

visions of this Section, the Authorized Lessee Representative shall file a written certificate with the Depository and with the Mortgagee establishing: (i) the names and addresses of the persons, firms or corporations to whom payment is due, (ii) the amount to be paid to each such person, firm or corporation, (iii) that none of the items for which the payment is being made has formed the basis for any payment theretofore made from the Construction Fund, (iv) that each item for which the payment is being made is or was necessary in connection with the Project, is in conformance with the plans and specifications therefor, and is authorized by this Agreement to be paid, and (v) that the Lessee has received appropriate mechanics' lien affidavits from each payee with respect to the labor or materials supplied as consideration for such payment.

(2) In the case of any contract providing for retention by the Lessee of a portion of the contract price, there shall be paid from the Construction Fund only the net amount remaining after deduction of any such portion.

SECTION 4.4. Depository Shall Rely on Order of Authorized Representatives. The Depository shall honor withdrawals upon the certificate of the Authorized Lessee Representative described in Section 4.3 hereof and shall have no further liability with respect to payments made in accordance with such order.