

MONTEZUMA COUNTY, COLORADO

RESOLUTION NO. 10 - 2023

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF THE COUNTY'S PRIVATE ACTIVITY BOND ALLOCATION FOR 2023 TO THE HOUSING AUTHORITY OF THE CITY OF AURORA, COLORADO; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the Private Activity Bond Ceiling Act, constituting Title 24, Article 32, Part 17, Colorado Revised Statutes (the "Allocation Act"), Montezuma County, Colorado (the "County") has received a direct allocation of the State of Colorado's Private Activity Bond Ceiling for the year 2023 (the "2023 Allocation") in the amount of \$1,580,567; and

WHEREAS, the Housing Authority of the City of Aurora, Colorado, dba Aurora Housing Authority (the "Authority"), has requested that the County assign all of the 2023 Allocation equal to \$1,580,567 (the "Assigned Allocation") to the Authority pursuant to Section 24-32-1706 of the Allocation Act to be used to issue bonds to finance qualified residential rental projects, including but not limited to the acquisition, rehabilitation and equipping of Weatherstone Apartments; and

WHEREAS, the County desires to assign the Assigned Allocation to the Authority; and

WHEREAS, there has been presented to the Board of County Commissioners of Montezuma County (the "County Commissioners") the form of an Assignment of Allocation between the County and the Authority (the "Assignment").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF THE MONTEZUMA COUNTY, COLORADO:

Section 1. Authorization of Assignment. The County hereby authorizes the assignment of the Assigned Allocation to the Authority for use as described above.

Section 2. Approval of Assignment of Allocation. The form, terms and provisions of the Assignment hereby are approved and the officers of the County hereby are authorized and directed to execute (by manual or electronic signature) and deliver the Assignment, with such changes therein as are approved by the officers of the County executing the Assignment. The execution of the Assignment shall be conclusive evidence of the approval by the County of such document in accordance with the terms hereof.

Section 3. Further Action. The officers of the County shall take such other steps or actions necessary or reasonably required to carry out the terms and intent of this resolution and the Assignment.

Section 4. Ratification. All action not inconsistent with the provisions of this resolution heretofore taken by the County Commissioners and the officers of the County directed toward the assignment of the Assigned Allocation and the authorization of the Assignment hereby are ratified, approved and confirmed.

Section 5. Severability. If any section, paragraph, clause or provision of this resolution shall for any reason 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, the intent being that the same are severable.

Section 6. Repealer. All orders, resolutions, bylaws, ordinances or regulations of the County, or parts thereof, inconsistent with this resolution are hereby repealed to the extent only of such inconsistency.

Section 7. Effective Date. This resolution shall be in full force and effect upon its passage and approval.

APPROVED AND ADOPTED this May 8, 2023.

(SEAL)



COUNTY OF MONTEZUMA, COLORADO

Jim Caudill
Chairman of Board of County Commissioners

ATTEST:

Kim Percell
Montezuma County Clerk & Recorder

APPROVED AS TO FORM:

Montezuma County Attorney