

1.06. The County and the Company agree that the obligations of the County under this Lease are dependent upon the ability of the County to negotiate successfully the issuance, sale and delivery of the bonds.. Accordingly, it is understood and agreed that in the event of the failure to issue, sell and deliver the bonds successfully, this Lease shall be of no force and effect and the County and the Company in such event do hereby mutually release and discharge each other from any and all claims of any character which either may have against the other by reason of or arising from the failure of the County to sell the bonds. In such event, if the County has acquired title to the Project, the County agrees to sell, transfer and convey to the Company or its designee, the Project at the net cost to the County thereof and the County shall refund to the Company any rent paid hereunder.

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