

December 13, 2017

WHEREAS, affordable housing for veterans is a high priority of the City of Dallas; and

WHEREAS, on June 23, 2010, City Council approved the FY 2010-11 Consolidated Plan Budget which included the HOME Investment Partnership Program Funds by Resolution No. 10-1594; and

WHEREAS, on June 22, 2011, City Council approved the City of Dallas Consolidated Plan Budget for FY 2011-12 federal funds which included the HOME Investment Partnership Funds by Resolution No. 11-1679; and

WHEREAS, on October 24, 2012, City Council authorized a housing development loan in the amount of \$400,000 with 2122 Highland, LLC for rehabilitation on 24 units in an existing apartment complex by Resolution No. 12-2706; and

WHEREAS, on June 26, 2013, City Council approved the City of Dallas Consolidated Plan Budget for FY 2013-14 federal funds which included the HOME Investment Partnership Funds by Resolution No. 13-1142; and

WHEREAS, on November 12, 2013, City Council authorized an amendment to the housing development loan with 2122 Highland, LLC for rehabilitation on 24-units in an existing apartment complex to (1) increase the amount from \$400,000 to \$550,000, (2) extend the term of the contract from October 24, 2013 to January 31, 2014, and (3) require the increased amount of \$150,000 be repaid at 0% interest over 20 years by Resolution No. 13-1975; and

WHEREAS, on March 26, 2014, City Council approved an amendment to the housing development loan with 2122 Highland, LLC for rehabilitation on 24-units in an existing apartment complex to extend the completion date from January 31, 2014 to September 30, 2014, by Resolution No. 14-0553; and

WHEREAS, on August 13, 2014, City Council approved an amendment to the housing development loan with 2122 Highland, LLC for rehabilitation on 24-units in an existing apartment complex to allow for the subordination to the first lien lender of the permanent loan by Resolution No. 14-1230; and

WHEREAS, on November 12, 2014, City Council approved an amendment to the housing development loan with 2122 Highland, LLC for rehabilitation on 24-units in an existing apartment complex to extend the completion date from September 30, 2014 to May 31, 2015, by Resolution No. 14-1898; and

WHEREAS, the City desires to continue the partnership with 2122 Highland, LLC to assist them in meeting their needs and maintaining affordable housing.

Now Therefore,

BE RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute, following approval as to form by the City Attorney, the fourth amendment to the housing development loan in the amount of \$550,000 with 2122 Highland LLC and the City of Dallas, to **(1)** provide corrections to the existing loan terms; **(2)** change the lender and allow for the refinancing of the senior lien loan for the 24-unit apartment complex at 2122 Highland Road; and **(3)** authorize the subordination of the City's lien to the first lender.

SECTION 2. That the terms of the housing development loan are amended to include:

- (a) 2122 Highland LLC must execute amendments to all necessary documents;
- (b) 2122 Highland, LLC will ensure the units remain affordable for the remaining term on the 10-year deed restriction; and
- (c) 2122 Highland, LLC will provide annual financial reports that detail cash flow and debt service.

SECTION 3. Authorization to allow for refinancing and subordination is expressly contingent upon 2122 Highland LLC executing an amendment to the all necessary documents, including but not limited to amending the deed of trust to correct the removal of the \$400,000.00.

SECTION 4. All other prior terms in Resolution Nos. 12-2706, 13-1975, 14-0553 and 14-1230 remain as approved.

SECTION 5. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute (1) release of liens upon satisfaction of all conditions; and (2) subordinations to future senior lenders, if any, (including refinances).

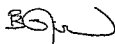
SECTION 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the housing development loan, until such time as the amendments are duly approved by all parties and executed.

SECTION 7. That this contract is designated as Contract No. HOU-2016-00000122.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED BY
CITY COUNCIL

DEC 13 2017


Interim City Secretary