



RESOLUTION NO. 24-39

**RESOLUTION BY THE HARRIS COUNTY HOUSING AUTHORITY
(THE “AUTHORITY”) APPROVING AND RATIFYING (i)
AN AMENDMENT TO THE PURCHASE AND SALE AGREEMENT
FOR ACQUISITION OF THE REAL PROPERTY FOR
BERNICIA PLACE (THE “PROJECT”), AND SUCH OTHER
ACTIONS NECESSARY OR CONVENIENT TO CARRY OUT THIS
RESOLUTION**

WHEREAS, the Harris County Housing Authority (the “Authority”) has entered into that certain Purchase and Sale Agreement with Metropolitan Transit Authority of Harris County, and joined by Charter Title Company, dated May 21, 2021, as amended by the First Amendment to Purchase and Sale Agreement dated effective July 15, 2021, and Second Amendment to Purchase and Sale Agreement dated effective August 30, 2022, and Third Amendment to Purchase and Sale Agreement dated effective December 27, 2023, (collectively the “Purchase Agreement”), for the acquisition of the real property on which a certain housing project for seniors consisting of approximately 120 units called Bernicia Place to be located at the southeast corner of Old Spanish Trail and Scottcrest Dr., Houston, Texas 77021 (the “Project”) is planned; and

WHEREAS, in order to amend the Purchase Agreement, to (a) extend the Closing Date and (b) increase the land area under contract, the Authority desires to enter into a Fourth Amendment to Purchase and Sale Agreement (the “Fourth Amendment”);

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Authority that the Authority, in connection with the actions contemplated by these Resolutions, is hereby authorized and directed (a) to enter into the Fourth Amendment, (b) to negotiate the terms of the Fourth Amendment, and (c) to take such other and further actions to execute and to enter into such Fourth Amendment in such form and such provisions as the Authority may deem appropriate in order to deal with the development of the Project; and

BE IT FURTHER RESOLVED, that the Authority, in connection with the actions contemplated by these Resolutions, is hereby authorized and directed to execute and enter into the Fourth Amendment, and to take such other and further actions to execute and to enter into any affidavits, certifications, statements, and/or other documentation thereof in such form and such provisions as the Authority may deem appropriate in order to enter into the Fourth Amendment or to deal with the development of the Project; and

BE IT FURTHER RESOLVED, that the form, terms, and provisions of the Fourth Amendment and such other documents as contemplated thereby are hereby in each and every respect authorized, approved, ratified, and confirmed; and

BE IT FURTHER RESOLVED, that the authorization of the Authority to enter into the Fourth Amendment and that execution and delivery of the Fourth Amendment, in the name and on behalf of the Authority, by Melissa Quijano (the “Executing Officer”), the Executive Director and CEO of the Authority, individually and without the joinder of any other person, in the form as so executed and delivered, is hereby authorized, approved, ratified, and confirmed; and

BE IT FURTHER RESOLVED, that the execution and delivery by the Executing Officer of any of the aforesaid agreement and documents authorized in the foregoing Resolutions and the taking by the Executing Officer of any acts in any way related to the actions contemplated by the foregoing Resolutions and such agreement and documents shall be conclusive evidence of her approval thereof and of her authority to execute and deliver such agreement and documents, and to take and perform such acts in the name and on behalf of the Authority; and


BE IT FURTHER RESOLVED, that the Executing Officer is authorized (i) to negotiate definitive terms (not inconsistent with the terms described above) of the Fourth Amendment, and (ii) to take such other actions for the Authority as the Executing Officer considers appropriate toward completion of the actions contemplated by these Resolutions or performance of the obligations of the Authority under the Fourth Amendment and any other documents executed in connection with the actions contemplated hereby; and

BE IT FURTHER RESOLVED, that to the extent any of the actions authorized by these Resolutions have already been taken, such actions are hereby ratified and confirmed as the valid actions of the Authority, effective as of the date such actions were taken; and

BE IT FURTHER RESOLVED, that the Authority is authorized to take such other actions as the Authority shall consider necessary, convenient, or appropriate toward completion of the actions contemplated by these Resolutions;

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PASSED, by the Board of Commissioners this 20th day of November 2024.

Chairman: 

Secretary: 