

to the withdrawal of cash instead of the authentication and delivery of additional Bonds;

(iii) the Officers' Certificate prescribed in §9.10; and

(iv) in the circumstances specified in *paragraph (a)(iv)* of this §9.04, an Independent Engineer's Certificate to the effect there stated;

or

(c) in an amount equal to the aggregate principal amount of the refundable Bonds made the basis of the application therefor, but only upon receipt by the Trustee of:

(i) a certified resolution authorizing the application for withdrawal from the trust estate of cash in the amount therein specified;

(ii) an Officers' Certificate, dated within ten days before the date of the Company's application, setting forth the same facts as are required to be stated pursuant to *paragraphs (i), (ii), (iii) and (iv)* of §4.06(a), except that such certificate shall refer to the withdrawal of cash rather than to the authentication and delivery of additional Bonds; and

(iii) the Officers' Certificate prescribed in §9.10.

§ 9.05. Any moneys deposited with the Trustee pursuant to any of the provisions of this Indenture on account of construction liens or judgment liens shall be held by the Trustee as a part of the trust estate and applied by the Trustee toward the payment, cancellation and discharge of the respective construction liens and judgment liens with respect to which such moneys were deposited or toward reimbursing the Company for expenditures made by the Company for any such purpose. Any balance of any moneys deposited with the Trustee with respect to any particular construction lien or judgment lien remaining on deposit with the Trustee after the cancellation and discharge of such construction lien or judgment lien or the release or disposal of the property subject to such lien in accordance with the provisions of this Indenture shall be paid to the Company, but only upon the receipt by the Trustee of an Officers' Certificate, accompanied by an Opinion of Counsel, to the effect that the particular construction lien or judgment lien with respect to which such moneys were deposited