

Provided, that the Lessee may in good faith to the extent permitted by law, contest, at Lessee's expense, any such determination, in which event, at Lessee's option, the performance of its obligation to purchase pursuant to the foregoing provisions of this Section 12.2 as a result of that determination may be postponed for six months from the date of Lessee's receipt of written notice regarding the earliest such determination. If such determination is reversed or withdrawn by competent authority within such six month period Lessee shall be relieved of such obligation to purchase.

Provided further, that nothing herein contained is intended to create any obligation upon the Lessee as a result of interest on any Bonds becoming taxable by virtue of the provisions of Section 103 (c) (7) of the Internal Revenue Code of 1954.

SECTION 12.3. Obligation of Lessee Further Defined.

The parties recognize that the Bonds are being issued as tax free obligations by virtue of an election made under Section 103(c) (6) (D) of the Internal Revenue Code of 1954, and that circumstances (not now contemplated or anticipated) may hereafter result in a determination as described in Section 12.2 (which may be disputed) that interest on the Bonds is no longer tax free by reason of any actual or claimed violation of any covenant set forth in Section 8.9(2) or Section 8.9(4). It is the intention of the parties hereto that subject to the first proviso of Section 12.2, the Lessee, in such event, shall provide each person who is a holder of a Bond on the occasion as of which interest on the Bonds becomes (or is determined to be) taxable, with the relief prescribed in Sections 12.2 and 12.4 hereof, without regard to the final outcome of any dispute, and such determination as described in Section 12.2 shall be conclusive even though it might be thereafter determined by Court order, ruling or otherwise that interest on the Bonds was, in fact, not subject to Federal Income Taxes.

SECTION 12.4. Computation of Additional Redemption

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