

which do not materially affect the use of the Trust Estate for the purposes for which it is held by any Company.

Fixed Property

“Fixed Property” means all property other than Equipment of any of the Companies which is subject to the lien hereof of the nature chargeable, upon acquisition, to any of the Capital Accounts and, for the purposes of the definition of Net Fixed Property Account only, shall mean, when used with respect to a Pledged Subsidiary, all property other than Equipment of such Pledged Subsidiary which is subject to the lien of an indenture under which are outstanding Pledged Subsidiary Bonds of such Subsidiary which are subject to the lien hereof of the nature chargeable, upon acquisition, to any of the Capital Accounts.

In Default

The Companies shall be deemed to be “In Default” hereunder if an Event of Default shall have happened and be continuing.

Indenture

“Indenture” means this instrument, any Joint Mortgages, any indentures supplemental hereto or thereto or any separate instruments subjecting property to the lien hereof, including in each case any schedules, exhibits or other attachments hereto or thereto, as the same may from time to time be supplemented, modified or amended. The words “hereof”, “hereunder”, “hereto”, “herein” and words of similar import shall be deemed to refer to the Indenture and not to any particular provision thereof or particular instrument constituting a part thereof unless the context otherwise requires.