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ARTICLE X

CONCERNING THE TRUSTEE

SECTION 10.01. Qualification of Trustee. There shall at all times be a trustee hereunder which shall be a corporation or association organized and doing business under the laws of the United States or any state and authorized under such laws to exercise corporate trust powers, having a combined capital and surplus of at least Fifty Million Dollars (\$50,000,000) and subject to supervision or examination by federal or state authority. If such corporation publishes reports of condition at least annually pursuant to law or to the requirements of any supervising or examining authority above referred to, then for the purposes of this Section 10.01 the combined capital and surplus of such corporation shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published. In case at any time the Trustee shall cease to be eligible in accordance with the provisions of this Section 10.01, the Trustee shall resign immediately in the manner and with the effect specified in Section 10.08 hereof.

SECTION 10.02. Duties of Trustee. The Trustee shall (a) prior to the occurrence of an Event of Default, and after the curing of all Events of Default which may have occurred, perform such duties and only such duties as are specifically set forth in the Indenture and as a corporate trustee ordinarily would perform under a corporate mortgage, and (b) during the existence of any Event of Default (which has not been cured or waived) exercise the rights and powers vested in it by the Indenture and use the same degree of care and skill in their exercise, as a prudent man would exercise or use under the circumstances in the conduct of his own affairs.

In respect to the authentication of any Bonds, the withdrawal of any cash, the release of any property or any action whatsoever within the purview of this Indenture, the Trustee shall have the right, but shall not be required, to demand, as a condition of such action, any showings, certificates, opinions, appraisals or other information, or official or corporate action or evidence thereof, in addition to that required by the terms of the Indenture, deemed desirable by the Trustee for the purpose of establishing the right of the County to the authentication of any Bonds, the withdrawal of any cash, or the taking of any other action by the Trustee.

No provisions of this Indenture shall be construed to relieve the Trustee from liability for its own intentionally wrongful action or failure to act except that:

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