

132

(1) the release, or release and substitution, of property subject to the lien of this Indenture (and the consideration therefor, if any) unless the fair value of such property, as shown by the certificates or opinions required by § 6.02, § 6.03, or § 6.04, is less than ten per centum (10%) of the aggregate principal amount of bonds outstanding under this Indenture at the time of such release, or such release and substitution; and

(2) the character and amount of any advances (and if the Principal Trustee elects so to state, or if the Missouri or any Additional Trustee making such advances requests the Principal Trustee so to state, the circumstances surrounding the making thereof) made by the Principal Trustee or by the Missouri or any Additional Trustee as such since the date of the last report transmitted pursuant to the provisions of subsection (a) of this § 6.01 (or if no such report has yet been so transmitted, then since the date of this Indenture), for the reimbursement of which the Principal Trustee or the Missouri or any Additional Trustee claims or may claim a lien or charge, prior to that of the bonds on the trust estate, including property or funds held or collected by it as such Trustee, and which it has not previously reported pursuant to this paragraph, provided that the Principal Trustee shall not be required (but may elect) to state such advances, if such advances so remaining unpaid at any time aggregate not more than ten per centum (10%) of the aggregate principal amount of bonds outstanding at such time.

(c) Reports pursuant to this § 6.01 shall be transmitted by mail—

(1) to all registered holders of bonds outstanding under this Indenture, at the names and addresses of such holders appear upon the registration books of the Company; and

(2) to such holders of bonds outstanding under this Indenture, as have, within two years preceding such transmission, filed their names and addresses with the Principal Trustee for that purpose; and

(3) except in the case of reports pursuant to subsection (b) of this § 6.01, to each bondholder whose name and address are preserved at the time by the Principal Trustee, as provided in subsection (a) of § 6.02.

134

fifteen (15) days before the Principal Trustee is required to make any report pursuant to the provisions of subsection (a) of § 6.01, all information concerning such Missouri Trustee or Additional Trustee which the Principal Trustee is required to report to bondholders pursuant to paragraphs (2), (3), (4), (5), (6) and (8) of said subsection (a).

In case of any release of property or any advance by the Missouri Trustee or by any Additional Trustee which the Principal Trustee would be required to report pursuant to the provisions of subsection (b) of § 6.01, such Missouri Trustee or Additional Trustee shall, within sixty (60) days after such release or such advance shall have been made, furnish to the Principal Trustee in writing all information necessary to enable the Principal Trustee to make the required report regarding such release or such advance.

ARTICLE 7

CONCERNING PRIOR LIEN BONDS DEPOSITED WITH PRINCIPAL TRUSTEE

§ 7.01. Each prior lien bond in coupon form deposited with the Principal Trustee shall when so deposited have attached thereto all unmatured coupons, or shall be accompanied by evidence satisfactory to the Principal Trustee (which may be a certificate of the trustee or other holder of the prior lien securing the same) that the discharge of the lien securing such prior lien bond may be obtained without the production of any coupon or coupons that may be missing; and each prior lien bond so deposited shall be uncanceled. Each prior lien bond deposited hereunder shall be in bearer form or accompanied by appropriate instruments of transfer; and the Principal Trustee may cause any or all registered prior lien bonds to be registered in its name as Principal Trustee hereunder, or otherwise, or in the name or names of its nominee or nominees.

§ 7.02. All prior lien bonds received by the Principal Trustee for the purpose of this Article 7 shall be held by the Principal Trustee as part of the trust estate and without impairment of the obligation represented thereby or the lien thereof, for the protection and further

133

(4) A copy of each such report shall, at the time of such transmission to bondholders, be filed by the Principal Trustee with each stock exchange upon which the bonds of any series are listed and also with the Securities and Exchange Commission. The Company will notify the Principal Trustee of the name and address of each stock exchange upon which the bonds of any series are listed.

(e) The Principal Trustee may cite in any report under-pursuant to the provisions of this § 6.01, if such be the fact, that any or all information therein contained in respect of the Missouri or any Additional Trustee is based on reports made to the Principal Trustee by such Missouri or Additional Trustee pursuant to the provisions of § 6.05 hereof, and shall incur no liability for any statement made on the basis of any such report, nor be responsible for the accuracy or completeness of any such information, nor for the failure of the Missouri Trustee or any Additional Trustee to report or to furnish any such information. If the Missouri or any Additional Trustee shall fail to furnish to the Principal Trustee, pursuant to the provisions of said § 6.05, within a reasonable time before the Principal Trustee is required to make any report under this § 6.01, the information required to be included in such report in respect of such Missouri or Additional Trustee, the Principal Trustee shall not be required to include such information in such report, but shall state in such report that such Missouri or Additional Trustee failed to furnish such information.

(f) For the purpose of this § 6.01, all bonds which have been authenticated and delivered shall be deemed to be outstanding, except bonds which have been returned to the Principal Trustee and cancelled and bonds which, pursuant to the provisions of § 5.01 hereof, have been excluded from participation in the lien and security afforded by this Indenture except the right to receive funds deposited as provided in said § 5.01.

§ 6.05. The Missouri Trustee and each Additional Trustee, if any, shall report to the Principal Trustee in writing, not less than

135

security of the bonds issued hereunder. Unless a default as defined in § 2.01 shall have occurred and shall be continuing, no payment by way of interest or otherwise on any of the prior lien bonds held by the Principal Trustee shall be made or demanded, and the coupons thereto appertaining shall, as they mature, be cancelled by the Principal Trustee and delivered so cancelled to the Company, unless the Company shall direct, with respect to any of such prior lien bonds, that such payments be made and demanded, in which event the Company shall, subject to the provisions hereinafter in this § 7.02 contained, be entitled to receive all such payments. In any event, unless such a default shall have occurred and shall be continuing as aforesaid, all moneys received by the Principal Trustee (a) on account of the principal of or interest or premium on said prior lien bonds, or (b) by reason of the sale or delivery of any of said bonds to any sinking fund or other similar device for the retirement of bonds provided for in any prior lien securing the same (as to both (a) and (b) above to the extent that a certificate of the Company delivered to the Principal Trustee shall state that such moneys do not represent the proceeds of insurance on, or of the release of, or of the taking by eminent domain or purchase of, or of the other disposition or change of, property of the nature of property additions, including any property and substitutes arising from any of the foregoing), shall be paid over by the Principal Trustee to or upon the written order of the Company; provided that if and to the extent that such certificate of the Company fails to state that such moneys do not represent any such proceeds, or substitutes therefor, the same shall be retained by the Principal Trustee and held as part of the trust estate, and may be withdrawn, used or applied, in the manner, for the purposes, and subject to the conditions provided in § 8.11.

§ 7.03. Unless a default as defined in § 2.01 shall have occurred and shall be continuing, the Principal Trustee, upon the written request of the Company, shall cause any prior lien bonds held by it to be cancelled, and the obligation thereby evidenced to be satisfied and discharged, provided, however, that it shall have received notice from