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acting, resign or be removed, all the estates, property, rights, powers, trusts, duties and obligations of said separate trustee or co-trustee, so far as permitted by law, shall vest in and be exercised by the Trustee or its successor in the trust hereunder, without the appointment of a new trustee as successor to such separate trustee or co-trustee.

SECTION 8.07. The powers and duties of trustees conferred or imposed by Section 126 of the Real Property Law of the State of New York, which powers and duties are incorporated by reference herein, shall be in addition to those conferred or imposed by this Mortgage and in case of a conflict the provisions of said Section 126 shall prevail, provided that if said Section 126 should at any time be repealed, or cease to apply to this Mortgage, or be construed by judicial decision to be inapplicable, this sentence shall cease to have any further force and effect.

SECTION 8.08. (a) If the Individual Trustee or the Trustee (either of which are in this Section 8.08 sometimes called the "Trustee") has or shall acquire any conflicting interest as hereafter defined,

(1) such Trustee shall, within ninety (90) days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign, such resignation to become effective upon the appointment of a successor trustee and such successor's acceptance of such appointment; and the obligor upon the Notes issued under the Indenture (hereinafter in this Section 8.08 referred to as the "mortgage securities") shall take prompt steps to have a successor appointed in the manner provided in this Indenture;

(2) in the event that such Trustee shall fail to comply with the provisions of subparagraph (1), such Trustee shall, within ten (10) days after the expiration of such ninety-day period, transmit notice of such failure by mail (i) to each payee of the mortgage securities who shall not have notified the Trustee in writing of the transfer thereof, (ii) to such holders of mortgage securities as have, within the two years preceding such transmission, filed their names and addresses with the Trustee for the purpose of receiving notices or reports to mortgage security holders, and (iii) to all holders of mortgage securities whose names and addresses are contained in information currently preserved by the Trustee for such purpose in accordance with the provisions of paragraph (g)