

part of the consideration for the issuance thereof, that any resolution so adopted shall be final and conclusive upon all holders of Bonds and upon their successors and assigns.

## **ARTICLE ELEVEN**

### **Consolidation, Merger, Conveyance and Lease**

§ 11.01. Nothing in this Indenture or in any Bond shall prevent the consolidation or merger of any Company with or into any other corporation lawfully entitled to acquire and operate the portion of the Trust Estate owned by such Company or the conveyance or lease by any Company of the portion of the Trust Estate owned by such Company as a whole, or substantially as a whole, to any other such corporation, provided, however, that

(1) every such consolidation, merger, conveyance or lease shall be on such terms as shall fully preserve the lien and security of this Indenture and the rights and powers of the Trustee and of the holders of the Bonds hereunder and every such lease shall be made expressly subject to termination by the Company or by the Trustee at any time that the Companies are In Default and also by the purchaser of the property so leased at any sale thereof hereunder pursuant to Article Eight;

(2) immediately upon such consolidation, merger or conveyance the Successor Corporation shall, by indenture supplemental hereto, expressly assume the due and punctual payment of the principal of and premium, if any, and interest on all of the Bonds according to their tenor and purport and the due and punctual performance of all the terms and conditions of this Indenture to be kept and performed by such Company; and