

by the terms of any franchise, grant, license or permit or by any provision of law to terminate such franchise, grant, license or permit, or to purchase or appropriate or recapture, or to designate a purchaser of, any of the trust estate, or to demand and collect any tax or other compensation for the use of streets or other public places or to control or regulate the trust estate;

(4) any obligation or duty affecting the trust estate, or the uses, removal, control or regulation thereof by any public authority, under any franchise, grant, license or permit or provision of law;

(5) rights of lessees under leases from the Company, and interests of others than the Company in property owned jointly or in common; and

(6) easements, rights of way, exceptions, reservations, restrictions, conditions, limitations, covenants, adverse rights or interests and any other defects or irregularities in title affecting the trust estate which do not materially affect the use of the trust estate for the purposes for which it is held by the Company.

"Indenture" means this Indenture, as the same may from time to time be supplemented, modified or amended by any supplemental indenture entered into pursuant to any of the provisions hereof.

The term "independent", when applied to any specified person, shall mean such a person who (a) is in fact independent, (b) does not have any material direct or indirect financial interest in the Company or in any Affiliate of the Company and (c) is not connected with the Company or any Affiliate of the Company as an officer, employee, promoter, underwriter, trustee, partner, director or person performing similar functions. Whenever it is herein provided that an opinion or certificate of an independent person shall be furnished to the Corporate Trustee, such opinion or certificate shall state that the signer has read this definition and is independent within the meaning hereof.

"Interest Payment Date", when used with respect to Bonds of Series A, shall have the meaning given such term in Section 1.03 hereof.

All references to the "Interstate Commerce Commission" shall mean that commission or any Federal governmental authority which shall at the