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 Bonds then outstanding, plus accrued interest to the redemption date and a redemption premium computed in the manner prescribed in Section 12.4, plus any expenses of redemption and the Trustee's and paying agents' fees and charges, but after the deduction of the amount, if any, then in the Bond Fund. The obligation of the Lessee under this Section 12.2 shall survive any termination of the Lease Term.

Provided, that the Lessee may in good faith to the extent permitted by law, contest, at Lessee's expense, any such official 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 such official determination may be postponed for two years from the date of Lessee's receipt of written notice regarding such official determination, but in no event shall the performance of Lessee's obligation to purchase be postponed beyond the expiration of such two year period, even though any such litigation or contest shall not then be completed or terminated. If such official determination is reversed or withdrawn by competent authority within such two year period, Lessee shall be relieved of such obligation to purchase.

At the closing of any such purchase of the Project pursuant to this Section, the County shall deliver to the Lessee the documents referred to in Section 11.4. The purchase price shall be applied, together with other available moneys in the Bond Fund, to the redemption of the Bonds on the earliest possible date after notice as provided in the Indenture, whether or not such date is an interest payment date, and to