

RESOLUTION NO. 2024-1

**RESOLUTION AMENDING RESOLUTION GIVING
PRELIMINARY APPROVAL TO ISSUANCE OF MULTIFAMILY
HOUSING REVENUE BONDS TO FINANCE THE ACQUISITION,
CONSTRUCTION AND EQUIPPING OF AN AFFORDABLE
HOUSING DEVELOPMENT – LAKESHORE VILLAS**

WHEREAS, on April 27, 2022, the Board of Commissioners of the Housing Authority of the City of Asheville (the “Authority”) adopted a resolution (the “Preliminary Resolution”) giving preliminary approval to the issuance of the Authority’s multifamily housing revenue bonds in one or more series in an aggregate amount not to exceed \$17,000,000 (the “Bonds”), the proceeds of which would be loaned to Mountain Housing Opportunities, Inc., a North Carolina nonprofit corporation, or an affiliated or related entity (the “Borrower”), to finance the acquisition, construction and equipping of a 120-unit affordable housing complex to be known as Lakeshore Villas and located at approximately 99999 Heywood Road in Arden, Buncombe County, North Carolina (the “Development”); and

WHEREAS, the Authority and the Borrower received an allocation of volume cap under Section 146 of the Internal Revenue Code of 1986, as amended (the “Code”) for the Bonds in the amount of \$15,000,000 from the North Carolina Federal Tax Reform Allocation Committee (“TRAC”), based on the recommendation of the North Carolina Housing Finance Agency (“NCFHA”); and

WHEREAS, the Borrower has determined that the amount of tax-exempt debt necessary to finance the cost of the Development is more than originally anticipated, and has requested the Authority to amend the Preliminary Resolution to increase the amount of the Bonds to an amount not to exceed \$28,000,000; and

WHEREAS, the Borrower will request the NCFHA and TRAC to increase the amount of volume cap for the Development from \$15,000,000 to \$28,000,000;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF ASHEVILLE:

1. The Authority hereby confirms the determination it made in the Preliminary Resolution that the Development will involve the acquisition, construction and equipping of an affordable residential rental facility to serve persons of low and moderate income, and that therefore, pursuant to the terms and subject to the conditions hereinafter stated and the North Carolina Housing Authorities Law (Article 1 of Chapter 157 of the North Carolina General Statutes, as amended), the Authority agrees to assist the Borrower by undertaking the issuance of the Authority’s multifamily housing revenue bonds (the “Bonds”) in one or more series in an aggregate amount now estimated not to exceed Twenty-Eight Million Dollars (\$28,000,000) to provide all or part of the cost of the Development.

2. The Authority intends that the adoption of this resolution be considered as an expression of official intent toward the issuance of the Bonds within the meaning of the regulations issued by the Internal Revenue Service pursuant to Section 1.150-2 of the Treasury Regulations issued pursuant to the Code, which will permit the Borrower to incur costs and to reimburse those costs with the proceeds of the Bonds.

3. All other terms of the Preliminary Resolution remain in full force and effect.

4. This resolution shall take effect immediately upon its passage.

RECORDING OFFICER'S CERTIFICATION

I, Monique Pierre, the duly appointed Secretary of the Housing Authority of the City of Asheville, do hereby certify that the foregoing resolution was properly adopted at a regular meeting held January 24, 2024.

(SEAL)

By: _____
Monique Pierre, Secretary