

described has been acquired by the Company more than forty-five (45) days prior to the date when the New York Trustee received the Trust Moneys whose withdrawal is then requested (or in the case of Trust Moneys representing the proceeds of purchase money or governmental obligations, the date when the New York Trustee received such obligations);

(2) There shall be an additional statement in *Clause (2)* of the Property Additions Certificate, to the effect that none of the Property Additions therein described has in any other previous or then pending application been made the basis for the release of any Unbonded Property from the lien of this Indenture, or for the withdrawal of any Unbonded Cash from the New York Trustee or from the trustee or other holder of a Prior Lien, and that none of said Property Additions includes any property acquired or constructed by the Company in performance of its duty to replace old, inadequate, obsolete or worn out Unbonded Property disposed of pursuant to *Paragraph A of Section 40*, or to repair, replace or restore insured Unbonded Property which shall have been damaged or destroyed but the proceeds of the insurance on which shall not have been required to be paid to the New York Trustee pursuant to the provisions of *Section 77*;

(3) It shall not be necessary for the Company to deliver to the New York Trustee the Resolution required by *Paragraph A*, the Retirements Certificate required by *Paragraph E*, the Earnings Certificate required by *Paragraph F*, or any of the certificates or parts of the Opinion of Counsel referred to in *Clauses (5), (6) and (7) of Paragraph I, of Section 25*;