

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 3
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 44N

SUBJECT

Authorize (1) the acceptance of an amended proposal from Builders of Hope Community Development Organization for the development of 1 unimproved property located at 1715 Pueblo obtained under the HB110 process through the Land Transfer Program, and (2) a time extension for the development and amended Deed Restrictions - Financing: No cost consideration to the City

BACKGROUND

On April 21, 2004, Builders of Hope Community Development Organization (BOH), a qualified nonprofit organization, submitted a proposal to the City for purchase of 1 unimproved tax-foreclosed property located at 1715 Pueblo under HB110 to develop a single-family home for a low-income homebuyer. In accordance with the HB110 Program requirements, BOH submitted a bid of \$1,000.00 for the property. On September 22, 2004, the City Council passed Resolution No. 04-2839 accepting BOH's proposal and bid for the property. Dallas County and Dallas Independent School District also approved the sale of the property through the HB110 Program. On September 23, 2004, the City Manager executed a Quitclaim Deed for the property. BOH did not develop the Property by the construction deadline date and now desires to request City Council approval of its amended proposal.

On March 21, 2008, BOH submitted a written modified Land Transfer Proposal to the City to extend the development period for the property until March 5, 2011.

The property is deed restricted for affordability, and the Deed Restrictions will be amended to allow BOH to provide affordable housing on the property, in accordance with its amended proposal as described above.

This action requires the approval of all taxing units.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 8, 2003, the City Council approved Ordinance No. 25443, amending Chapter 2 of the Dallas City Code to authorize changes in and extension of the time lines under a nonprofit organization's proposal to develop affordable housing on land purchased through an alternate manner of sale of tax foreclosed and seized real property and to update references to applicable state law by Resolution No. 03-3354.

On September 22, 2004, the City Council accepted a bid from BOH for the purchase of 1 vacant lot and authorized the execution of a Quitclaim Deed to the Property, subject to five year deed restrictions and the written proposal submitted by BOH on April 21, 2004 by Resolution No. 04-2839.

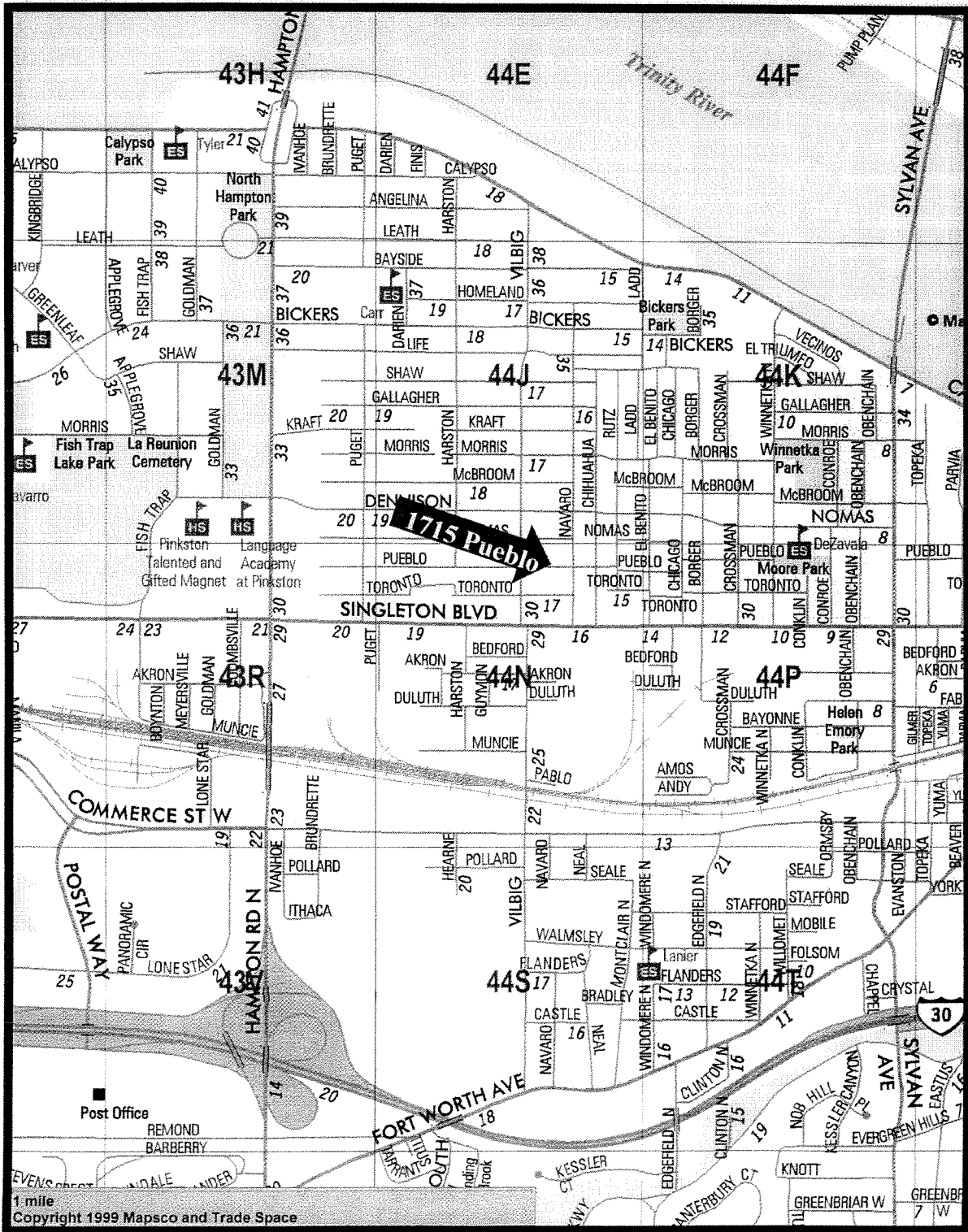
On November 10, 2004, the City Council authorized the City Manager, or designee, to amend the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



MAPSCO 44N

April 23, 2008

WHEREAS, the City of Dallas, for itself and as trustee on behalf of the County of Dallas, and the Dallas Independent School District acquired a Sheriff's Deed to the property (Property) at a sheriff's tax sale (attached list on Exhibit "A"); and

WHEREAS, on April 21, 2004, Builders of Hope Community Development Organization (BOH) submitted a written proposal (Proposal) to purchase the Property and construct an affordable house on the Property; and

WHEREAS, pursuant to the provisions of Chapter 34, Section 34.015 of the Property Tax Code (redesignated as Local Government Code Section 253.010), the City Council, on September 22, 2004 by Resolution No. 04-2839, accepted a bid from BOH for the Property and authorized the execution of a Quitclaim Deed to the Property, subject to five year deed restrictions for affordability and a written proposal submitted by BOH; and

WHEREAS, BOH did not develop the Property by the construction deadline date and now requests a change in its Proposal to extend the time line to develop the Property; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the amended Proposal, submitted by BOH on March 21, 2008 and summarized on Exhibit "A" hereto, be accepted by the City of Dallas for the Property shown on Exhibit "A".

SECTION 2. That the City Manager is authorized to execute, upon approval as to form by the City Attorney, an amendment to the deed restrictions for the Property. The amended deed restrictions will reflect the acceptance of the March 21, 2008 amendment to the Proposal for the Property from BOH to extend the term for providing the affordable housing per Exhibit "A" (attached).

SECTION 3. That the City's acceptance of the Proposal does not obligate the City of Dallas to expend any funding for the development of the Property.

SECTION 4. That this Resolution shall take effect immediately from and after its passage, in accordance with the Charter of the City of Dallas and is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

EXHIBIT A

| <u>Parcel</u> | <u>Property</u> | <u>Land Transfer Program</u> | <u>Time Line Extension</u> |
|---------------|-----------------|------------------------------|----------------------------|
| 1. | 1715 Pueblo | HB110 | March 5, 2011 |

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 55B

SUBJECT

Authorize (1) the acceptance of amended proposals from Texas Heavenly Homes, Ltd. for the development of 3 unimproved properties obtained under the non-tax lien process through the Land Transfer Program, and (2) a time extension for the development and execution of amended Deed Restrictions (list attached) - Financing: No cost consideration to the City

BACKGROUND

On June 15, 1999, July 6, 1999 and March 7, 2002, Texas Heavenly Homes, Ltd. (THH) submitted 3 proposals to the City for the private purchase of 3 properties under the non-tax lien process through the Land Transfer Program to develop single-family homes for low-income homebuyers. In accordance with the Land Transfer Program requirements, THH paid the taxes in the amount of \$62.82 and executed an unsecured note in the amount of \$1,547.10 for the non-tax liens for 511 N. Denley. THH paid the taxes in the amount of \$ 3,978.22 and executed an unsecured note in the amount of \$1,432.67 for the non-tax liens for 432 N. Denley. THH paid the taxes in the amount of \$ 3,213.36 and executed an unsecured note in the amount of \$7,445.19 for the non-tax liens for 410 Sparks. On June 22, 2005, August 24, 2005 and October 26, 2005, the City Council passed Resolution Nos. 05-1925, 05-2519 and 05-3036 accepting THH's proposals for the properties. On August 22, 2005, October 25, 2005 and April 6, 2006, the City Manager accepted an assignment to the various properties. THH did not develop the Properties by the construction deadline dates and now desires to request City Council approval of its amended proposals.

On March 21, 2008, THH submitted written modified Land Transfer Proposals to the City to approve changes in the proposals to develop 3 unimproved Properties. THH proposes to extend the development periods for the property at 511 N. Denley until August 22, 2011, for 432 N. Denley until October 24, 2011 and for 410 Sparks until April 7, 2012.

BACKGROUND (continued)

The Properties are deed restricted for affordability, and the Deed Restrictions will be amended to allow THH to provide affordable housing on each Property, in accordance with its amended proposal for that property as described above.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 8, 2003, the City Council approved Ordinance No. 25443, amending Chapter 2 of the Dallas City Code to authorize changes in and extension of the time lines under a nonprofit organization's proposal to develop affordable housing on land purchased through an alternate manner of sale of tax foreclosed and seized real property and to update references to applicable state law by Resolution No. 03-3354.

On November 10, 2004, the City Council authorized the City Manager, or designee, to amend the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193.

On June 22, 2005, the City Council accepted a proposal from THH for the private purchase of 1 vacant lot and authorized the execution of a lien release and an unsecured note for non-tax liens on the property, subject to five year deed restrictions and the written proposal submitted by THH on March 3, 2005 by Resolution No. 05-1925.

On August 24, 2005, the City Council accepted a proposal from THH for the private purchase of 1 vacant lot and authorized the execution of a lien release and an unsecured note for non-tax liens on the property, subject to five year deed restrictions and the written proposal submitted by THH on February 16, 2005 by Resolution No. 05-2519.

On October 26, 2005, the City Council accepted a proposal from THH for the private purchase of 1 vacant lot and authorized the execution of a lien release and an unsecured note for non-tax liens on the property, subject to five year deed restrictions and the written proposal submitted by THH on February 16, 2005 by Resolution No. 05-3036.

FISCAL INFORMATION

No cost consideration to the City

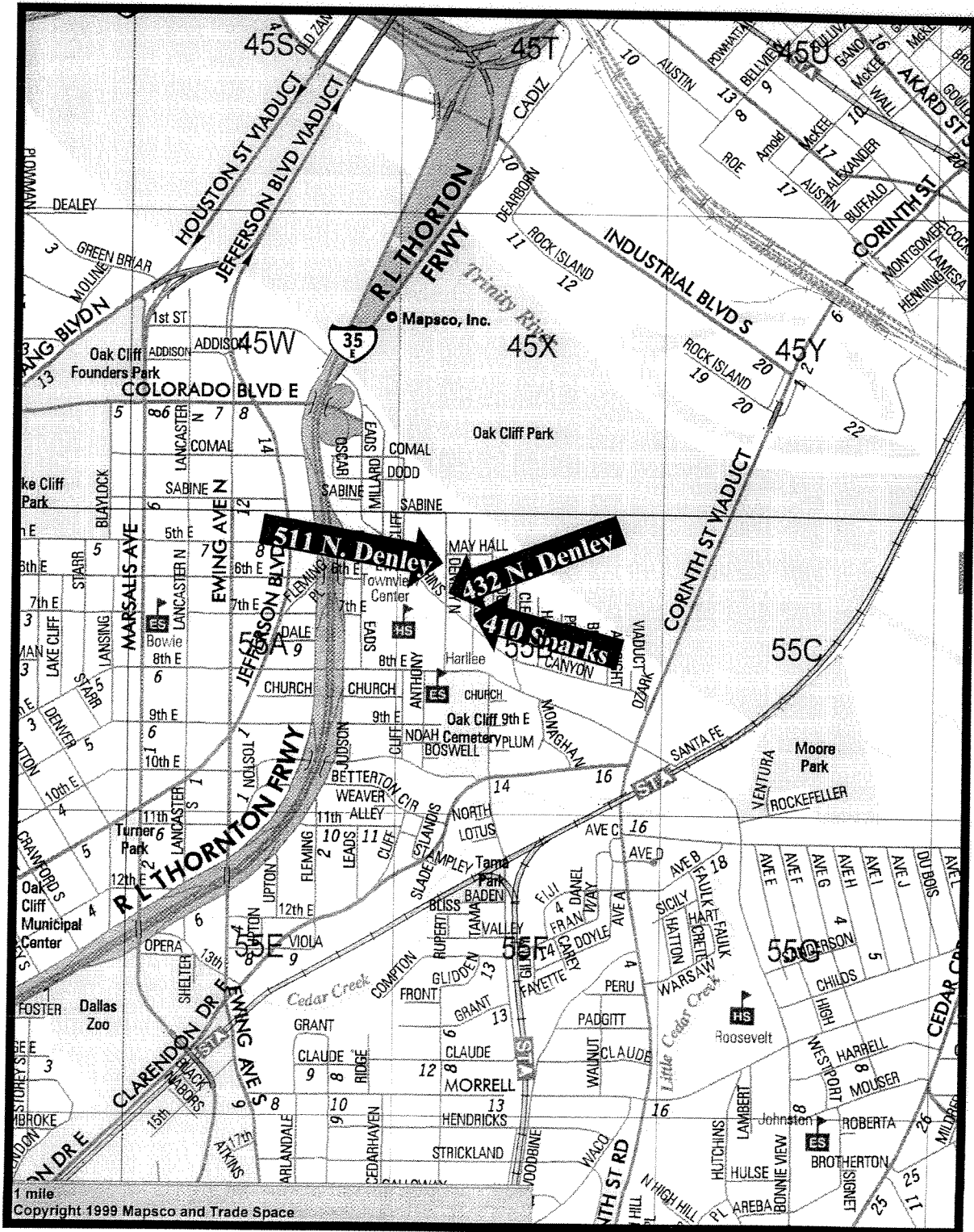
MAP(s)

Attached

LIST

Texas Heavenly Homes, Ltd. Unimproved Properties

| <u>Parcel</u> | <u>Property</u> | <u>Council District</u> |
|---------------|-----------------|-------------------------|
| 1. | 511 N. Denley | 7 |
| 2. | 432 N. Denley | 7 |
| 3. | 410 Sparks | 7 |



MAPSCO 55B

April 23, 2008

WHEREAS, on June 15, 1999, July 6, 1999 and March 7, 2002, Texas Heavenly Homes, Ltd. (THH) submitted 3 proposals ("Proposals") to the City for the private purchase of 3 Properties shown on Exhibit "A" ("Properties") under the non-tax lien process through the Land Transfer Program to develop single-family homes for low-income homebuyers; and

WHEREAS, on June 22, 2005, August 24, 2005 and October 26, 2005, the City Council passed Resolution Nos. 05-1925, 05-2519 and 05-3036 accepting THH's proposals for the Properties and authorizing the execution of lien releases and unsecured notes for non-tax liens on the Properties, subject to five year deed restrictions for affordability and written proposals submitted by THH; and

WHEREAS, THH Acquired the Properties through private sales; and

WHEREAS, THH did not develop the Properties by the construction deadline dates and now requests changes in its proposals to extend the time lines to develop the Properties; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the amended Proposals, submitted by THH on March 21, 2008 and summarized on Exhibit "A" hereto, be accepted by the City of Dallas for the 3 Properties shown on Exhibit "A".

SECTION 2. That the City Manager is authorized to execute, upon approval as to form by the City Attorney, the amendments to the Deed Restrictions for the 3 Properties. The amended Deed Restrictions will reflect the acceptance of the March 21, 2008 amendment to the Proposals for the Properties from THH to extend the term for providing the affordable housing per Exhibit "A" (attached).

SECTION 3. That the City's acceptance of the Proposals does not obligate the City of Dallas to expend any funding for the development of the Properties.

SECTION 4. That this Resolution shall take effect immediately from and after its passage, in accordance with the Charter of the City of Dallas and is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

EXHIBIT A

Texas Heavenly Homes, Ltd. Properties Extension

| <u>Parcel</u> | <u>Property</u> | <u>Land Transfer Program</u> | <u>Time Line Extension</u> |
|---------------|-----------------|------------------------------|----------------------------|
| 1. | 511 N. Denley | Non-tax lien | August 22, 2011 |
| 2. | 432 N. Denley | Non-tax lien | October 24, 2011 |
| 3. | 410 Sparks | Non-tax lien | April 7, 2012 |

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 6
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 42U

SUBJECT

Authorize **(1)** the acceptance of amended proposal from Builders of Hope Community Development Corporation for the development of 6 tracts of unimproved land obtained under the surplus process through the Land Transfer Program, and **(2)** a time extension for the development and execution of a Correction Quitclaim Deed and amended Deed Restrictions (list attached) - Financing: No cost consideration to the City

BACKGROUND

On February 19, 2004, Builders of Hope Community Development Corporation (BOH), a qualified nonprofit organization, submitted a proposal to the City for purchase of 6 tracts of unimproved land under the surplus process through the Land Transfer Program to develop single-family homes for low-income homebuyers. In accordance with the Land Transfer Program requirements, BOH submitted a proposal for the properties. On June 23, 2004, the City Council passed Resolution No. 04-2141 accepting BOH's proposal for the tracts of land. On September 3, 2004, the City Manager executed a Quitclaim Deed for the 6 tracts of land. BOH has completed the infrastructure for the development and has completed and sold 31 out of 60 affordable homes with 6 homes currently under construction. BOH now desires to request City Council approval of its amended proposal and will complete the remaining 29 homes by the new construction deadline date.

On March 21, 2008, BOH submitted a written modified Land Transfer proposal to the City to approve a change in the proposal to develop the 6 tracts of unimproved land. BOH proposes to extend the development period for the 6 tracts of unimproved land until September 3, 2010.

The 6 tracts of land are deed restricted for affordability, and the Deed Restrictions will be amended to allow BOH to provide affordable housing on the 6 tracts of land, in accordance with its amended proposal for the tracts of land as described above.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 8, 2003, the City Council approved Ordinance No. 25443, amending Chapter 2 of the Dallas City Code to authorize changes in and extension of the time lines under a nonprofit organization's proposal to develop affordable housing on land purchased through an alternate manner of sale of tax foreclosed and seized real property and to update references to applicable state law by Resolution No. 03-3354.

On June 23, 2004, the City Council accepted a proposal from BOH for the purchase of 6 tracts of unimproved land and authorized the execution of a Quitclaim Deed to the tracts of land, subject to five year deed restrictions and the written proposal submitted by BOH on February 19, 2004, by Resolution No. 04-2141.

On November 10, 2004, the City Council authorized the City Manager, or designee, to amend the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193.

FISCAL INFORMATION

No cost consideration to the City.

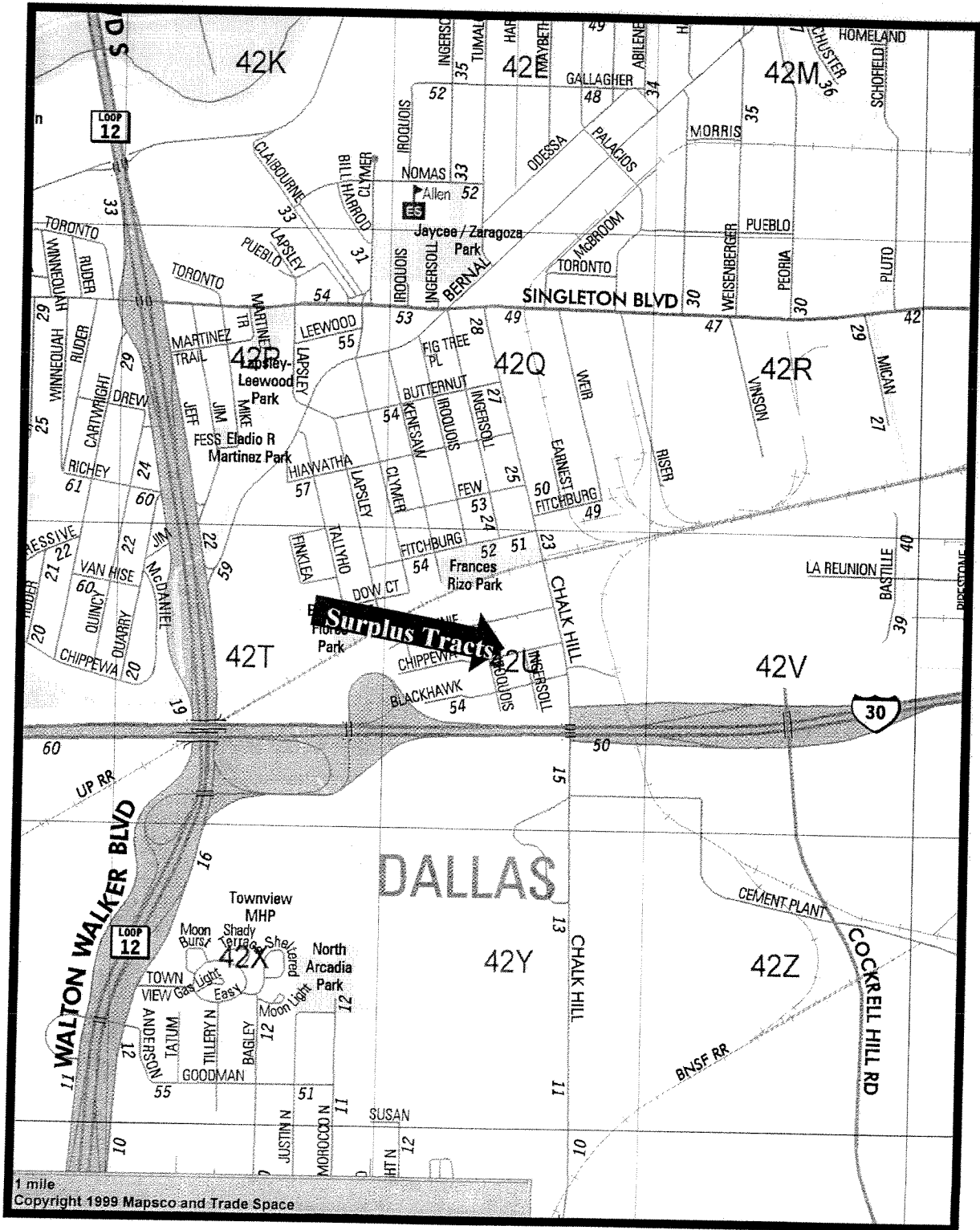
MAP

Attached

LIST

Builders of Hope Community Development Corporation Properties Extension

| <u>Parcel</u> | <u>Property</u> | <u>Council District</u> |
|---------------|-----------------|-------------------------|
| 1. | 2200 Iroquois | 6 |
| 2. | 5200 Fannie | 6 |
| 3. | 2202 Ingersoll | 6 |
| 4. | 2123 Ingersoll | 6 |
| 5. | 2005 Ingersoll | 6 |
| 6. | 2006 Ingersoll | 6 |



MAPSCO 42U

April 23, 2008

WHEREAS, the City of Dallas acquired the 6 tracts of land identified by legal description and the volume and page number of acquisition deed recorded in the real property records of the county in which the property is located, ("Property") shown on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, on February 19, 2004, Builders of Hope Community Development Corporation (BOH) submitted a written proposal (Proposal) to purchase the Property and construct affordable housing on each Property; and

WHEREAS, on June 23, 2004, the City Council accepted a Proposal from BOH for the Property and authorized the execution of a Quitclaim Deed to the Property, subject to five year deed restrictions for affordability and written proposal submitted by BOH by Resolution No. 04-2141; and

WHEREAS, BOH did not complete the development of the Property by the construction deadline date and now requests a change in its Proposal to extend the time line to develop the Property; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the amended Proposal, submitted by BOH on March 21, 2008 and summarized on Exhibit "A" hereto, be accepted by the City of Dallas for the Property shown on Exhibit "A".

SECTION 2. That the City Manager is authorized to execute, upon approval as to form by the City Attorney, a Correction Quitclaim Deed and an amendment to the Deed Restrictions for the Property. The amended Deed Restrictions will reflect the acceptance of the March 21, 2008 amendment to the Proposal for the Property from BOH to extend the term for providing the affordable housing per Exhibit "A" (attached).

SECTION 3. That the City's acceptance of the Proposal does not obligate the City of Dallas to expend any funding for the development of the Property.

SECTION 4. That this Resolution shall take effect immediately from and after its passage, in accordance with the Charter of the City of Dallas and is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

EXHIBIT A

Builders of Hope Community Development Corporation Properties Extension

| <u>Parcel</u> | <u>Property</u> | <u>Land Transfer Program</u> | <u>Time Line Extension</u> |
|---------------|-----------------|------------------------------|----------------------------|
| 1. | 2200 Iroquois | Surplus | September 3, 2010 |
| 2. | 5200 Fannie | Surplus | September 3, 2010 |
| 3. | 2202 Ingersoll | Surplus | September 3, 2010 |
| 4. | 2123 Ingersoll | Surplus | September 3, 2010 |
| 5. | 2005 Ingersoll | Surplus | September 3, 2010 |
| 6. | 2006 Ingersoll | Surplus | September 3, 2010 |

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 1
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 54D

SUBJECT

Authorize acceptance of payment in the amount of \$6,000 in lieu of providing an affordable house on the property at 804 Beckley Avenue obtained under the HB110 process through the Land Transfer Program and authorize release of reverter and termination of deed restrictions – Revenue: \$6,000

BACKGROUND

On November 20, 2000, Dallas County Community Action Committee, Inc. (DCCAC), a qualified nonprofit organization, submitted a Land Transfer Proposal to the City for purchase of tax-foreclosed property for development of one single-family home on the unimproved property to be sold to a low-income homebuyer. In accordance with the HB 110 Program requirements, DCCAC submitted a bid of \$1,000.00 for the property. On February 28, 2001, the City Council passed Resolution No. 01-0790 accepting DCCAC's proposal and bid for the property. Dallas County and Dallas Independent School District also approved the sale of the property through the HB 110 Program. On April 9, 2001, the City Manager executed a Quitclaim Deed with a possibility of reverter and deed restrictions for affordability on the property. DCCAC did not develop the property by the construction deadline date but has since completed the house.

DCCAC's interim construction lender, United Mortgage Trust, has foreclosed on the property and has a contract for sale to a non affordable homebuyer. The lender is willing to pay to the City the lesser of the judgment amount (\$9,563) or the Dallas County Appraisal District value as shown in the judgment (\$6,000) to complete their sale to the homebuyer and have the possibility of reverter with right of reentry released and the deed restrictions terminated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 28, 2001, the City Council accepted a bid from Dallas County Community Action Committee, Inc. for the purchase of a vacant lot located at 804 Beckley Avenue and authorized the execution of a Quitclaim Deed to the Property, subject to five year deed restrictions for affordability and the written proposal submitted by Dallas County Community Action Committee, Inc. on November 20, 2000 by Resolution 01-0790.

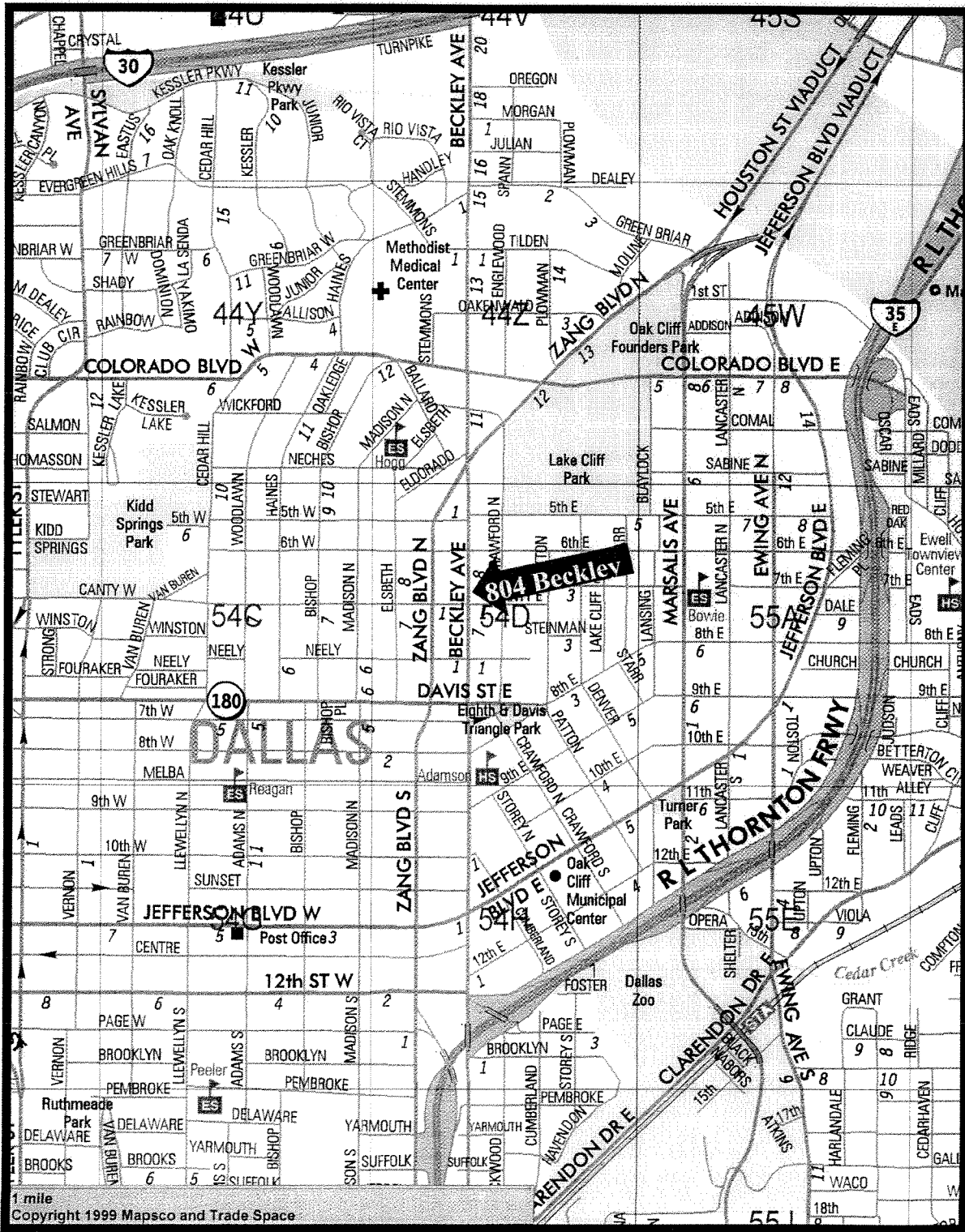
On November 10, 2004, the City Council authorized the City Manager, or designee, to amend the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193.

FISCAL INFORMATION

Revenue: \$6,000

MAP

Attached



MAPSCO 54D

April 23, 2008

WHEREAS, the City of Dallas, for itself and as trustee, on behalf of the taxing units named as a party to a judgment ("Taxing Units"), received tax title to a certain property ("Property") by Sheriff's Deed at a sheriff's tax sale; and

WHEREAS, on November 20, 2000, Dallas County Community Action Committee, Inc. ("DCCAC") submitted a written proposal (Proposal) to purchase the Property at 804 Beckley Avenue and construct one single-family affordable home on the Property; and

WHEREAS, on February 28, 2001, pursuant to the provisions of Chapter 34, Section 34.015 of the Property Tax Code (redesignated as Local Government Code Section 253.010), the City Council accepted a bid from DCCAC for the Property and authorized the execution of a Quitclaim Deed to the Property, subject to five year deed restrictions for affordability and a written proposal submitted by DCCAC by Resolution No. 01-0790; and

WHEREAS, on November 10, 2004, the City Council authorized the City Manager, or designee, to amend the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193; and

WHEREAS, DCCAC did not develop the Property by the construction deadline date but has since completed the house; and

WHEREAS, the lender, United Mortgage Trust, has foreclosed on the Property and has a contract for sale to a non affordable homebuyer and wishes to submit a payment in the amount of \$6,000 in lieu of providing an affordable house; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the \$6,000 consideration received from United Mortgage Trust for the resale of the Property and for the properties previously approved for resale by the City Council where funds were not received and have not been disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County be deposited to General Fund 0001, Dept DEV, Balance Sheet Account 0519.

SECTION 2. That upon receipt of the consideration, the City Controller is authorized to disburse the consideration, in accordance with Chapter 34, section 34.06 of the Texas Property Tax Code, which calculations for disbursement shall be provided by the Development Services Director, to the City of Dallas Land Based Receivables, the Dallas County District Clerk and the Dallas County Tax Office from the account specified in Section 1 above.

April 23, 2008

SECTION 3. That upon receipt of the distribution amounts, the City Controller is authorized to disburse proceeds pursuant to Chapter 34, section 34.06 of the Texas Property Tax Code, which calculations for disbursement shall be provided by the Development Services Director, for properties previously approved for resale by the City Council where funds have not been disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County from the account

SECTION 4. That the City Manager is authorized to execute instruments, upon approval as to form by the City Attorney, releasing the City's possibility of reverter with right of reentry and terminating the deed restrictions to the Property.

SECTION 5. That this Resolution shall take effect immediately from and after its passage, in accordance with the Charter of the City of Dallas and is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 55B

SUBJECT

Authorize **(1)** the release of non-tax City liens against 2 privately held vacant properties located at 433 Sparks Avenue and 505 Sparks Avenue, in exchange for Texas Heavenly Homes, Ltd. providing an unsecured promissory note in the amount of the non-tax liens, estimated to be \$1,421 for the property at 433 Sparks Avenue and \$3,130 for the property at 505 Sparks Avenue, paying all delinquent taxes, penalties and interest on the properties, and providing affordable housing on each property for low-income households in accordance with the City's Land Transfer Policy and Program Statement and **(2)** an exception to the City's Land Transfer Policy and Program Statement extending the development period from 2 years to 4 years of release of non-tax liens - Estimated revenue foregone: \$4,551

BACKGROUND

Texas Heavenly Homes, Ltd. (THH), a private developer and homebuilder, has entered into contracts for sale with the property owners to purchase 2 vacant properties. THH is anticipating closing on the properties on or before June 30, 2008.

THH submitted the appropriate proposals to the City requesting the release of non-tax liens against privately held vacant properties. THH proposes to pay-off the delinquent property taxes, penalties and interest on the properties at closing and develop affordable housing on the properties in exchange for the City's releasing non-tax liens. There is approximately \$777.37 in delinquent property taxes, penalties and interest, and approximately \$1,420.84 in City liens for the removal of weeds against the property at 433 Sparks Avenue. Also, there is approximately \$1,255.55 in delinquent property taxes, penalties and interest, and approximately \$3,129.97 in City liens for removal of weeds, securing and demolition against the property at 505 Sparks Avenue.

BACKGROUND (continued)

THH proposes to construct two houses (three bedrooms and two baths) on the properties for sale at approximately \$90,000 to \$125,000 each to low-income homebuyers. Evidence of having pre-qualified homebuyers acceptable to the City with income at 80% or below of the Area Median Family Income is required prior to the qualified entity obtaining interim construction loan financing from its lender.

The anticipated commencement date of construction is December 2008. However, the construction of each house must be completed within 4 years of releasing the non-tax liens. THH will execute an unsecured note payable to the City in the amount of the non-tax liens, which will be released upon the sale of each house to low-income homebuyers. The improved properties will also be deed restricted as affordable housing for five (5) years.

THH is requesting an exception to the City's Land Transfer Policy and Program Statement which will extend the development period from 2 years to 4 years from the date of release of the non-tax liens. This extra time will allow them to assemble a sufficient number of properties in order to begin the development.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

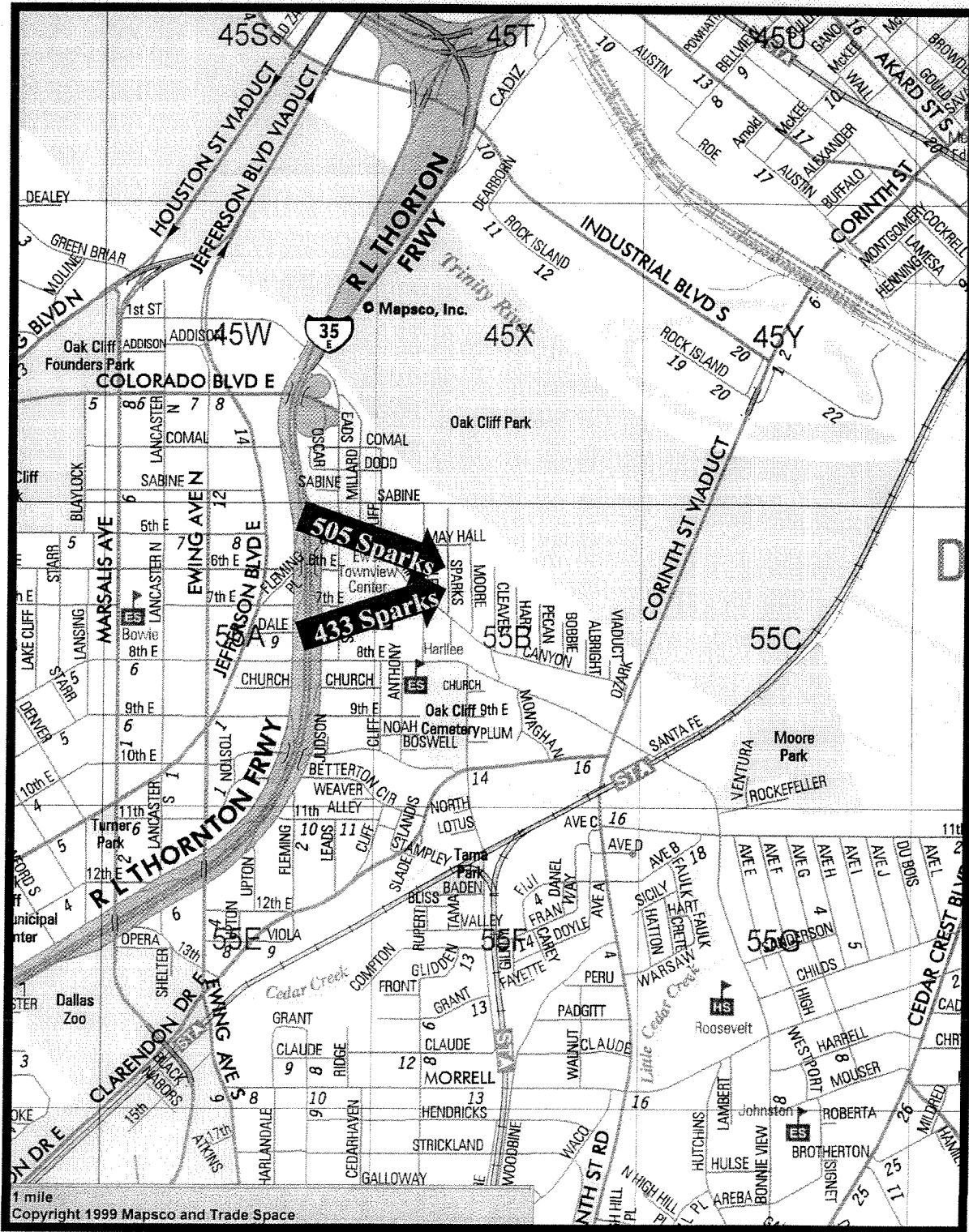
This item has no prior action.

FISCAL INFORMATION

Estimated revenue foregone: \$4,551

MAP

Attached



MAPSCO 55B

April 23, 2008

WHEREAS, Texas Heavenly Homes, Ltd. (THH) submitted 2 written requests (Proposals) asking the City to release the non-tax liens (weed, securing and demolition) on the two (2) unimproved privately held properties located at 433 Sparks Avenue and 505 Sparks Avenue (Property), in exchange for paying delinquent property taxes, penalties and interest and development of one (1) affordable house on each property; and

WHEREAS, the Seller's deed to each Property will contain:

(1) a requirement that THH develop one (1) unit on each property as affordable housing for low-income households, within four (4) years of release of non-tax liens,

(2) a requirement that THH transfer title to and secure occupancy of the improved property by low-income households (households whose incomes are at or below 80% of area median income) within four (4) years of release of non-tax liens,

(3) deed restrictions on the Property, acceptable to the City, requiring the improved property to remain affordable to low-income households for five (5) years after initial occupancy,

(4) right assigned to the City to acquire the Property in the event THH does not timely develop and sell the improved Property, in accordance with the Proposal, to low-income individuals or families whose income qualifications have been approved by the City; and

WHEREAS, THH will pay delinquent property taxes, penalties and interest owed to all taxing units at or prior to its closing of the purchase of each Property; and

WHEREAS, simultaneous with the release of non-tax liens on a Property, THH will execute an unsecured promissory note for the value of the non-tax liens which will be released at closing of the sale of the affordable housing unit to a low income household; and

WHEREAS, THH will provide income information to the City on the homebuyers of 433 Sparks Avenue and 505 Sparks Avenue for verification and approval, prior to the time that THH obtains interim construction loan financing from its lender; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager, or designee, is authorized to execute a lien release in the original principal amount of \$945.16 for weed liens, including an additional estimated \$475.68 in penalties and interest accruing to the date of closing, on the privately-owned unimproved property at 433 Sparks Drive, and such releases to be approved as to form by the City Attorney and attested by the City Secretary.

April 23, 2008

Section 2. That the City Manager, or designee, is authorized to execute a lien release in the original principal amount of \$1,874.00 for weed, securing and demolition liens, including an additional estimated \$1,255.97 in penalties and interest accruing to the date of closing, on the privately-owned unimproved property at 505 Sparks Avenue, and such releases to be approved as to form by the City Attorney and attested by the City Secretary.

Section 3. That the City Manager, or designee, is authorized to deliver the non-tax lien release for a Property to THH, contingent upon: (1) payment of delinquent property taxes, penalties and interest on that Property (2) issuance of title insurance to THH with any liens acceptable to the City, (3) the consent of any lien-holders to deed restrictions executed on that Property, (4) approval of the seller's deed and deed restrictions for the Property by the City Attorney, and (5) execution of unsecured promissory note by THH for the value of the non-tax liens that will be released at closing of the sale of the affordable housing unit on the Property to low-income households.

Section 4. That the Seller's deed to each Property will contain:

(1) a requirement that THH develop one (1) unit on each property as affordable housing for low-income households within four (4) years of release of non-tax liens,

(2) a requirement that THH transfer title to and secure occupancy of the improved property by low-income households (households whose incomes are at or below 80% of area median income) within four (4) years of release of the non-tax liens,

(3) deed restrictions on the Property, acceptable to the City, requiring the improved Property to remain affordable to low-income households for five (5) years after initial occupancy, and

(4) right assigned to the City to acquire the Property in the event THH does not timely develop and sell the improved property, in accordance with the proposals, to low-income individuals or families whose income qualifications have been approved by the City.

Section 5. That the City's acceptance of the written request does not obligate the City of Dallas to provide any funding for the development of the Property.

Section 6. That THH is prohibited from selling the Property to any person who has been delinquent on City taxes or non-tax accounts in the preceding 5 years.

Section 7. That the City Manager, or designee, is authorized to release the unsecured promissory note in the estimated amount of \$1,420.84 for the property at 433 Sparks Avenue and \$3,129.97 for the property at 505 Sparks Avenue for the value of the non-tax liens (demolition, securing and weed liens) upon THH's compliance with the sale of the respective improved property at 433 Sparks Avenue and 505 Sparks Avenue to approved low-income households within four (4) years of the date of release of the non-tax liens.

April 23, 2008

Section 8. That the City Manager, or designee, is authorized to execute instruments, approved as to form by the City Attorney, terminating the deed restrictions to the Property and releasing the City's right to forfeiture of the Property upon compliance with the terms of the instruments.

Section 9. That an exception to the City's Land Transfer Policy and Program Statement is authorized which will extend the development period from 2 years to 4 years from the date of release of the non-tax liens.

Section 10. That this resolution shall take effect immediately from and after its passage, in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN
Office of Property Management

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 55F G L

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by East Dallas Community Organization for the construction of affordable houses, **(2)** the sale of 13 vacant lots from Dallas Housing Acquisition and Development Corporation to East Dallas Community Organization; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) – Financing: No cost consideration to the City

BACKGROUND

On February 4, 2008, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program. The areas targeted for acquisition to achieve the desired goals under the program were identified.

Consistent with the program briefed in the Housing Committee, the staff requested proposals for the construction of affordable houses. Since there was not an existing non-profit organization in the area with a right of first refusal, proposals were requested from both non-profit and for profit organizations.

East Dallas Community Organization (EDCO) submitted a proposal and development plan to Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) for 13 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by EDCO to the City's Land Bank, the sale of those lots from DHADC to EDCO and the release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to EDCO will contain a reverter that returns the property to DHADC if a construction permit is not applied for by EDCO and construction financing is not closed within two years of conveyance.

BACKGROUND (continued)

EDCO will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,100 to 1,500 square feet and from \$110,000 to \$170,000. The lots will be deed restricted for sale to a low income family and will require at least 25 per cent of the developed homes to be sold to households with gross household incomes not greater than 60 per cent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 per cent of the developed homes may be sold to households with gross incomes from 81 per cent to 115 per cent of the AMFI as determined annually by HUD.

If 30 per cent of the homes are sold to buyers at 81 per cent to 115 per cent of the AMFI, the remaining homes will be sold to buyers below 81 per cent of the AMFI and in compliance with the minimum 25 per cent requirement to sell to buyers below 60 per cent of the AMFI. DHADC will receive \$50,667.81 for the sales price, as calculated from the 07-08 Land Bank Plan approved by City Council.

On June 18, 2003, Governor Rick Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments.

On January 28, 2004, the City Council approved the City of Dallas FY 2003-04 Urban Land Bank Demonstration Program Plan and authorized DHADC to amend its Articles of Incorporation and Bylaws to expand its purposes and authority to carry out the Urban Land Bank Demonstration Program Plan.

On May 26, 2004, the City Council authorized a contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program previously approved by City Council on January 28, 2004.

On October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC contract to provide additional operating and acquisition funds.

On August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006.

On August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan.

BACKGROUND (continued)

On January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank.

On October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan.

On December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007.

On August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008.

On October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458.

On May 26, 2004, the City Council authorized a contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-1726.

On October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC Contract to provide additional operating and acquisition funds for FY 2004-05 by Resolution No. 04-2930.

On August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006 by Resolution No. 05-2474.

PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)

On August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program by Resolution No. 05-2501.

On January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank by Resolution No. 06-0162.

On October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan by Resolution No. 06-2785.

On December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007 by Resolution No. 06-3403.

On August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008 by Resolution No. 07-2385.

On October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan by Resolution No. 07-2998.

FISCAL INFORMATION

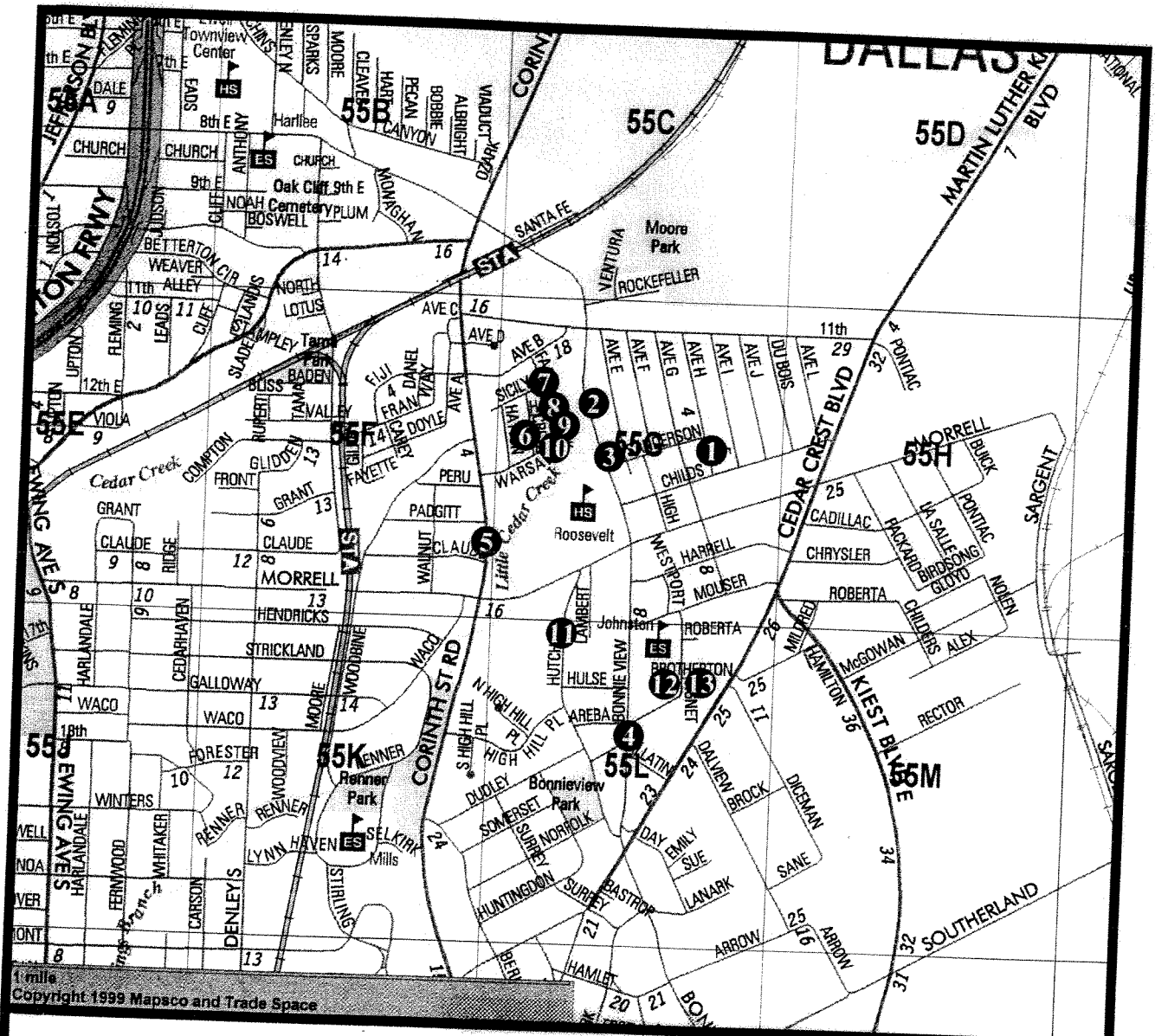
No cost consideration to the City.

MAP

Attached

**Land Bank (DHADC) Sale of Lots
to East Dallas Community Organization**

| <u>Property Address</u> | <u>Mapsco</u> | <u>Council District</u> | <u>Sales Price</u> |
|-------------------------|---------------|-------------------------|--------------------|
| 1. 523 Avenue H | 55G | 7 | \$3,846.84 |
| 2. 406 Bonnie View | 55G | 7 | \$3,846.84 |
| 3. 438 Bonnie View | 55G | 7 | \$3,846.84 |
| 4. 1011 Bonnie View | 55L | 7 | \$4,055.92 |
| 5. 618 S. Corinth | 55F | 7 | \$3,846.84 |
| 6. 535 Crete | 55G | 7 | \$3,846.84 |
| 7. 424 Faulk | 55G | 7 | \$3,846.84 |
| 8. 508 Faulk | 55G | 7 | \$3,846.84 |
| 9. 532 Faulk | 55G | 7 | \$4,026.39 |
| 10. 544 Faulk | 55G | 7 | \$3,846.84 |
| 11. 836 Hutchins | 55L | 7 | \$3,846.84 |
| 12. 1002 Signet | 55L | 7 | \$4,117.10 |
| 13. 1006 Signet | 55L | 7 | \$3,846.84 |
| | | Total | \$50,667.81 |



| PROPERTY ADDRESS | MAPSCO | COUNCIL DISTRICT | PROPERTY ADDRESS | MAPSCO | COUNCIL DISTRICT |
|---------------------|--------|------------------|------------------|--------|------------------|
| 1. 523 Avenue H | 55G | 7 | 8. 508 Faulk | 55G | 7 |
| 2. 406 Bonnie View | 55G | 7 | 9. 532 Faulk | 55G | 7 |
| 3. 438 Bonnie View | 55G | 7 | 10. 544 Faulk | 55G | 7 |
| 4. 1011 Bonnie View | 55L | 7 | 11. 836 Hutchins | 55L | 7 |
| 5. 618 S. Corinth | 55F | 7 | 12. 1002 Signet | 55L | 7 |
| 6. 535 Crete | 55G | 7 | 13. 1006 Signet | 55L | 7 |
| 7. 424 Faulk | 55G | 7 | | | |

April 23, 2008

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C and: 1) approved the City of Dallas Urban Land Bank Demonstration Program Plan; 2) approved the Program Statement for the Dallas Urban Land Bank Demonstration Program; 3) authorized amendments to the Articles of Incorporation and By-Laws of the DHADC; and 4) authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458; and

WHEREAS, on May 26, 2004, the City Council authorized a contract with the DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program approved by the City Council on January 28, 2004 by Resolution No. 04-1726; and

WHEREAS, on October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC Contract to provide additional operating and acquisition funds for FY 2004-05 by Resolution No. 04-2930; and

WHEREAS, on August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006 by Resolution No. 05-2474; and

WHEREAS, on August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan by Resolution No. 05-2501; and

WHEREAS, on January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank by Resolution No. 06-0162; and

WHEREAS, on October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan by Resolution No. 06-2785; and

WHEREAS, on December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007 by Resolution No. 06-3403; and

April 23, 2008

WHEREAS, on August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008 by Resolution No. 07-2385; and

WHEREAS, on October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan by Resolution No. 07-2998; and

WHEREAS, East Dallas Community Organization (EDCO) submitted a proposal and development plan to DHADC for 13 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by EDCO and authorize the sale of the said 13 lots from DHADC to EDCO to build affordable houses; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the development plan shown on Exhibit "B" submitted by EDCO and the sale of 13 lots shown on "Exhibit A" from DHADC to EDCO is approved.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens included in the foreclosure judgment and any non-tax liens that may have been filed by the City post-judgment on the lots shown on "Exhibit A".

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department

City Attorney's Office

Office of Financial Services/Community Development, 4FN

EXHIBIT "A"

LAND BANK PROPERTY

| PARCEL NUMBER | STREET ADDRESS LEGAL DESCRIPTION | QUALIFIED NONPROFIT PURCHASER | NUMBER OF HOMEOWNER UNITS | SALE AMOUNT |
|---------------|---|------------------------------------|------------------------------|----------------|
| 1 | 523 Avenue H Lot 42, Skyline Heights Addition Block 4/4654 | East Dallas Community Organization | 1 | \$3,846.84 |
| 2 | 406 Bonnie View Lot 11, Skyline Heights Addition Block 1/5900 | East Dallas Community Organization | 1 | \$3,846.84 |
| 3 | 438 Bonnie View Lot 3, Skyline Heights Addition Block 1/5900 | East Dallas Community Organization | 1 | \$3,846.84 |
| 4 | 1011 Bonnie View Lot 1, Edgemont Hill Addition #2 Block D/5895 | East Dallas Community Organization | 1 | \$4,055.92 |
| 5 | 618 S. Corinth Lot 6, Cedar Cliff Addition Block 10/3876 | East Dallas Community Organization | 1 | \$3,846.84 |
| 6 | 535 Crete Lot 9, Pleasant View Addition Block F/5905 | East Dallas Community Organization | 1 | \$3,846.84 |
| 7 | 424 Faulk Lot 2, Pleasant View Addition Block A/5905 | East Dallas Community Organization | 1 | \$3,846.84 |
| 8 | 508 Faulk Lot 4, Pleasant View Addition Block A/5905 | East Dallas Community Organization | 1 | \$3,846.84 |
| 9 | 532 Faulk Lot 10, Pleasant View Addition Block A/5905 | East Dallas Community Organization | 1 | \$4,026.39 |
| 10 | 544 Faulk Lot 13, Pleasant View Addition Block A/5905 | East Dallas Community Organization | 1 | \$3,846.84 |
| 11 | 836 Hutchins Lot C, Joseph Hamex Subdivision Block E/5895 | East Dallas Community Organization | 1 | \$3,846.84 |
| 12 | 1002 Signet Lot 5, Tract 2 Bonnie View Hills Revised Addition Block B/5888 | East Dallas Community Organization | 1 | \$4,117.10 |
| 13 | 1006 Signet Lot 4, Tract 1 Bonnie View Hills Revised Addition Block B/5888 | East Dallas Community Organization | 1 | \$3,846.84 |

TOTAL

\$50,667.81

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 13
- (2) Land Bank name for this parcel of lots. South Dallas Census Tract 89 – No. 1
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

SEE EXHIBIT A

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots: 4
 Square Footage of each home: 1100 -1500 approx.
 Number of Bedrooms/Baths in each home 3 / 2
 Number of Garages 1-2 Number of Carports Detached Attached
 Type of Exterior Veneer Hardiplank / Brick Which sides All sides typical
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110 – 130K

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 6
 Square Footage of each home 1300 -1500 approx.
 Number of Bedrooms/Baths in each home 3 / 2
 Number of Garages 1-2 Number of Carports Detached Attached 1
 Type of Exterior Veneer Hardiplank / Brick Which sides All sides typical
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 120 – 150K

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 3
 Square Footage of each home 1300 -1500 approx.
 Number of Bedrooms/Baths in each home 3 / 2
 Number of Garages 2 Number of Carports Detached Attached 1
 Type of Exterior Veneer Hardiplank / Brick Which sides All sides typical
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 130 – 170K

Attach extra sheet(s) breaking out above information for each different model of home.

EXHIBIT B

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a two year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 365 days

Completion of Construction 725 days

Sale of first affordable housing unit to low income households 500 days

Sale of last affordable unit to low income households 800 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 55E F J K

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by East Dallas Community Organization for the construction of affordable houses, **(2)** the sale of 11 vacant lots from Dallas Housing Acquisition and Development Corporation to East Dallas Community Organization; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) – Financing: No cost consideration to the City

BACKGROUND

On February 4, 2008, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program. The areas targeted for acquisition to achieve the desired goals under the program were identified.

Consistent with the program briefed in the Housing Committee, the staff requested proposals for the construction of affordable houses. Since there was not an existing non-profit organization in the area with a right of first refusal, proposals were requested from both non-profit and for profit organizations.

East Dallas Community Organization (EDCO) submitted a proposal and development plan to Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) for 11 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by EDCO to the City's Land Bank, the sale of those lots from DHADC to EDCO and the release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to EDCO will contain a reverter that returns the property to DHADC if a construction permit is not applied for by EDCO and construction financing is not closed within two years of conveyance.

BACKGROUND (continued)

EDCO will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,100 to 1,500 square feet and from \$110,000 to \$170,000. The lots will be deed restricted for sale to a low income family and will require at least 25 per cent of the developed homes to be sold to households with gross household incomes not greater than 60 per cent of the Area Median Family Income (AMFI) as determined annually by HUD.

A maximum of 30 per cent of the developed homes may be sold to households with gross incomes from 81 per cent to 115 per cent of the AMFI as determined annually by HUD. If 30 per cent of the homes are sold to buyers at 81 per cent to 115 per cent of the AMFI, the remaining homes will be sold to buyers below 81 per cent of the AMFI and in compliance with the minimum 25 per cent requirement to sell to buyers below 60 per cent of the AMFI. DHADC will receive \$47,355.88 for the sales price, as calculated from the 07-08 Land Bank Plan approved by City Council.

On June 18, 2003, Governor Rick Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments.

On January 28, 2004, the City Council approved the City of Dallas FY 2003-04 Urban Land Bank Demonstration Program Plan and authorized DHADC to amend its Articles of Incorporation and Bylaws to expand its purposes and authority to carry out the Urban Land Bank Demonstration Program Plan.

On May 26, 2004, the City Council authorized a contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program previously approved by City Council on January 28, 2004.

On October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC contract to provide additional operating and acquisition funds.

On August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006.

On August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan.

BACKGROUND (continued)

On January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank.

On October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan.

On December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007.

On August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008.

On October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458.

On May 26, 2004, the City Council authorized a contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-1726.

On October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC Contract to provide additional operating and acquisition funds for FY 2004-05 by Resolution No. 04-2930.

On August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006 by Resolution No. 05-2474.

PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)

On August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program by Resolution No. 05-2501.

On January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank by Resolution No. 06-0162.

On October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan by Resolution No. 06-2785.

On December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007 by Resolution No. 06-3403.

On August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008 by Resolution No. 07-2385.

On October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan by Resolution No. 07-2998.

FISCAL INFORMATION

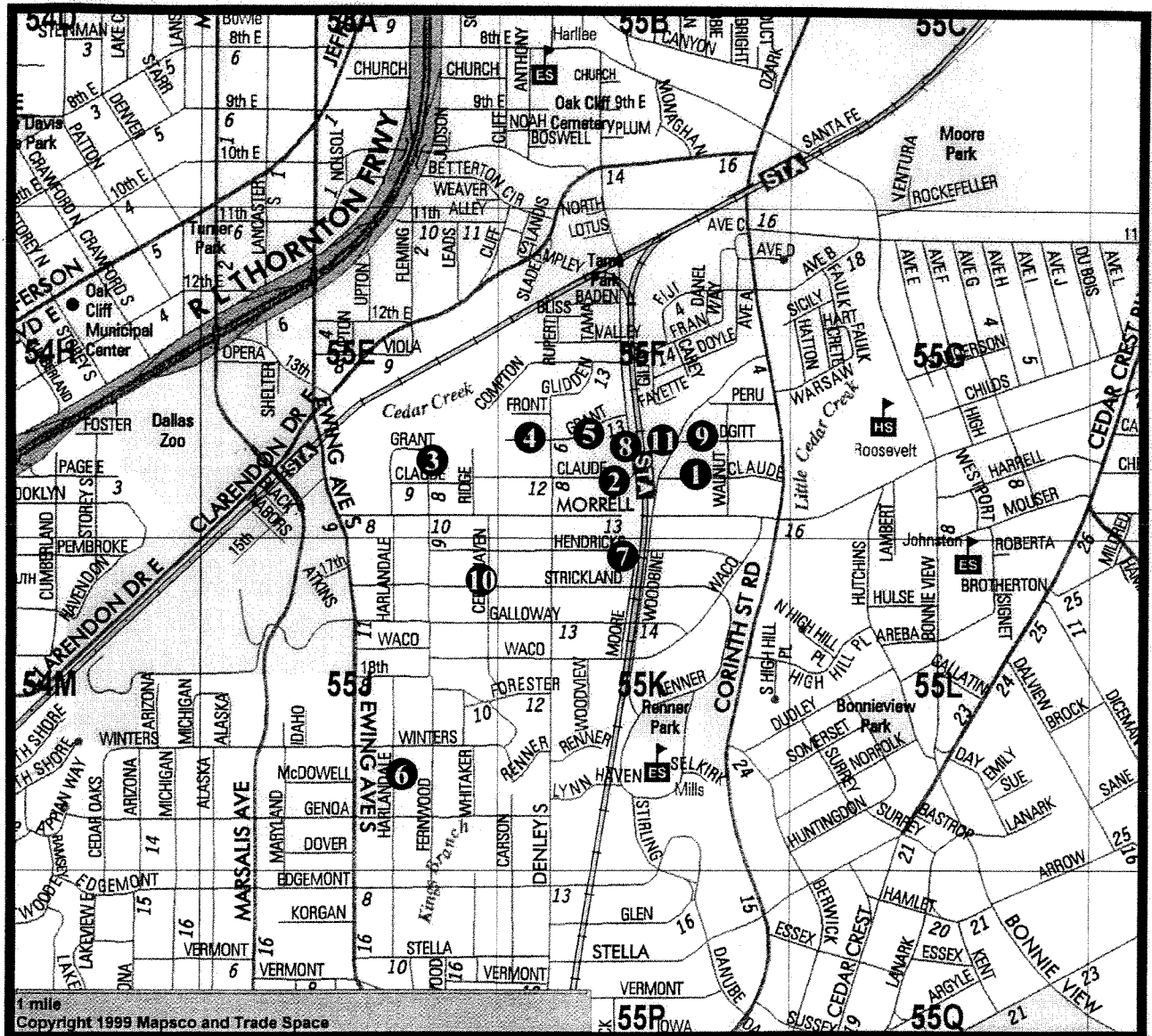
No cost consideration to the City.

MAP

Attached

**Land Bank (DHADC) Sale of Lots
to East Dallas Community Organization**

| <u>Property Address</u> | <u>Mapsco</u> | <u>Council District</u> | <u>Sales Price</u> |
|------------------------------------|----------------------|------------------------------------|-------------------------------|
| 1. 1422 Claude | 55F | 4 | \$4,045.73 |
| 2. 1339 Claude | 55F | 4 | \$4,863.68 |
| 3. 728 Fernwood | 55E | 4 | \$5,561.93 |
| 4. 1215 Grant | 55F | 4 | \$4,045.73 |
| 5. 1309 Grant | 55F | 4 | \$4,138.83 |
| 6. 1423 Harlandale | 55J | 4 | \$4,351.63 |
| 7. 1352 Hendricks | 55K | 4 | \$4,045.73 |
| 8. 734 S. Moore | 55F | 4 | \$4,045.73 |
| 9. 1414 Padgitt | 55F | 4 | \$4,045.73 |
| 10. 1035 Strickland | 55K | 4 | \$4,045.73 |
| 11. 635 Woodbine | 55F | 4 | \$4,165.43 |
| | | Total | \$47,355.88 |



1 mile
Copyright 1999 Mapsco and Trade Space

| PROPERTY ADDRESS | MAPSCO | COUNCIL DISTRICT | PROPERTY ADDRESS | MAPSCO | COUNCIL DISTRICT |
|--------------------|--------|------------------|---------------------|--------|------------------|
| 1. 1422 Claude | 55F | 4 | 7. 1352 Hendricks | 55K | 4 |
| 2. 1339 Claude | 55F | 4 | 8. 734 S. Moore | 55F | 4 |
| 3. 728 Fernwood | 55E | 4 | 9. 1414 Padgitt | 55F | 4 |
| 4. 1215 Grant | 55F | 4 | 10. 1035 Strickland | 55K | 4 |
| 5. 1309 Grant | 55F | 4 | 11. 635 Woodbine | 55F | 4 |
| 6. 1423 Harlandale | 55J | 4 | | | |

April 23, 2008

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C and: 1) approved the City of Dallas Urban Land Bank Demonstration Program Plan; 2) approved the Program Statement for the Dallas Urban Land Bank Demonstration Program; 3) authorized amendments to the Articles of Incorporation and By-Laws of the DHADC; and 4) authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458; and

WHEREAS, on May 26, 2004, the City Council authorized a contract with the DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program approved by the City Council on January 28, 2004 by Resolution No. 04-1726; and

WHEREAS, on October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC Contract to provide additional operating and acquisition funds for FY 2004-05 by Resolution No. 04-2930; and

WHEREAS, on August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006 by Resolution No. 05-2474; and

WHEREAS, on August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan by Resolution No. 05-2501; and

WHEREAS, on January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank by Resolution No. 06-0162; and

WHEREAS, on October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan by Resolution No. 06-2785; and

WHEREAS, on December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007 by Resolution No. 06-3403; and

April 23, 2008

WHEREAS, on August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008 by Resolution No. 07-2385; and

WHEREAS, on October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan by Resolution No. 07-2998; and

WHEREAS, East Dallas Community Organization (EDCO) submitted a proposal and development plan to DHADC for 11 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by EDCO and authorize the sale of the said 11 lots from DHADC to EDCO to build affordable houses; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the development plan shown on Exhibit "B" submitted by EDCO and the sale of 11 lots shown on "Exhibit A" from DHADC to EDCO is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens included in the foreclosure judgment and any non-tax liens that may have been filed by the City post-judgment on the lots shown on "Exhibit A".

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department

City Attorney's Office

Office of Financial Services/Community Development, 4FN

EXHIBIT "A"

LAND BANK PROPERTY

| PARCEL NUMBER | STREET ADDRESS LEGAL DESCRIPTION | QUALIFIED NONPROFIT PURCHASER | NUMBER OF HOMEOWNER UNITS | SALE AMOUNT |
|---------------|---|------------------------------------|------------------------------|----------------|
| 1 | 1422 Claude Lot 19, Cedar Cliff Addition Block 1/3866 | East Dallas Community Organization | 1 | \$4,045.73 |
| 2 | 1339 Claude Lot 24, Edgemont Addition Block 29/3590 | East Dallas Community Organization | 1 | \$4,863.68 |
| 3 | 728 Fernwood Lot 7, Belvedere Addition Block E/3394 | East Dallas Community Organization | 1 | \$5,561.93 |
| 4 | 1215 Grant SE Part of Lot 5, Betterton's Addition Oak Cliff Block F/3366 | East Dallas Community Organization | 1 | \$4,045.73 |
| 5 | 1309 Grant Lot 4, Edgemont Addition Block 30/3591 | East Dallas Community Organization | 1 | \$4,138.83 |
| 6 | 1423 Harlandale Lot 19, Glenwood Addition Block 11/3742 | East Dallas Community Organization | 1 | \$4,351.63 |
| 7 | 1352 Hendricks Lot 13, Second Installment of Edgemont Addition Block 17/3577 | East Dallas Community Organization | 1 | \$4,045.73 |
| 8 | 734 S. Moore Lot 3, Oliphants Subdivision of Cedar Cliff Addition Block 3865 | East Dallas Community Organization | 1 | \$4,045.73 |
| 9 | 1414 Padgett Lot 15, Cedar Cliff Addition Block 3/3868 | East Dallas Community Organization | 1 | \$4,045.73 |
| 10 | 1035 Strickland Lot 9, Brentwood Addition Block C/3396 | East Dallas Community Organization | 1 | \$4,045.73 |
| 11 | 635 Woodbine Lot 4, Cedar Cliff Addition Block 5/3870 | East Dallas Community Organization | 1 | \$4,165.43 |

TOTAL

\$47,355.88

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 11
- (2) Land Bank name for this parcel of lots. South Dallas Census Tract 49 – No. 1
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

SEE EXHIBIT A

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 3
Square Footage of each home: 1100 -1500 approx.
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1-2 Number of Carports Detached Attached
Type of Exterior Veneer Hardiplank / Brick Which sides All sides typical
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110 – 130K

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 5
Square Footage of each home 1300 -1500 approx.
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1-2 Number of Carports Detached Attached 1
Type of Exterior Veneer Hardiplank / Brick Which sides All sides typical
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 120 – 150K

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 3
Square Footage of each home 1300 -1500 approx.
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 2 Number of Carports Detached Attached 1
Type of Exterior Veneer Hardiplank / Brick Which sides All sides typical
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 130 – 170K

Attach extra sheet(s) breaking out above information for each different model of home.

EXHIBIT B

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a two year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 365 days

Completion of Construction 725 days

Sale of first affordable housing unit to low income households 500 days

Sale of last affordable unit to low income households 800 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 55F

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Sphinx Development Corporation for the construction of affordable houses, **(2)** the sale of 6 vacant lots from Dallas Housing Acquisition and Development Corporation to Sphinx Development Corporation; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) – Financing: No cost consideration to the City

BACKGROUND

On February 4, 2008, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program. The areas targeted for acquisition to achieve the desired goals under the program were identified.

Consistent with the program briefed in the Housing Committee, the staff requested proposals for the construction of affordable houses. Since there was not an existing non-profit organization in the area with a right of first refusal, proposals were requested from both non-profit and for profit organizations. Proposals were received from two organizations, East Dallas Community Organization and Sphinx Development Corporation (Sphinx).

Sphinx submitted a proposal and development plan to Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) for 6 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Sphinx to the City's Land Bank, the sale of those lots from DHADC to Sphinx and the release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens.

BACKGROUND (continued)

DHADC's Deed without Warranty to Sphinx will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Sphinx and construction financing is not closed within two years of conveyance. Sphinx will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,260 to 1,800 square feet and from \$100,000 to \$200,000. The lots will be deed restricted for sale to a low income family and will require at least 25 per cent of the developed homes to be sold to households with gross household incomes not greater than 60 per cent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 per cent of the developed homes may be sold to households with gross incomes from 81 per cent to 115 per cent of the AMFI as determined annually by HUD.

If 30 per cent of the homes are sold to buyers at 81 per cent to 115 per cent of the AMFI, the remaining homes will be sold to buyers below 81 per cent of the AMFI and in compliance with the minimum 25 per cent requirement to sell to buyers below 60 per cent of the AMFI. DHADC will receive \$21,113.04 for the sales price, as calculated from the 2007-08 Land Bank Plan approved by City Council.

On June 18, 2003, Governor Rick Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments.

On January 28, 2004, the City Council approved the City of Dallas FY 2003-04 Urban Land Bank Demonstration Program Plan and authorized DHADC to amend its Articles of Incorporation and Bylaws to expand its purposes and authority to carry out the Urban Land Bank Demonstration Program Plan.

On May 26, 2004, the City Council authorized a contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program previously approved by City Council on January 28, 2004.

On October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC contract to provide additional operating and acquisition funds.

BACKGROUND (continued)

On August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006.

On August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan.

On January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank.

On October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan.

On December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007.

On August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008.

On October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458.

On May 26, 2004, the City Council authorized a contract with DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-1726.

On October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC Contract to provide additional operating and acquisition funds for FY 2004-05 by Resolution No. 04-2930.

PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)

On August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006 by Resolution No. 05-2474.

On August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program by Resolution No. 05-2501.

On January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank by Resolution No. 06-0162.

On October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan by Resolution No. 06-2785.

On December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007 by Resolution No. 06-3403.

On August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008 by Resolution No. 07-2385.

On October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan by Resolution No. 07-2998.

FISCAL INFORMATION

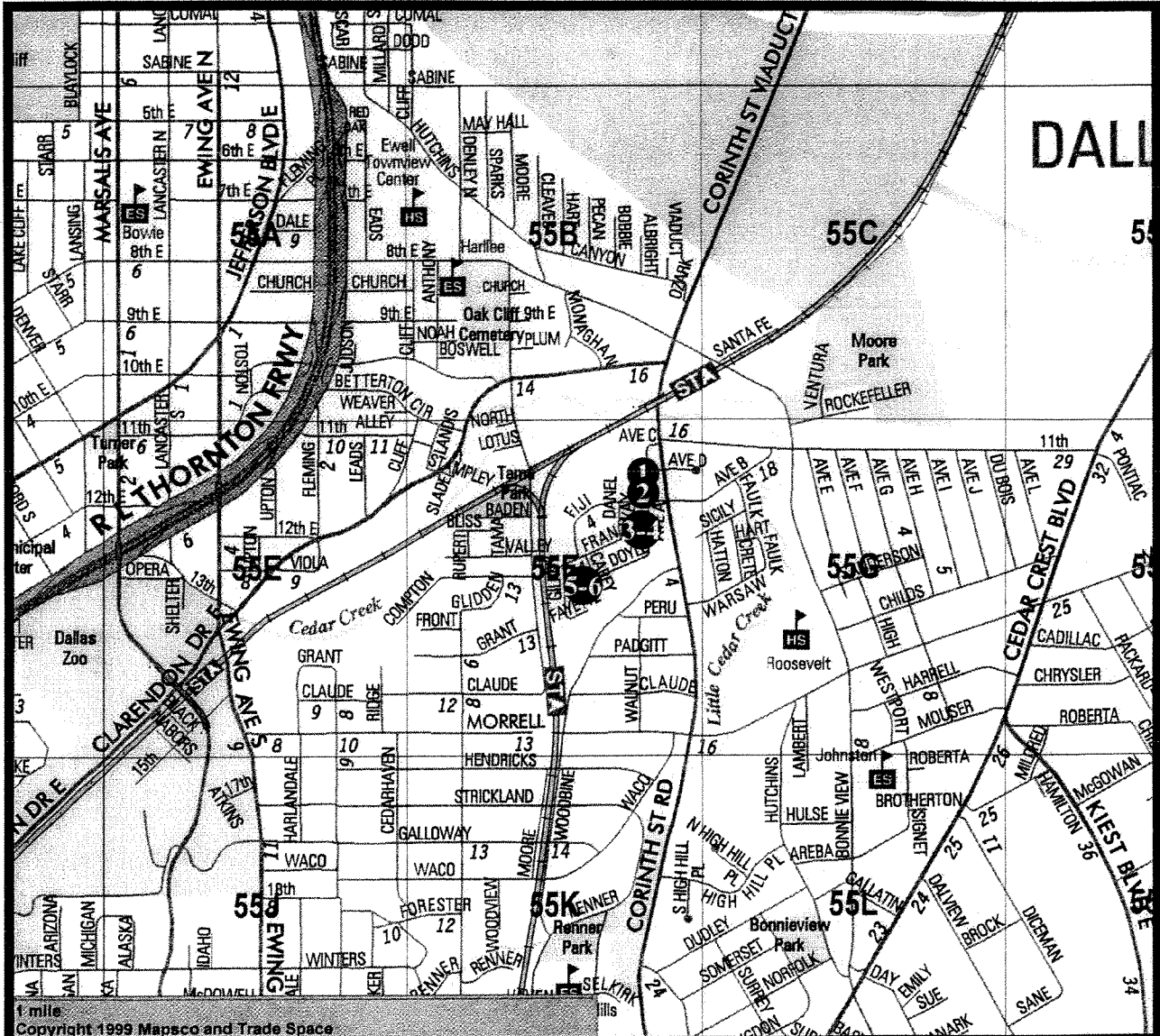
No cost consideration to the City.

MAP

Attached

**Land Bank (DHADC) Sale of Lots
to Sphinx Development Corporation**

| <u>Property Address</u> | <u>Mapsco</u> | <u>Council District</u> | <u>Sales Price</u> |
|------------------------------------|----------------------|------------------------------------|-------------------------------|
| 1. 315 Avenue A | 55F | 4 | \$3,518.84 |
| 2. 331 Avenue A | 55F | 4 | \$3,518.84 |
| 3. 427 Avenue A | 55F | 4 | \$3,518.84 |
| 4. 431 Avenue A | 55F | 4 | \$3,518.84 |
| 5. 1409 Doyle | 55F | 4 | \$3,518.84 |
| 6. 1419 Doyle | 55F | 4 | \$3,518.84 |
| | | Total | \$21,113.04 |



1 mile
Copyright 1999 Mapsc0 and Trade Space

| PROPERTY ADDRESS | MAPSCO | COUNCIL DISTRICT | PROPERTY ADDRESS | MAPSCO | COUNCIL DISTRICT |
|------------------|--------|------------------|------------------|--------|------------------|
| 1. 315 Avenue A | 55F | 4 | 4. 431 Avenue A | 55F | 4 |
| 2. 331 Avenue A | 55F | 4 | 5. 1409 Doyle | 55F | 4 |
| 3. 427 Avenue A | 55F | 4 | 6. 1419 Doyle | 55F | 4 |

April 23, 2008

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C and: 1) approved the City of Dallas Urban Land Bank Demonstration Program Plan; 2) approved the Program Statement for the Dallas Urban Land Bank Demonstration Program; 3) authorized amendments to the Articles of Incorporation and By-Laws of the DHADC; and 4) authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458; and

WHEREAS, on May 26, 2004, the City Council authorized a contract with the DHADC for the provision of land bank services as set forth in the amended Program Statement for the Dallas Urban Land Bank Demonstration Program approved by the City Council on January 28, 2004 by Resolution No. 04-1726; and

WHEREAS, on October 13, 2004, the City Council approved the City of Dallas FY 2004-05 Urban Land Bank Demonstration Program Plan and authorized an amendment to the DHADC Contract to provide additional operating and acquisition funds for FY 2004-05 by Resolution No. 04-2930; and

WHEREAS, on August 24, 2005, the City Council authorized an amendment to the contract with DHADC to extend the term to November 1, 2006 and to allow the City to refer up to 625 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 26, 2006 by Resolution No. 05-2474; and

WHEREAS, on August 24, 2005, the City Council approved the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan by Resolution No. 05-2501; and

WHEREAS, on January 11, 2006, the City Council authorized an amendment to the City of Dallas FY 2005-06 Urban Land Bank Demonstration Program Plan to increase the list of properties in the plan that may become eligible for sale to the Land Bank by Resolution No. 06-0162; and

WHEREAS, on October 11, 2006, the City Council approved the City of Dallas FY 2006-07 Urban Land Bank Demonstration Program Plan by Resolution No. 06-2785; and

WHEREAS, on December 13, 2006, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2007 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2007 by Resolution No. 06-3403; and

April 23, 2008

WHEREAS, on August 22, 2007, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2008 and to allow the City to refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2008 by Resolution No. 07-2385; and

WHEREAS, on October 10, 2007, the City Council approved the City of Dallas FY 2007-08 Urban Land Bank Demonstration Program Plan by Resolution No. 07-2998; and

WHEREAS, Sphinx Development Corporation (Sphinx) submitted a proposal and development plan to DHADC for 6 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Sphinx and authorize the sale of the said 6 lots from DHADC to Sphinx to build affordable houses; **NOW, THEREFORE;**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the development plan shown on Exhibit "B" submitted by Sphinx and the sale of 6 lots shown on "Exhibit A" from DHADC to Sphinx is approved.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens included in the foreclosure judgment and any non-tax liens that may have been filed by the City post-judgment on the lots shown on "Exhibit A".

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department

City Attorney's Office

Office of Financial Services/Community Development, 4FN

EXHIBIT "A"

| LAND BANK PROPERTY | | | | | |
|--------------------|---|--------------------------------|---------------------------|--------------------|--|
| PARCEL NUMBER | STREET ADDRESS LEGAL DESCRIPTION | QUALIFIED PURCHASER | NUMBER OF HOMEOWNER UNITS | SALE AMOUNT | |
| 1 | 315 Avenue A Lot 21, Oak Cliff Heights Addition Block 4720 | Sphinx Development Corporation | 1 | \$3,518.84 | |
| 2 | 331 Avenue A Lot 17, Oak Cliff Heights Addition Block 4720 | Sphinx Development Corporation | 1 | \$3,518.84 | |
| 3 | 427 Avenue A Lot 9, Oak Cliff Heights Addition Block 4615 | Sphinx Development Corporation | 1 | \$3,518.84 | |
| 4 | 431 Avenue A Lot 8, Oak Cliff Heights Addition Block 4715 | Sphinx Development Corporation | 1 | \$3,518.84 | |
| 5 | 1409 Doyle Lot 7, Miss Carrie Gilroy's Addition Block B/4710 | Sphinx Development Corporation | 1 | \$3,518.84 | |
| 6 | 1419 Doyle Lot 5, Miss Carrie Gilroy's Addition Block B/4710 | Sphinx Development Corporation | 1 | \$3,518.84 | |
| TOTAL | | | | \$21,113.04 | |

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 6
- (2) Land Bank name for this parcel of lots. South Dallas (Fiji Street) – No. 1
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

SEE EXHIBIT A

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1260
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports Detached Attached X
Type of Exterior Veneer Masonry Which sides Front & Back
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 100 – 112K

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 3
Square Footage of each home 1580
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 2 Number of Carports Detached Attached X
Type of Exterior Veneer Masonry Which sides Front & Back
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 120 – 149K

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 2
Square Footage of each home 1800
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 2 Number of Carports Detached Attached X
Type of Exterior Veneer Masonry Which sides Front & Back
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 160 – 200K

Attach extra sheet(s) breaking out above information for each different model of home.

EXHIBIT B

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a two year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 90 days
Completion of Construction 270 days
Sale of first affordable housing unit to low income households 360 days
Sale of last affordable unit to low income households 720 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 56 G

SUBJECT

Authorize acquisition of two parcels improved with vacant single-family residences at 2500 St. Clair Drive and 2513 St. Clair Drive for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$50,500 including estimated closing costs - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of 2500 St. Clair Drive improved with a vacant single-family residence for \$22,000 and 2513 St. Clair Drive improved with a vacant single-family residence for \$24,500. The acquisitions will be used for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program - Census Tract 39.02. The total consideration of \$46,500 is based upon independent appraisals.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Funds - \$50,500 including estimated closing costs

OWNER

Eliza Investments, LP

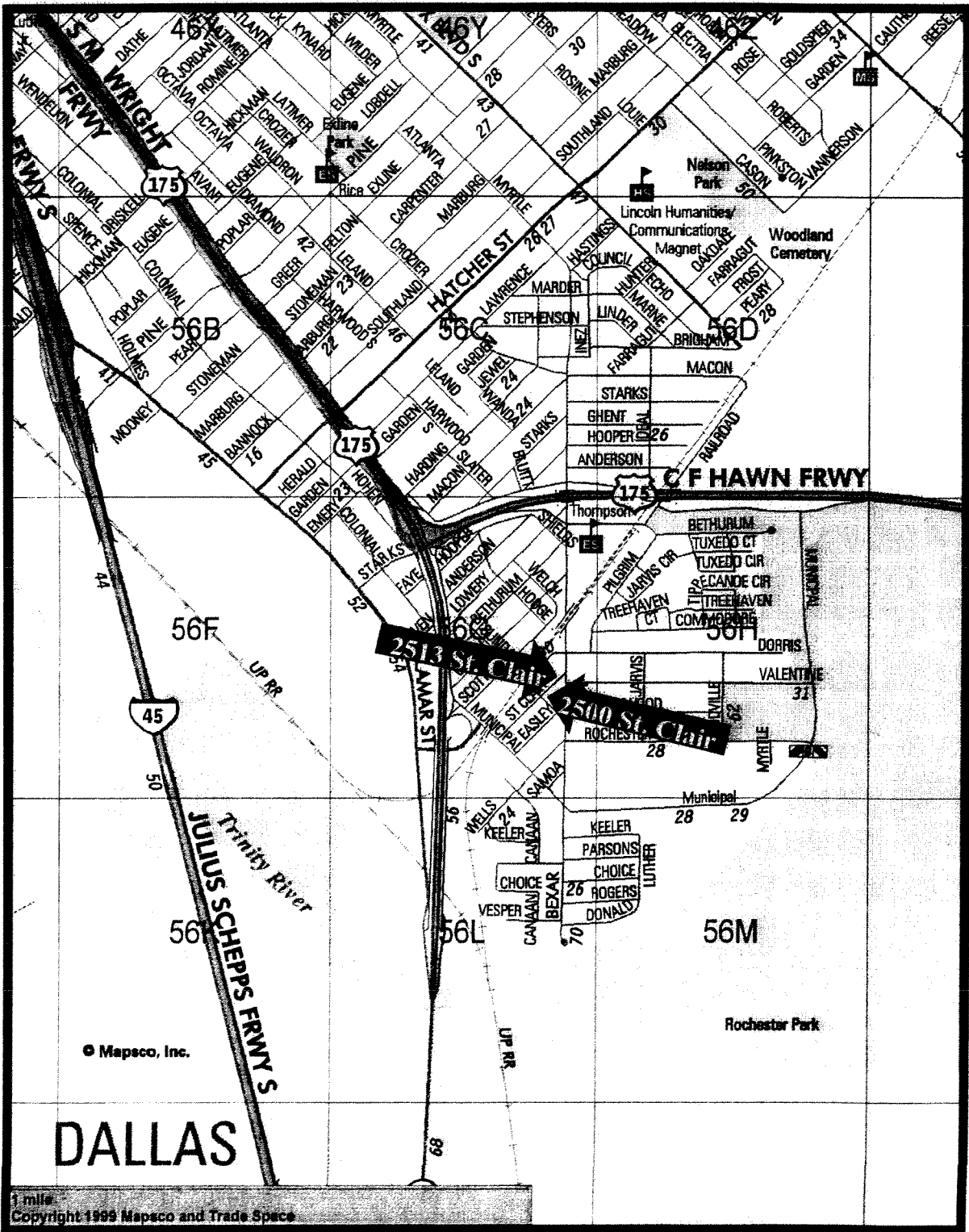
Eliza Properties, Inc., General Partner
Robert G. Hanson, President

MAP

Attached

Bexar Street Redevelopment Project

| <u>Parcel No.</u> | <u>Owner</u> | <u>Property Address</u> | <u>Offer Amount</u> | <u>Mapsco</u> | <u>Council District</u> |
|-------------------|-----------------------|-------------------------|---------------------|---------------|-------------------------|
| B16 | Enrique Hernandez | 2500 St. Clair Drive | \$22,000 | 56G | 7 |
| B8 | Eliza Investments, LP | 2513 St. Clair Drive | \$24,500 | 56G | 7 |



April 23, 2008

BE IT RESOLVED BY THE DALLAS CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That for the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROJECT": Bexar Street Redevelopment Project as part of the Neighborhood Investment Program - Census Tract 39.02.

"PROPERTY": Described in Exhibit A, attached hereto and made a part hereof for all purposes.

"PROPERTY INTEREST": Fee Simple

"OWNER(S)" and "OFFER AMOUNT": Described in Exhibit A, attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby determined that public necessity requires that the CITY should acquire the PROPERTY INTEREST under, over and across the PROPERTY necessary for the PROJECT.

SECTION 3. That the PROPERTY is hereby determined to be necessary for the PROJECT. That for the purpose of acquiring the PROPERTY INTEREST, the Director of Development Services, or such employee as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY to be acquired and full damages allowable by law, which amount represents its fair cash market value.

SECTION 4. That the CITY determines to appropriate the PROPERTY INTEREST under, over and across the PROPERTY for the PROJECT under the provisions of the Charter of the City of Dallas.

SECTION 5. That in the event the OWNER accepts the OFFER AMOUNT as authorized herein, the City Controller is authorized to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable from the funding as shown below, for the properties shown on Exhibit A.

April 23, 2008**SECTION 5. (continued)**

Republic Title of Texas

VENDOR # 342843

| <u>FUND</u> | <u>DEPT</u> | <u>UNIT</u> | <u>OBJ</u> | <u>CT</u> | <u>AMOUNT</u> | <u>Program #</u> |
|-------------|-------------|-------------|------------|-------------|---------------|------------------|
| 7T52 | HOU | T807 | 4599 | HOUT807F025 | \$22,000 | HOUBEXAR01 |
| 7T52 | HOU | T807 | 4599 | HOUT807F025 | \$24,500 | HOUBEXAR01 |

SECTION 6. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs in an estimated amount of \$4,000.

Republic Title of Texas

VENDOR # 342843

| <u>FUND</u> | <u>DEPT</u> | <u>UNIT</u> | <u>OBJ</u> | <u>CT</u> | <u>AMOUNT</u> | <u>Program #</u> |
|-------------|-------------|-------------|------------|-------------|---------------|------------------|
| 7T52 | HOU | T807 | 4599 | HOUT807F025 | \$2,000 | HOUBEXAR01 |
| 7T52 | HOU | T807 | 4599 | HOUT807F025 | \$2,000 | HOUBEXAR01 |

SECTION 7. That the term OWNER in this resolution means all persons having an ownership interest in the PROPERTY regardless of whether those persons are actually named in Section 1. In the event of a conflict between this section and Section 1, this section controls.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
 City Attorney's Office
 Office of Financial Services/Community Development, 4FS

Exhibit A

Bexar Street Redevelopment Project

| <u>Parcel No.</u> | <u>Owner</u> | <u>Property Address</u> | <u>Legal Description</u> <u>Lots</u> <u>Block</u> | <u>Offer</u> <u>Amount</u> |
|-------------------|-----------------------|-------------------------|--|-------------------------------|
| B16 | Enrique Hernandez | 2500 St. Clair Drive | 1 & 2 26/2568 | \$22,000 |
| B8 | Eliza Investments, LP | 2513 St. Clair Drive | 28 & 29 21/2563 | \$24,500 |

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 23, 2008
COUNCIL DISTRICT(S): 3, 4, 5, 7, 8
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 44J 46M 55P 55Y 64Y 65F 66A

SUBJECT

Authorize **(1)** an amendment to Resolution No. 07-3306 previously approved on November 12, 2007, to provide that the maximum \$87,500 Reconstruction/SHARE loan may include an amenities package and **(2)** the reconstruction on-site of 9 homes in accordance with the Reconstruction/SHARE Program Statement requirements for homeowners and properties (list attached) - Total not to exceed \$781,880 - Financing: 2000-2001 Home Funds (\$87,499), 2005-2006 HOME Funds (\$276,375), 2006-2007 HOME Funds (\$216,355), 2007-2008 HOME Funds (\$172,280), 2006-2007 Community Development Grant Funds (\$29,371)

BACKGROUND

On November 12, 2007, City Council approved amendment of the Program Statement for the Home Repair Program which authorizes loans for reconstruction on-site of new homes to low-income homeowners in Dallas earning less than 50% Citywide and 80% in NIP areas of Area Median Family Income (AMFI). This item further clarifies the authorization amendment to the Program Statement for the Reconstruction/SHARE program to provide that up to \$5,900 of the maximum \$87,500 may be used by the borrower/homeowner for an amenities package. (Maximum Program funding is up to \$87,500 for a new home on-site approximately 1,200 sq ft).

City Council authorization is also required prior to proceeding with reconstruction on-site when all of the following conditions exist: (a) repairs necessary to meet the City's locally adopted Housing Rehabilitation Standards or Federal Housing Quality Standards and all applicable codes cannot be accomplished within the program funding limits; (b) the conditions of the home create an imminent danger to the life, health and/or safety of the residents and/or the neighborhood; and (c) repairs are not feasible in that they will not extend the life of the repaired structure beyond 15 years.

BACKGROUND (continued)

The following homeowners and properties described are eligible for a loan to reconstruct the home on-site: Martha Polk, a 74 year-old female 1714 S. Denley Drive; Pearlie Willis, a 69 year-old female 4034 Kostner Avenue; Earnestine Graham, a 72 year-old widow 2302 Stovall Drive; Hector Martinez, a 63 year-old male and his wife Florinda Martinez, a 56 year-old female 1507 Rowan Avenue; Ella Mae Seaton, a 61 year-old widow 1427 Barry Avenue; Antoinette Walker, a 55 year-old female 2024 Bickers Street; Sandra Cornell, a 54 year-old disabled female 709 Bluewood Drive; Theartis Brown, a 82 year-old widow 2950 Marjorie Avenue; and Doris Malone, a 68 year-old widow 1425 Rowan Avenue are all at 50% and below AMFI, and are eligible for a loan to reconstruct the homes on-site.

This action provides authority to proceed with reconstruction of 9 single-family homes on-site, as all conditions noted above have been met.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 28, 1998, the City Council authorized the Program Statement authorizing the Housing Department to implement the Home Improvement Loan Program and included clarification of procedures for reconstruction on-site under certain conditions by Council Resolution No. 98-3157.

On August 23, 2000, the City Council authorized approval of the Program Statement for the Home Improvement Loan Program by Resolution No. 00-2656.

On June 27, 2001, the City Council authorized approval of a program statement for the Home Repair Program by Resolution No. 01-2049.

On August 14, 2002, the City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-2272.

On October 23, 2002, the City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-3047.

On October 22, 2003, the City Council authorized the Program Statement for the Replacement and SHARE Housing Program by Resolution No. 03-2833.

On June 23, 2004, the City Council authorized an amendment to the Program Statement for the Replacement and SHARE Housing Program by Resolution No. 04-2097.

On October 18, 2004, the Housing and Neighborhood Development Committee recommended increasing the Maximum loan for a replacement home to \$70,000.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)(continued)

On November 10, 2004, the City Council authorized an amendment to the Program Statement for the Replacement and SHARE Housing Program to increase the maximum amount to \$70,000 by Resolution No. 04-3194.

On November 12, 2007, the City Council authorized the Program Statement authorizing the Housing Department to implement the Reconstruction/SHARE Program Statement for reconstruction on-site under certain conditions for assistance up to \$87,500 by Council Resolution No. 07-3306.

FISCAL INFORMATION

2000-2001 HOME Funds (87,499)
2005-2006 HOME Funds (\$276,375)
2006-2007 HOME Funds (\$216,355)
2007-2008 HOME Funds (\$172,280)
2006-2007 Community Development Grant Funds (\$29,371)

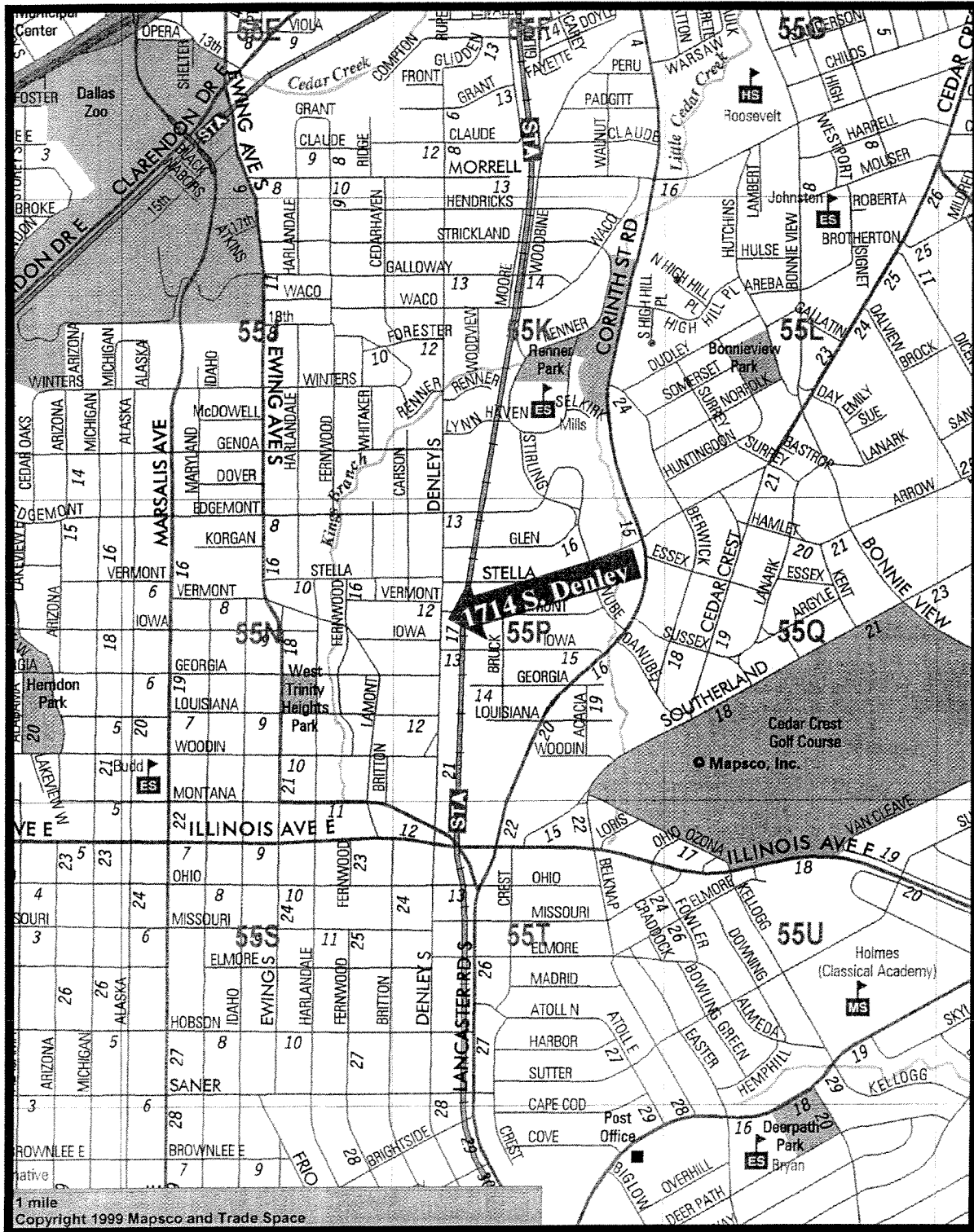
Council District 3 - \$ 86,500
Council District 4 - \$261,500
Council District 5 - \$ 86,500
Council District 7 - \$259,880
Council District 8 - \$ 87,500

MAP(S)

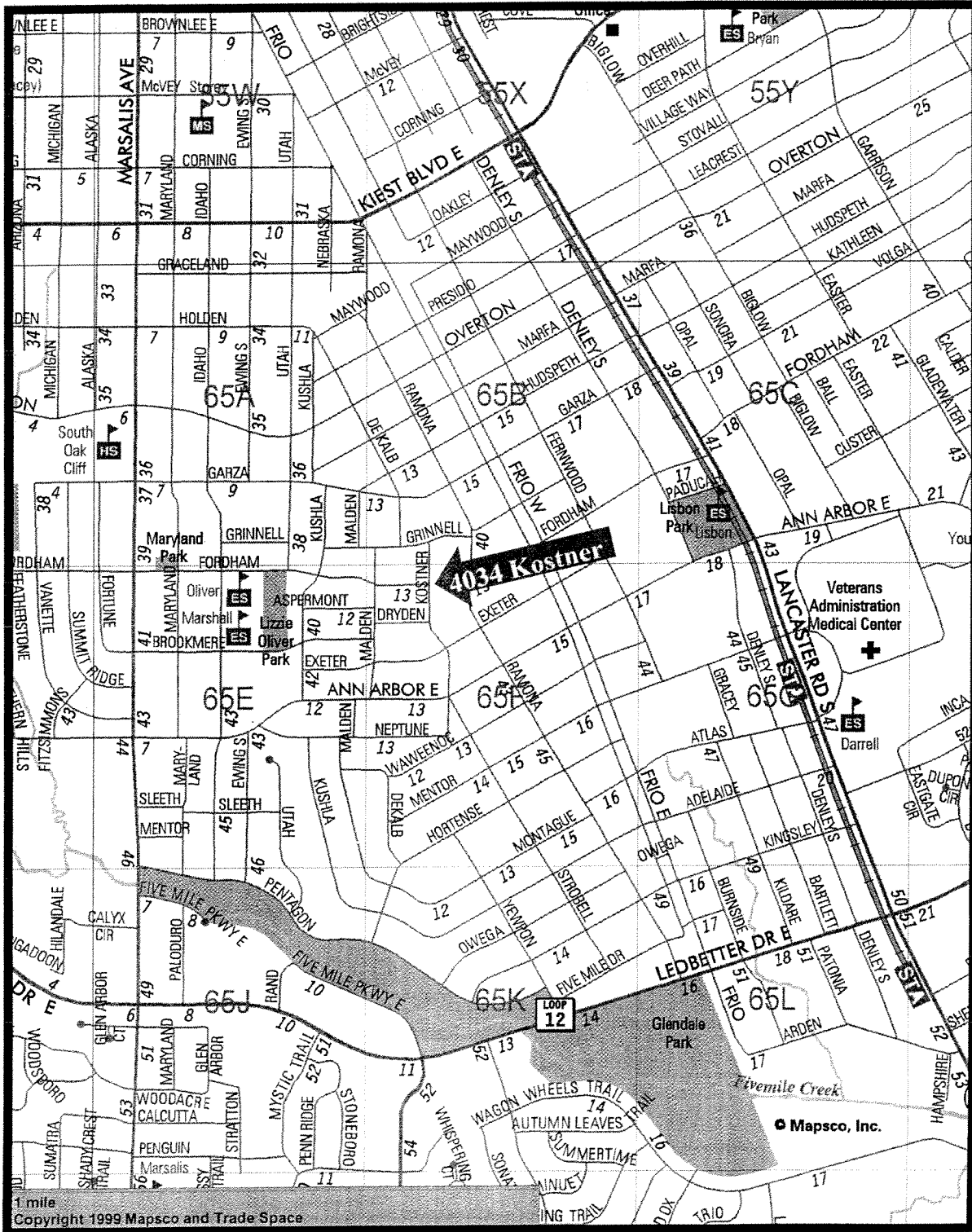
Attached

Reconstruction List

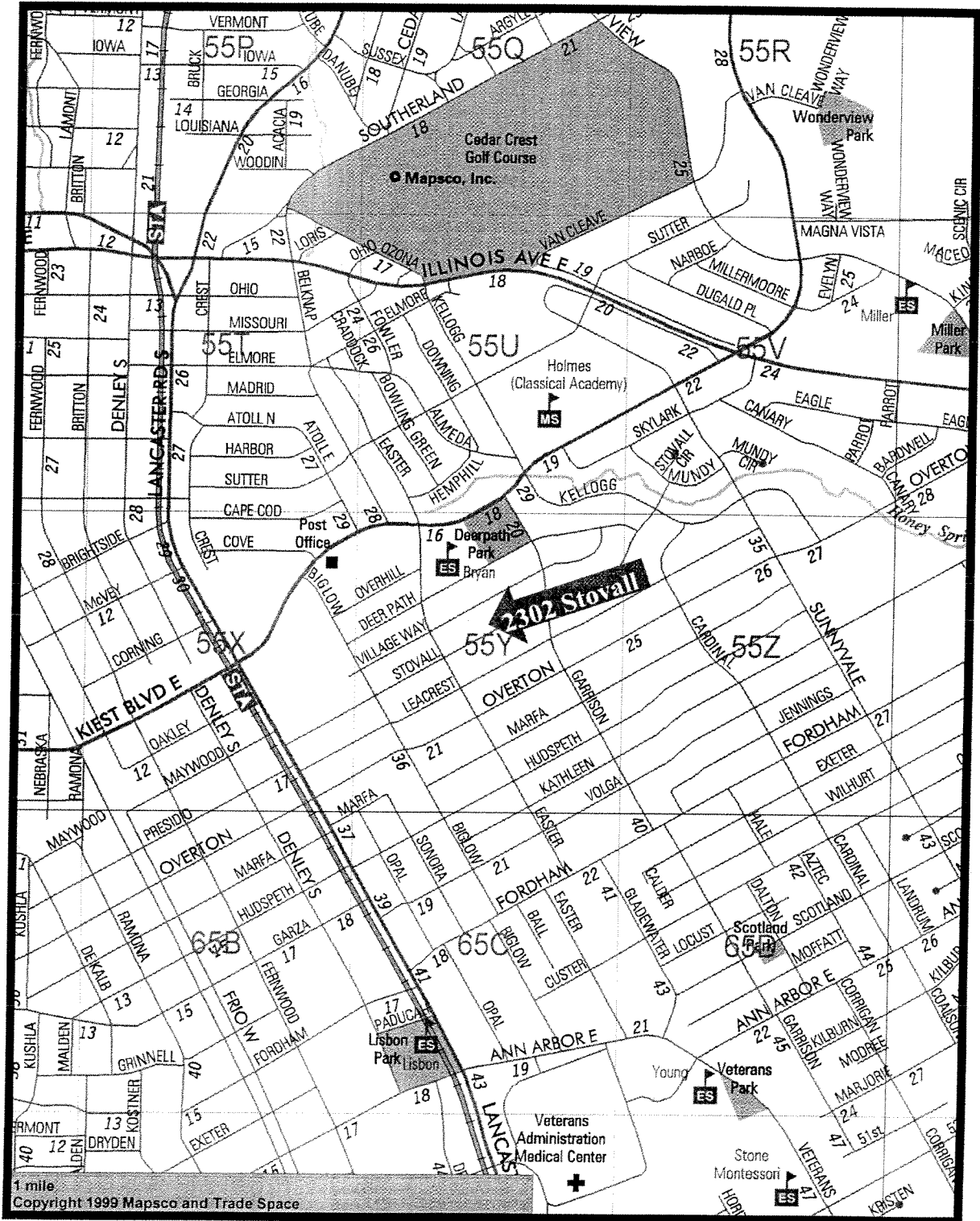
| <u>Property Address</u> | <u>Homeowner</u> | <u>Council District</u> | <u>Amount Funded</u> |
|-------------------------|----------------------------|-------------------------|----------------------|
| 1714 S. Denley Dive | Martha Polk | 4 | \$87,500 |
| 4034 Kostner Avenue | Pearlie Willis | 4 | \$87,500 |
| 2302 Stovall Drive | Earnestine Graham | 4 | \$86,500 |
| 1507 Rowan Avenue | Hector & Florinda Martinez | 7 | \$87,500 |
| 1427 Barry Avenue | Ella Mae Seaton | 7 | \$87,500 |
| 2024 Bickers Street | Antoinette Walker | 3 | \$86,500 |
| 709 Bluewood Drive | Sandra Cornell | 8 | \$87,500 |
| 2950 Marjorie Avenue | Theartis Brown | 5 | \$86,500 |
| 1425 Rowan Avenue | Doris Malone | 7 | \$84,880 |



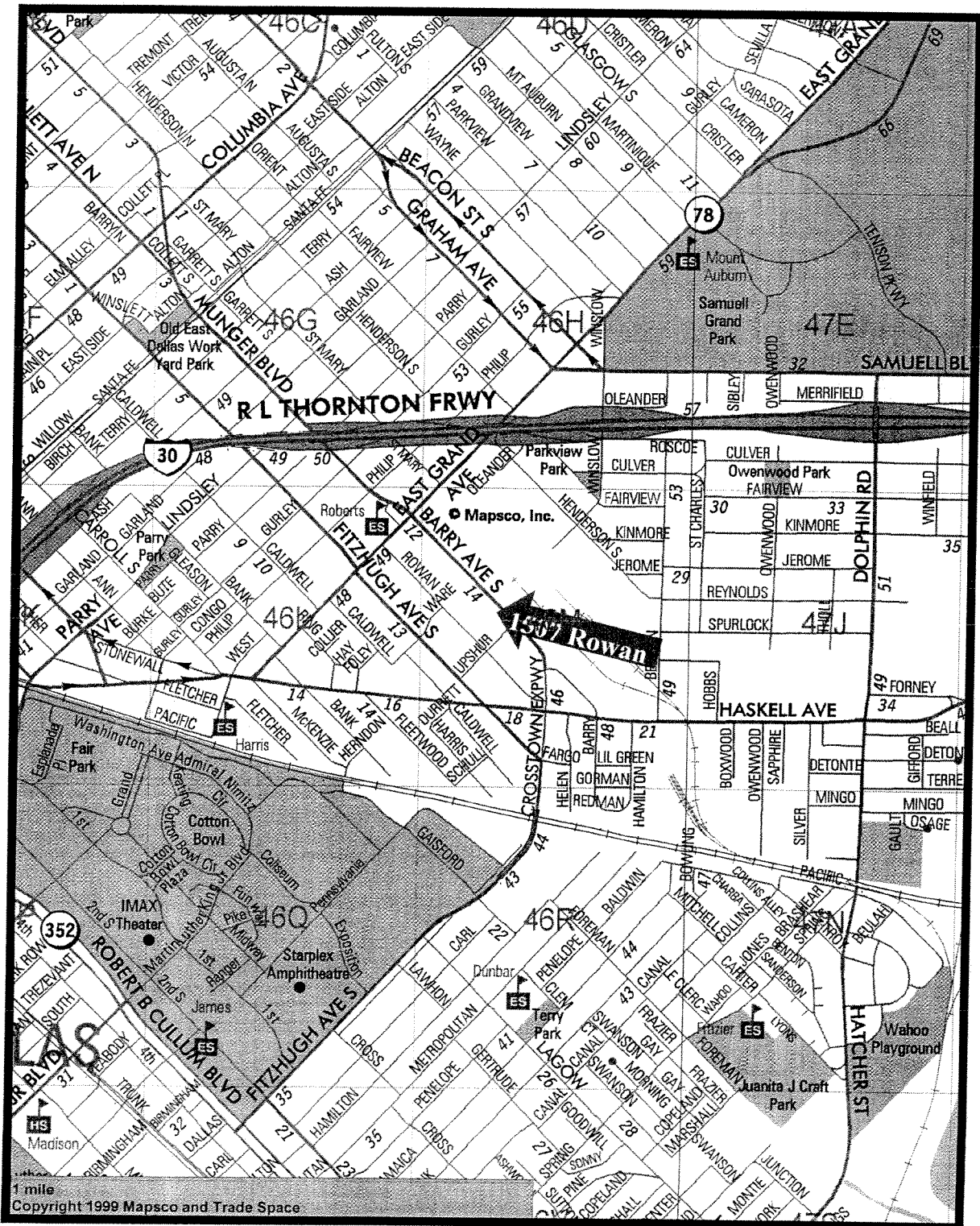
MAPSCO 55P



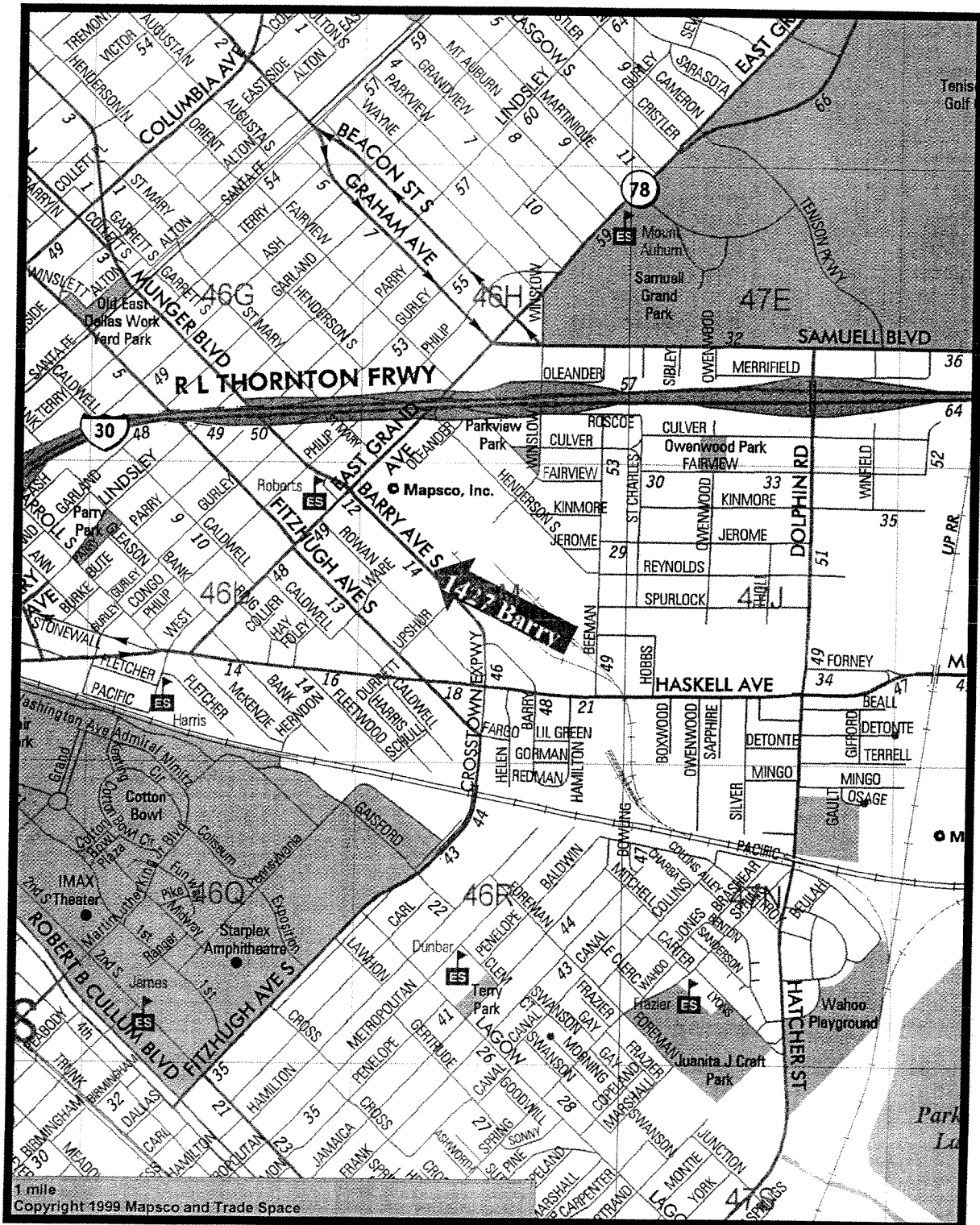
MAPSCO 65F



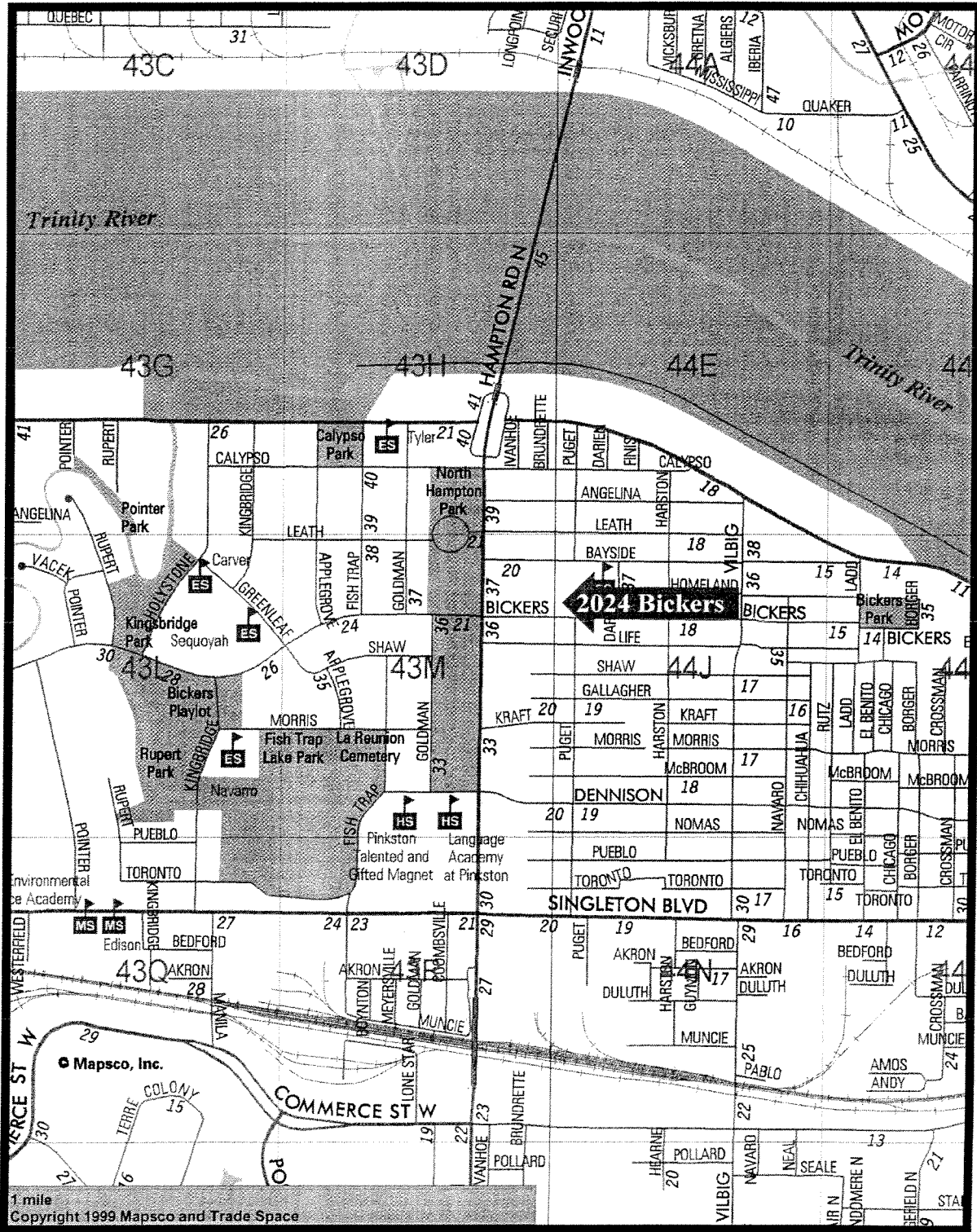
MAPSCO 55Y



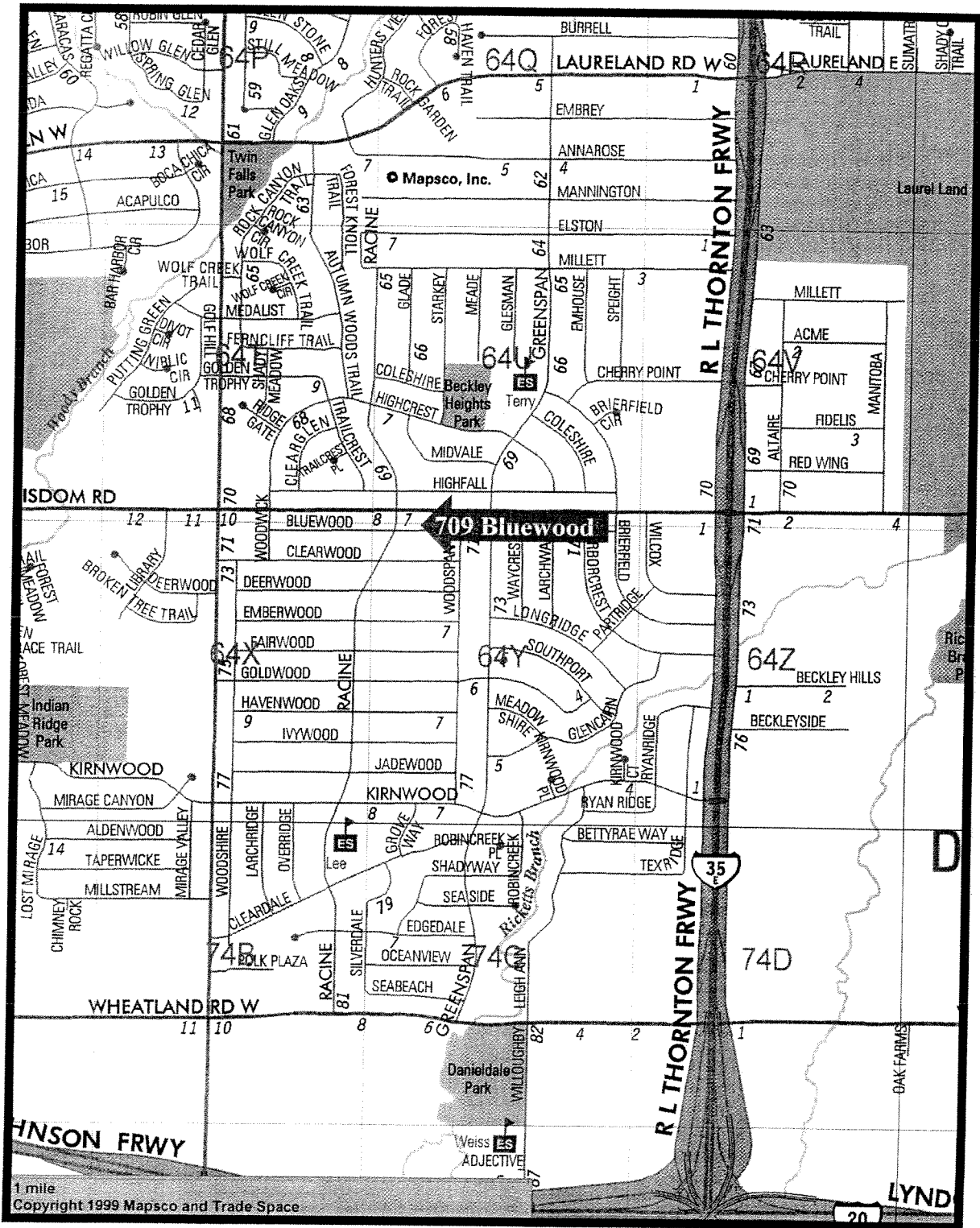
MAPSCO 46M



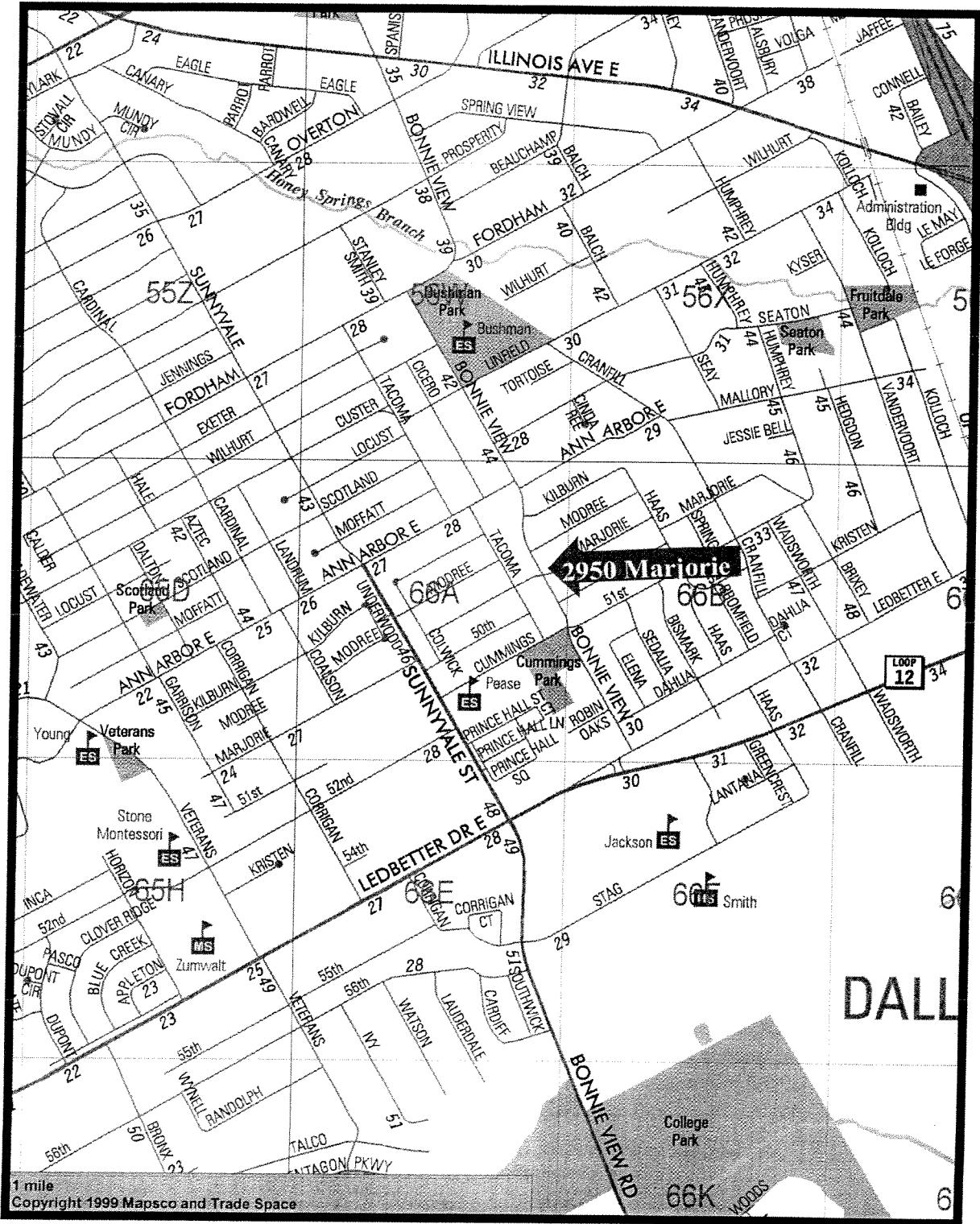
MAPSCO 46M



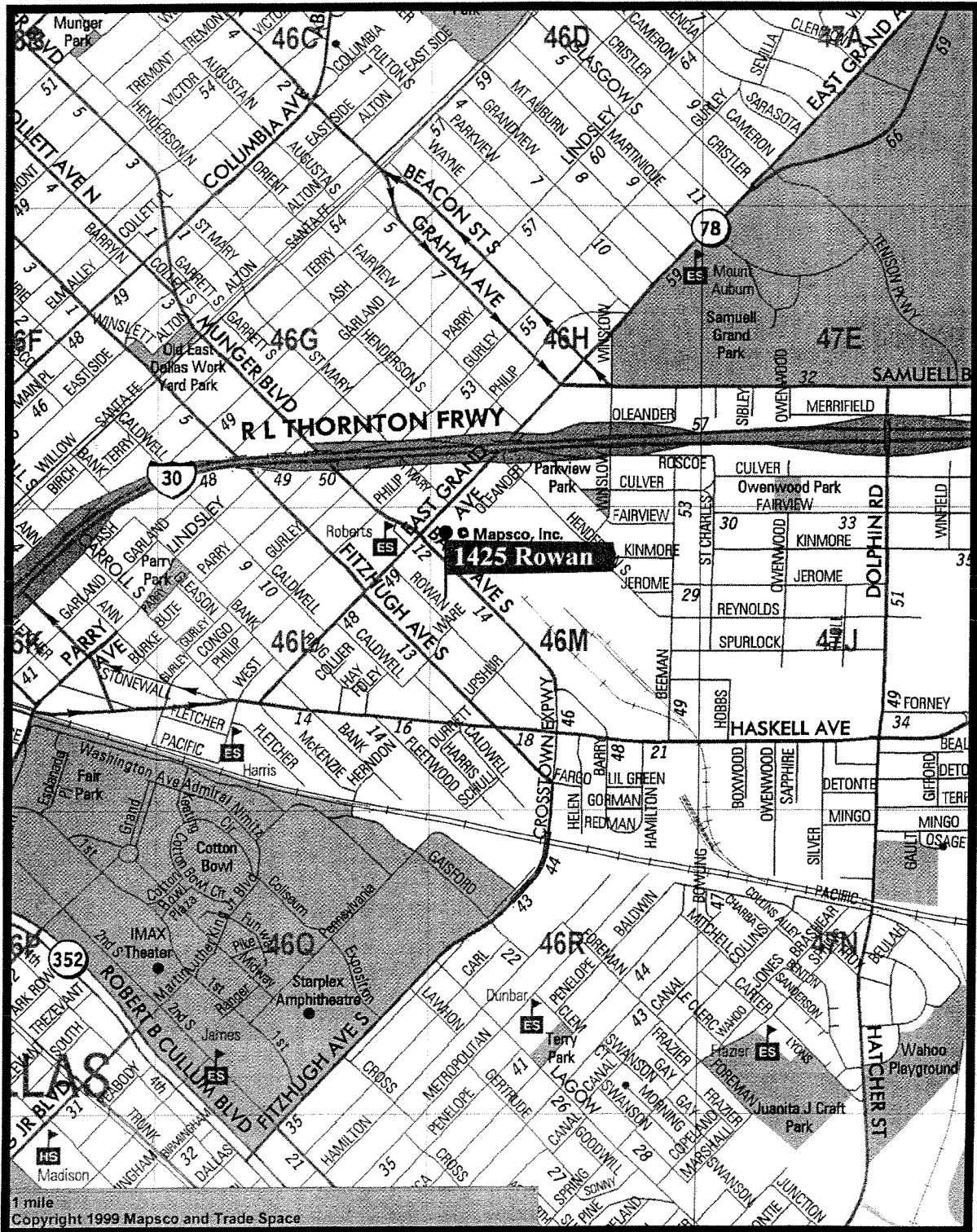
MAPSCO 44J



MAPSCO 64Y



MAPSCO 66A



MAPSCO 46M

April 23, 2008

WHEREAS, on November 12, 2007, the City Council approved a Program Statement for the Reconstruction/SHARE Program by Resolution No. 07-3306; and

WHEREAS, the following homeowners described made application to the Home Repair Program: Martha Polk, 1714 S. Denley Drive; Pearlie Willis, 4034 Kostner Avenue; Earnestine Graham, 2302 Stovall Drive; Hector and Florinda Martinez, 1507 Rowan Avenue; Ella Mae Seaton, 1427 Barry Avenue; Antoinette Walker, 2024 Bickers Street; Sandra Cornell, 709 Bluewood Drive; Theartis Brown, 2950 Marjorie Avenue; and Doris Malone, 1425 Rowan Avenue; and

WHEREAS, all three conditions outlined in the Reconstruction/SHARE Program Statement for reconstruction of a home on-site have been met for the property owners. Martha Polk, Pearlie Willis, Earnestine Graham, Hector and Florinda Martinez, Ella Mae Seaton, Antoinette Walker; Sandra Cornell, Theartis Brown and Doris Malone; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Council authorizes amendment of the Reconstruction/SHARE Program Statement attached as Exhibit B for all projects that are placed under contract on and after the effective date of this resolution.

SECTION 2. That the applications and properties from homeowners described for a reconstruction loan be approved under the Reconstruction/SHARE Program: Martha Polk, 1714 S. Denley Drive; Pearlie Willis, 4034 Kostner Avenue; Earnestine Graham, 2302 Stovall Drive; Hector and Florinda Martinez, 1507 Rowan Avenue; Ella Mae Seaton, 1427 Barry Avenue; Antoinette Walker, 2024 Bickers Street; Sandra Cornell, 709 Bluewood Drive; Theartis Brown, 2950 Marjorie Avenue; and Doris Malone, 1425 Rowan Avenue.

SECTION 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute loan documents with homeowners' names and loan documents for reconstruction on-site of homes to be located at homeowners' addresses all as listed on Exhibit A.

April 23, 2008

SECTION 4. That the City Controller is authorized to make payments for reconstruction of the homes in accordance with the funding information listed according to:

Fund HM06 Dept HOU, Unit 3979, Obj 3100 CT HOU3979D033
Vendor # 341864 - \$87,500 - 1714 S. Denley Drive

Fund HM07 Dept HOU, Unit 3211, Obj 3100 CT HOUHMO7F020
Vendor # 337798 - \$87,500 - 4034 Kostner Avenue

Fund HM00 Dept HOU, Unit HM05, Obj 3100 CT HOUHM00F026
Vendor # 337798 - \$86,500 - 2302 Stovall Drive

Fund HM05 Dept HOU, Unit 3261, Obj 3100 CT HOUHM05F027
Vendor # 337798 - \$87,500 - 1507 Rowan Avenue

Fund HM05 Dept HOU, Unit 3261, Obj 3100 CT HOUHM05F019
Vendor # 339393 - \$87,500 - 1427 Barry Avenue

Fund HM05 Dept HOU, Unit 3261, Obj 3100 CT HOUHM05F028
Vendor # 339393 - \$86,500 - 2024 Bickers Street

Fund HM00 Dept HOU, Unit HM05, Obj 3100 CT HOUHM00F029 (\$999)
Fund HM05 Dept HOU, Unit 3261, Obj 3100 CT HOUHM00F029 (\$14,875)
Fund CD06 Dept HOU, Unit 3962, Obj 3100 CT HOUHM00F029 (\$29,371)
Fund HM06 Dept HOU, Unit 3979, Obj 3100 CT HOUHM00F029 (\$42,255)
Vendor # VS0000030490 - \$87,500 - 709 Bluewood Drive

Fund HM06 Dept HOU, Unit 3979, Obj 3100 CT HOUHM06F030
Vendor # VS0000030490 - \$86,500 - 2950 Marjorie Avenue

Fund HM07, Dept HOU, Unit 3211, Obj 3100 CT HOUHM07F018
Vendor # 339393 - \$84,880 - 1425 Rowan Avenue

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas and is accordingly resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FS

Exhibit A

Reconstruciton On-Site Homes April 23, 2008

| <u>Property Address</u> | <u>Homeowner</u> | <u>Council District</u> | <u>Amount Funded</u> |
|-------------------------|----------------------------|-------------------------|--------------------------|
| 1714 S. Denley Dive | Martha Polk | 4 | \$87,500 |
| 4034 Kostner Avenue | Pearlie Willis | 4 | \$87,500 |
| 2302 Stovall Drive | Earnestine Graham | 4 | \$86,500 |
| 1507 Rowan Avenue | Hector & Florinda Martinez | 7 | \$87,500 |
| 1427 Barry Avenue | Ella Mae Seaton | 7 | \$87,500 |
| 2024 Bickers Street | Antoinette Walker | 3 | \$86,500 |
| 709 Bluewood Drive | Sandra Cornell | 8 | \$87,500 |
| 2950 Marjorie Avenue | Theartis Brown | 5 | \$86,500 |
| 1425 Rowan Avenue | Doris Malone | 7 | \$84,880 |

**EXHIBIT B
RECONSTRUCTION / SHARE PROGRAM**

PROGRAM STATEMENT

Program Purpose:

To provide for the reconstruction of single-family homes on the homeowner's lot subject to City Council approval.

To provide a deferred loan, with a fifteen (15) year lien to qualified applicants who reside in single-family, owner-occupied structures where Major Systems Repair Program assistance Level II eligibility has been determined infeasible due to the following:

- All major systems (foundation, plumbing, electric, structural, and roofing) are failing and
- The condition of the home creates an imminent danger to the life, health, and/or safety of the residents and/or the neighborhood;

Assistance Type One:

Provide loan up to \$87,500 for demolition costs and on-site reconstruction, of which up to \$5,900 to provide amenities package for ~~of an~~ approximately a 1,200 square foot home on the homeowner's lot. Various house plans will be available for selection by the applicant. Plans that are consistent with the configuration of the neighborhood will be included. Homes will meet Energy Star and water conservation standards.

Assistance Type Two:

Provide loan up to \$65,000 combined with a \$22,500 replacement housing payment from the Department of Code Compliance, commonly referred to as SHARE loans, of which up to \$5,900 to provide amenities package for approximately a 1,200 square foot home on the homeowner's lot. for the on-site reconstruction of a home on the homeowner's lot. Various house plans will be available for selection by the applicant. Plans that are consistent with the configuration of the neighborhood will be included. Homes will meet Energy Star and water conservation standards.

General Conditions:

Applicants must meet following loan criteria:

- Identity
- Citizenship or legal status
- Current on all property taxes for the property

Exhibit B (cont'd)

- Ownership and occupancy of property for a minimum of two (2) consecutive years or six (6) months in Neighborhood Investment Program (NIP) areas, unless safety and/or health conditions have forced applicants to evacuate within the past 24 months of application
- Maximum Area Median Family Income (AMFI) at 50% for City-wide applicants and 80% for NIP area applicants, based on the number of persons in household, as defined by HUD
- Property insurance on home
- No liens or judgments on the property
- Property is not located in a 100-year floodplain
- Zoning of property for reconstruction or replacement housing must permit single-family dwelling construction

Upon determination of appropriateness for reconstruction, the applicant must be able to obtain title insurance, agree to voluntary move and live elsewhere at their own expense during construction, and provide proof of insurance for the new home prior to occupancy.

Loan Terms:

Assistance Type One and Assistance Type Two:

- Deferred loans will be secured by a promissory note, deed of trust, and fifteen (15) year liens
- Liens shall be released after fifteen (15) years or upon repayment of the note
- Loan payments are deferred over the loan term and not forgiven until the full term of the entire fifteen (15) years
- Should property change ownership or occupancy during the loan term, the loan becomes due and payable for the amount equal to the balance of the unamortized loan unless a loan assumption is under consideration. Loan assumptions will be reviewed on a case by case basis. Loan assumption applicants must meet all Level I household eligibility except ownership and occupancy requirement.
- Refinancing and loan subordinations are not permitted

Program Administration

The City Manager, or his designee, is authorized to establish guidelines and procedures to administer this program in accordance with this Program Statement and applicable Federal and local regulations.