

Trustee. Withdrawals from the Construction Fund shall be made only upon the signature of the Authorized Lessee Representative. Lessee agrees that the moneys in the Construction Fund will be used for the following purposes but, (subject to the provisions of Section 4.9 hereof) for no other purposes:

(a) The fees for recording the deed whereby the Leased Land is conveyed to the County, this Agreement, the Assignment, the Mortgage and any title curative documents that the Mortgagees, the Lessee or Independent Counsel may deem desirable to file for record in order to perfect or protect the title of the County to the Leased Land or to perfect or protect the lien and security interest of the Mortgage on the Project; and the fees and expenses in connection with any actions or proceedings that the Mortgagees, the Lessee or the Independent Counsel may deem desirable to bring in order to perfect or protect the title of the County to the Leased Land or to perfect the lien and security interest of the Mortgage on the Project.

(b) Payment to the Lessee and the County, as the case may be, of such amounts, if any, as shall be necessary to reimburse the Lessee and the County in full for advances and payments made by them or either of them prior to or after the delivery of the Notes for expenditures in connection with

(i) the acquisition by the Lessee and subsequently by the County of title to the Leased Land, and the preparation of Plans and Specifications for the Building (including any preliminary study or planning of the Building or any aspect thereof) and

(ii) clearing the Leased Land, the construction of the Building and all construction, acquisition and installation expenses required to provide utility services or other facilities, and all real or personal properties deemed necessary in connection with the Project (including architectural, engineering and supervisory services with respect to any of the foregoing).

(c) Payment of the cost of title insurance, legal, financing and accounting fees and expenses and printing and engraving costs, if any, incurred

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