

**RESOLUTION OF THE HARRISONBURG REDEVELOPMENT
AND HOUSING AUTHORITY AUTHORIZING FINANCING
FOR THE CONSTRUCTION OF COMMERCE VILLAGE II**

Whereas, the Harrisonburg Redevelopment and Housing Authority (the “Authority”) is duly organized under the Virginia Housing Authority’s Law, Chapter 1, Title, 36, Code of Virginia of 1950, as amended (the “Act”);

Whereas, in furtherance of the Act’s purposes, the Authority issued a Request for Proposals (“RFP”) on or about September 27, 2023, seeking proposals for the temporary financing of approximately \$2,700,000 (the “Loan”), plus closing cost to be paid out of the Loan, for the construction of the Commerce Village II apartment project (the “Project”);

Whereas the Authority intends to designate the Loan as a qualified tax-exempt obligation under Section 265 of the Internal Revenue Code;

Whereas, the Authority is applying for Department of Housing and Community Development grant funds, which, if received, will be used when finalizing the permanent financing of the Project;

Whereas, the Loan will be repaid using revenue from and be secured by the Project;

Whereas, the Authority received only two bids with varying terms and conditions in response to the RFP issued, namely:

1. United Bank: 6.53% per annum tax-free interest rate and 8.06% tax interest rate;
2. Bank of the James: 6.10% tax-exempt interest rate, with no rate for a tax interest rate; and

Whereas, the Authority desires to opt for the Bank of the James bid as, overall, the Bank of the James bid terms and conditions are the most favorable.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for the Harrisonburg Redevelopment and Housing Authority:

1. Upon a thorough review and evaluation of the bids, the Board determined that the Bank of the James bid is the successful bid, as it contains the most desirable terms and conditions. The Bank of the James bid is hereby adopted and approved.
2. The Chair, Vice Chair, and Secretary/Executive Director of the Authority are each authorized to execute on behalf of the Authority and all documents, including, without limitation, a commitment letter, note, deed of trust, and other required loan documents, consistent with the terms and conditions, outlined in the Bank of the James bid, or better, for the Commerce Village II Project in the principal amount of \$2,700,000, plus the payment of all closing costs, including, without limitation, attorneys’ fees, not to exceed \$45,000, that are reasonably necessary or convenient in furtherance of this Resolution and Project; and, if required, the Secretary, and any Assistant Secretary of the Authority, are each authorized to affix the seal of the Authority, to such documents and to attest to such seal. The Chair, Vice Chair, Secretary/Executive Director, and Assistant Secretary of the Authority are each

authorized to execute and deliver on behalf of the Authority, and affix the Authority seal, on such other instruments, documents, or certificates, or acts, as may be advised by counsel, and they deem necessary or appropriate to carry out the transactions authorized by or to effectuate the purpose of this Resolution.

3. This resolution shall take effect immediately. Approved November 15, 2023.

CERTIFICATE OF VOTES

Record of the roll-call vote by the Harrisonburg Redevelopment and Housing Authority, upon reading of a resolution titled "**RESOLUTION OF THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY AUTHORIZING FINANCING FOR THE CONSTRUCTION OF COMMERCE VILLAGE II**" taken at a meeting of the Authority held on November 15, 2023:

	AYE	NAY	ABSTAIN	ABSENT
Gil Colman, Chair				
Kevin Coffman, Chair				
Luciano Benjamin				
Shonda Green				
Kenneth Kettler				
Amanda Leech				
Janet Rogers				

Dated: November 15, 2023

(SEAL)

Gil Colman, Chair, Harrisonburg Redevelopment
and Housing Authority

ATTEST: _____
Secretary

The undersigned Secretary of the Harrisonburg Redevelopment and Housing Authority hereby certifies that the foregoing is a true, correct, and complete copy of a Resolution adopted

by the Authority's Commissioners present and voting at a meeting duly called and held on November 15, 2023, in accordance with law, and that such Resolution has not been repealed, revoked, rescinded, or amended, but is in full force and effect as of the date hereof.

WITNESS my hand and the seal of the Authority this 15th day of November, 2023.

**HARRISONBURG REDEVELOPMENT AND
HOUSING AUTHORITY**

By: _____
Secretary