

2011-006287

Klamath County, Oregon



00102160201100062870040045

05/19/2011 09:08:21 AM

Fee: \$52.00

After Recording Return to:  
Avista Corporation  
Real Estate Department  
P.O. Box 3727  
Spokane, WA 99220-3727

PARTIAL RELEASE FROM CITIBANK, N. A.  
AS CORPORATE TRUSTEE  
TO  
AVISTA CORPORATION (formerly known as THE WASHINGTON WATER POWER COMPANY)  
FROM LIEN OF MORTGAGE AND DEED OF TRUST

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, under date as of June 1, 1939, Avista Corporation (hereinafter called the Company), a corporation of the State of Washington, executed and delivered to City Bank Farmers Trust Company, now Citibank, N. A. (herein called the Trustee), and Ralph E. Morton, as Trustees, a certain Mortgage and Deed of Trust (hereinafter called the Mortgage), as supplemented, and the property hereinafter described heretofore owned by the Company is subject to the lien of the Mortgage, as supplemented; and be it further know that:

WHEREAS, an application pursuant to Section 59 of the Mortgage for the release of the hereinafter described property from the lien of the Mortgage, as supplemented, has been made by the Company and the Trustee is in receipt of a Certified Copy of Resolutions as required by the provisions of said Section 59 of the Mortgage,

NOW THEREFORE, Citibank, N.A., in consideration of the premises and pursuant to the authority vested in it as Trustee under the Mortgage, as supplemented, does hereby release, remise and quitclaim unto the Company all the right, title, and interest of said Trustee under the Mortgage, as supplemented, in and to the following described property identified as County Parcel Nos. 3809-33BB-9000 & 3809-33BB-9100, affecting Lots 5A, 5B, 6A, 6B, 7A and 7B, Block 6, Railroad Addition to the City of Klamath Falls, located in the NW/4 NW/4 of Section 33, Township 38 South, Range 9 East, W.M., Klamath County, State of Oregon, as more fully defined and described on the attached Exhibit A at page 4.

TO HAVE AND TO HOLD the premises hereby released and remised to the Company, its successors and assigns, to its and their own proper use, benefit and behoove forever, free, clear and discharged of and from any and all liens and claims under and by virtue of the Mortgage, as supplemented; originally recorded as Short Form Mortgage, at Recorder No. 47397, Book M-92, Page 15332, on July 13, 1992.

PROVIDED, HOWEVER, that nothing herein contained shall be construed to affect the residue of the security held by the Trustee as aforesaid, by virtue of the Mortgage, as supplemented, including the property, rights and interests excepted or reserved to the Company in the foregoing description of the premises to be released, or to release the payment of any part of the moneys, principal or interest thereby secured and that may remain unpaid.

WHEREAS, on January 30, 1959, effective at the close of business, City Bank Farmers Trust Company was converted into a national banking association under the title "First National City Trust Company"; and

WHEREAS, First National City Bank (into which First National City Trust Company was merged effective January 15, 1963) a national banking association incorporated and existing under the laws of the United States of America having its head office at 388 Greenwich Street, New York, New York, has succeeded to First National City Trust Company, as Successor Trustee, under the Mortgage; and

WHEREAS, the Trustee is now the sole trustee as the result of the removal of the individual trustee by letter of the Company dated July 23, 1969, and effective July 30, 1969;

WHEREAS, effective March 1, 1976, the name First National City Bank was changed to Citibank, N. A. as Trustee; and

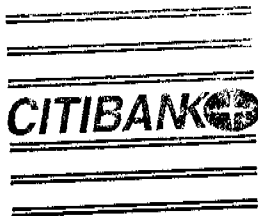
WHEREAS, the Company is not to the knowledge of the Trustee in default in the payment of the interest on any bonds now outstanding under the Mortgage, as supplemented, and none of the completed defaults specified in Section 65 of the Mortgage has occurred and is continuing; and

The recitals herein contained are based on representations made by the Company and said Corporate Trustee assumes no responsibility in respect thereof.

IN WITNESS WHEREOF, Citibank, N. A., as Corporate Trustee, has caused its corporate name to be hereunto affixed and this instrument to be signed and sealed by one of its ~~Senior Trust Officers~~ and its Corporate Seal to be attested by one of its ~~Trust Officers~~ in the City of New York, New York, on this 19<sup>th</sup> day of APRIL, 2011.

VICE PRESIDENTS

VICE PRESIDENTS



Citibank, N. A.  
as Corporate Trustee

By

**Wafaa Orfy**

Title **Vice President**

ATTEST:

By

**LOUIS PISCITELLI**

Title **Vice President**

In the presence of:

**Cirino Emanuele**  
Vice President

**John Hannon**  
Vice President

STATE OF NEW YORK )

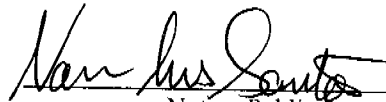
COUNTY OF NEW YORK )

: ss.

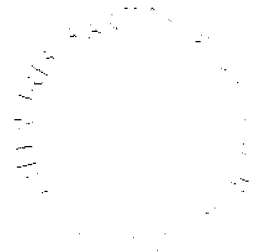
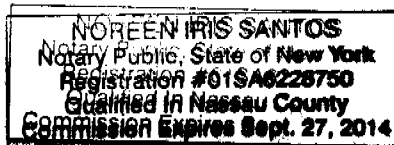
VICE PRESIDENT

On this <sup>4th</sup> 19 day of APRIL, 2011, before me a Notary Public in and for the State of New York, personally appeared WAFAA ORFI to me known to be a ~~Trust Officer~~ of Citibank, N. A., the Corporation that executed the within and foregoing instrument as Corporate Trustee, and acknowledge that said instrument to be the free and voluntary act and deed of said Corporation as said Corporate Trustee, for the uses and purposes therein mentioned, and on oath stated that ~~he~~ she was authorized to execute said instrument and that the seal affixed is the corporate seal of said Corporation.

GIVEN under my hand and official seal the day and year first above written.

  
Notary Public

(AVA)



**Exhibit "A"**

**Lots 5A, 5B, 6A, 6B, 7A and 7B, Block 6, Railroad Addition to the City of Klamath Falls, located in the Northwest Quarter Northwest Quarter (NW/4 NW/4) of Section 33, Township 38 South, Range 9 East, W.M., Klamath County, Oregon**