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RESOLUTION NO.

RESOLUTION BY THE CITY OF AUSTIN, TEXAS, APPROVING A TRUST INDENTURE AND APPROVING A BOND RESOLUTION OF THE AUSTIN HOUSING PUBLIC FACILITY CORPORATION WITH RESPECT TO THE ISSUANCE OF A BOND.

WHEREAS, Austin Housing Public Facility Corporation (the "Issuer") was created under the auspices of the City of Austin, Texas, or (the "Unit"); and

WHEREAS, the Issuer is authorized by the Public Facility Corporation Act, as amended (the "Act"), to issue its revenue Bonds on behalf of the Unit for the purpose of financing all or part of the costs of a project, and to loan the proceeds thereof to finance all or part of the costs thereof; and

WHEREAS, the Issuer, by resolution (the "Bond Resolution") adopted June 8, 2023, has authorized the issuance and sale of its Multifamily Housing Revenue Bonds (The Rebekah) Series 2023 (the "Bonds") in the aggregate principal amount not to exceed \$45,000,000 and by the Bond Resolution has also authorized an Trust Indenture by and between Wilmington Trust, National Association (the "Trustee") and the Issuer dated July 1, 2023, wherein the Issuer agrees to issue and sell the Bonds to provide funds to refinance a the project located within the Unit, (the "Indenture"); and

WHEREAS, the Act requires that the governing body of the Unit approve, by written resolution, any agreement to issue Bonds approved by the Issuer; and

WHEREAS, the City Council of the Unit has reviewed the proceedings relative to the issuance of the Bonds and, by adoption of this Resolution, intends to approve the Bond Resolution, the issuance of the Bonds, the plan of refinancing

27 approved by the Bond Resolution, and to make the findings required by the Act to
28 approve the Project; and

29 **WHEREAS**, it is deemed necessary and advisable that this Resolution be
30 adopted; **NOW, THEREFORE**,

31 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

32 **Section 1.** The Bond Resolution adopted by the Issuer authorizing the execution
33 of the Trust Indenture and authorizing the sale of the Bond, in substantially the form
34 and substance attached to this Resolution as Exhibit A and made a part hereof for all
35 purposes, is hereby specifically approved, and the Bond may be issued as provided
36 for therein.

37 **Section 2.** The Trust Indenture, in substantially the form and substance as attached
38 to the Bond Resolution and made apart hereof and thereof for all purposes, is hereby
39 approved, and the Bonds in the principal amount not to exceed \$45,000,000, may be
40 issued pursuant thereto for the purpose of financing the cost of acquiring,
41 constructing or equipping or causing to be acquired, constructed or equipped the
42 Project as defined and described therein, which Project was and is in compliance
43 with the Act.

44 **ADOPTED:** _____, 2023 **ATTEST:** _____

46 Myrna Rios
47 City Clerk
48