

immediately in the manner and with the effect specified in Section 8.10, and a successor trustee shall be appointed. There shall at all times be a trustee hereunder.

SECTION 8.10. (a) The Trustee, or any successor hereafter appointed, may at any time resign by giving written notice thereof to the Corporation and by publishing notice of such resignation, which notice shall be published at least once in an authorized newspaper in the City of Columbus, Ohio. Upon receiving such notice of resignation, the Corporation shall promptly appoint a successor trustee by written instrument, in duplicate, executed by order of the Board of Directors of the Corporation, one copy of which instrument shall be delivered to the resigning Trustee and one copy to the successor trustee. If no successor trustee shall have been so appointed and have accepted appointment within thirty (30) days after the publication of such notice of resignation, the resigning Trustee may petition any court of competent jurisdiction for the appointment of a successor trustee, or any Bondholder or Noteholder who has been a *bona fide* holder of a Bond or Bonds or a Note or Notes for at least six (6) months may, subject to the provisions of Section 7.08, on behalf of himself and all others similarly situated, petition any such court for the appointment of a successor trustee. Such court may thereupon after such notice, if any, as it may deem proper and prescribe, appoint a successor trustee.

(b) In case at any time any of the following shall occur —

(1) the Trustee shall fail to comply with the provisions of subsection (a) of Section 8.08 after written request therefor by the Corporation or by any Bondholder or Noteholder who has been a *bona fide* holder of a Bond or Bonds or a Note or Notes for at least six (6) months, or

(2) the Trustee shall cease to be eligible in accordance with the provisions of Section 8.09 and shall fail to resign after written request therefor by the Corporation or by any such Bondholder or Noteholder, or

(3) the Trustee shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or a receiver of the Trustee or of its property shall be appointed, or any public officer shall take charge or control of the Trustee or of its property or affairs for the purpose of rehabilitation, conservation or liquidation.

then, in any such case, the Corporation may remove the Trustee and appoint a successor trustee by written instrument, in duplicate, executed by order of the Board of Directors of the Corporation, one copy of which instrument shall be delivered to the Trustee so removed and one copy to the successor trustee, or, subject to the provisions of Section 7.08, any