

ARTICLE VIILESSEE'S OBLIGATION TO PURCHASE PROJECT  
UNDER CERTAIN CIRCUMSTANCES

SECTION 12.2 of the Lease Agreement is hereby amended by deleting it entirely and substituting in lieu thereof the following:

"SECTION 12.2. Lessee's Obligation to Purchase Project  
Or Redeem Second Series Bond Under Certain Circumstances.

"(a) Should Lessee be unable to provide the certificate and opinion required by Section 8.9(3) or 8.9(3) (a), or

"(b) Should, subject to the proviso in the paragraph following (b) of this Section 12.2, by reason of any actual or claimed violation of any covenant set forth in Section 8.9(2) or Section 8.9(4) (whether through act of the Lessee or circumstances not under Lessee's control or otherwise) interest on the First Series Bonds or Second Series Bond be determined by:

- (i) the National Office of the Internal Revenue Service of the United States Treasury Department, or
- (ii) the District Director of Internal Revenue for the District in which the lessee files the statements required by the governing regulations referred to in Section 8.9(4) hereof, or

(iii) any court of competent jurisdiction, (such determination by (i), (ii), or (iii) being hereafter referred to in this Section 12.2 as the "official determination") to be subject to Federal Income Tax by reason of a violation (actual or claimed) of the capital expenditure limitation prescribed in Section 103(c)(6)(D) of the Internal Revenue Code of 1954, then in the event of the occurrence of either (a) or (b), the Lessee agrees to purchase, in full discharge of all liability hereunder, the Project within thirty days after such official determination at a purchase price equal to the principal amount of all First Series