

as provided in Article I, for any twelve consecutive calendar months during the period of fifteen calendar months immediately preceding the first day of the month in which the additional prior lien bonds are to be issued, have been, by the aggregate, equal to not less than the greater of two and one-half times the amount of the annual interest charges on, or ten per cent. (10%) of the principal amount of, the indebtedness specified in subparagraphs (i), (ii) and (iii) of Subdivision (b) (1) of Section 3 of Article III; provided that, if such application is upon the basis of payment at maturity of prior lien bonds theretofore sold or otherwise disposed of or the redemption or purchase thereof after a date two years prior to the date of their maturity, the provisions of this Subdivision (b) shall apply only to the extent set forth in Subdivision (c) of this Section 16.

That, in case the Company shall propose to issue any additional prior lien bonds as permitted by this Section, it will, prior to the issue thereof, file with the Trustee

(a) In the case of the issue of additional prior lien bonds as permitted by Subdivision (a) (1) of this Section, a certificate of the nature prescribed by Section 3(b) of Article III and certificates and opinion of the nature prescribed by Subdivisions (a), (b), (c) and (e) (1) to (3) both inclusive, of Section 3 of Article III (except that such certificates and opinion shall refer to the issue of additional prior lien bonds and to property additions subject to an unfunded prior lien, and except that paragraphs (3) to (10), both inclusive, of the certificate provided by Subdivision (a) of said Section 4 shall be omitted and in lieu thereof appropriate paragraphs shall be inserted relating to the definitions and computations required to be made by the definition of net bondable value of property additions subject to an unfunded prior lien contained in Article I), together with an opinion

receipt by the Trustee of an officers' certificate stating in substance that all of such additional prior lien bonds, or the proceeds of the sale thereof, will be applied by the Company to the extent necessary to purchase, pay or redeem said outstanding prior lien bonds or to pay indebtedness incurred by the Company for such purpose, and agreeing in the case of the sale of such additional prior lien bonds that the proceeds thereof shall be forthwith upon receipt thereof deposited with the Trustee or with the trustee or other holder of the prior lien securing said outstanding prior lien bonds, in trust for the purpose of paying said outstanding prior lien bonds or stating that other moneys have been deposited or paid for such purpose.

SECTION 17. That, except as in Article VI otherwise provided, the Company will faithfully perform or cause to be performed all the terms, covenants and conditions to be performed by the mortgagor in any prior lien contained. But nothing contained herein shall be construed to prevent the extension or renewal of any prior lien or any indebtedness secured thereby, including the principal of any outstanding prior lien bonds.

SECTION 18. That the Company will not apply for, and will not obtain,

(a) either

(1) the release from any prior lien of any bondable property, or

(2) the payment to it of any moneys deposited with the trustee or other holder of any prior lien upon the release of any bondable property, or upon payment of the principal of any obligations deposited upon any such release, or upon the release of any of such obligations,

of course to the effect that the property additions made the basis for the issue of such additional prior lien bonds are subject to no lien, other than permitted liens, except the prior lien securing the prior lien bonds.

(bb) In the case of the issue of additional prior lien bonds as permitted by Subdivision (a) (2) of this Section, a certificate of the nature prescribed by Section 3(b) of Article III, except that such certificate shall refer to the issue of additional prior lien bonds rather than additional Bonds, together with evidence satisfactory to the Trustee that cash deposited may be withdrawn only on the basis permitted in Subdivision (a) (2) of this Section.

(cc) In the case of the issue of additional prior lien bonds as permitted by Subdivision (a) (3) of this Section, an officers' certificate stating in substance that no part of the prior lien bonds made the basis for the issue of the additional prior lien bonds have theretofore been made the basis for the issue of additional prior lien bonds or for the release of property or for the payment by the trustee or other holder of the prior lien securing such prior lien bonds of any cash held by it as security for such prior lien bonds and that no part of such prior lien bonds have been purchased, redeemed or paid out of any such cash, and a certificate of the nature prescribed by Section 3(b) of Article III, except that such certificate shall refer to the issue of additional prior lien bonds rather than additional Bonds, provided that, if the issue of additional prior lien bonds is made on the basis of the payment at maturity of outstanding prior lien bonds theretofore sold or otherwise disposed of or the redemption or purchase thereof after a date two years prior to the date of their maturity, such additional prior lien bonds may be authenticated and delivered in an amount equal to the principal amount of all prior lien bonds thus paid, purchased or redeemed without requiring such earnings certificate, upon

or on account of the loss or destruction of any such property,

upon the basis of non-bondable property; or

(b) the payment to it of any moneys deposited with the trustee or other holder of any prior lien upon the release of any property or upon payment of the principal of any obligations deposited upon any such release, or upon the release of any of such obligations, or on account of the loss or destruction of property, upon the basis of either

(1) property acquired by the Company prior to the date of the application for the release of property with respect to which such cash or obligations were deposited or prior to the loss or destruction, as the case may be, or

(2) the cancellation of prior lien bonds which have never been sold or otherwise disposed of,

unless such moneys are forthwith deposited with the Trustee to be held as a part of the trust estate.

SECTION 19. That the Company will, in case it shall acquire all of the outstanding prior lien bonds secured by any prior lien, (a) cause such prior lien bonds to be canceled and the mortgage or other lien securing such bonds to be discharged, or (b) deposit all such prior lien bonds with the Trustee to be held as a part of the trust estate.

SECTION 20. That upon satisfaction of any funded prior lien

(a) all prior lien bonds secured by other funded prior liens which are then held by the trustee or other holder of such satisfied prior lien shall be canceled or shall be delivered to the Trustee to be held, subject to the provisions of Article VI, or to the trustee or other holder of such other funded prior lien or of another funded prior lien to be canceled; and