

CERTIFICATE FOR RESOLUTION NO. HATC-2023-03

The undersigned officer of the Housing Authority of Travis County, Texas, a Texas housing authority created pursuant to the laws of the State of Texas (“HATC”) hereby certifies as follows:

1. In accordance with its bylaws, the Board of Commissioners of HATC (the “Board”) held a meeting on March 2, 2023, (the “Meeting”) of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

RESOLUTION APPROVING AND AUTHORIZING THE TRAVIS COUNTY FACILITIES CORPORATION TO APPROVE THE MCKINNEY FALLS APARTMENTS PROJECT; AND OTHER MATTERS IN CONNECTION THEREWITH

(the “Resolution”) was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board’s minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Bylaws of HATC.

SIGNED Patrick B. Howard.

Patrick Howard Executive
[Name], [Title] Director

RESOLUTION APPROVING AND AUTHORIZING THE TRAVIS COUNTY FACILITIES CORPORATION TO APPROVE THE MCKINNEY FALLS APARTMENTS PROJECT; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Housing Authority of Travis County's ("HATC") affiliated entity, Travis County Facilities Corporation ("TCFC"), and Graham Development ("Developer") propose to enter into a public-private partnership whereby Developer will form a limited partnership (the "Partnership") to acquire and construct a 290-unit Class A multifamily rental housing development to be known as the McKinney Falls Apartments (the "Housing Facility"), to be constructed on an approximately 13.1 acre tract of land located at approximately 5200 McKinney Falls Parkway, Austin, Travis County, Texas (the "Land", together with the Housing Facility, the "Project");

WHEREAS, pursuant to section 303.042(d) of the Texas Local Government Code, as amended, HATC conducted a public hearing on March 2, 2023 (the "Hearing"), with respect to the Project;

WHEREAS, the Board of Commissioners of HATC (the "Board") has determined that it is in the public interest and to the benefit of the citizens and residents of Travis County, Texas, and the community that HATC serves, for the various entities to enter into the transactions described above so that the Partnership may construct the Project;

WHEREAS, the Board has reviewed the foregoing and determined that the action herein authorized is in furtherance of the public purposes of HATC and TCFC;

BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF TRAVIS COUNTY, THAT:

Section 1. The Project is hereby authorized and approved and TCFC is authorized to enter into the Project on terms acceptable to it.

Section 2. The officers of this Board, or any of them, are authorized to take any and all action necessary to carry out and consummate the transactions described in or contemplated by the documents approved hereby or otherwise to give effect to the actions authorized hereby and the intent hereof.

Section 3. This Resolution is passed for the purpose of enabling TCFC to proceed with the Project and obtain a property tax exemption. This Resolution does not commit TCFC to proceed with the Project, which decision shall be made by the board of directors of TCFC on terms and conditions acceptable to it. HATC shall not incur any liability as a result of this Resolution and it may not be relied upon by any third party as a commitment to proceed with the Project.

Section 4. If any section, paragraph, clause, or provisions of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 5. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 6. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 7. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 8. This Resolution shall be in force and effect from and after its passage.