

§33. Section 73 of the Original Indenture is hereby amended so that it shall hereafter read as follows:

"SECTION 73. The Company will not, except as herein permitted, do or suffer any act or thing whereby the Trust Estate might or could be impaired, and it will at all times maintain, preserve and keep the Trust Estate and every part thereof, in good condition, repair and working order. The Company will from time to time make all needful and proper repairs, replacements, additions, betterments and improvements, so that the operations and business of and pertaining to the Trust Estate and every part thereof shall at all times be conducted properly and advantageously; and whenever any portion of the Trust Estate shall have been worn out or destroyed or shall have become obsolete, inefficient or otherwise unfit for use, the Company will procure substitutes of at least equal utility and efficiency, so that at all times the efficiency of the Trust Estate shall be fully maintained. At all times, the Company will set apart, use and apply for the purpose so much of the revenue of the Trust Estate as may be required for such maintenance and replacement and will maintain a suitable reserve for the depreciation, depletion, retirement and/or replacement of its property.

"Nothing herein contained, however, shall be held to prevent the Company from permanently discontinuing the operation of any of its plants, pipelines or properties, if, in the judgment of the Company, it is no longer advisable to operate the same, or if the Company intends to sell or dispose of the same and within a reasonable time shall endeavor to effectuate such sale; nor shall anything herein contained be construed to prevent the Company from taking such action with respect to the use of its plants, pipelines and properties as is proper under the circumstances, including the cessation or omission to exercise rights,