

Rebecca Free Groppa  
Hamilton County Recorders Office  
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**RELEASE OF MORTGAGE**  
(Miami Fort Generating Station – Unit 6)

1021004729F

THIS INDENTURE WITNESSETH: WHEREAS, The Cincinnati Gas & Electric Company, an Ohio corporation (the "Company"), executed and delivered to Irving Trust Company, now known as The Bank of New York, as Trustee (the "Trustee"), a certain First Mortgage, dated as of August 1, 1936 (the "First Mortgage"), to secure the payment of the principal of and interest on bonds of the Company to be issued from time to time in one or more series, and the Company has executed and delivered thirty-nine indentures supplemental thereto, which First Mortgage is recorded in Mortgage Book 1680, page 262 in the records of the Recorder of the County of Hamilton, Ohio.

WHEREAS, pursuant to Article Eleven, Section 3 of the First Mortgage, as supplemented and amended, the Trustee, whenever from time to time requested by the Company and upon the conditions therein stated, shall release from the lien of the First Mortgage and said indentures supplemental thereto, mortgaged and pledged properties; and

WHEREAS, the Company has requested the release of certain property and has duly complied with the conditions aforesaid.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That The Bank of New York, a New York banking corporation, as Trustee, for and in consideration of the premises and of the payment of \$1.00 to it paid by The Cincinnati Gas & Electric Company, the receipt of which is hereby acknowledged, does hereby discharge and release from the lien and operation of the First Mortgage and said indentures supplemental thereto, any and all property that remains subject to the lien of the First Mortgage located at Unit 6 of the Miami Fort Generating Station (other than electric transmission assets) located in or near North Bend, in Hamilton County, Ohio, including but not limited to the property, described in the attached Exhibit A, which is made a part hereof.

Provided, however, that this release shall not affect or modify the lien of the First Mortgage, or the lien of said indentures supplemental thereto, upon the residue of the property and premises therein described or any portion thereof.

The Trustee assumes no responsibility for the recitals contained herein.

IN WITNESS WHEREOF, The Bank of New York, as Trustee, has caused its corporate name to be hereto subscribed and its corporate seal to be hereto affixed by PATRICIA GALLAGHER a VICE PRESIDENT and MARY LAGUMINA, a VICE PRESIDENT, heretofore duly authorized by resolution of its Board of Directors, effective as of the 1<sup>st</sup> day of January, 2006.

10210 4729

Signed and acknowledged  
in the presence of:

THE BANK OF NEW YORK, as Trustee

By: *Patricia Gallagher*  
Name: **PATRICIA GALLAGHER**  
Title: **VICE PRESIDENT**

and

Witness (as to all):

*Berta Hryniwiczka*  
**BERTA HRYNIWICKA**  
*Robert A. Massimillo*  
**ROBERT A. MASSIMILLO**  
**VICE PRESIDENT**

By: *Mary LaGumina*  
Name: **MARY LaGUMINA**  
Title: **VICE PRESIDENT**

STATE OF NEW YORK, COUNTY OF NEW YORK: SS.

BE IT REMEMBERED that on this 19<sup>th</sup> day of January, 2006, before me a Notary Public in and for said County and State, personally appeared **PATRICIA GALLAGHER VICE PRESIDENT**, and **MARY LAGUMINA**, a **VICE PRESIDENT**, of The Bank of New York, the corporation whose name is subscribed to and which executed the foregoing instrument, and for themselves and as such officers, respectively, and for and on behalf of said corporation, acknowledged the signing and execution of said instrument; and acknowledged that the seal affixed to said instrument is the corporate seal of said corporation; and that the signing and execution of said instrument is the free act and deed of the corporation and of themselves as such officers, respectively, for the uses and purposes in said instrument mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year last aforesaid.

*Peter Kasse*  
Notary Public

This instrument was prepared by:  
Janice L. Walker, Esq.  
The Cincinnati Gas & Electric Company  
139 E. Fourth Street  
P. O. Box 960  
Cincinnati, Ohio 45201-0960

## EXHIBIT A

The following is a description of property being released. This property is located at Brower Road, North Bend, Ohio.

### MIAMI FORT GENERATING STATION UNIT 6 COMPONENT LIST OF EQUIPMENT

Miscellaneous Tools & Small Equipment  
Asbestos Insulation Replacement/Abatement  
CF Fiber Optic Facility  
DCS Control Console Replacement  
CF Ash Pond A Improvements  
Miscellaneous Valves  
General Equipment  
Common Stack 5&6 Emissions Monitoring (CEMS, SO<sub>2</sub>, & NO<sub>x</sub> Monitors)  
Conductor Bars Turbine Room Crane Replacement  
SPCC Regulations Modifications  
Control Room Lighting Replacement  
SNCR Project  
250V Station Battery Replacements  
Precipitator Hopper Control  
Hydrastep Installation (Drum Level Monitoring)  
Vert. Gas Expansion Joint  
Air Heater Basket Replacements  
LP Feedwater Heater 6-1  
Gross & Auxiliary Megawatt Metering Installation  
On-Line Equipment Monitoring System, Pmax  
BWCP Bearing & Seal Modification  
12 Fly Ash Hopper Replacements  
Ash & Sump line Replacements  
Hydrogen Purity Analyzer  
Coal Feeder Replacements  
Vacuum Pump Replacements  
Turbine Exhaust/Condenser Expansion Joint Replacement  
Auxiliary Transformer Bank Replacement  
Retrofit 480 Volt Breakers  
Boiler Flame Camera Replacements  
On-Line Equipment Monitoring System, Micromax (in progress, to be in service December 2005)  
Turbine Monitoring System (in progress, to be in service December 2005)  
Common 5&6 Turbine Room Roof (in progress, to be in service December 2005)  
Low NO<sub>x</sub> Burners (in progress, planned in service, spring 2006)  
Heater Drain Pumps and Level Control (in progress, planned in service, spring 2006)  
Turbine Load Control (in progress, planned in service, spring 2006)

