

If no appointment of a successor trustee shall be made by the holders of Bonds or by the Companies pursuant to the foregoing provisions of this § 9.05 within three months after the happening of any of the events set forth in the first paragraph of this § 9.05, the holder of any Bond or any retiring trustee may apply to any court of competent jurisdiction to appoint a successor trustee. Said court may thereupon, after such notice, if any, as said court may deem proper and prescribe, appoint a successor trustee, unless in the meantime a successor trustee shall have been so appointed by the holders of Bonds.

Every successor to the Trustee appointed under any of the provisions of this Article Nine shall be a trust company or a banking corporation in good standing organized under the laws of the United States of America or the State of New York, having an office in the Borough of Manhattan, City and State of New York, and a capital and surplus aggregating at least \$10,000,000, if there be such a trust company or banking corporation able and willing to act.

Any successor trustee appointed hereunder shall execute, acknowledge and deliver to the predecessor trustee hereunder and to the Companies an instrument in writing accepting such appointment hereunder, and thereupon said successor trustee, without any further act, deed or conveyance, shall become fully vested with all the estate, properties, rights, powers, trusts, duties and obligations of its predecessor in trust hereunder, with like effect as if originally named as trustee herein; but the retiring trustee, nevertheless, on the written request of the Companies or of the successor trustee, and upon payment of its unpaid compensation and expenses, if any, shall execute, acknowledge and deliver such instruments of conveyance and further assurance and do such other things as may reasonably be required for more fully and certainly vesting and