

# MORTGAGE RECORD T

## SKAMANIA COUNTY, WASHINGTON

deposited, for the purpose of maintaining all properties, mortgaged or intended to be mortgaged hereunder, as an operating system or systems, in good repair, working order and condition to the extent that such expenditures have not been theretofore certified to the Corporate Trustee to reduce the amount of cash or bonds to be deposited with the Corporate Trustee as hereinbefore provided, the amount and nature of any such expenditures to be stated in a Treasurers certificate to be delivered to the Corporate Trustee prior to any such withdrawal and/or, (b) in the case of cash, be withdrawn or used or applied in the manner, to the extent and for the purposes and subject to the conditions in section 77 hereof and/or (c) in the case of bonds, be withdrawn upon deposit with the Corporate Trustee of an amount in cash equivalent to the principal amount of the bonds so withdrawn, any cash so deposited to be held by the Corporate Trustee and disposed by it in the manner and for the purposes and subject to the conditions provided in this Section.

All cash in excess of Fifty Thousand dollars (\$50,000) remaining on deposit with the Corporate Trustee under the provisions of this section for a period of three (3) years, and with respect to which the Company shall not have made a proper request for the withdrawal, use or application of the same as above provided shall be applied by the corporate Trustee to the purchase or redemption of bonds in accordance with the provisions of Article XI hereof, and the Corporate Trustee shall have power to give all necessary notices and to do all other acts and things to effect said purchase or redemption.

Section 42, That it will, subject to the provisions of Article XVI hereof, at all times maintain its corporate existence and right to carry on business and cause to be maintained the corporate existence and right to carry on business of any other corporation owning property subject to the lien of this Indenture and duly procure all renewals and extensions thereof and, subject to the provisions hereof, will use its best efforts to maintain, preserve and renew all the rights, powers, privileges and franchises owned by it or subject to the lien of this indenture.

Section 43. That if it shall fail to perform any covenants contained in Section 39, 40, 41 or 42, the Trustees, or either of them, may take advances to perform the same in its behalf, but shall be under no obligation so to do unless requested so to do by the holders of not less than twenty-five per centum (25%), in principal amount of the bonds then outstanding hereunder and furnished with funds adequate for the purpose and in addition to pay any expenses incurred in connection with such performance; and all sums so advanced shall be at once payable by the Company, and shall bear interest at the rate of six per centum (6%) per annum until paid, and all sums so advanced with the interest thereon shall be secured hereby, having the benefit of the lien hereby created in priority to the indebtedness evidenced by the bonds and coupons issued hereunder, but no such advance shall be deemed to relieve the Company from any default hereunder.

Section 44. That it will cause this indenture and all indentures and instruments supplemental hereto and all other instruments subjecting property to the lien of this Indenture to be kept and recorded and filed and re-recorded and filed in such manner and in such places as may be required by law in order to fully preserve and protect the security of the bondholders and all rights of the Trustees.

Section 45. That it will execute and deliver or cause to be executed and delivered such further instruments and do or cause to be done such further acts as may be necessary or proper to carry out more effectually the purpose of this Indenture and to make subject to the lien hereof any property intended to be part of the mortgaged and pledged property whether with this Indenture and/or by any instrument subjecting property to the lien of this indenture and/or by any instruments supplemental hereto.