

amount of the aggregate Project Costs paid or incurred to the date of such Notice is approximately equivalent to the amount of the principal and interest due and to become due on such Bond Anticipation Note or Notes hereinabove referred to; the State shall pay on the date specified in such Notice to the County an amount equal to the difference between the amount of principal and interest due and to become due on such outstanding Note or Notes and the amount then in the Construction Account and available for the payment of such principal and interest; and notwithstanding any other provision of this Agreement, the County shall hold and use the moneys so paid by the State and the moneys then in the Construction Account and available for payment of such principal and interest for the sole purpose of paying such principal and interest.

§4.16. *Reconveyance to State upon expiration of lease.* Upon expiration of this lease, as provided in §4.02, the County agrees to reconvey to the State, its successors and assigns, without additional payment therefor, all of the rights, title and interest in the leased Property, which the County received from the State pursuant to the instrument or instruments of conveyance delivered by the State to the County pursuant to §2.03 of this Agreement, together with all Public Improvements constructed thereon, free from encumbrances or rights of other persons therein, other than such encumbrances or rights as existed on the date of the conveyance or conveyances to the County pursuant to §2.03 or which were granted or created thereafter as provided in this Agreement. Such conveyance shall be by deed or deeds approved by the Attorney General and the Albany County Attorney as to form, sufficiency and manner of execution.

§4.17. *Disposition of surplus moneys.* If upon expiration of this lease there remain surplus moneys in any Special Fund hereunder, the County, after audit by the Comptroller, shall pay over such surplus moneys to the State.

#### ARTICLE V

##### FINANCING OF THE PROJECT

§5.01. *County to finance Project Costs.* The County agrees, subject only to the limitation in §1.07, to authorize, issue, and sell Bonds and Notes, pursuant to the Local Finance Law, in the aggregate not to exceed Four