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RESOLUTION NO.

**RESOLUTION BY THE CITY OF AUSTIN, TEXAS APPROVING A
FUNDING LOAN AGREEMENT AND APPROVING A RESOLUTION OF
THE AUSTIN HOUSING PUBLIC FACILITY CORPORATION WITH
RESPECT TO THE ISSUANCE OF NOTES.**

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 notes 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 "Note Resolution") adopted June 1, 2023, has authorized the issuance and sale of its Multifamily Mortgage Revenue Note (Cairn Point at Cameron Apartments) Series 2023A-1 and Multifamily Mortgage Revenue Note (Cairn Point at Cameron Apartments) Series 2023A-2 (collectively, the "Notes") in the aggregate principal amount not to exceed \$20,000,000 and by the Note Resolution has also authorized an Funding Loan Agreement by and between Wilmington Trust, National Association (the "Fiscal Agent") and the Issuer dated July 1, 2023, wherein the Issuer agrees to issue and sell the Notes to provide funds to refinance a the project located within the Unit, (the "FLA"); and

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

WHEREAS, the City Council of the Unit has reviewed the proceedings relative to the issuance of the Notes and, by adoption of this Resolution, intends to

28 approve the Note Resolution, the issuance of the Notes, the plan of refinancing
29 approved by the Note Resolution and to make the findings required by the Act to
30 approve the Project; and

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

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

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

39 **Section 2.** The Funding Loan Agreement, in substantially the form and substance
40 as attached to the Note Resolution and made apart hereof and thereof for all
41 purposes, is hereby approved, and the Notes in the principal amount not to exceed
42 \$20,000,000, may be issued pursuant thereto for the purpose of financing the cost
43 of acquiring, constructing or equipping or causing to be acquired, constructed or
44 equipped the Project as defined and described therein, which Project was and is in
45 compliance with the Act.

46 **ADOPTED:** _____, 2023 **ATTEST:** _____

47
48 Myrna Rios
49 City Clerk
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