

## MORTGAGE OF REAL ESTATE

17296 FROTHINGHAM-JARRARD CO.—CHICAGO, ILL.

shall within five days after such sale notify the Company in writing thereof and within five days thereafter the Company shall pay to the Trustee the amount of the difference between such purchase price and the amount so realized, and the amounts so paid shall be held by the Trustee in like manner and subject to the same conditions as the proceeds realized upon such sale.

Whenever the Company, upon any application for which provision is made in this Indenture in respect to the withdrawal of cash held by the Trustee, shall become entitled to the payment to it by the Trustee of any moneys theretofore deposited with or then held by the Trustee under this Indenture, the Company shall accept bonds or other obligations held by the Trustee as part of the trust estate pursuant to this Section, to the extent that such bonds or other obligations shall be tendered to it by the Trustee in lieu of cash; and such bonds or other obligations shall be accepted in lieu of such cash at the cost thereof to the trust estate.

SECTION 9. Except as otherwise expressly permitted by this Section, no cash held by the Trustee as a part of the trust estate shall be paid over to the Company or applied to the Purchase or redemption of Bonds pursuant to this Article, if the Company is to the knowledge of the Trustee in default hereunder; and the Company shall furnish to the Trustee, in connection with each application pursuant to this Article, an officers' certificate stating that the signers do not know and do not believe that the Company is, or upon the granting of the application will be, in default in the performance of any of the terms or covenants of this Indenture. In case the trust estate shall be in the possession of one or more receivers lawfully appointed or of a trustee in bankruptcy or reorganization proceedings (including a trustee or trustees appointed under the provisions of Section 77 of An Act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898, as amended) or of assignees for the benefit of creditors, the powers by this Article conferred upon the Company with respect to the withdrawal of moneys on the basis of property additions, and with respect to the application of moneys held by the Trustee on account of judgment liens to the payment, cancellation and discharge of the respective judgment liens with respect to which such moneys were deposited, may be exercised by such receivers, trustees or assignees, with the approval of the Trustee, regardless of whether or not the Company is in default hereunder, and in such event a writing signed by such receivers, trustees or assignees, may be received by the Trustee in lieu of any certified resolution required by the provisions of this Article, and such receivers, trustees or assignees may make any certificate required by this Article to be made by an officer or officers of the Company. If the Trustee hereunder shall be in possession of the trust estate under any provision of this Indenture, then all such powers by this Article conferred upon the Company may be exercised by the Trustee in its discretion.

## ARTICLE VIII.

## AMORTIZATION OF EQUIPMENT.

SECTION 1. The Company covenants and agrees with the Trustee that, contemporaneously with the granting of each application in connection with which a certificate is filed that includes any particular equipment among property additions described as provided in Section 4 (a) of Article III or Section 1 (b) of Article VII, the Company will establish and maintain an amortization fund with respect to such equipment as set forth in Section 2 of this Article.

SECTION 2. The amount of the amortization fund in each and every case shall be an amount equal to the amount at which the equipment, with respect to which the amortization fund is established, shall have been included in such certificate. The amount of such amortization fund in each and every case shall be paid in substantially equal instalments on the fifteenth day of March in each year, commencing with the fifteen day of March immediately following the establishment of such amortization fund, during the term of such amortization fund. The term of each amortization fund shall be for such period of the full life of the equipment, in respect of which it is established, as remains after the time of establishment of such amortization fund, which full life, for the purposes of such amortization fund, shall be deemed conclusively to be twenty years from the date