

MORTGAGE RECORD S
SKAMANIA COUNTY, WASHINGTON

PIONEER, INC., TACOMA--127552

JONES, EUREKA, LEAF, PAT. FEB. 7, 1905

PRESIDENT OR SECRETARY SHALL BE SUFFICIENT EVIDENCE OF SUCH FACT TO PROTECT THE SAID TRUSTEE, OR ITS SUCCESSORS, IN ANY ACTION THAT IT MAY TAKE BY REASON OF THE SUPPOSED EXISTENCE OF SUCH FACT.

THE TRUSTEE SHALL BE PROTECTED IN ACTING UPON ANY NOTICE, REQUEST, CONSENT, CERTIFICATE, BOND, AFFIDAVIT OR OTHER PAPER OR DOCUMENT BELIEVED BY IT TO BE GENUINE AND TO BE SIGNED BY THE PROPER PARTY OR PARTIES. THE TRUSTEE MAY, IN RELATION TO THIS INDENTURE, ACT UPON THE OPINION OR ADVICE OF ANY ATTORNEY, VALUER, SURVEYOR, ENGINEER, ACCOUNTANT OR OTHER EXPERT, WHETHER RETAINED BY SUCH TRUSTEE, OR THE COMPANY OR OTHERWISE, AND SHALL NOT BE RESPONSIBLE FOR ANY LOSS RESULTING FROM ANY ACTION OR NON-ACTION IN ACCORDANCE WITH SUCH OPINION OR ADVICE.

SECTION 5. THE TRUSTEE SHALL NOT BE OBLIGATED TO TREAT OR TO REGARD ANY PERSONS OR CORPORATIONS AS THE HOLDERS OF BONDS SECURED HEREBY UNLESS PROPER PROOF IS OFFERED THAT SUCH PERSONS OR CORPORATIONS ARE IN FACT SUCH HOLDERS; AND THE TRUSTEE SHALL BE ENTITLED IN ITS DISCRETION TO REQUIRE FROM SUCH PERSONS OR CORPORATIONS CLAIMING TO BE SUCH HOLDERS THE DEPOSIT OF THE BONDS CLAIMED TO BE SO HELD BY SUCH PERSONS OR CORPORATIONS AS EVIDENCE THAT THEY ARE IN FACT SUCH HOLDERS. THE TRUSTEE SHALL GIVE PROPER RECEIPTS FOR ANY BONDS SO DEPOSITED. WHEN SUCH DEPOSIT SHALL NO LONGER BE REQUIRED FOR THE PROTECTION OF THE TRUSTEE, THE PERSONS OR CORPORATIONS SO DEPOSITING, THEIR REPRESENTATIVES, SUCCESSORS OR ASSIGNS, SHALL BE ENTITLED TO RECEIVE SUCH BONDS ON SURRENDER OF SUCH RECEIPTS PROPERLY ENDORSED.

SECTION 6. THE TRUSTEE IN ANY CAPACITY OTHER THAN AS TRUSTEE HEREUNDER, MAY, FROM TIME TO TIME, BUY, SELL, HOLD AND DEAL IN ANY OF THE BONDS AND COUPONS ISSUED HEREUNDER AND SECURED HEREBY, AND ASSERT ITS RIGHTS IN THE SAME MANNER AS ANY OTHER BONDHOLDER HEREUNDER AS IF SAID TRUSTEE WAS NOT THE TRUSTEE HEREUNDER.

ARTICLE XVII.

SECTION 1. IN CASE OF THE RESIGNATION, INCAPACITY OR INABILITY TO ACT HEREUNDER OF THE BANK OF CALIFORNIA, NATIONAL ASSOCIATION, IT SHALL BE LAWFUL FOR THE HOLDERS OF A MAJORITY IN AMOUNT OF THE BONDS THEN OUTSTANDING TO APPOINT A SUCCESSOR BY A WRITING BY THEM SIGNED, OR FOR ANY UNITED STATES JUDGE IN THE NINTH CIRCUIT, IN DEFAULT OF SUCH APPOINTMENT, TO APPOINT SUCH SUCCESSOR ON THE APPLICATION OF THE HOLDERS OF NOT LESS THAN FIFTY PER CENT (50%) IN AMOUNT OF THE BONDS SECURED HEREBY AND THEN OUTSTANDING. THE COMPANY MAY APPOINT A SUCCESSOR TEMPORARILY UNTIL A REGULAR APPOINTMENT IS MADE IN THE MANNER HEREINABOVE PROVIDED. EVERY SUCCESSOR APPOINTED IN PLACE OF THE TRUSTEE, OR ITS SUCCESSOR IN TRUST SHALL ALWAYS BE A TRUST COMPANY OR A NATIONAL BANKING ASSOCIATION IN GOOD STANDING, HAVING A CAPITAL STOCK AND SURPLUS AGGREGATING AT LEAST THREE HUNDRED THOUSAND DOLLARS (\$300,000), IF THERE BY SUCH A TRUST COMPANY OR NATIONAL BANKING ASSOCIATION WILLING AND ABLE TO ACCEPT THE TRUST UPON REASONABLE AND CUSTOMARY TERMS. IN THE EVENT OF SUCH CHANGE IN THE PERSONNEL OF THE TRUSTEE, IT SHALL BE THE DUTY OF THE BANK OF CALIFORNIA, NATIONAL ASSOCIATION, TO EXECUTE, ACKNOWLEDGE AND DELIVER TO THE COMPANY, TO BE PLACED OF RECORD BY IT, A RELINQUISHMENT AND TRANSFER OF THE RIGHTS AND OBLIGATIONS ATTACHING TO THE TRUSTEE UNDER THIS INSTRUMENT, TO THE END THAT A RECORD MAY BE MADE OF THE TRANSFER OF THESE RIGHTS AND OBLIGATIONS TO ITS SUCCESSOR, AND THE COMPANY SHALL BE OBLIGATED TO RECORD THE SAME IN THE RECORDS OF MORTGAGES FOR CLARK AND SKAMANIA COUNTIES, WASHINGTON.

SECTION 2. IN THE EVENT THAT THE BANK OF CALIFORNIA, NATIONAL ASSOCIATION, OR ITS SUCCESSOR HEREUNDER, AT ANY TIME MERGES OR CONSOLIDATES WITH ANOTHER CORPORATION,