

liens, specified purchase money liens of the nature and to the extent permitted by §5.14, and specified construction and judgment liens.

(ii) The issue of the additional Bonds applied for has been duly authorized by the Company and by all governmental authorities the consent of which is requisite to the legal issue of such Bonds or that no such consent is required. Unless such Opinion shall show that no such consent is required, it shall specify and be accompanied by certified copies of any orders, certificates or other documents by which such consent is evidenced.

(iii) The Company is duly authorized to issue the additional Bonds applied for under the laws of the State of Delaware and the applicable laws of any other jurisdiction and is duly entitled to the authentication and delivery of such Bonds under the provisions of this Indenture; upon the issue of such Bonds, such Bonds will be the valid and binding obligations of the Company and entitled to the benefits and security of this Indenture; and the amount of Bonds then outstanding under this Indenture will not exceed the amount at the time permitted by law.

(e) An amount of cash equal to the aggregate amount of all construction liens and judgment liens specified in the Opinion of Counsel provided for in *Subdivision (d)* of this §4.07, less the amount of all cash then held by the Trustee on account of such construction liens and judgment liens, which shall be held and applied by the Trustee as a part of the trust estate and which may be withdrawn only in accordance with §9.05.

(f) An Officers' Certificate, dated within ten days prior to the date of the Company's application, to the effect that, so far as known to the signers, the Company is not and by the making or the granting of the application will not be in default in the performance of any of the terms or covenants of this Indenture.

## ARTICLE 5

### Particular Covenants of the Company

The Company hereby covenants, warrants and agrees as follows:

§5.01. The Company will punctually pay or cause to be paid the principal, premium, if any, and interest to become due in respect of