§ 1682. Bonds of the authority. 1. The authority shall have power as hereby authorized from time to time to issue negotiable bonds in conformity with applicable provisions of the uniform commercial code. The authority shall have power from time to time to refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and may issue bonds partly to refund bonds then outstanding and partly for any other corporate purpose. In computing the total amount of bonds of the authority which may at any time be outstanding the amount of the outstanding bonds to be refunded from the proceeds of the sale of new bonds or by exchange for new bonds shall be excluded. Except as may otherwise be expressly provided by the authority, every issue of the bonds shall be general obligations payable out of any moneys or revenues of the authority, subject only to any agreements with the holders of particular bonds pledging any particular moneys or revenues.

2. Such bonds shall be authorized by resolution of the board, be in such denominations and shall bear such date or dates, mature at such time or times not exceeding forty years from their respective dates, bear interest at such rate or rates payable at such times, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, and be subject to such terms of redemption as such resolution or resolutions may provide. Such bonds may be sold at public or private sale for such price or prices as the authority shall determine.

3. Such bonds may be issued for any corporate purposes of the authority.

4. Any resolution or resolutions authorizing any bonds may contain provisions which may be a part of the contract with the holders of the bonds, as to

(a) pledging all or any part of the moneys or property of the authority to secure the payment of its bonds, including, but not limited to, the revenues of designated dormitories, the proceeds of any grant in aid of the authority received from any private or public source, any

federally guaranteed security and moneys received therefrom whether such security is initially acquired by the authority or an educational institution, any moneys received under the terms of any lease, loan or other agreement executed pursuant to section sixteen hundred seventy-eight, section sixteen hundred eighty or sixteen hundred eighty-a of this chapter or any other revenues, state aid, local assistance payments, user charges or surcharges made available in accordance with law for such purpose;

(b) the setting aside of reserves or sinking funds and the regulation or disposition thereof;

(c) the purpose and limitations thereon to which the proceeds of sale of any issue of bonds then or thereafter to be issued may be applied, including as authorized purposes, all costs and expenses necessary or incidental to the issuance of bonds, to the acquisition of or commitment to acquire any federally guaranteed security and to the issuance and obtaining of any federally insured mortgage note;

(d) limitations on the issuance of additional bonds; the terms upon which additional bonds may be issued and secured; the refunding of outstanding or other bonds;

(e) the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given;

(f) the creation of special funds into which any moneys of the authority may be deposited;

(g) vesting in a trustee or trustees such properties, rights, powers and duties in trust as the authority may determine which may include any or all of the rights, powers and duties of the trustee appointed by the bondholders pursuant to section sixteen hundred eighty-six of this chapter, and limiting or abrogating the right of the bondholders to appoint a trustee under such section or limiting the rights, duties and powers of such trustee;

(h) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the authority to the bondholders and providing for the rights and remedies of the bondholders in the event of such default, including as a matter of right the appointment of a receiver, providing, that such rights and remedies

shall not be inconsistent with the general laws of this state and other provisions of this title;

(i) any other matters, of like or different character, which in any way affect the security and protection of the bonds.

4-a. Any pledge of or other security interest in moneys, earnings, income, revenues, accounts, contract rights, general intangibles or other personal property made or created by the authority shall be valid, binding and perfected from the time when such pledge or other security interest attaches, without any physical delivery of the collateral or further act. The lien of any such pledge or other security interest shall be valid, binding and perfected as against all parties having claims of any kind in tort, contract or otherwise against the authority irrespective of whether or not such parties have notice thereof. No instrument by which such a pledge or other security interest is created nor any financing statement need be recorded or filed. This subdivision shall apply notwithstanding the provisions of the uniform commercial code. Any moneys, earnings, income, revenues, accounts, contract rights, general intangibles or other personal property held or received by the authority or on behalf of the authority by any lender, servicer, trustee, custodian, collection agent or institution of higher education, pursuant to any resolution, trust agreement or other agreement authorized by, or entered into in connection with, the program established pursuant to section sixteen hundred seventy nine-c of this title and pledged by the authority pursuant to a resolution, trust agreement or such other agreement for the benefit of bondholders shall constitute moneys, earnings, income, revenues, accounts, contract rights, general intangibles or other personal property pledged by the authority for all purposes of this subdivision.

4-b. Any resolution authorizing the issuance of bonds for the purpose of providing facilities for the city university pursuant to a lease, sublease or other agreement entered into by the city university construction fund and the dormitory authority on or after July first, nineteen hundred eighty-five, refunding any such bonds, or establishing or funding reserves for such bonds shall state the principal amount of bonds being issued in connection with senior college facilities and the

principal amount of bonds being issued in connection with community college facilities. The proceeds of such bonds to be applied to the payment of the costs of providing senior college facilities shall be held separate and apart from the proceeds of such bonds to be applied to the payment of the costs of providing community college facilities. The proceeds to be applied to the payment of the costs of providing senior college facilities shall not be applied to the payment of the costs of providing community college facilities and the proceeds to be applied to the payment of the costs of providing community college facilities shall not be applied to the payment of the costs of providing senior college facilities.

5. Neither the members of the board nor any person executing such bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

6. The authority shall have power out of any funds available therefor to purchase any bonds issued by it at a price not exceeding the redemption price thereof. All bonds so purchased shall be cancelled.

7. In the discretion of the authority the bonds may be secured by a trust indenture by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company in the state of New York. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the construction, maintenance, operation, repair and insurance of the dormitories or of any dormitory, and the custody, safeguarding and application of all moneys, and may provide that any dormitory shall be constructed and paid for under the supervision and approval of consulting engineers. The authority may provide by such trust indenture for the payment of the proceeds of the bonds and the revenues of any dormitory or moneys received under the terms of any lease or loan executed pursuant to section sixteen hundred eighty of this chapter, as the case may be, to the trustee of such trust indenture or other depository, and for the method of disbursement thereof, with

such safeguards and restrictions as it may determine. Notwithstanding the provisions of section sixteen hundred eighty-six of this chapter, if the bonds shall be secured by trust indenture the bondholders shall have no authority to appoint a separate trustee to represent them.