



RESOLUTION NO. 23-30

**RESOLUTION BY THE HARRIS COUNTY HOUSING AUTHORITY
(THE "AUTHORITY") AUTHORIZING THE SUBMISSION OF AND
RATIFYING ACTIONS IN CONNECTION WITH A LOW-INCOME
HOUSING TAX CREDIT APPLICATION FOR BERNICIA PLACE,
AND SUCH OTHER ACTIONS NECESSARY OR CONVENIENT TO
CARRY OUT THIS RESOLUTION**

WHEREAS, HCHA Redevelopment Authority, Inc., a Texas non-profit corporation (the "Corporation") an instrumentality of the Harris County Housing Authority (the "Authority"), is the sole member of HCHA Bernicia Place GP, LLC, a Texas limited liability company (the "General Partner"), and the General Partner is the sole general partner of Bernicia Place, LP, a Texas limited partnership (the "Partnership"); and

WHEREAS, the Authority desires for the Partnership to prepare a 4% low income housing tax credit application (the "LIHTC Application") for submission to the Texas Department of Housing and Community Affairs (the "TDHCA") in order to raise tax credit financing for the construction of a certain housing project for seniors consisting of approximately 120 units to be located at the southeast corner of Old Spanish Trail and Scottcrest Dr., Houston, Texas 77021 called Bernicia Place (the "Project").

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners, that the Corporation, in its individual capacity and its capacity as the sole member of the General Partner of the Partnership, is hereby authorized, empowered, and directed to prepare and submit the LIHTC Application on behalf of the Partnership in order to obtain an award of Housing Tax Credits ("HTCs") for the Project; and

BE IT FURTHER RESOLVED, that the Authority, the Corporation, the General Partner, and the Partnership shall execute any and all documents, instruments and other writings of every nature review, approve, execute, and submit any and all documents, instruments and other writings of every nature whatsoever as the Executing Officer (defined below) deems necessary for the Partnership to obtain the HTCs and other necessary financing, in their individual capacities, and on behalf of the Partnership, in order to consummate the transactions described in this resolution, and that such execution is hereby approved; and

BE IT FURTHER RESOLVED, that the Authority hereby authorizes **Melissa Quijano** (the "Executing Officer") as the Manager of the General Partner and as the Secretary and Vice President of the Corporation, acting alone, without the necessity of joinder by any other person,

for and on behalf of the Partnership, to execute any and all documents relating to the LIHTC Application and any award of HTC's, including the following:

i) Review, execute, approve, and submit the LIHTC Application, the tax credit commitment or determination notice, the required documentation for the 50% Test, the required documentation for the cost certification, and the land use restriction agreement ("LURA"), and to take such other steps as the Partnership deems necessary in order to facilitate the filing of the LIHTC Application with the TDHCA on or before any required submission date for the purpose of raising additional funding for the Project, to accept any award of HTC's, and to comply with any other TDHCA requirements in order to receive and comply with the award of HTC's; and

ii) Negotiate, approve, execute, and deliver any and all documents necessary or desirable to market and sell the HTC's to a tax credit investor; and

iii) Review, execute, approve, and submit all other documents necessary to effectuate the foregoing Resolution, all on such terms and containing such provisions as the Executing Officer of the Partnership executing the same shall deem appropriate, and the approval of the terms of each such instrument herein described by the Executing Officer shall be conclusively evidenced by his or her execution and delivery thereof; and

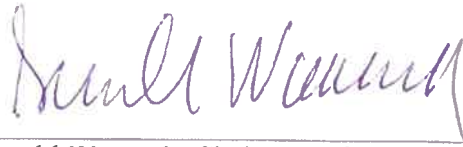
BE IT FURTHER RESOLVED, that to the extent any of the actions authorized by this Resolution have already been taken on behalf of the Partnership, such actions are hereby ratified and confirmed as the valid actions of the Partnership, effective as of the date such actions were taken; and

BE IT FURTHER RESOLVED, that the Executing Officer is hereby authorized, in the name of and on behalf of the Authority, the Corporation, the General Partner, and the Partnership, to take such further action(s) and to do all things that may appear in the discretion of such Executing Officer to be necessary in connection with or arising out of the LIHTC Application; and

BE IT FURTHER RESOLVED, that the Authority, the Corporation, the General Partner, and the Partnership are authorized to take such other actions as the Corporation or Authority shall consider necessary or appropriate toward completion of the transactions contemplated by these Resolutions.

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PASSED, by the Board of Commissioners this 19th day of July 2023.



Gerald Womack, Chairman of Harris County Housing Authority

ATTEST:



Melissa Quijano, Secretary of Harris County Housing Authority