

# MORTGAGE RECORD U

## SKAMANIA COUNTY, WASHINGTON

B. ANY BONDS theretofore authenticated and delivered under this Indenture, matured or unmatured, in form transferable by delivery, cancelled or uncanceled, together with all unmatured coupons, if any, thereto belonging; provided, however, that, for the purposes of this Article Seven, in lieu of depositing Bonds with the corporate Trustee as aforesaid, the Company may deposit with the corporate Trustee money sufficient to pay or redeem such Bonds, both principal, interest and premium, if any.

C. A CERTIFICATE OF THE COMPANY, stating (a) that none of the Bonds then made the basis for the authentication and delivery of Bonds ~~theretofore the basis for the authentication and delivery of Bonds~~ hereunder as in the preceding Paragraph B Provided, are Bonds which, under the provisions of Section 31 hereof, are not permitted to be made the basis for the authentication and delivery of Bonds under this Article Seven, and (b) that the Company is not, to the knowledge of the signers, in default in the performance of any of the covenants on its part to be performed under the provisions of this Indenture.

D. THE CERTIFICATES AND OTHER EVIDENCE, if any, specified in the opinion of counsel as provided by Clauses (2) and (3) of the following Paragraph E.

E. AN OPINION OR OPINIONS OF COUNSEL:

(1) Stating that the instruments which have been or are therewith delivered to the corporate Trustee conform to the requirements of this Indenture and constitute sufficient authority under this Indenture for the corporate Trustee to authenticate and deliver the Bonds applied for, and that, upon the basis of the deposit with the corporate Trustee of the Bonds and/or money deposited pursuant to Paragraph B of this Section 30, Bonds may be lawfully authenticated and delivered under this Article Seven;

(2) specifying the certificate or other evidence which will be sufficient to show compliance with the requirements, if any, of any mortgage recording tax law or other tax law applicable to the issuance of the Bonds then applied for, or stating that there are no such legal requirements; and

(3) specifying the certificate or other evidence which will be sufficient to show the authorization, approval or consent of or to the issuance of the Bonds then applied for, by any public service commission or other governmental body at the time having jurisdiction in the premises, or stating that no such authorization, approval or consent is required.

SECTION 31. No Bonds shall be authenticated and delivered under this Article Seven, upon the basis of the deposit, payment, redemption or other retirement, and no moneys shall be used pursuant to Article Eleven hereof for the redemption, of

(a) any cancelled Bond deposited with the corporate Trustee as aforesaid, if another Bond evidencing the same debt is at the time of such deposit outstanding, unless such cancelled Bond be a duplicate Bond issued in lieu of a lost, stolen or destroyed Bond under the provisions of Section 14 hereof; or

(b) any Bond which, in any previous or pending application or certificate, has been made the basis for the authentication and delivery of Bonds or the withdrawal of any cash from the lien of this Indenture, or any Bond which has been or is to be purchased, paid, redeemed or otherwise retired out of the proceeds of any insurance on any part of the mortgaged property or out of the proceeds of any part of the mortgaged property released from the lien of this Indenture, or from a prior lien, or taken by the exercise of the power of eminent domain; or

(c) any Bond hereafter purchased, paid, redeemed or otherwise retired through the operation of any sinking, amortization, improvement or other analogous fund, if any, which may hereafter be created as hereinabove in Section 6 provided, but only if, and to