

MORTGAGE RECORD 85

and an estimate of the cost of mailing a specified form of proxy or other communication to such holders. Any information requested pursuant to this Clause (a) shall be mailed or otherwise furnished to the Applicant Bondholders on or before the fifth business day after receipt by the New York Trustee of such written request.

(b) At the written request of the Applicant Bondholders, copies of any form of proxy or other communication furnished by the Applicant Bondholders shall be mailed by the New York Trustee to all holders of Bonds outstanding hereunder whose names and addresses appear upon the latest list furnished by the Company pursuant to the provisions of this Section; provided, however, that, if the approval of any governmental regulatory body or of any court or the compliance by the Applicant Bondholders with any statute, or with any rule, regulation or order of any such governmental regulatory body or court, is, in the opinion of the New York Trustee, requisite for the mailing of such proxy or other communication, the Applicant Bondholders shall establish to the reasonable satisfaction of the New York Trustee that such approval has been obtained, or that such statute, rule, regulation or order has been complied with. The New York Trustee may rely conclusively upon an opinion of counsel (who may be of counsel to the Applicant Bondholders) with respect to the necessity of any such approval or compliance and the sufficiency of any action taken to obtain such approval or so to comply. Thereafter such material shall be mailed with reasonable promptness after receipt by the New York Trustee of a tender of the material to be mailed, all envelopes or other containers therefor, all postage, or payment for postage, and reasonable reimbursement to the New York Trustee of all expenses to be incurred in connection with such mailing or a surety company bond satisfactory to the New York Trustee in an amount sufficient to cover such expense.

ARTICLE TEN

REDEMPTION OF BONDS

Section 95. Such of the Bonds issued hereunder as are by their terms redeemable before maturity may, at the election of the Company evidenced by a Resolution of the Board delivered to the New York Trustee be redeemed at such times, in such amounts and at such prices as may be specified therein, and in accordance with the provisions of this Article; provided, however, that, so long as any Bonds of Series A shall remain outstanding, the Company shall not be entitled to redeem any Bonds of any series other than Series A (except through the application of Trust Monies pursuant to Section 56 or except through the operation of any sinking fund which may hereafter be established in accordance with the provisions of Section 6 for the periodic retirement, as required by Section 6, of Bonds of any series other than Series A).

Section 96. The Bonds of Series A shall be redeemable, at the option of the Company, at any time and from time to time, in whole or in part, in the inverse order of their respective maturities, at redemption prices which shall constitute percentages of the principal amounts of the Bonds being redeemed, which percentages shall be computed on the basis of the number of yearly periods to elapse from the particular redemption date to the respective maturity dates of such Bonds and shall be determined in accordance with the following table:

Years to Maturity	Redemption Price
15	105
14	104 3/4
13	104 1/2
12	104 1/4
11	104
10	103 3/4
9	103 1/2
8	103
7	102 3/4
6	102 1/4
5	102
4	101 3/4
3	101 1/4
2	100 3/4
1	100

For the purpose of all computations under the foregoing table, (a) a yearly period shall be deemed to commence on October 26 in any year and to continue to and including the next succeeding October 25, and (b) the number of yearly periods to elapse from any particular redemption date to the maturity of any Bond being redeemed shall be deemed to include the yearly period in which such redemption date occurs and also the yearly period in which the maturity date of such Bond occurs.

In every case under this Section, if the redemption date be not an interest payment date, there shall also be included in the redemption price the interest accrued on the Bonds to be redeemed from the next preceding interest payment date to such redemption date.

Section 97. If the Company shall elect to exercise such right of redemption, it shall give notice thereof in accordance with this Section. If all Bonds outstanding, of all series of which any Bonds are to be redeemed, shall be registered Bonds without coupons or coupon Bonds registered as to principal, notice of redemption shall be sufficiently given if mailed, postage prepaid, at least 30 days prior to the date on which such redemption is to be made, to all registered owners of Bonds to be redeemed, at their addresses as the same shall appear on the Bond registry of the Company; otherwise notice of redemption shall be given by publication thereof once in each of any 4 successive calendar weeks prior to the date on which such redemption is to be made, in at least one daily newspaper of general circulation regularly published in the English language in the Borough of Manhattan, City and State of New York (in each instance upon any day of the week and in any such newspaper, but the publication in the first calendar week to be made not less than 30 and not more than 50 days prior to such redemption date). If notice by publication shall be required, notice shall also be mailed as aforesaid to each registered owner of Bonds to be redeemed, but in such case neither failure so to mail such notice to any such registered owner or owners nor any imperfection or defect in such notice shall affect the validity of the proceedings for redemption. Each notice of redemption shall state such election on the part of the Company and shall specify, in case less than all of the Bonds of a series are to be redeemed, the distinctive numbers of the Bonds to be redeemed, and shall also state that the interest on the Bonds in such notice designated for redemption shall cease on such redemption date and that on said date there will become due and payable upon each of said Bonds the redemption price therein specified, at the office of the New York Trustee.

Any election of the Company pursuant to Section 95 to redeem Bonds may be rescinded by the Company at any time prior to the first publication or the mailing of the notice of redemption.

In case the Company shall have elected to redeem less than all the outstanding Bonds of any series (or of any maturity, in case of a series of Bonds having serial maturities), it shall, in each such instance, at least 10 days before the date upon which the first publication or the mailing of notice of redemption is required to be made, notify the New York Trustee in writing of such election and of the aggregate principal amount of Bonds of such series (or maturity) to be redeemed.

The selection of Bonds to be redeemed shall, in case less than all of the outstanding Bonds of any series (or maturity) are to be redeemed, be made by the New York Trustee either (a) in accordance with the provisions of any agreement, satisfactory to the New York Trustee, duly executed by the registered owners of all of the Bonds of such series (or maturity) if at the time of selection all of the outstanding