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officer of the Trustee and a director and/or an executive officer of the Company, but may not be at the same time an executive officer of both the Trustee and of the Company, and (B) if and so long as the number of directors of the Trustee in office is more than nine, one additional individual may be a director and/or an executive officer of the Trustee and a director of the Company, and (C) such Trustee may be designated by the Company or by any underwriter for the Company, to act in the capacity of transfer agent, registrar, custodian, paying agent, fiscal agent, escrow agent or depository, or in any other similar capacity, or, subject to the provisions of subparagraph (1) of this paragraph, to act as trustee, whether under a mortgage or otherwise;

(5) ten per cent (10%) or more of the voting securities of such Trustee is beneficially owned either by the Company or by any director, partner, or executive officer thereof, or twenty per cent (20%) or more of such voting securities is beneficially owned, collectively, by any two or more of such persons; or ten per cent (10%) or more of the voting securities of such Trustee is beneficially owned either by an underwriter for the Company or by any director, partner, or executive officer thereof, or is beneficially owned, collectively, by any two or more such persons;

(6) such Trustee is the beneficial owner of, or holds as collateral security for an obligation which is in default as hereinafter defined, (A) five per cent (5%) or more of the voting securities, or ten per cent (10%) or more of any other class of security, of the Company, not including mortgage securities and securities issued under any other mortgage under which such trustee is also such trustee, or (B) ten per cent (10%) or more of any class of security of an underwriter for the Company;

(7) such Trustee is the beneficial owner of, or holds as collateral security for an obligation which is in default as hereinafter defined, five per cent (5%) or more of the voting securities of any person who, to the knowledge of the Trustee, owns ten per cent (10%) or more of the voting securities of, or controls directly or indirectly or is under direct or indirect common control with the Company;