

writing in a form approved by the Trustee, signed by such holders and filed with the Trustee.

To obtain the approval or consent of the bondholders to any action as aforesaid, the Company, or the Trustee at the written request of the Company (unless such notice is waived by the holders of all outstanding Bonds), (1) shall mail, not less than thirty (30) days prior to the date on or before which written approvals or consents to be accepted must be filed with the Trustee, a notice stating in general terms the character and nature of the proposed modification or alterations together with a form of consent to be signed by the bondholders, (i) to each registered holder of Bonds then outstanding hereunder addressed to him at his address appearing on the bond registry books, (ii) to each holder of any Bond, payable to bearer, who shall have filed with the Trustee an address for notices to be addressed to him and whose name has been preserved by it as provided for in § 8.02(a), if then in effect, and (iii) to each bondholder whose name and address appears in the files of the Trustee and is preserved by it as provided in § 8.02, if then in effect, and (2) shall give notice of such proposed modification or alteration by such other method, either by publication at least once a week for four (4) successive calendar weeks (upon any secular day of each such week), immediately preceding the date on or before which written approvals or consents to be accepted must be filed with the Trustee in an authorized newspaper in each of the city or cities where the interest on any Bonds is payable, or otherwise, as may be approved by the Company and the Trustee. Any such modification or alteration made pursuant to this § 12.01 shall be binding upon all the bondholders, except as in this § 12.01 otherwise provided.

The Trustee, subject to the provisions of § 15.02 and § 15.03, may rely upon evidence of the ownership or control of any Bonds furnished to it pursuant to § 11.02 hereof or the Trustee, in its discretion, may adopt such other rules and regulations as to it may seem proper and adequate for the deposit of Bonds with, or the stamping of Bonds by, any bank, banker, trust company or other depository.

The Trustee, if sufficient approvals or consents of bondholders to the action proposed by the resolution of the Board of Directors have

§ 11.03. Any request or other instrument in writing made pursuant to any provisions hereof by any bondholder shall bind any future holder or holders of the same and of all Bonds issued in exchange therefor or in lieu thereof in respect of the matters to which such request or other instrument relates.

ARTICLE 12.

MODIFICATIONS WITH CONSENT OF BONDHOLDERS.

§ 12.01. Modifications or alterations of this Indenture or any indenture supplemental hereto or of the rights and obligations of the Company or of the holders of Bonds and coupons issued hereunder may be made at any time and from time to time when authorized by the Board of Directors of the Company by resolution duly adopted and approved or consented to, in writing, by the holders of not less than sixty-six and two thirds per centum (66 $\frac{2}{3}$ %) in principal amount of the Bonds outstanding hereunder, including, if more than one series of Bonds shall be at the time outstanding, not less than sixty-six and two-thirds per centum (66 $\frac{2}{3}$ %) in principal amount of each series, provided, however, that no such alteration or modification shall, without the written approval or consent of the holder of every Bond issued hereunder affected thereby, (a) impair or affect the right of such holder to receive payment of the principal of and premium, if any, and interest on such Bond at the specified rate, on or after the respective due dates expressed in such Bond, or to institute suit for the enforcement of any such payment on or after such respective dates, (b) permit the creation of any lien not otherwise permitted herein prior to or on a parity with the lien of this Indenture, or (c) reduce the percentage of the principal amount of the Bonds upon the approval or consent of the holders of which modifications or alterations may be effected as aforesaid.

The approvals or consents of bondholders to any such modification or alteration shall be evidenced by an instrument or instruments in