

VII 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 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; in either of said cases the cash so credited and Bonds so purchased or redeemed shall be applied by the Trustee at the same time, to the same extent and in the same manner as if such payments had been made in cash or such Bonds had been delivered or redeemed by the Company pursuant to the provisions of such sinking or analogous fund in discharge or partial discharge of such sinking or analogous fund payments, but only upon receipt by the Trustee of an officers' certificate requesting such credit and application and specifying the sinking or analogous fund payment in respect of which the moneys and Bonds shall be so credited, delivered and applied.

SECTION 6. Any moneys deposited with the Trustee pursuant to any of the provisions of this Indenture on account of judgment liens and all moneys deposited with the Trustee to make a prior lien a funded prior lien shall be held by the Trustee as a part of the trust estate and applied by the Trustee towards the payment, cancellation and discharge of the respective judgment liens and prior liens with respect to which such moneys were deposited. Any moneys held by the Trustee with respect to particular prior lien bonds shall upon request by the Company, evidenced by certified resolution, be paid over to the trustee or other holder of the prior lien securing such prior lien bonds at the maturity of such prior lien bonds or on the redemption date thereof. Any moneys so held by the Trustee may be paid over to the Company from time to time by the Trustee, but only in the following events:

(a) Whenever the trustee or other holder of the prior lien securing any funded prior lien bonds, shall execute and deliver to the Company an instrument releasing and discharging such prior lien, or whenever any judgment lien shall have been discharged, all moneys deposited with the Trustee pursuant to the provisions of this Indenture on account of the prior lien bonds secured thereby or on account of such judgment

canceled at maturity or under the redemption or other provisions of the instrument evidencing the mortgage or other lien securing the same or otherwise); or

(ii) an officers' certificate accompanied by an opinion of counsel to the effect that specified prior lien bonds of the issue with respect to which such moneys were deposited have been paid or reduced or ascertained by judicial determination to be in whole or in part invalid and specifying the amount of payment or reduction or the extent of invalidity, as the case may be;

and

(3) An officers' certificate stating in substance:

(i) That no part of the prior lien bonds made the basis for the application has theretofore been made the basis for the withdrawal of cash pursuant to this Section 6;

(ii) That no part of the prior lien bonds made the basis for the application has been paid or retired out of moneys received by the trustee or other holder of the prior lien securing such prior lien bonds on account of insurance or partial release or upon the exercise of the power of eminent domain, and that immediately after the withdrawal of cash, application for which is then being made, the amount of cash and prior lien bonds then held by the Trustee hereunder and by the Trustee or other holder of the prior lien securing such prior lien bonds will be sufficient to constitute such prior lien a funded prior lien; and

(iii) In case the prior lien bonds delivered to the Trustee pursuant to paragraph (2) of this Subdivision (3) are canceled, that such prior lien bonds were not theretofore canceled or surrendered by the Trustee pursuant to Section 3 of Article VI;

ment lien, as the case may be, and then held by the Trustee shall be paid over by the Trustee to or upon the order of the Treasurer or an Assistant Treasurer of the Company, but only upon receipt by the Trustee of:

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

(2) An opinion of counsel to the effect that the instrument of satisfaction executed by the trustee or other holder of the prior lien securing such prior lien bonds is sufficient to discharge such prior lien, and that upon the recording thereof, such prior lien will be discharged of record, or, in case of a judgment lien, that such judgment lien has been discharged.

(b) Whenever prior lien bonds on account of which moneys shall have been deposited with the Trustee shall thereafter be deposited with the Trustee or paid or reduced or ascertained by judicial determination to be invalid, moneys deposited on account of such prior lien bonds shall be paid over by the Trustee to or upon the order of the Treasurer or an Assistant Treasurer of the Company, in an amount equal to the principal amount of such prior lien bonds so deposited, paid or reduced or so ascertained to be invalid, plus an amount equal to any moneys deposited with and held by the Trustee with respect to interest and premium on such prior lien bonds, but only upon receipt by the Trustee of:

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

(2) Either

(i) prior lien bonds of the same issue with respect to which such moneys were deposited (either uncanceled to be held and dealt with by the Trustee in the manner and subject to the provisions of Article VI or

(c) Whenever all property subject to a particular funded prior lien and all prior lien bonds secured by such prior lien held by the Trustee have been released from the lien of this Indenture pursuant to Section 3 and Section 4 of Article VII, all moneys then held by the Trustee on account of prior lien bonds secured by such prior lien, shall be paid over to the Company upon compliance with Section 1, 2 or 4 of this Article VIII.

Prior lien bonds and coupons for the payment or redemption of which moneys shall have been irrevocably deposited with the trustee or other holder of the mortgage or other lien securing such prior lien bonds (whether upon or prior to the maturity or redemption of such prior lien bonds) shall be deemed to have been paid within the meaning of this Section 6, provided that, if such prior lien bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall, according to an opinion of counsel furnished to the Trustee, have been published or otherwise given as required by the mortgage securing such prior lien bonds or provisions satisfactory to the Trustee shall have been made for such notice.

SECTION 7. Any moneys received by the Trustee pursuant to Section 3(d) of Article VII upon the release of any fixed non-bondable property and any moneys received by the Trustee in payment of the principal of obligations deposited with the Trustee pursuant to said Section 3(d) upon the release of any such property, or upon the release of any such obligations, 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 lesser of the cost or the fair value to the Company of other fixed non-bondable property acquired by the Company simultaneously with or subsequent to the date of the application for the release with respect to which such cash or obligations were deposited, but only upon receipt by the Trustee of the resolutions, certificates, instruments and opinion of