

prescribed by said Section 103(b)(6)(D) have not exceeded said prescribed limitation; and

(4) That it will comply with Section 103 of the Code and with the governing regulations applicable to Section 103 of the Code, including, without limitation, those set forth in Section 8.8(3) hereof to the extent that compliance therewith is necessary in order that interest on the Notes shall remain exempt from Federal Income Taxes.

Nothing herein contained shall create any obligation upon the Lessee or the County as a result of interest on any of the Notes becoming taxable by virtue of the provisions of Section 103(b)(8) of the Code, or as a result of the enactment hereafter of legislation which subjects such interest to Federal Income Taxes.

SECTION 8.9. Additional Notes. Subject to the terms and conditions herein in this Section 8.9 set forth, the County and the Lessee may hereafter negotiate one or more amendments to this Lease pertaining to an increase in the obligations of the County and the Lessee upon an undertaking of the County (a) if the Mortgagee shall agree thereto in writing, to refund Notes previously issued pursuant to the Note Ordinance, or (b) if the Mortgagee shall agree thereto in writing, to provide additions or alterations to the Leased Land, the Building or the Leased Equipment through the issuance of Additional Notes pursuant to the Note Ordinance.

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