

THIS ~~FILE~~ SUBTITLE, INsofar AS THEY MAY BE APPLICABLE. HOWEVER, THE AUTHORITY ADMINISTRATION MAY MAKE OR APPROVE PROVISIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS AUTHORIZED BY SUBSECTION (2) OF THIS SECTION INCLUDING THE SECURITY FOR THE BONDS, THE PRIORITY OF THE BONDS WITH REGARD TO THE SECURITY (WHICH PRIORITY MAY BE SENIOR, OR SUBORDINATED TO, OR ON A PARITY WITH, OTHER OBLIGATIONS), AS THE AUTHORITY ADMINISTRATION MAY DEEM NECESSARY OR APPROPRIATE TO EFFECTUATE THE ACQUISITION, CONSTRUCTION OR PROVISIONS PROVISION OF AN ENERGY PROJECT BY ANY PERSON.

13-113- 528.

(A) IF THE AUTHORITY ADMINISTRATION ELECTS, BONDS MAY BE SECURED BY A TRUST AGREEMENT BY AND BETWEEN THE AUTHORITY ADMINISTRATION AND A CORPORATE TRUSTEE, WHICH MAY BE ANY TRUST COMPANY OR BANK HAVING TRUST POWERS, IN OR OUTSIDE THE STATE. THE TRUST AGREEMENT MAY PLEDGE OR ASSIGN ALL OR ANY PART OF THE REVENUES OF THE AUTHORITY ADMINISTRATION OR OF ANY ENERGY PROJECT, AND MAY MORTGAGE OR GRANT A LIEN ON OR SECURITY INTEREST IN ANY ENERGY PROJECT OR ANY PART OF IT. ANY TRUST AGREEMENT OR RESOLUTION DETERMINATION THAT AUTHORIZES THE ISSUANCE OF BONDS MAY CONTAIN A-PROVISION PROVISIONS FOR THE PROTECTION AND ENFORCEMENT OF THE RIGHTS AND REMEDIES OF THE BONDHOLDERS, AS MAY BE CONSIDERED REASONABLE AND PROPER, INCLUDING COVENANTS THAT SET FORTH THE DUTIES OF THE AUTHORITY ADMINISTRATION IN RELATION TO THE ACQUISITION OR CONSTRUCTION OF ANY ENERGY PROJECT, THE EXTENSION, ENLARGEMENT, IMPROVEMENT, MAINTENANCE, OPERATION, REPAIR AND INSURANCE OF ANY ENERGY PROJECT AND THE CUSTODY, SAFEGUARDING AND APPLICATION OF MONEYS AND MAY CONTAIN PROVISION FOR THE EMPLOYMENT OF CONSULTING ENGINEERS AND OTHER EXPERTS IN CONNECTION WITH THE CONSTRUCTION OR OPERATION OF ANY ENERGY PROJECT. ANY BANK OR TRUST COMPANY INCORPORATED UNDER THE LAWS OF THIS STATE MAY ACT AS DEPOSITORY OF THE PROCEEDS OF THE BONDS OR OF REVENUES, MAY FURNISH INDEMNIFYING BONDS OR MAY PLEDGE SECURITIES, AS MAY BE REQUIRED BY THE AUTHORITY ADMINISTRATION. THE TRUST AGREEMENT OR RESOLUTION DETERMINATION MAY SET FORTH THE RIGHTS AND REMEDIES OF THE BONDHOLDERS AND OF THE TRUSTEE AND MAY RESTRICT THE INDIVIDUAL RIGHT OF ACTION BY BONDHOLDERS. IN ADDITION, THE TRUST AGREEMENT OR RESOLUTION DETERMINATION MAY CONTAIN ANY OTHER PROVISION THAT THE AUTHORITY ADMINISTRATION CONSIDERS REASONABLE AND PROPER FOR THE SECURITY OF THE BONDHOLDERS, INCLUDING COVENANTS TO ABANDON, RESTRICT, OR PROHIBIT THE CONSTRUCTION OR OPERATION OF COMPETING FACILITIES AND COVENANTS PERTAINING TO THE ISSUANCE OF ADDITIONAL PARITY BONDS ON CONDITIONS STATED IN THE TRUST AGREEMENT OR RESOLUTION DETERMINATION CONSISTENT WITH THE REQUIREMENTS OF THIS ~~FILE~~ SUBTITLE. ALL EXPENSES INCURRED IN CARRYING OUT THE PROVISIONS OF ANY TRUST AGREEMENT OR RESOLUTION DETERMINATION MAY BE TREATED AS A PART OF THE COST OF ANY ENERGY PROJECT OR PROJECTS IN CONNECTION WITH WHICH THE BONDS SHALL HAVE BEEN ISSUED.

(B) THE PROCEEDS OF THE SALE OF BONDS SHALL BE PAID TO THE TRUSTEE UNDER ANY TRUST AGREEMENT OR RESOLUTION