

interest of the Trustees in and to the property so taken or purchased, upon being furnished with an Opinion of Counsel to the effect that such property has been taken by exercise of the power of eminent domain, or purchased in the exercise of a right which a governmental body or agency had to purchase or designate a purchaser of the same. Such Opinion of Counsel shall state the amount of net proceeds received or to be received for such property so taken or purchased and the amount so stated shall be deemed to be the fair value of such property for the purpose of subdivision (b) of Section 100 hereof. If the property so taken or purchased was property, or any part thereof, situated in Clark or Franklin counties, State of Washington, and was subject to condemnation proceedings pending at the date of execution and delivery of this Indenture (whether or not taken in the proceedings then pending or in any other proceeding or proceedings), there shall be paid over to the Corporate Trustee in cash either an amount equal to the Cost of such property determined as provided in subdivision (III) of Section 4 hereof or (at the option of the Company) an amount equal to the net proceeds of the property so taken or purchased. If the property so taken or purchased is other property of the Company, an amount equal to the net proceeds of all such other property so taken or purchased (which proceeds shall, in any event, be required to be entirely in the form of cash) shall be paid over to the Corporate Trustee (unless the same shall have been paid or delivered to the trustee or other holder of a mortgage or other lien constituting a Qualified Lien or lien prior hereto, in accordance with the provisions thereof, and a certificate of such trustee or other holder to that effect shall have been furnished to the Corporate Trustee). Any cash paid over to the Corporate Trustee pursuant to this Section 62 may, subject to the provisions of Section 64 hereof, thereafter be withdrawn, used or applied in the manner, to the extent and for the purposes and subject to the conditions provided in Section 61 hereof.

Section 63. In case the Mortgaged and Pledged Property shall be in the possession of a receiver or trustee, lawfully appointed, the powers hereinbefore conferred upon the Company with respect to the sale or other disposition of the Mortgaged and Pledged Property or the withdrawal of cash may be exercised, with the approval of the Corporate Trustee, by such receiver or trustee, notwithstanding the Company may be in default, and any request, certificate, appointment or approval made or signed by such receiver or trustee for such purposes shall be as effective as if made by the Company or its Board of Directors or any of its officers or appointees in the manner herein provided; and if the Trustees or either of them shall be in possession of the Mortgaged and Pledged Property under any provision of this Indenture, then such powers may be exercised by the Trustees in their discretion notwithstanding the Company may be in default.

Notwithstanding the existence of a default in the payment of interest on any bonds Outstanding hereunder or the existence of a Default defined in Section 65 hereof, the Trustees, or the Corporate Trustee, in their or its discretion, may release from the Lien hereof any part of the Mortgaged and Pledged Property or permit the withdrawal of cash, upon compliance with the other conditions specified in this Article in respect thereof.

No purchaser in good faith of property purporting to have been released hereunder shall be bound to ascertain the authority of the Trustees, or either of them, to execute the release, or to inquire as to any facts required by the provisions hereof for the exercise of such authority; nor shall any purchaser or grantee of any property or rights permitted by this Article to be sold, granted, exchanged, dedicated or otherwise disposed of, be under obligation to ascertain or inquire into the authority of the Company to make any such sale, grant, exchange, dedication or other disposition.