

RESOLUTION NO. 2016-08-038R

**A RESOLUTION APPROVING CERTAIN LOAN DOCUMENTS BETWEEN
THE URBANA HOME CONSORTIUM AND HIGHLAND GREEN, LLC.**

WHEREAS, the Congress of the United States has enacted the Cranston-Gonzalez National Affordable Housing Act of 1990 which created the HOME Investment Partnerships Program (hereinafter the "HOME Program") to provide funds to state and local government for affordable housing assistance that is most appropriate for local needs; and

WHEREAS, the City of Urbana, the City of Champaign, and Champaign County have been jointly designated as a Participating Jurisdiction by the United States Department of Housing and Urban Development (hereinafter "HUD") for purposes of receiving HOME funds in the name of Urbana HOME Investment Partnerships Consortium under provisions of Title II of Cranston-Gonzalez National Affordable Housing Act of 1990 as amended (42 U.S.C. 12701, et seq.) (hereinafter the "National Affordable Housing Act"); and

WHEREAS, Highland Green, LLC (hereinafter the "BORROWER") desires to serve as an owner, BORROWER and developer of an affordable rental housing development within the City of Urbana; and

WHEREAS, the Urbana HOME Consortium (hereinafter the "LENDER") as a member of the Urbana HOME Consortium has authority under the provisions of the HOME Investment Partnerships Program (the "HOME Program") to provide financial assistance for the development of a mixed-income, affordable residential rental development; and

WHEREAS, the BORROWER has submitted a proposal to the LENDER for assistance to construct a number of affordable rental dwelling units (hereafter the "PROJECT") on a property, hereafter the "PROPERTY") commonly known as Highland Green; and

WHEREAS, the LENDER has reviewed said proposal, and has conducted an evaluation of said PROJECT , including a comprehensive review of the site and building plans that will achieve the minimum property standard, as established by the LENDER, as part of said PROJECT and an estimated total cost of said PROJECT; and

WHEREAS, the LENDER has determined that the PROJECT is eligible for funding under the HOME Program, and

WHEREAS, the BORROWER has been fully informed regarding any and all requirements, and, obligations that must be met by the PROJECT in order to utilize HOME Program funds, including but not limited to the requirement that after construction, the dwelling unit(s) must remain affordable to low-income households (80% of Area Median Income as established by HUD) for a period of 20 years from the date the PROJECT has achieved full initial occupancy, in accordance with 24 CFR Part 92, Sections 203, 251-253; and

WHEREAS, the BORROWER, after said evaluation and assessment of the PROJECT by the LENDER, and having been fully informed regarding the requirements of the HOME Program, is committed to commencing said PROJECT with the assistance of HOME Program funds on or before June 1, 2017 and has made necessary arrangements to provide any required matching private contribution towards the cost of said PROJECT; and

WHEREAS, the BORROWER and the Urbana HOME Consortium have entered into a *Rental Housing Agreement between the Urbana HOME Consortium and Highland Green LLC.*, as described in Resolution 2016-06-043R, which was approved on July 5, 2016; and

WHEREAS, the BORROWER requires the HOME funds to be conveyed in the form of a loan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the loan documents, i.e. Regulatory and Land Use Restriction Agreement, Mortgage and Promissory Note, related to the Rental Housing Agreement between the Urbana HOME Consortium and Highland Green LLC., in substantially the form as attached hereto and incorporated herein by reference, are hereby approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois be and the same is hereby authorized to attest to said execution of the following loan documents as so authorized and approved for and on behalf of the City of Urbana, Illinois: Regulatory and Land Use Restriction Agreement, Mortgage and Promissory Note.

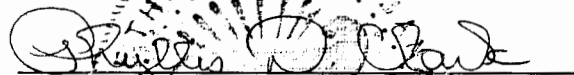
PASSED BY THE CITY COUNCIL this 15th day of August, 2016.

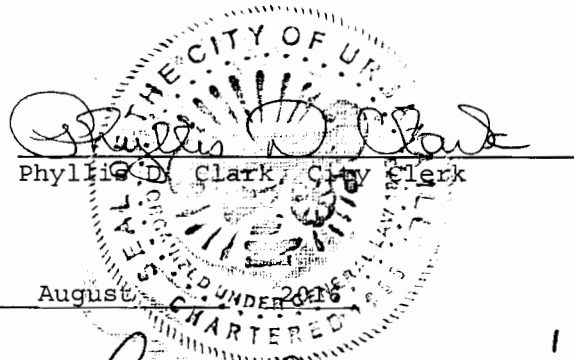
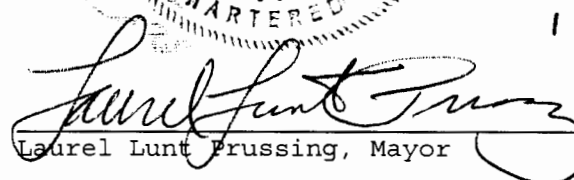
AYES: Ammons, Brown, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINS:

ABSENT: Jakobsson


Phyllis D. Clark, City Clerk



Laurel Lunt Prussing, Mayor

APPROVED BY THE MAYOR this 19th day of August