

RESOLUTION NO. 2004-262

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE ISSUANCE OF MULTIFAMILY REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR THE CROSSINGS AT ELK GROVE ON BEHALF OF UHC ELK GROVE, L.P.

WHEREAS, the California Statewide Communities Development Authority ("CSCDA") has requested that the City Council of the City of Elk Grove hold a public hearing to consider the issuance of multifamily revenue bonds for The Crossings at Elk Grove to be located at 8559-8575 Elk Grove-Florin Road; and

WHEREAS, CSCDA is authorized pursuant to the provisions of California Government Code Section 6500 et seq. throughout the State of California to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code for the purpose of financing multifamily rental housing projects; and

WHEREAS, UHC Elk Grove, L.P., a California limited partnership (collectively, with any related entity, the "Borrower") has requested that CSCDA issue multifamily housing revenue bonds in an aggregate principal amount not to exceed \$17,000,000 (the "Bonds") for the purpose of providing financing for the acquisition, construction and development of the Project; and

WHEREAS, the Bonds or a portion thereof will be "private activity bonds" for purposes of the Internal Revenue Code of 1986 (the "Code"); and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, private activity bonds are required to be approved by the "applicable elected representative" of the governmental units on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of this City Council are the applicable elected representatives of the City; and

WHEREAS, a public hearing was held by the City Council on this 20th day of October 2004, following duly published notice thereof, and all persons desiring to be heard have been heard; and

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code; and

WHEREAS, it is in the public interest and for the public benefit that the City Council of the City of Elk Grove, as the elected representative of the City of Elk Grove, the host jurisdiction of the subject multifamily housing residential facility, approve the issuance and delivery by the Authority of the Bonds.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:

1. The City Council of the City of Elk Grove hereby finds and determines that the foregoing recitals are true and correct.

2. The City Council of the City of Elk Grove hereby finds, determines and declares that issuance by CSCDA of the Bonds in the maximum principal amount not to exceed \$17,000,000 for the purposes described above is hereby approved.

3. The issuance and delivery of the Bonds shall be subject to the approval of and execution by CSCDA of all financing documents relating thereto to which CSCDA is a party and subject to the sale of the Bonds by CSCDA.

4. The adoption of this Resolution is solely for the purposes of meeting the requirements of the provisions of the Internal Revenue Code of 1986, as amended, and shall not be construed in any other manner, with neither the City nor its staff having fully reviewed or considered the financial feasibility of the Project or the expected operation of the Project with regards to any State of California statutory requirements, and such adoption shall not obligate (i) the City to provide financing to the Borrower for the acquisition, construction, rehabilitation and development of the Project or to issue the Bonds for purposes of such financing; or (ii) the City, or any department of the City to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the acquisition, construction, rehabilitation, development or operation of the Project.

5. The City Clerk of the City shall forward a certified copy of this Resolution and a copy of the affidavit of publication of the public hearing notice to:

Thomas A. Downey
Jones Hall, A Professional Law Corporation
650 California Street, 18th Floor
San Francisco, California 94108

6. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 20th day of October 2004.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-262**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

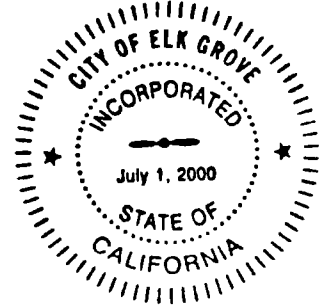
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 20th day of October 2004 by the following vote:

AYES 4: COUNCILMEMBERS: Scherman, Soares, Briggs, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Cooper





**Peggy E. Jackson, City Clerk
City of Elk Grove, California**