

quate, 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 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*.

(4) The Summary Certificate required by *Paragraph G of Section 25* shall show only Net Bondable Additions, and shall not include any unused Additions Credit.

"D. An Opinion or Opinions or Counsel, stating that the instruments which have been or are therewith delivered to the New York Trustee conform to the requirements of this Indenture and constitute sufficient authority under this Indenture for the New York Trustee to pay over the Trust Moneys applied for, and that upon the basis of the acquisition of the Property Additions described in the Property Additions Certificate delivered to the New York Trustee pursuant to *Paragraph C* of this Section, the Trust Moneys whose withdrawal is then requested may be lawfully paid over under this Section.

"Subject in all respects to the provisions of *Section 61*, upon compliance with the foregoing provisions of this Section, the Company shall be entitled to withdraw and the New York Trustee shall pay upon the Written Order of the Company an amount of