

MORTGAGE RECORD T
SKAMANIA COUNTY, WASHINGTON

apply all or any part of the cash held by it under any provision of this Indenture, subject to the provisions of Section 70 hereof, or any cash deposited with it by the Company for the purpose, to the purchase of bonds then outstanding hereunder of such series as the Company may designate at a price not exceeding the current redemption price of such bonds as shall be by their terms redeemable before maturity, or at not more than one hundred and five per centum (105%) of the principal of bonds not so redeemable plus accrued interest. Before making any such purchase the Corporate Trustee shall, by notice published once in each of four (4) successive calendar weeks (on any secular day in the week) in one daily newspaper of general circulation, printed in the English language and published in the Borough of Manhattan, The City of New York, advertise for written proposals (to be received by it on or before a specified date) to sell to it on or before a subsequent specified date bonds of the series designated by the Company then outstanding hereunder; and the Corporate Trustee to the extent, as nearly as is possible, of such funds then ⁱⁿ its hands and requested by the Company to be so applied, shall purchase the bonds so offered at the lowest price or prices asked therefor, and reasonable notice shall be mailed by the Corporate Trustee to the owner or owners of the bonds whose proposals may be accepted. The Corporate Trustee may also in its discretion, and upon request of the Company so to do shall, invite offers of bonds for sale to it in any other usual manner. Should there be two or more proposals at the same price aggregating more than the amount which the Corporate Trustee has available for investment, after having accepted all proposals at lower prices, the Corporate Trustee shall invest the amount so available, by acceptance of proposals, so as to acquire the requisite amount of bonds at the lowest cost possible, provided, however, that to the extent consistent with the acquisition of such amount of bonds at the lowest cost possible the Corporate Trustee shall (a) in accepting proposals, give preference to such proposals as are subject to acceptance of a portion thereof as against proposals not subject to such acceptance, (b) as between proposals subject to acceptance of a portion thereof, accept the same pro rata, and (c) as between proposals not subject to such acceptance, select by lot, according to such method as the Corporate Trustee shall deem proper in its discretion, the proposals to be accepted. The Corporate Trustee shall reject any or all proposals in whole or in part if it can at the time of opening said proposals purchase the requisite amount of such bonds or any part thereof at a lower price than it could by accepting said proposals. All offers by holders shall be subject to acceptance of a portion thereof unless otherwise expressed in the offers and all advertisements for written proposals shall so state.

Section 72. All bonds issued hereunder paid, retired or redeemed under any of the provisions of this Indenture or purchased by the Corporate Trustee as provided in Section 71 hereof and all appurtenant coupons, if any, shall forthwith be cancelled and at the request of the Company cremated by the Corporate Trustee, and a certificate of such cremation delivered to the Company.

ARTICLE XII

POSSESSION, USE AND RELEASE OF MORTGAGED AND PLEDGED PROPERTY.

Section 73. So long as the Company is not in default in the payment of the interest on any of the bonds then outstanding hereunder or none of the completed defaults specified in Section 82 hereof shall have occurred and be continuing, the Company shall be suffered and permitted to possess, use and enjoy the mortgaged and pledged property (except such cash as is expressly required to be deposited with the Corporate Trustee and except, to the extent not herein otherwise provided, such securities of a subsidiary company as are required to be deposited with the Corporate Trustee in order to constitute such a subsidiary company a subsidiary company hereunder and such other securities as are deposited or are expressly required to be deposited with the Corporate Trustee), and to receive, use and dispose of the