

Section 11.5. Remedies on Default. Notwithstanding any provision in any Article of this Declaration, when an obligor to the Trust is in default under the terms of any obligation to the Trust, the Trustees shall have the power to pursue any remedies permitted by law which in their sole judgment are in the interest of the Trust, and the Trustees shall have the power to enter into any necessary investment, commitment or obligation of the Trust resulting from the pursuit of such remedies or necessary or desirable to dispose of property acquired in the pursuit of such remedies.

ARTICLE 12

ADVISORY AND MANAGEMENT SERVICES

Section 12.1. Adviser. In the exercise of their absolute control and management of the Trust Assets, and in accordance with the powers granted in Section 3.8, the Trustees may contract for the services of an advisory person ("Adviser") to advise them in respect of investing and reinvesting the Trust Assets and to act generally on their behalf and subject to their supervision in administering the operations of the Trust, which person may, except as otherwise expressly provided in this Declaration, be an individual or any corporation, partnership or other legal entity organized under the laws of any State of the United States or of the United States. The provisions of this Declaration relating to the Adviser are based upon the expectation that at any time the Trustees will contract with only one Adviser. If, however, the Trustees contract with more than one Adviser, such provisions shall apply to all Advisers collectively.

Section 12.2. Advisory Contract. Any contract entered into with its Adviser prior to the first public offering of Shares may be for an initial term which shall not exceed three years. No contract entered into with an Adviser after the first public offering of Shares shall be for a term exceeding one year. Any such contract, regardless of when made, shall provide that it may be terminated at any time without penalty by action of the disinterested Trustees or the holders of a majority of outstanding Shares, upon not less than 60 days'

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