legal or equitable right, remedy or claim under or in respect of this Indenture or any covenant, condition or provision contained herein. All such covenants, conditions and provisions are, and shall be held to be, for the sole and exclusive benefit of the Company, the Trustees and the holders of the Notes.

Section 12.4. Cremation of Notes. Whenever provision is made in this Indenture for the cancellation by the Trustees of any Notes, the Trustee shall cremate such Notes and deliver a certificate of such cremation to the Company.

Section 12.5. Governing Clause. In case any one or more of the provisions contained in this Indenture or the Notes shall be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Indenture shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein or in the Notes.

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Section 12.6. Notices. Any notice to the holders of the Notes shall be in writing. Any notice to, request or demand upon the Trustees shall be in writing and may be given or presented, and such demand may be made, at the Trustee's corporate trust office. Any notice to, request or demand upon the Company shall be in writing and shall be deemed to have been sufficiently given or served by being deposited, postage prepaid, in a post office letter box addressed to the Company at its address first above set forth or at such other address as may be filed in writing by the Company with the Trustee. Whenever, pursuant to the provisions of this Indenture, notice in writing is required to be given or sent to the holders of the Notes, such requirement shall be satisfied, if such notice be given or sent by prepaid registered mail, return receipt requested, to the holders of the Notes at their respective addresses appearing on the Register.