

has theretofore been included in a certificate with respect to net bondable value of property additions filed with the Trustee, or, if included in any such certificate, that an amount equal to the cash to be withdrawn on the basis of such gross property additions has been deducted in such certificate in determining net bondable value; and that the construction or acquisition of such property additions was desirable in the conduct of the business of the Company.

(5) The facts with respect to such property additions specified in paragraphs (12), (13), (14), (15) and (16) of Section 4(e) of Article III.

(c) The certificates, instruments and opinion of counsel of the kind prescribed in, and setting forth the facts with respect to such property additions specified in, Subdivisions (b), (c), (d) and (e) (1) to (6), both inclusive, of Section 4 of Article III.

(d) The prior lien bonds and cash, or in lieu thereof the certificate, prescribed in Section 4(f) and the cash prescribed in Section 4(g) of Article III, except that this Subdivision need not be complied with in case of an application for the withdrawal of cash deposited upon the release of any property subject to an unfunded prior lien or in payment of the principal of, or upon the release of, obligations deposited upon any such release.

No cash (other than cash deposited with the Trustee upon the release of property subject to an unfunded prior lien or in payment of principal of, or upon the release of, obligations deposited with the Trustee upon any such release or with respect to the loss or destruction of property subject to an unfunded prior lien) shall be withdrawn from the trust estate, and no reduction in the amount of cash required by Section 3(d) of Article VII to be deposited with the Trustee upon the release of any property (other than property subject to an unfunded prior lien) shall be made,

obligations held by the Trustee (or fair value of such obligations as shown by an appraiser's certificate, which shall be filed with the Trustee, if such fair value shall be less than such principal amount) below the principal amount of Bonds then outstanding hereunder.

SECTION 3. Any moneys received by the Trustee pursuant to Section 5(a) of Article III shall be paid over from time to time by the Trustee to or upon the order of the Treasurer or an Assistant Treasurer of the Company, either:

(a) In an amount equal to seventy per cent. (70%) of the net bondable value of property additions not subject to an unfunded prior lien, but only upon receipt by the Trustee of:

(1) A certified resolution authorizing the application for withdrawal from the trust estate of cash in the amount therein specified; and

(2) The certificates, instruments, opinions, prior lien bonds and cash prescribed in Subdivisions (a) to (g), both inclusive, of Section 4 of Article III and, in case such property additions include an acquired plant or system, the certificate provided for by Section 3(b) of Article III;

or

(b) In an amount equal to the aggregate principal amount of refundable Bonds, but only upon receipt by the Trustee of:

(1) A certified resolution authorizing the application for withdrawal from the trust estate of cash in the amount therein specified; and

(2) An officers' certificate setting forth the same facts as are required to be stated pursuant to paragraphs (1), (2), (3) and (4) of Section 6(a) of Article III, except that such certificate shall refer to the withdrawal of

pursuant to this Section, upon the basis of property additions subject to an unfunded prior lien.

SECTION 2. Any moneys held by the Trustee as part of the trust estate (other than moneys deposited with the Trustee pursuant to Section 5(a) of Article III, or on account of judgment liens, or in order to make a prior lien a funded prior lien) shall be paid over from time to time by the Trustee to or upon the order of the Treasurer or an Assistant Treasurer of the Company, in an amount equal to the aggregate principal amount of such of the refundable Bonds as were theretofore issued by the Company.

The Trustee shall pay over such moneys under this Section 2 only upon receipt by it of:

(a) A certified resolution authorizing the application for withdrawal from the trust estate of cash in the amount therein specified; and

(b) An officers' certificate, setting forth the same facts as are required to be stated by Section 6(a) of Article III, except that such certificate shall refer to the withdrawal of cash rather than to the authentication and delivery of additional Bonds and stating that the refundable Bonds made the basis of the application have theretofore been issued by the Company.

In case all or substantially all of the properties of the Company (other than obligations and cash held by the Trustee) shall have been released from the lien hereof, moneys held by the Trustee as part of the trust estate shall be paid over to the Company under this Section only in an amount equivalent to the lesser of (a) the purchase price paid by the Company for any refundable Bonds purchased by the Company after the date of the deposit of the moneys being withdrawn or (b) the principal amount of such Bonds; provided that in such case no such payment shall be made which would reduce the amount of cash and principal amount of

cash rather than to the authentication and delivery of additional Bonds.

SECTION 4. In the event that all or substantially all of the gas properties (either with or without including the gas property in the City of Atchison, Kansas) shall have been released as an entirety from the lien hereof and in the event that the Company shall have complied with all provisions, if any, of each supplemental indenture relating to the retirement of Bonds in connection with such release, any remaining moneys received by the Trustee upon such release or in payment of principal of, or upon the release of, obligations deposited with the Trustee upon such release pursuant to paragraphs (1) and (2) of Section 3(d) of Article VII, shall be paid over from time to time by the Trustee to or upon the order of the Treasurer or an Assistant Treasurer of the Company, in an amount equal to the net bondable value of property additions not subject to an unfunded prior lien, but only upon receipt by the Trustee of:

(a) A certified resolution authorizing the application for withdrawal from the trust estate of cash in the amount therein specified; and

(b) The certificates, instruments, opinions, prior lien bonds and cash described in Subdivisions (a) to (g), both inclusive, of Section 4 of Article III.

SECTION 5. Any moneys received by the Trustee pursuant to Section 5 of Article VI or Sections 3, 4 or 5 of Article VII, which shall not have been paid over to the Company pursuant to other provisions of this Article VIII, shall, at the request of the Company, be credited from time to time to the Company on account of any sinking or analogous fund payment or payments in cash required to be made by the Company, to the extent, if any, permitted under the provisions of the supplemental indenture by which such fund is established; any Bonds purchased or redeemed pursuant to Section 5 of this Article VIII through the application of moneys received by the Trustee pursuant to Section 5 of Article VI or Sections 3, 4 or 5 of Article