

cars, equipment, or anything used in connection with said lines or rail road, and only appurtenant thereto, and the Company shall file with the Corporate Trustee a request in writing, signed by its President or a Vice-President under its corporate seal, attested by its Secretary or an Assistant Secretary, to release from lien hereof all or any part of said lines of street railroad, cars, equipment or any thing used in connection with said lines of railroad, and only appurtenant thereto, and stating the selling price thereof, the corporate Trustee shall release such property from the lien hereof upon receipt of the selling price thereof stated in such request without the making and filing of any other certificates. Moneys received by the Corporate Trustee from the sale of such plants and property shall be applied by it in the manner provided in Section one of this Article with respect to the proceeds of sale of machinery, equipment, and other property consisting of less than a complete plant. The Company may obtain any such moneys by delivering to the Corporate Trustee bonds secured hereby of the issue first maturing, to a face amount equal to the amount of such moneys, such bonds to be forthwith cancelled by the Corporate Trustee.

The Corporate Trustee may accept as conclusive evidence of the desirability of any such release, or of the value of any property to be released, or acquired, or generally of any matter of fact or opinion required to be known or held by it as a condition of such release, or of the necessity, usefulness or benefit of proposed purchases, erections, acquisition and improvements, or of the reasonableness of any expenditures for any such purposes, the sworn certificate of any person selected by the Corporate Trustee (who may be an employee of the Company), for the purpose of investigating such questions and believed by it to be competent and disinterested.

No purchaser at any such sale shall be under any obligation to ascertain the occurrence of any event which is made a prerequisite of any such sale, or to look to the application of the proceeds thereof, and the Corporate Trustee may assume, for the purpose of making any such release or payment, that the Company is not in default until it shall have notice to the contrary.

Section 3. Upon the written request of the president or of one of the Vice-presidents of the Company, approved or authorized by a resolution of its board of directors from time to time, while the Company is in possession of the mortgaged premises, the Corporate Trustee may authorize and permit the Company to abandon or to change the location of all or any part of its lines of street railroad or of any part of the lines of street railroad leased to it, which shall not be desirable, necessary, or to the interest of the Company to continue to operate.

In its discretion, the Company may change its motive power, and when duly authorized by law, in its discretion, may substitute such motive power as, in its judgment, shall be for the interests of the property. The substituted motive power and plant connected with the properties of the Company ipso facto, shall forthwith become subject to the lien of this indenture.

From time to time, with the consent of the Corporate Trustee, the Company may make changes or alterations in or substitutions of any franchises, ordinances, trackage rights, leases or contracts that may become subject to this indenture. In any such event any modified, altered or substituted franchises, ordinances, ^{and leases} leases or trackage rights forthwith shall become bound by and shall be subject to the terms of this indenture, in the same manner as those previously existing; but nothing herein contained shall be construed as giving to the Company power to make any leases or any grant of trackage rights of or upon the mortgaged premises, or contract respecting the same, except to the prior lien of this indenture.

In case the property covered by this indenture shall at any time be administered by a receiver, the right herein reserved to the Company to obtain a release of any part of such property from the lien of this indenture shall pass to and may be exercised by such receiver with the consent of the Company in like manner and upon like terms and conditions and with like restrictions as are herein provided with respect to a release of such property at the request of the Company. In any such case a written request to the Corporate Trustee by such receiver and by the Company, authorized by an order of the court appointing such receiver, shall fully authorize the Corporate Trustee to release such property.

Section 4. Should any of the mortgaged 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 property, the Corporate Trustee may release the property so taken or purchased, and shall be fully protected in doing so upon being furnished with an opinion of counsel satisfactory to the Corporate Trustee who may be counsel to the Company to the effect that such property has been taken by the exercise of the power of eminent domain, or purchased by a governmental body or agency in the exercise of a right which had been to purchase the same. The proceeds of all property so taken or purchased shall be paid over to the Corporate Trustee and may thereafter be withdrawn in the same manner and for the same purposes and subject to the same conditions, as moneys in the Maintenance and Improvement Fund provided for in Article V hereof.

Section 5. If at any time, while there is no default hereunder known to the Corporate Trustee the Company shall, as lessor, make any lease or sublease of any real estate or of an interest in any real estate, and shall afterwards furnish to the Corporate Trustee a certified copy of a resolution of the Company's Board of Directors requesting that the leasehold interest created by such lease or sublease be released from the lien of this indenture and stating that the real estate so leased or subleased is not, in the judgment of said board, required for the proper carrying on of the Company's business, the Corporate Trustee may execute and deliver an instrument or deed releasing such leasehold interest from the lien and effect of this indenture; and thereupon such leasehold interest shall be freed from the lien and operation of this indenture, but the reversion of the real estate or interest so