

ARTICLE XIII.

AMENDMENTS TO ARTICLE THIRTEEN OF
THE ORIGINAL INDENTURE;

MERGER, CONSOLIDATION, TRANSFER OR LEASE.

§59. Section 133 of the Original Indenture is hereby amended so that it shall hereafter read as follows:

"SECTION 133. Nothing in this Indenture contained shall prevent any consolidation or merger of the Company with or into any other corporation or corporations, or any conveyance, transfer or lease, subject to the lien of this Indenture, of all or substantially all the Trust Estate as an entirety to any corporation lawfully entitled to acquire or lease and operate the same; *provided, however*, and the Company covenants and agrees, that such consolidation, merger, conveyance, transfer or lease shall be upon such terms as fully to preserve and in no respect to impair the lien or security of this Indenture or any of the rights or powers of the Trustees or the Bondholders hereunder; and *provided, further*, that every such lease shall be made expressly subject to termination by the Company or by the Trustees, or either of them, at any time upon the happening of an Event of Default hereunder, and also by the purchaser at any sale hereunder of the property so leased, whether such sale be made under the power of sale hereby conferred or pursuant to judicial proceedings; and *provided, further*, that, upon and in connection with any such consolidation, merger, conveyance or transfer the due and punctual payment of the principal of and interest on all the Bonds according to their tenor, and the due and punctual performance and observance of all the covenants and conditions of this Indenture to be performed or observed by the