

ARTICLE IV

ACQUISITION BY CONSTRUCTION AND PURCHASE OF THE PROJECT;
MODIFICATION, IMPROVEMENT AND ADDITIONS TO PROJECT

SECTION 4.01. Acquisition by Construction and Purchase of the Project. The Tenant hereby agrees, subject to and in accordance with the provisions of Section 8.01 hereof, to acquire by construction and purchase the Project or to cause the Project to be acquired by construction and purchase in accordance with the Plans and Specifications and to acquire by construction and purchase all other things deemed necessary by the Tenant in connection with the Project. The Tenant agrees to maintain such records in connection with the acquisition by construction and purchase of the Facilities as to permit ready identification thereof. The Tenant further agrees to use its best efforts to cause such acquisition to be completed as promptly as practicable consistent with the provisions of Section 8.01 hereof.

SECTION 4.02. Issuance of the Bonds. In order to provide funds for payment of the Cost of the Project, the County, as soon as practicable after the execution of this Lease, will issue the Series 1978 Bonds and deliver the proceeds thereof to the Trustee for deposit as follows: (a) in the Bond Fund, a sum equal to the accrued interest and premium, if any, paid by the initial purchasers of the Series 1978 Bonds, and (b) in the Construction Fund, the balance of said proceeds.

The County has, in Section 3.03 of the Indenture, authorized and directed the Trustee to make payments to or at the direction of the Tenant from the Construction Fund to pay the Cost of the Project, upon receipt by the Trustee of requisitions (upon which both the County and the Trustee shall rely and shall be protected in relying) signed by an Authorized Tenant Representative meeting the requirements set forth in said Section 3.03.

SECTION 4.03. Revision of Plans and Specifications. The Tenant may revise the Plans and Specifications at any time and from time to time prior to the Completion Date, provided that in the case of any change that would render inaccurate the description of the Facilities contained in Exhibit B to this Lease, there shall be delivered to the Trustee (i) a revised Exhibit B conforming the description of the Facilities with the revision in the Plans and Specifications, the accuracy of which shall have been certified by an Authorized Tenant Representative, and (ii) an opinion of Counsel experienced in matters relating to the validity of and tax exemption of interest on the obligations of states and their political subdivisions stating that the Facilities described in the revised Exhibit B will constitute a