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acquired by the Trustee in its fiduciary capacity as Trustee. Knowledge acquired by the Trustee in the performance of its duties hereunder shall not be presumed to be known by the Trustee but only by those employees of the Trustee who actually gain such knowledge in the performance of their duties. Knowledge acquired by the Trustee in the course of any other business shall not be presumed to be known by the Trustee but only by those employees of the Trustee who actually gain such knowledge in the performance of their duties.

SECTION 10.08. Resignation and Removal of Trustee; Successor Trustee.

(a) The Trustee may at any time resign by giving written notice to the County and by giving to the holders of the Bonds notice by publication of such resignation. Such notice shall be published at least once in an Authorized Newspaper. Notice shall be given by mail to the registered holders of the Bonds. Upon receiving such notice of resignation, the County shall promptly appoint a successor trustee by an instrument in writing executed by order of its County Council. 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 who has been a bona fide holder of a Bond or Bonds for at least six months may, on behalf of himself and 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 the event that the Trustee ceases to be eligible in accordance with the provisions of Section 10.01 of the Indenture and fails to resign after written request therefor by the County or by any Bondholder who has been a bona fide holder of a Bond or Bonds for at least six months, or the Trustee becomes incapable of acting, or is adjudged a bankrupt or insolvent, or a receiver of the Trustee or of its property is appointed, or any public officer takes charge or control of the Trustee or of its property or affairs for the purpose of rehabilitation, conservation or liquidation, then in such case, the County may remove the Trustee and appoint a successor Trustee by an instrument in writing executed by order of its County Council or any such Bondholder may, on behalf of himself and all others similarly situated, petition any court of competent jurisdiction for the removal of the Trustee and the appointment of a successor Trustee. Such court may thereupon, after such notice, if any, as it may deem proper and prescribe, remove the Trustee and appoint a successor Trustee.