

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 1, 2, 3, 4, 5, 6, 7, 8  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 33 34 35 36 37 38 42 43 44 45 46 47 48 49 51 52 53 54 55 56  
57 58 59 61 62 63 64 65 66 67 68 69 70 71 73 74 75 76

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### **SUBJECT**

Authorize the Dallas Housing Acquisition and Development Corporation (the "Land Bank") to enter into a one-year contract, with five one-year renewal options with Consolidated Consulting Group, LLC to provide environmental land analysis including a transaction screen analysis and other environmental services, if needed, on lots scheduled to be purchased by the Land Bank – Not to exceed \$287,500 - Financing: 2003 Bond Funds

### **BACKGROUND**

This action will authorize the Land Bank to enter into a 12 month contract, and will authorize the Land Bank to exercise five 1-year renewal term options to extend the contract, with Consolidated Consulting Group, LLC to provide environmental land analysis including a transaction screen analysis ("TSA") and other environmental services in the amount not to exceed \$287,500.00 annually. The Land Bank obtains a TSA on each property within the 90 days prior to purchase from the Sheriff's Department as part of their due diligence. A more in depth Phase II environmental analysis can also be provided if required. An estimated 250 TSA's will be conducted annually at a cost not to exceed \$1,150 each. A discount will be given for multiple TSA requests in the same geographic area.

Consolidated Consulting Group, LLC ("CCG") has been providing these services to the Land Bank since 2005. The contract was approved by the Land Bank Board on September 24, 2009. This action does not require the Land Bank to exercise the renewal options, but does allow the Land Bank to exercise the renewal term options upon expiration of each renewal term, if desired, without requiring further Council action.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

**FISCAL INFORMATION**

2003 Bond Funds - \$287,500

**ETHNIC COMPOSITION**

**Consolidated Consulting Group, LLC**

Hispanic Female	0	Hispanic Male	0
African-American Female	0	African-American Male	1
Other Female	1	Other Male	0
White Female	2	White Male	2

**OWNER(S)**

**Consolidated Consulting Group, LLC**



Tonya Golden, President

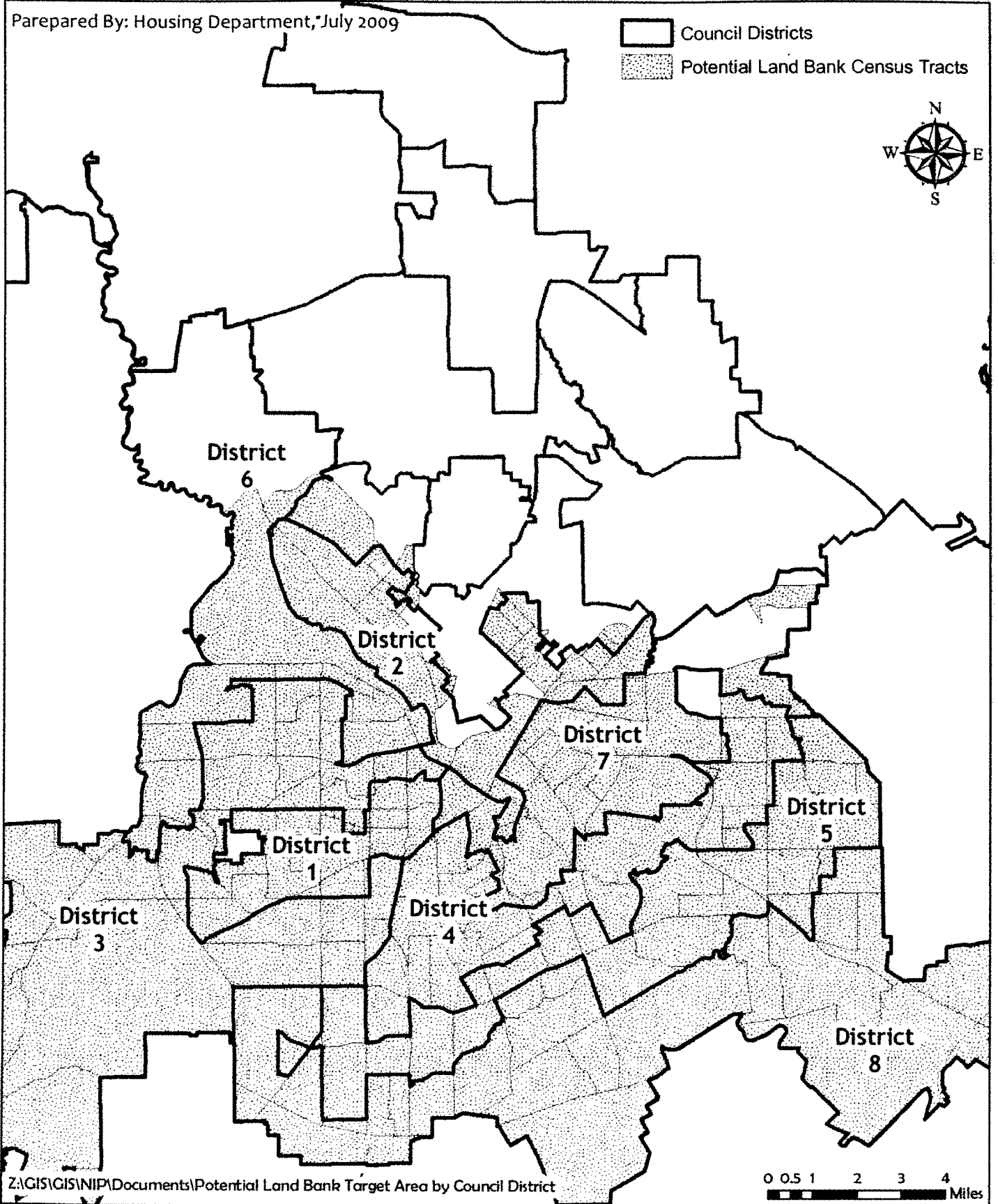
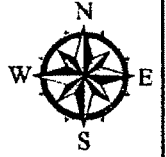
**Map**

Attached

# Potential Land Bank Census Tracts 2009-2010

Prepared By: Housing Department, July 2009

-  Council Districts
-  Potential Land Bank Census Tracts



November 9, 2009

**WHEREAS**, the State Legislature enacted and the Governor signed the Urban Land Bank Demonstration Program Act to enable the foreclosure of unproductive properties and sale to a land bank for the development of affordable housing; and

**WHEREAS**, the Land Bank is required to obtain an environmental assessment report as part of their due diligence prior to acquiring lots from the Sheriff's Department; and

**WHEREAS**, it is now desirable to authorize the Land Bank to enter into a contract and to exercise five 1-year options to extend the contract with Consolidated Consulting Group, LLC to provide a transaction screen analysis and other environmental services, if needed, on lots scheduled to be purchased by the Land Bank;

**NOW, THEREFORE,**

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

**SECTION 1.** That the Land Bank is hereby authorized to enter into a 12 month contract, and exercise five 1-year renewal term options to extend the contract, with Consolidated Consulting Group, LLC to provide transaction screen analysis and other environmental services, if needed, as described in Exhibit A, on lots scheduled to be purchased by the Land Bank in an amount not to exceed \$287,500.00.

**SECTION 2.** That the Land Bank is authorized to execute the contract after it has been approved as to form by the City Attorney.

**SECTION 3.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract:

Consolidated Consulting Group, LLC                      Vendor # 517375

Fund 4R10, Dept HOU, Unit R930, Obj 3099, CT HOUR930A300 in an amount not to exceed \$287,500.00

**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 it is accordingly so resolved.

**DISTRIBUTION:**

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

**EXHIBIT A**

**ENVIRONMENTAL SITE ASSESSMENT  
CONTRACT PRICING  
SEPTEMBER 2009**

COMPANY	TRANSACTION SCREEN		PHASE I	PHASE II	SOIL SAMPLE
	NO. SITES	PRICING	PRICING	PRICING	PRICING
<b>Consolidated Consulting</b>	1	\$700	\$1,500 per site	Unit Cost Pricing	\$345 per site
	2-5	\$1,150		Attached	
	6-10	\$1,350			
	11-15	\$1,550			
	16+	\$150 per site			

**EXHIBIT A**

<b>Phase II ESA - LSI - Unit Costs</b>			
	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total</b>
<b>Project Set-up</b>			
Project Set-up	Varies	\$ 100.00	\$ 100.00
<b>Drilling Services</b>			
Geo-probe, 1/2 Day Rate	1.00	\$ 1,200.00	\$ 1,200.00
Geo-probe, Daily Rate	1.00	\$ 1,800.00	\$ 1,800.00
Drill Rig Mobilization, Lump Sum	1.00	\$ 350.00	\$ 350.00
Drilling Per Foot	Varies	\$ 22.00	Varies
1" Well Material, Per Foot	Varies	\$ 5.00	Varies
2" Well Material, Per Foot	Varies	\$ 10.00	Varies
Monitor Well Surface Completions, Each	Varies	\$ 250.00	Varies
Steam Cleaner, Per Day	1.00	\$ 250.00	\$ 250.00
Equipment Decontamination, Hourly	2.00	\$ 150.00	\$ 300.00
Drums, Each	Varies	\$ 55.00	Varies
Drum Disposal, Each	Varies	\$ 175.00	Varies
<b>Field services</b>			
PID, Daily Rate	1.00	\$ 200.00	\$ 200.00
Peristaltic Pump, Daily Rate	1.00	\$ 50.00	\$ 50.00
Water Level Meter, Daily Rate	1.00	\$ 50.00	\$ 50.00
Sampling Supplies, Lump Sum	1.00	\$ 200.00	\$ 200.00
Project Manager, Hourly	Varies	\$ 85.00	Varies
<b>Analytical Services (Standard 5-day Turn)</b>			
BTEX/MTBE/TPH, Each	Varies	\$ 160.00	Varies
PAH Analysis, Each	Varies	\$ 150.00	Varies
Volatile Organic Compounds (VOC's), Each	Varies	\$ 190.00	Varies
Semi-Volatile Organic Compounds (SVOC's), Each	Varies	\$ 300.00	Varies
Lead, Each	Varies	\$ 30.00	Varies
Cadmium, Each	Varies	\$ 30.00	Varies
Arsenic, Each	Varies	\$ 30.00	Varies
<b>Report Preparation</b>			
Project Manager Report Preparation, Hourly	Varies	\$ 85.00	Varies
Senior Project Manager Report Review, Hourly	1.00	\$ 100.00	\$ 100.00
Professional Geologist Report Review, Hourly	1.00	\$ 125.00	\$ 125.00

BTEX = Benzene, Toluene, Ethylbenzene, Xylenes

MTBE = Methyl-Tertiary Butyl-Ether

TPH = Total Petroleum Hydrocarbons

PAH = Poly-Aromatic Hydrocarbons

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 1, 2, 3, 4, 5, 6, 7, 8  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 33 34 35 36 37 38 42 43 44 45 46 47 48 49 51 52 53 54 55 56  
57 58 59 61 62 63 64 65 66 67 68 69 70 71 73 74 75 76

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**SUBJECT**

Authorize the Dallas Housing Acquisition and Development Corporation (the “Land Bank”) to enter into a one-year contract, with five one-year renewal options, with TJD Lawn Care & Cleaning Services to provide maintenance on lots acquired by the Land Bank – Not to exceed \$225,000 - Financing: Dallas Urban Land Bank Demonstration Program Funds

**BACKGROUND**

This action will authorize a 12 month contract, and will authorize the Land Bank to exercise five 1-year renewal term options to extend the contract, with TJD Lawn Care & Cleaning Services to provide maintenance on lots acquired by the Land Bank in the amount not to exceed \$225,000.00 annually. The Land Bank will maintain an estimated rolling inventory of approximately 500 lots next fiscal year. The lots will be mowed approximately 18 times a year including edging, trimming and litter pick-up as needed at a cost of \$25.00 per lot per visit. The service will include mowing twice a month during March through August and once a month during September through February. TJD Lawn Care & Cleaning Services currently maintains lots acquired by the Land Bank. The contract was approved by the Land Bank Board on September 24, 2009. This action does not require the Land Bank to exercise the renewal options, but does allow the Land Bank to exercise the renewal term options upon expiration of each renewal term, if desired, without requiring further Council action.

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

This item has no prior action.

**FISCAL INFORMATION**

Dallas Urban Land Bank Demonstration Program Funds - \$225,000

**ETHNIC COMPOSITION**

**TJD Lawn Care & Cleaning Services**

Hispanic Female	0	Hispanic Male	2
African-American Female	0	African-American Male	3
Other Female	0	Other Male	0
White Female	0	White Male	1

**OWNER(S)**



Terrance Dean

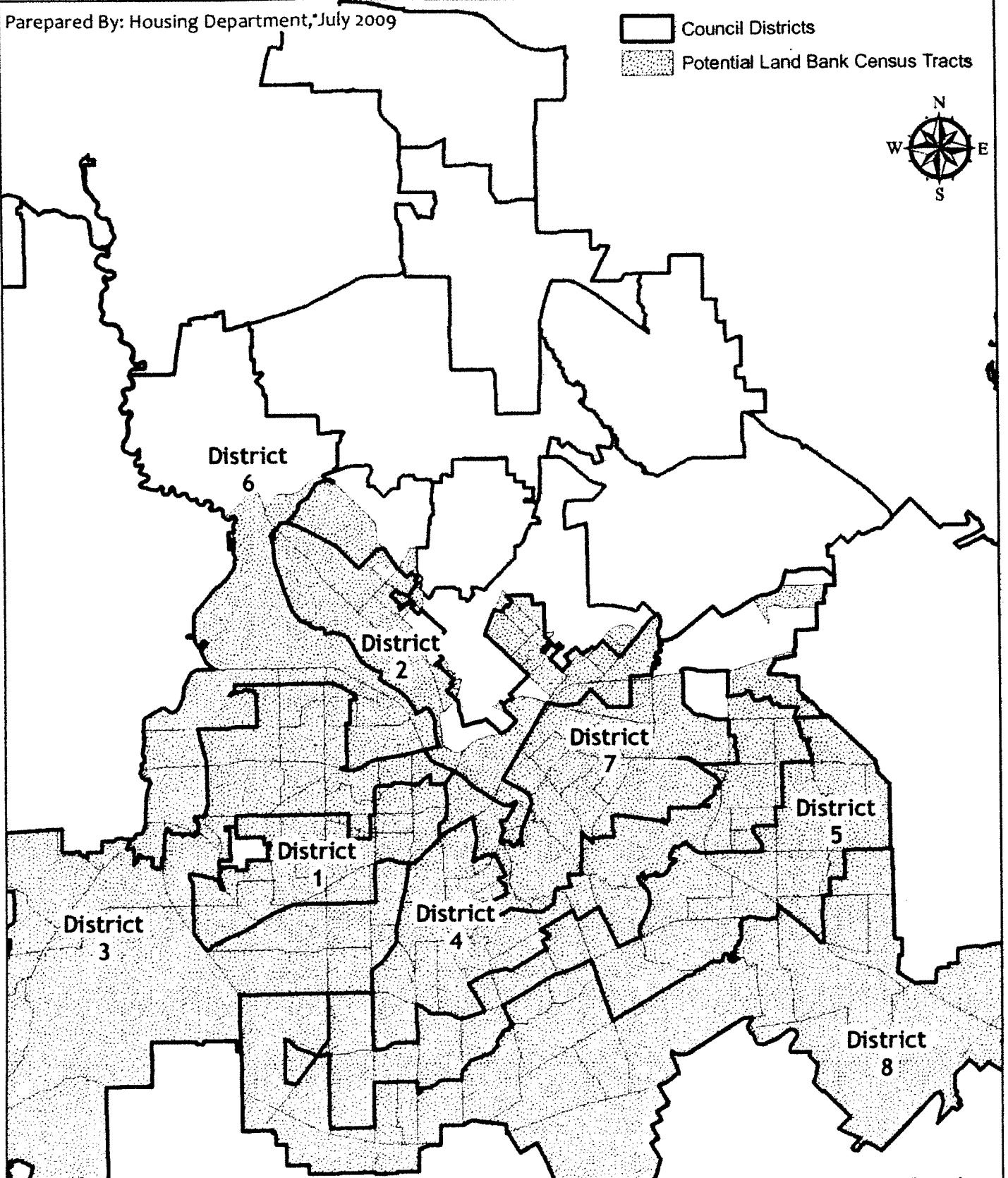
**MAP**

Attached

# Potential Land Bank Census Tracts 2009-2010

Prepared By: Housing Department, July 2009

-  Council Districts
-  Potential Land Bank Census Tracts



November 9, 2009

**WHEREAS**, the State Legislature enacted and the Governor signed the Urban Land Bank Demonstration Program Act to enable the foreclosure of unproductive properties and sale to a land bank for the development of affordable housing; and

**WHEREAS**, the Land Bank is required to maintain the lots they have acquired; and

**WHEREAS**, it is now desirable to authorize a contract and to exercise five 1-year options to extend the contract with TJD Lawn Care & Cleaning Services to provide maintenance on lots acquired by the Land Bank;

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Manager is hereby authorized to enter into a 12 month contract, and exercise five 1-year renewal term options to extend the contract, with TJD Lawn Care & Cleaning Services to provide maintenance on lots acquired by the Land Bank including mowing each lot approximately 18 times per year at a cost of \$25.00 per lot per visit as well as edging, trimming and litter pick-up as needed in an amount not to exceed \$225,000.00.

**SECTION 2.** That the City Manager is authorized to execute the contract after it has been approved as to form by the City Attorney.

**SECTION 3.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract:

TJD Lawncare and Cleaning Services                      Vendor # VS0000048333

Fund 0573, Dept HOU, Unit 8192, Obj 3099, CT HOU8192A301 in an amount not to exceed \$225,000.00

**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 it is accordingly so resolved.

**DISTRIBUTION:**

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

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 4, 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 56G H M

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**SUBJECT**

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses, **(2)** the sale of 13 vacant lots located in the Roschester Park/Bexar Street area from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) – Financing: No cost consideration to the City

**BACKGROUND**

On February 4, 2008 and August 3, 2009, 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.

Dallas Neighborhood Alliance for Habitat, Inc. (Habitat) has the right of first refusal in the area and 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 Habitat to the City's Land Bank, the sale of those lots from DHADC to Habitat and the release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the 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 Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

## **BACKGROUND (continued)**

Habitat will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,170 to 1,380 square feet and from \$75,000 to \$95,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent 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 percent of the AMFI. DHADC will receive \$54,213.58 for the sales price, as calculated from the 09-10 Land Bank Plan approved by City Council.

On June 18, 2003, Governor 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.

## **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.

On August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257.

On October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785.

On April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution 09-0981.

On September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313.

On October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-2557

**FISCAL INFORMATION**

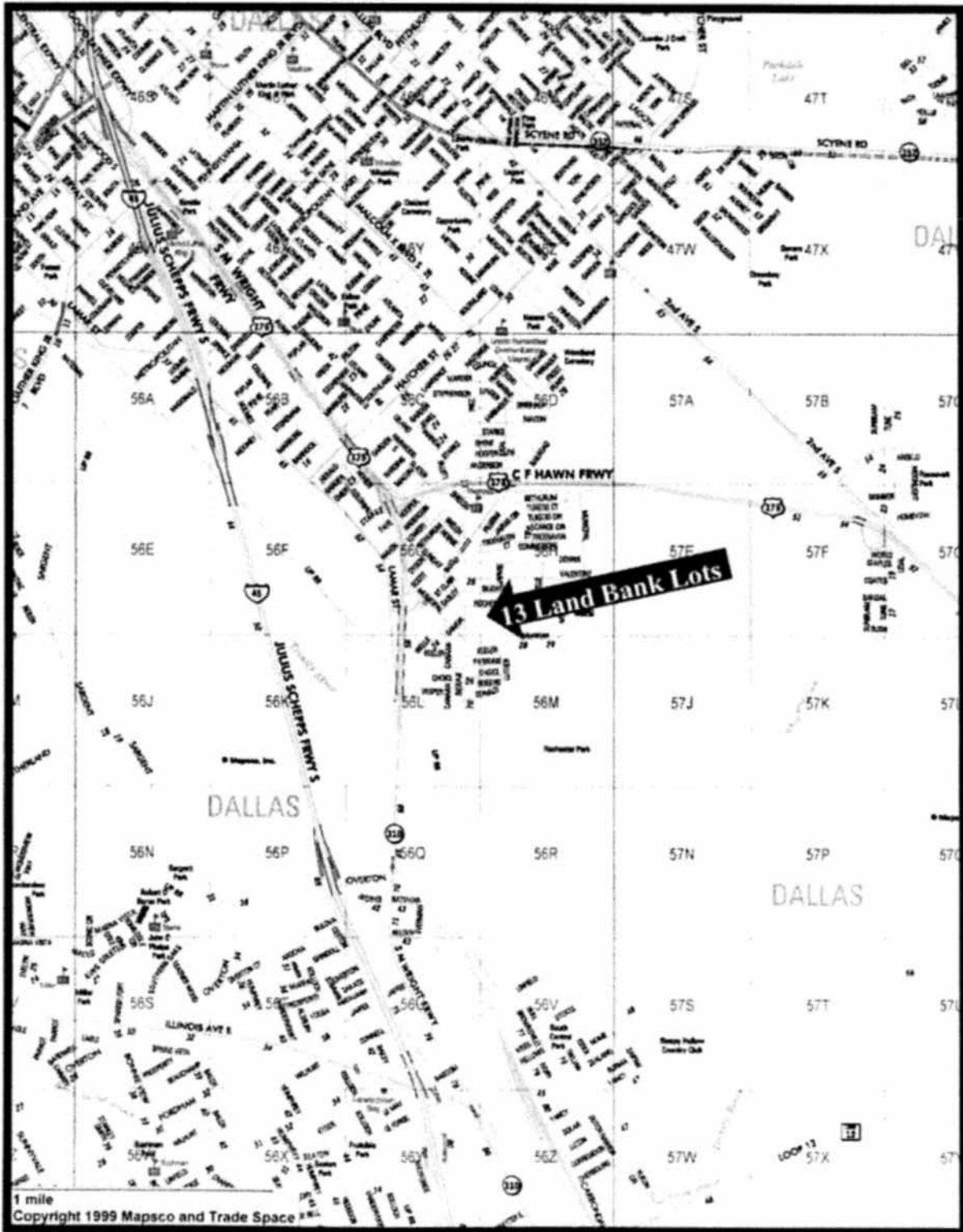
No cost consideration to the City.

**MAP**

Attached

**LAND BANK (DHADC) SALE OF 13 LOTS  
TO DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT**

<b><u>Property Address</u></b>	<b><u>MAPSCO</u></b>	<b><u>Council District</u></b>
1. 3017 Dorris	56H	7
2. 3023 Dorris	56H	7
3. 3029 Dorris	56H	7
4. 2715 Parsons	56M	4
5. 2723 Parsons	56M	4
6. 2827 Rochester	56H	7
7. 2715 Rogers	56M	4
8. 2719 Rogers	56M	4
9. 2906 Silkwood	56H	7
10. 2619 Valentine	56G	7
11. 2722 Valentine	56H	7
12. 2727 Valentine	56H	7
13. 3035 Valentine	56H	7



**MAPSCO 56G, H & M**

November 9, 2009

**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

November 9, 2009

**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**, on August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257; and

**WHEREAS**, on October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785; and

**WHEREAS**, on April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 09-0981; and

**WHEREAS**, on September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313; and

**WHEREAS**, on October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-2557; and

**WHEREAS**, Dallas Neighborhood Alliance for Habitat, Inc. (Habitat) 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 Habitat and authorize the sale of the said 13 lots from DHADC to Habitat to build affordable houses;

**NOW, THEREFORE;**

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

November 9, 2009

**Section 1.** That the development plan shown on Exhibit "B" submitted by Habitat and the sale of 13 lots shown on "Exhibit A" from DHADC to Habitat 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, pre-judgment non-tax liens not included in the 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/Community Services Department  
City Attorney's Office  
Office of Financial Services/Community Development, 4FS

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	<b>3017 Derris</b> Lot 5A, Rockbrook Corporation Subdivision Revised Address Block 7967	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.27
2	<b>3023 Derris</b> Lot 5A, Rockbrook Corporation Subdivision Revised Address Block 7967	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.27
3	<b>3029 Derris</b> Lot 7A, Rockbrook Corporation Subdivision Revised Address Block 7967	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.27
4	<b>2715 Parsons</b> Lot 22, Lincoln Manor No 3 Block 2, 7975	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.27
5	<b>2723 Parsons</b> Lot 20, Lincoln Manor No 3 Block 2, 7975	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.27
6	<b>2827 Rochester</b> Lot 21, Rochester Park Addition Block 7, 7972	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.27
7	<b>2715 Rogers</b> Lot 22, Lincoln Manor No 3 Block 4, 7975	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.28
8	<b>2719 Rogers</b> Lot 21, Lincoln Manor No 3 Addition Block 4, 7975	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.28
9	<b>2906 Silkwood</b> Lot 8, Rockstar Park Addition Block 7, 7972	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.28
10	<b>2619 Valentine</b> Lot 20, O.E. Taylor Addition Block B, 7971	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.28
11	<b>2722 Valentine</b> Lot 13, O.E. Taylor Addition Block C, 7971	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.28
12	<b>2727 Valentine</b> Lot 29, O.E. Taylor Addition Block B, 7971	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,170.28
13	<b>3035 Valentine</b> Lot 19, 400 East East of Woodville, 30th North Side Valentine 66-120, Suburban Kildwood Sub-Abstract No. 114 Block A, 7968	Dallas Neighborhood Alliance for Habitat, Inc	7	\$4,170.28
<b>TOTAL</b>				<b>\$54,213.58</b>

**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. LB IX—Summer 2009 Rochester Park
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property"). Please see attached spreadsheet.

**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 13  
Square Footage of each home 1170-1380 square feet  
Number of Bedrooms/Baths in each home 3 or 4 / 2  
Number of Garages 1 per house Number of Carports     Detached     Attached X  
Type of Exterior Veneer Fiber Cement Which sides All  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$75,000 - \$95,000

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

Number of homes to be built on lots      
Square Footage of each home      
Number of Bedrooms/Baths in each home     /      
Number of Garages     Number of Carports     Detached     Attached      
Type of Exterior Veneer     Which sides      
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer    

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

Number of homes to be built on lots      
Square Footage of each home      
Number of Bedrooms/Baths in each home     /      
Number of Garages     Number of Carports     Detached     Attached      
Type of Exterior Veneer     Which sides      
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer    

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

PROVIDE FLOOR PLANS AND ELEVATIONS. Please see attached.

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 729 days  
Completion of Construction 1000 days  
Sale of first affordable housing unit to low income households 1160 days  
Sale of last affordable unit to low income households 1160 days

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 56C D G

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**SUBJECT**

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses, **(2)** the sale of 22 vacant lots located in the Ideal/Bexar Street Area from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) – Financing: No cost consideration to the City

**BACKGROUND**

On February 4, 2008 and August 3, 2009, 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.

Dallas Neighborhood Alliance for Habitat, Inc. (Habitat) has the right of first refusal in the area and submitted a proposal and development plan to Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) for 22 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 Habitat to the City's Land Bank, the sale of those lots from DHADC to Habitat and the release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the 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 Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

## **BACKGROUND (continued)**

Habitat will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,170 to 1,380 square feet and from \$75,000 to \$95,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent 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 percent of the AMFI. DHADC will receive \$90,150.13 for the sales price, as calculated from the 09-10 Land Bank Plan approved by City Council.

On June 18, 2003, Governor 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.

## **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.

On August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257.

On October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785.

On April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution 09-0981.

On September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313.

On October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-xxxx

**FISCAL INFORMATION**

No cost consideration to the City.

**MAP**

Attached

**LAND BANK (DHADC) SALE OF 22 LOTS  
TO DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT**

<b><u>Property Address</u></b>	<b><u>MAPSCO</u></b>	<b><u>Council District</u></b>
1. 2715 Anderson	56D	7
2. 2838 Brigham	56D	7
3. 4930 Crozier	56C	7
4. 2238 Garden	56C	7
5. 2246 Garden	56C	7
6. 2519 Ghent	56C	7
7. 2622 Ghent	56D	7
8. 2340 Harding	56C	7
9. 2414 Harding	56C	7
10. 2431 Hooper	56C	7
11. 2318 Lawrence	56C	7
12. 2702 Macon	56D	7
13. 5007 Malcolm X	56D	7
14. 5023 Malcolm X	56D	7
15. 5006 Marne	56D	7
16. 5021 Marne	56D	7
17. 5102 Marne	56D	7
18. 2421 St. Clair	56G	7
19. 2404 Starks	56C	7
20. 2555 Starks	56D	7
21. 2559 Starks	56D	7
22. 2627 Starks	56D	7



November 9, 2009

**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

November 9, 2009

**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**, on August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257; and

**WHEREAS**, on October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785; and

**WHEREAS**, on April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 09-0981; and

**WHEREAS**, on September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313; and

**WHEREAS**, on October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-xxxx; and

**WHEREAS**, Dallas Neighborhood Alliance for Habitat, Inc. (Habitat) submitted a proposal and development plan to DHADC for 22 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 Habitat and authorize the sale of the said 22 lots from DHADC to Habitat to build affordable houses;

**NOW, THEREFORE;**

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

November 9, 2009

**Section 1.** That the development plan shown on Exhibit "B" submitted by Habitat and the sale of 22 lots shown on "Exhibit A" from DHADC to Habitat 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, pre-judgment non-tax liens not included in the 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/Community Services Department  
City Attorney's Office  
Office of Financial Services/Community Development, 4FS

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	2715 Anderson Lot 7 and 8 Ideal Addition Block 4, 2508	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
2	2838 Brigham Lot 1 Ideal Annex Addition Block 1, 2503	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
3	4930 Cruzier Lot 12 Alex Camp's Subdivision Block B, 2485	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,248.05	
4	2238 Garden Lot 10 Woodside Addition Block B, 2279	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
5	2246 Garden Lot 12 Woodside Addition Block B, 2279	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
6	2519 Ghent Lot 16 Ideal Addition Block 9, 2513	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
7	2622 Ghent Lot 6 Ideal Addition Block 7, 2511	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
8	2340 Harding Lot 11 Ervay Cedars Addition Block 5, 2528	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
9	2414 Harding Lot 4 Ervay Cedars Addition Block 8, 2511	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
10	2431 Hooper Lot 38 & 39 Lincoln Manor Block 2, 2516	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
11	2318 Lawrence Lot 5 Webster's South Dallas Addition Block 1, 2521	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	
12	2702 Macon Lot 1 Macon & Ideal Addition Block 11, 2515	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,090.58	

EXHIBIT "A"

LAND BANK PROPERTY					
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
13	5007 Maikolm X Lot 2 Oakland Place Addition Block 1 2494	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
15	5023 Maikolm X Lot 6 Oakland Place Addition Block 1 2494	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
16	5006 Marne Lot 19 Oakland Place Addition Block 3 2498	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
14	5021 Marne Lot 5 Oakland Place Addition Block 7 2500	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
17	5102 Marne Lot 12 Oakland Place Addition Block 4 2497	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
18	2421 St. Clair Lot 41 & 49 Lot 40 Lincoln Manor 2 Block 22 2564	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
19	2404 Starks Lot 3 and 4 Lincoln Manor Addition Block 2 2519	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
20	2555 Starks Lot 21 Addition Block 10 2514	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
21	2559 Starks Lot 20 Addition Block 10 2514	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
22	2627 Starks Lot 16 Ideal Addition Block 11 2513	Dallas Neighborhood Alliance for Habitat, Inc	1	\$4,090.57	
<b>TOTAL</b>				<b>\$90,150.13</b>	

## EXHIBIT B

### SECTION II: DEVELOPMENT PLAN

#### A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 22
- (2) Land Bank name for this parcel of lots. LB IX--Summer 2009 Ideal
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property"). Please see attached spreadsheet.

#### 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 22  
Square Footage of each home 1170-1380 square feet  
Number of Bedrooms/Baths in each home 3 or 4 / 2  
Number of Garages 1 per house Number of Carports Detached Attached X  
Type of Exterior Veneer Fiber Cement Which sides All  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$25,000 - \$95,000

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

Number of homes to be built on lots \_\_\_\_\_  
Square Footage of each home \_\_\_\_\_  
Number of Bedrooms/Baths in each home \_\_\_\_\_  
Number of Garages \_\_\_\_\_ Number of Carports \_\_\_\_\_ Detached \_\_\_\_\_ Attached \_\_\_\_\_  
Type of Exterior Veneer \_\_\_\_\_ Which sides \_\_\_\_\_  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \_\_\_\_\_

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

Number of homes to be built on lots \_\_\_\_\_  
Square Footage of each home \_\_\_\_\_  
Number of Bedrooms/Baths in each home \_\_\_\_\_  
Number of Garages \_\_\_\_\_ Number of Carports \_\_\_\_\_ Detached \_\_\_\_\_ Attached \_\_\_\_\_  
Type of Exterior Veneer \_\_\_\_\_ Which sides \_\_\_\_\_  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \_\_\_\_\_

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

PROVIDE FLOOR PLANS AND ELEVATIONS. Please see attached.

**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 729 days  
Completion of Construction 1000 days  
Sale of first affordable housing unit to low income households 1160 days  
Sale of last affordable unit to low income households 1160 days

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 4  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 55Z 65D

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### **SUBJECT**

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat, Inc. for the construction of affordable houses, **(2)** the sale of 4 vacant lots located in the Exeter/Lancaster Corridor from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat, Inc.; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) – Financing: No cost consideration to the City

### **BACKGROUND**

On February 4, 2008 and August 3, 2009, 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.

Dallas Neighborhood Alliance for Habitat, Inc. (Habitat) has the right of first refusal in the area and submitted a proposal and development plan to Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) for 4 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 Habitat to the City's Land Bank, the sale of those lots from DHADC to Habitat and the release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the 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 Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

## **BACKGROUND (continued)**

Habitat will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,170 to 1,380 square feet and from \$75,000 to \$95,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30% of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$17,586.60 for the sales price, as calculated from the 09-10 Land Bank Plan approved by City Council.

On June 18, 2003, Governor 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.

## **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.

On August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257.

On October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785.

On April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution 09-0981.

On September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313.

On October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-2557.

**FISCAL INFORMATION**

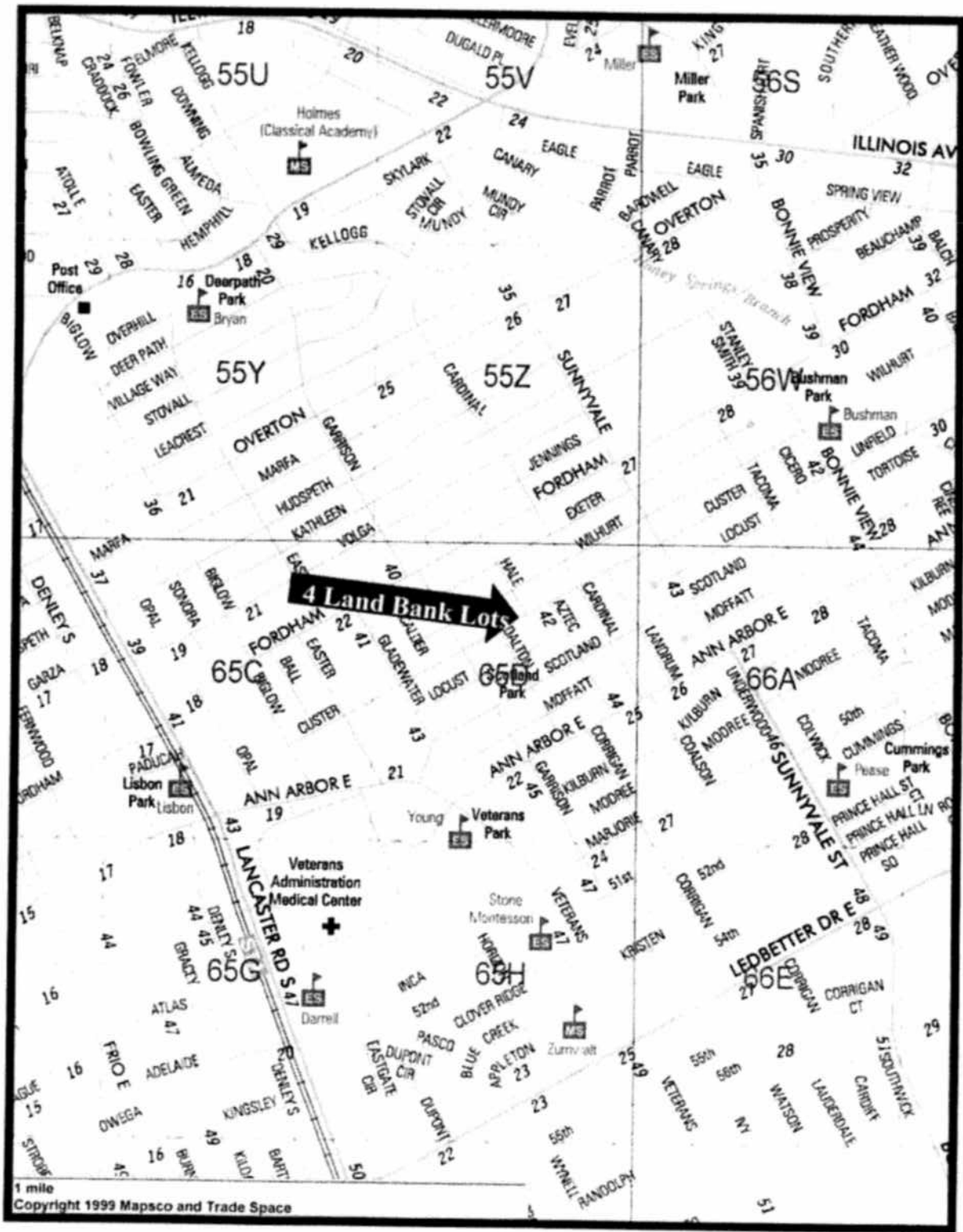
No cost consideration to the City.

**MAP**

Attached

**LAND BANK (DHADC) SALE OF 4 LOTS  
TO DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT**

<b><u>Property Address</u></b>	<b><u>MAPSCO</u></b>	<b><u>Council District</u></b>
1. 2211 Scotland	65D	4
2. 2410 Scotland	65D	4
3. 2326 Wilhurt	65D	4
4. 2635 Wilhurt	55Z	4



1 mile  
Copyright 1999 Mapsco and Trade Space

**MAPSCO 55Z & 65D**

November 9, 2009

**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

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**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

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**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

November 9, 2009

**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**, on August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257; and

**WHEREAS**, on October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785; and

**WHEREAS**, on April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 09-0981; and

**WHEREAS**, on September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313; and

**WHEREAS**, on October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-2557; and

**WHEREAS**, Dallas Neighborhood Alliance for Habitat, Inc. (Habitat) submitted a proposal and development plan to DHADC for 4 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 Habitat and authorize the sale of the said 4 lots from DHADC to Habitat to build affordable houses;

**NOW, THEREFORE;**

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

November 9, 2009

**Section 1.** That the development plan shown on Exhibit "B" submitted by Habitat and the sale of 4 lots shown on "Exhibit A" from DHADC to Habitat 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, pre-judgment non-tax liens not included in the 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/Community Services Department  
City Attorney's Office  
Office of Financial Services/Community Development, 4FS

EXHIBIT "A"

<b>LAND BANK PROPERTY</b>					
<b>PARCEL NUMBER</b>	<b>STREET ADDRESS LEGAL DESCRIPTION</b>	<b>QUALIFIED PURCHASER</b>	<b>NUMBER OF HOMEOWNER UNITS</b>	<b>SALE AMOUNT</b>	
1	<b>2211 Scotland</b> Part of Lot 4-C, Oak Cliff Gardens Addition Block 7-5849	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,390.00	
2	<b>2410 Scotland</b> Lot 14, Southern Creek Addition Block 4-5851	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,390.00	
3	<b>2326 Wilhurl</b> Lot 7, Lasben Heights Annex Addition Block 6-5853	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,390.00	
4	<b>2635 Wilhurl</b> Lot 18, Lasben Heights Addition Block 4-5852	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$4,416.60	
<b>TOTAL</b>				<b>\$17,586.60</b>	

## EXHIBIT B

### SECTION II: DEVELOPMENT PLAN

#### A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

- (1) Number of lots requested in this proposal. 4
- (2) Land Bank name for this parcel of lots. LB IX--Summer 2009 Exeter
- (3) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property"). Please see attached spreadsheet.

#### 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 1170-1380 square feet  
Number of Bedrooms/Baths in each home 3 or 4 / 2  
Number of Garages 1 per house Number of Carports Detached Attached X  
Type of Exterior Veneer Fiber Cement Which sides All  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$75,000 ; \$95,000

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

Number of homes to be built on lots \_\_\_\_\_  
Square Footage of each home \_\_\_\_\_  
Number of Bedrooms/Baths in each home \_\_\_\_\_  
Number of Garages \_\_\_\_\_ Number of Carports \_\_\_\_\_ Detached \_\_\_\_\_ Attached \_\_\_\_\_  
Type of Exterior Veneer \_\_\_\_\_ Which sides \_\_\_\_\_  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \_\_\_\_\_

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

Number of homes to be built on lots \_\_\_\_\_  
Square Footage of each home \_\_\_\_\_  
Number of Bedrooms/Baths in each home \_\_\_\_\_  
Number of Garages \_\_\_\_\_ Number of Carports \_\_\_\_\_ Detached \_\_\_\_\_ Attached \_\_\_\_\_  
Type of Exterior Veneer \_\_\_\_\_ Which sides \_\_\_\_\_  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \_\_\_\_\_

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

PROVIDE FLOOR PLANS AND ELEVATIONS. Please see attached.

**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 729 days  
Completion of Construction 1000 days  
Sale of first affordable housing unit to low income households 1160 days  
Sale of last affordable unit to low income households 1160 days

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 46L

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**SUBJECT**

Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas City Homes for the construction of an affordable house; and (2) the exchange of the deed restrictions from 1 vacant lot previously purchased from the Dallas Housing Acquisition and Development Corporation located at 4538 Gurley Avenue to a comparable lot owned by Dallas City Homes located at 4826 Parry – Financing: No cost consideration to the City

**BACKGROUND**

On February 4, 2008 and August 3, 2009, 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.

Dallas City Homes, a City Certified Housing Development Organization, has submitted a proposal and development plan to Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) for the exchange of the deed restrictions from 1 lot previously purchased from the Land Bank located at 4538 Gurley Avenue to a comparable lot owned by the developer located at 4826 Parry Avenue. The DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Dallas City Homes to the City's Land Bank and the exchange of the deed restrictions on the lots. Dallas City Homes will build an affordable house on the lot previously owned by them. The Land Bank lot that was previously sold will become part of a planned senior housing development.

## **BACKGROUND (continued)**

On June 18, 2003, Governor 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 June 19, 2009 the State Statute regarding the Land Bank was amended to allow for the exchange of lots.

## **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.

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.

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

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.

On August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257.

On October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785.

On April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan to allow rental housing units on Land Bank lots and/or rental housing units above retail development on Land Bank lots by Resolution No. 09-0981.

On September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313.

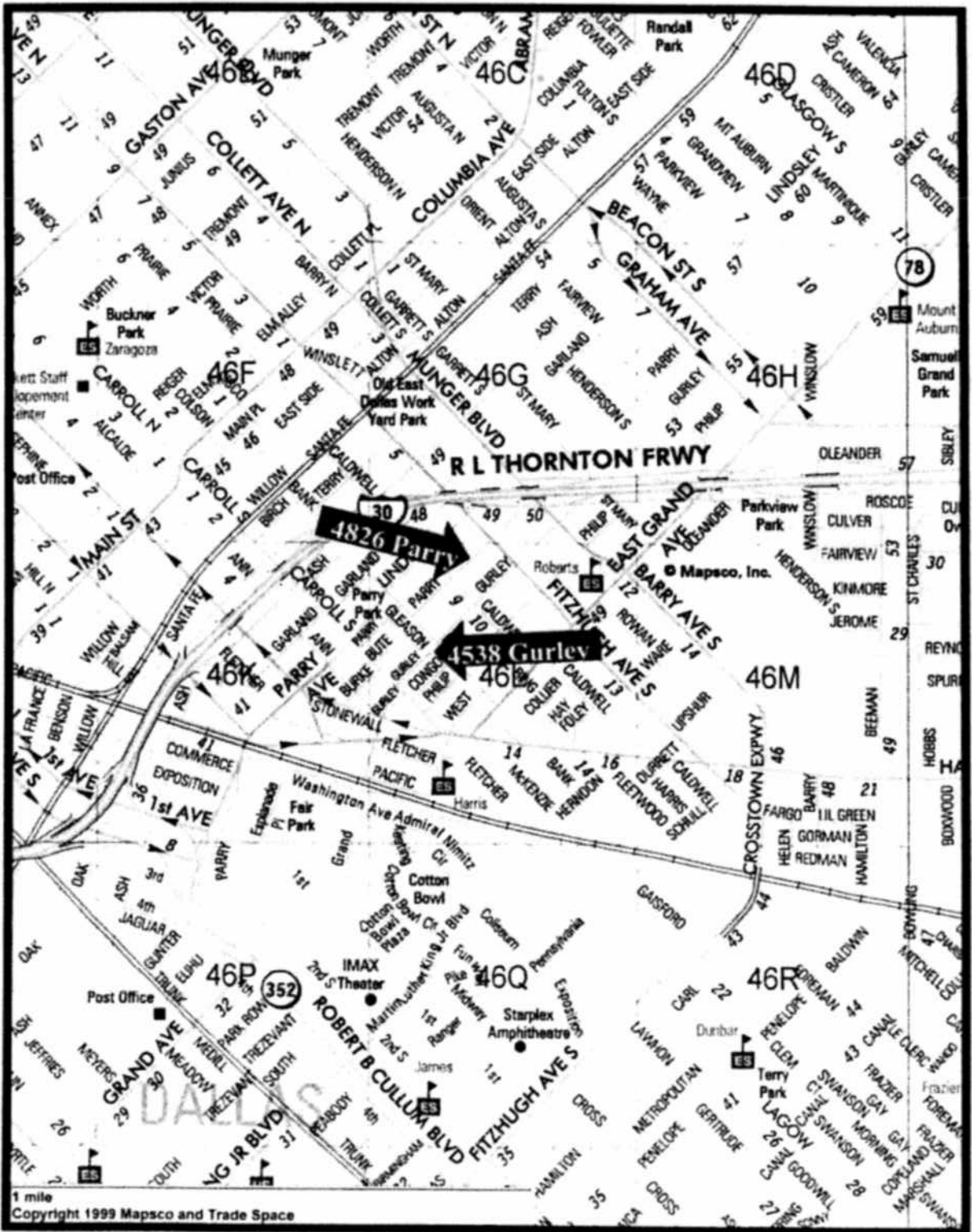
On October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-2557.

## **FISCAL INFORMATION**

No cost consideration to the City.

## **MAP**

Attached



MAPSCO 46L

November 9, 2009

**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

October 28, 2009

**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**, on August 27, 2008, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2009 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, 2009 by Resolution No. 08-2257; and

**WHEREAS**, on October 8, 2008, the City Council approved the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan by Resolution No. 08-2785; and

**WHEREAS**, on April 8, 2009, the City Council approved an amendment to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan to allow rental housing units on Land Bank lots and/or rental housing units above retail development on Land Bank lots by Resolution No. 09-0981; and

**WHEREAS**, on September 23, 2009, the City Council authorized an amendment to the contract with DHADC to extend the term to September 30, 2010 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, 2010 by Resolution No. 09-2313; and

**WHEREAS**, on October 14, 2009, the City Council approved the City of Dallas FY 2009-10 Urban Land Bank Demonstration Program Plan by Resolution No. 09-2557; and

**WHEREAS**, Dallas City Homes submitted a proposal and development plan to DHADC to exchange the deed restrictions from 1 lot previously purchased from the Land Bank to another lot owned by the developer as shown on Exhibit "A" and the DHADC Board has approved the development plan and exchange of the deed restrictions, subject to City Council approval; and

**WHEREAS**, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Dallas City Homes and authorize the exchange of the deed restrictions on said lots to build an affordable house; **NOW, THEREFORE;**

October 28, 2009

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

**Section 1.** That the development plan shown on Exhibit "B" submitted by Dallas City Homes and the exchange of the deed restrictions from 1 lot previously purchased from the Land Bank to another lot owned by the developer shown on "Exhibit A" is approved.

**Section 2.** 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/Community Services Department  
City Attorney's Office  
Office of Financial Services

**EXHIBIT "A"**

**DALLAS CITY HOMES  
LOT EXCHANGE**

<b>LAND BANK PROPERTY</b>				
<b>EXCHANGE</b>	<b>STREET ADDRESS LEGAL DESCRIPTION</b>	<b>QUALIFIED PURCHASER</b>	<b>SIZE OF LOT/SF</b>	<b>ASSESSED LAND VALUE</b>
Acquired from I and Band	<b>4538 Gurley</b> Lot 10, Carroll Avenue Addition Block 1402	Dallas City Homes	6,350	\$6,450.00
Lot Owned by DCH	<b>4826 Parry</b> Lot 18, R.D. Caldwell's Addition Block 30/1232	Dallas City Homes	7,250	\$7,250.00

## EXHIBIT B

### SECTION II: DEVELOPMENT PLAN

#### A. DESCRIPTION OF THE LAND BANK LOT(S) ACQUIRED BY DEVELOPER AND THE PROPOSED LOT(S) TO BE EXCHANGED

- (1) Provide the property address and legal description of the lot(s) acquired from the Land Bank by the developer to be exchanged (attach extra sheets if necessary) (the "Property").

**4538 Gurley Lot 10, Carroll Avenue Addition, Block 1402**

- (2) Provide the property address and legal description of the proposed lot(s) owned by the developer to be exchanged for the Land Bank lot(s) (attach extra sheets if necessary) (the "Property").

**4826 Parry Lot 18, Caldwell's Addition, Block 30/1232**

#### 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   0    
Square Footage of each home \_\_\_\_\_  
Number of Bedrooms/Baths in each home \_\_\_\_\_ / \_\_\_\_\_  
Number of Garages    Number of Carports    Detached    Attached     
Type of Exterior Veneer \_\_\_\_\_ Which sides \_\_\_\_\_  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \_\_\_\_\_

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

Number of homes to be built on lots   1    
Square Footage of each home  1,100 – 1,500   
Number of Bedrooms/Baths in each home  3 bedroom / 2 bathroom   
Number of Garages  1  Number of Carports    Detached    Attached   x    
Type of Exterior Veneer  Brick & Hardi  Which sides  Front/one side/two sides   
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer  \$98,500 - \$124,000 

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

Number of homes to be built on lots   0    
Square Footage of each home \_\_\_\_\_

Number of Bedrooms/Baths in each home \_\_\_\_\_ / \_\_\_\_\_  
Number of Garages \_\_\_\_\_ Number of Carports \_\_\_\_\_ Detached \_\_\_\_\_ Attached \_\_\_\_\_  
Type of Exterior Veneer \_\_\_\_\_ Which sides \_\_\_\_\_  
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \_\_\_\_\_

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

**PROVIDE FLOOR PLANS AND ELEVATIONS.**

**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 120 days  
Completion of Construction 240 days  
Sale of first affordable housing unit to low income households 100 days  
Sale of last affordable unit to low income households 100 days

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 56L

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### **SUBJECT**

Authorize a loan in the amount of \$2,500,000 at 0% interest to Dallas Housing Authority for infrastructure improvements for a 206-unit apartment project located at 6601 Bexar Street - Turner Courts within the Bexar Street Redevelopment Corridor - Not to exceed \$2,500,000 - Financing: 2006 Bond Funds (subject to appropriation and the future sale of bonds)

### **BACKGROUND**

Over the period of 2003-2009, master planning, leveraging of capital investments, public/private developments, and redevelopment has begun throughout the southern sector of Dallas. In order to implement components of master plans, catalyst projects for new public/private development and redevelopment have been considered by the City Council on an individual basis.

The 2006 Bond Election provided \$41.495 million in general obligation bonds to provide funds for promoting economic development in the Southern Sector. On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to set forth the Economic Development Program for Southern Dallas.

City Council approval of this agenda item will provide a loan in the amount of \$2,500,000 at 0% interest to Dallas Housing Authority (DHA) to provide infrastructure improvements for a 206 unit apartment project at Turner Courts for the purpose of constructing residential units in accordance with an adopted Economic Development and Transit Oriented Development Plan for Bexar Street. The same underwriting guidelines that apply for Section 108 loans were used on this project. This loan is subject to DHA obtaining additional financing of at least \$10,200,000 needed to complete this project. This loan is also subject to future sale of bonds.

**BACKGROUND (continued)**

The repayment of the loan will come from DHA’s developer fees that it will earn as the developer of the Turner Courts. When the loan is repaid and this 206 unit phase is completed, Borrower will be released from the indebtedness on the note and the Deed Restrictions thereon shall be terminated.

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

On August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.

On November 2, 2009, the Housing Committee of the City Council was briefed on the Turner Courts Project.

**FISCAL INFORMATION**

2006 Bond Funds - \$2,500,000 000 (subject to appropriation and the future sale of bonds)

**OWNERS**

**Dallas Housing Authority**

MaryAnn M. Russ, Executive Director

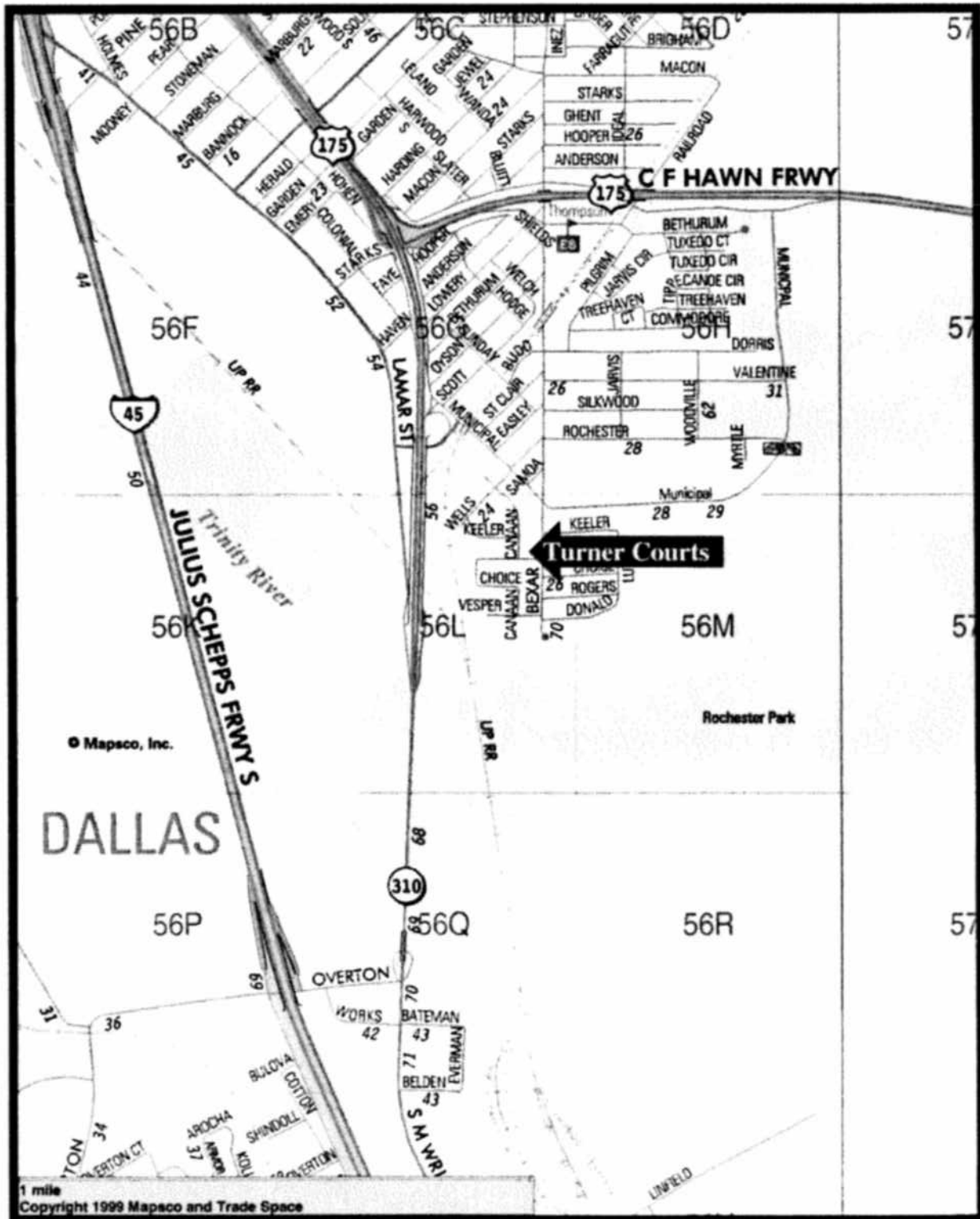
**DEVELOPER**

**Dallas Housing Authority**

MaryAnn M. Russ, Executive Director

**MAP(S)**

Attached



**MAPSCO 56L**

November 9, 2009

**WHEREAS**, the City of Dallas has adopted a number an Economic Development and Transit-Oriented Plan for the Bexar Street Neighborhood which includes construction retail, commercial and mixed-use development; and

**WHEREAS**, on August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvement for the fostering of Economic Development projects; and

**WHEREAS**, On November 7, 2006, the voters of Dallas approved a \$1.35 billion General Obligation Bond Program of which \$41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the city, and promoting economic development in other areas of the city in connection with transit-oriented development; and

**WHEREAS**, on December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas; and

**WHEREAS**, on November 2, 3009, the Housing Committee of the City Council was briefed on the Turner Courts Project; and

**WHEREAS**, the City Council has determined that this project is in accordance with and furthers the goals and purposes of the Economic Development & Transit –Oriented Plan for Bexar Street and thereby fosters economic development; and

**WHEREAS**, Dallas Housing Authority (DHA) proposes to work with the City of Dallas for the Turner Courts Project as part of the Economic Development and Transit Oriented Plan for Bexar Street; **NOW, THEREFORE,**

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

**Section 1.** That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute loan documents for the City's loan in the amount of \$2,500,000 at 0% interest to Dallas Housing Authority's Turner Courts Project (DHA) ("Borrower") for infrastructure improvements for a 206 unit apartment project at 6601 Bexar Street - Turner Courts as part of an adopted Economic Development and Transit Oriented Development Plan for Bexar Street.

November 9, 2009

- Section 2.** That some of the terms of the loan documents include:
- a. Borrower's note payable to the City of Dallas will have a maturity date of two (2) years.
  - b. Borrower must commit and/or expend all funds within two (2) years after execution of the loan agreement.
  - c. Borrower shall execute deed restrictions and a deed of trust on all properties acquired through City of Dallas funds.
  - d. No approval by the City of the expenditure of any loan funds shall bind or obligate the City to approve any zoning or replat change that Borrower may request for the properties.
  - e. This loan is subject to DHA obtaining additional financing of at least \$10,200,000 needed to complete this project.
  - f. Borrower will repay the City of Dallas in full by the maturity date of two (2) years.

**Section 3.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordination of lien and intercreditor agreements with lenders providing acquisition or interim construction financing on the property as necessary.

**Section 4.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute lien releases and terminate deed restrictions on the properties upon compliance with the terms of the contract.

**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 it is accordingly so resolved.

**DISTRIBUTION:**

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

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 46F

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**SUBJECT**

Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$380,000 to Shared Housing Center, Inc. for acquisition and related acquisition costs of unimproved property located at 4611 East Side Avenue for the development of a 20 unit facility for transitional housing for homeless single-parents – Not to exceed \$380,000 - Financing: 2007-2008 Community Development Block Grant Funds (\$82,951) and 2008-2009 Community Development Block Grant Funds (\$297,049)

**BACKGROUND**

Shared Housing Center, Inc. submitted a proposal to the City of Dallas requesting \$380,000 to acquire one (1) unimproved property at 4611 East Side Avenue for the development of a facility for transitional housing. Shared Housing Center, Inc. will provide an independent appraisal, environmental assessment, and title commitment for the City to review and approve prior to acquisition.

Shared Housing Center, Inc. will construct a new 20 unit facility for transitional housing for homeless single-parents. The new complex will consist of 2 and 3 bedroom units, provide transitional housing for 12 months, and offer food, clothing, case management, child care, mental health counseling, after school programs, and job search assistance. The new 20 unit facility will be built to LEED – Gold “Green” standards.

The property (100% of the units) will be deed restricted to allow single families whose incomes are at 80% or below the Dallas Area Median Family Income for a period of five (5) years. Shared Housing Center, Inc. will also execute a note payable to the City of Dallas for \$380,000. Shared Housing Center will be released from 1/5<sup>th</sup> of the Note annually, \$76,000 liability up until maturity of the Note provided that there are no defaults under any of the loan documents. 1/5<sup>th</sup> of the Note annually, \$76,000 liability up until maturity of the Note provided that there are no defaults under any of the loan documents

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

On June 27, 2007, the City Council adopted the FY 2007-08 Consolidated Plan Budget by Resolution No. 07-1978.

On June 25, 2008, the City Council adopted the FY 2008-09 Consolidated Plan Budget, which included \$825,000 of CDBG funds for the Residential Development Acquisition Loan Program by Resolution No. 08-1807.

On October 5, 2009, the City Council Housing Committee was briefed on this project and unanimously approved the project.

**FISCAL INFORMATION**

FY 2007-08 - Community Development Block Grant Funds - \$82,951

FY 2008-09 - Community Development Block Grant Funds - \$297,049

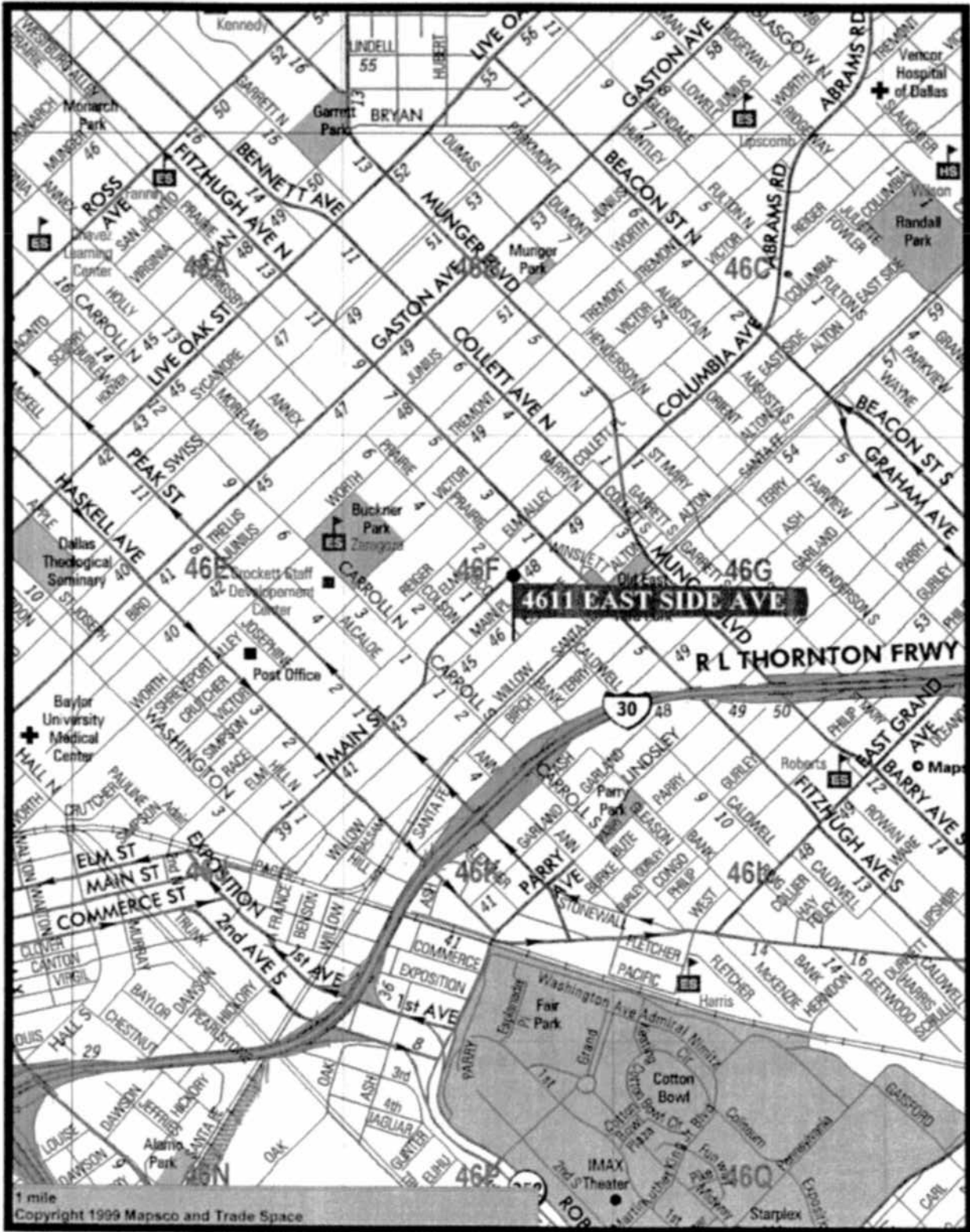
**OWNER**

**Shared Housing Center, Inc.**

Maria Machado, Executive Director

**MAP(S)**

Attached



**MAPSCO 46F**

November 9, 2009

**WHEREAS**, the City of Dallas seeks to increase the supply of new affordable transitional housing for homeless families; and

**WHEREAS**, on June 27, 2007, the City Council adopted the FY 2007-08 Consolidated Plan Budget by Resolution No. 07-1978; and

**WHEREAS**, on June 25, 2008, the City Council adopted the FY 2008-09 Consolidated Plan Budget, which included \$825,000 of CDBG funds for the Residential Development Acquisition Loan Program by Resolution No. 08-1807; and

**WHEREAS**, on October 5, 2009, the City Council Housing Committee was briefed on the Shared Housing Center, Inc. proposed project and unanimously approved the project; and

**WHEREAS**, the City of Dallas desires to provide \$380,000 in Community Development Block Grant (CDBG) funds with a no interest forgivable loan under the Residential Development Acquisition Loan Program to Shared Housing Center, Inc. for the acquisition of unimproved property at 4611 East Side Avenue for the development of a 20 unit facility for transitional housing for homeless single-parents; **NOW, THEREFORE,**

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

**Section 1.** That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute a secured, no interest loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$380,000 to Shared Housing Center, Inc. ("Borrower") for the acquisition of unimproved property at 4611 East Side Avenue for the development of a 20 unit facility for transitional housing for homeless single-parents.

The terms of the agreement include:

- (a) The Borrower must execute a note payable to the City of Dallas for \$380,000 that is interest free with a five-year maturity and a three (3) year buildout requirement;
- (b) Borrower must acquire, build and rent 20 units to low-to-moderate income families whose incomes are 80% or less of area median family income by the maturity date.
- (c) Borrower will execute a Deed of Trust and Deed Restrictions on the acquired property. Property will be deed restricted for low-to-moderate income families whose incomes are 80% or less of area median family income for a period of five years.
- (d) Borrower will be released from \$76,000 (1/5<sup>th</sup> of \$380,000) liability on the Note annually up until maturity provided that there are no defaults under any of the loan documents.

November 9, 2009

**Section 2.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a subordination of lien to a lender who is providing construction financing on the property.

**Section 3.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and the deed restrictions.

**Section 4.** That the City Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

Shared Housing Center, Inc.          Vendor# 190813A

Fund	Dept	Unit	Obj	Act.	Program	CT	Amount
CD07	HOU	2888	3015	H098	SHARHOU01	HOU297A299	\$82,950.68
CD08	HOU	297A	3015	H098	SHARHOU01	HOU297A299	\$297,049.32

**Section 5.** That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available CDBG and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.

**Section 6.** That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

**DISTRIBUTION:**

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

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2009  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** N/A

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### **SUBJECT**

Authorize a loan in the amount of \$2,000,000 at 0% interest to South Dallas/Fair Park Innerscity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties including associated closing costs, relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of an adopted Economic Development and Transit Oriented Development Plan – Not to exceed \$2,000,000 - Financing: 2006 Bond Funds (subject to the future sale of bonds)

### **BACKGROUND**

Over the period of 2003-2009, master planning, leveraging of capital investments, public/private developments, and redevelopment has begun throughout the southern sector of Dallas. In order to implement components of master plans, catalyst projects for new public/private development and redevelopment have been considered by the City Council on an individual basis.

The 2006 Bond Election provided \$41.495 million in general obligation bonds to provide funds for promoting economic development in the Southern Sector. On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to set forth the Economic Development Program for Southern Dallas. This project will be implemented under the amended program.

One of the key community stakeholders, South Dallas/Fair Park Innerscity Community Development Corporation (ICDC), who is a certified Community Housing Development Organization (CHDO), proposed to work with the City of Dallas to undertake this JB Jackson Jr. Blvd. project which is a component of an Economic Development and Transit-Oriented Development Plan.

**BACKGROUND (continued)**

City Council approval of this agenda item from FY06 Bond proceeds will provide a loan in the amount of \$2,000,000 at 0% interest to South Dallas/Fair Park Inncity Community Development Corporation (ICDC) to begin to acquire improved and unimproved properties for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment in accordance with an adopted Economic Development and Transit Oriented Development Plan.

ICDC's loan will carry zero percent interest with a seven (7) year term, subject to acceleration for failure to expend or commit the \$2,000,000 within two (2) years or complete the development and obtain a certificate of occupancy for the completed non-residential structures within seven years of execution of the note. ICDC will be required to file deed restrictions and liens on acquired properties in order to assure their redevelopment in accordance with Bond Program requirements.

As each property is completed or a certificate of occupancy has been obtained for a constructed non-residential structure or project on a property, Borrower will be released from the indebtedness on the note for the corresponding loan proceeds advanced for that respective property and the Deed Restrictions thereon shall be terminated.

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

On August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.

On October 20, 2009, the Housing Committee of the City Council was briefed on the JB Jackson Jr. Blvd. Project.

**FISCAL INFORMATION**

\$2,000,000 - 2006 Bond Funds (subject to the future sale of bonds)

**OWNERS**

**South Dallas/Fair Park Inncity  
Community Development  
Corporation**

Diane Ragsdale, Executive Director

**DEVELOPER**

**South Dallas/Fair Park Inncity  
Community Development  
Corporation**

Diane Ragsdale, Executive Director

November 9, 2009

**WHEREAS**, the City of Dallas has adopted a number of Economic Development and Transit-Oriented Plans; and

**WHEREAS**, on August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements; and

**WHEREAS**, On November 7, 2006, the voters of Dallas approved a \$1.35 billion General Obligation Bond Program of which \$41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the city, and promoting economic development in other areas of the City in connection with transit-oriented development; and

**WHEREAS**, to date the City has issued certain of the bonds approved by the voters in 2006 and currently intends to issue additional bonds that have been approved from time to time; and

**WHEREAS**, on December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas; and

**WHEREAS**, on October 20, 2009, the Housing Committee of the City Council was briefed on the JB Jackson Jr. Blvd. Project; and

**WHEREAS**, South Dallas/Fair Park Inncity Community Development Corporation (ICDC) proposes to work with the City of Dallas for the JB Jackson Jr. Blvd. Project as part of the Economic Development and Transit Oriented Development Plan for Grand Avenue; **NOW, THEREFORE**,

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

**Section 1.** That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute loan documents for the City's loan in the amount of \$2,000,000 at 0% interest to South Dallas/Fair Park Inncity Community Development Corporation (ICDC) ("Borrower") for the acquisition of improved and unimproved properties including associated closing costs, relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of an adopted Economic Development and Transit Oriented Development Plan.

November 9, 2009

**Section 2.** That some of the terms of the loan documents include:

- a. Borrower's note payable to the City of Dallas will have a maturity date of seven (7) years. To be considered "developed," the property must be constructed and completed for residential, retail, commercial, or mixed-use space, as evidenced by a certificate of occupancy having been obtained from the City of Dallas for each unit in all the structures or projects.
- b. Borrower must commit and/or expend all funds within two (2) years after execution of the loan agreement.
- c. Borrower shall execute deed restrictions and a deed of trust on all properties acquired through City of Dallas funds.
- d. No approval by the City of the expenditure of any loan funds shall bind or obligate the City to approve any zoning or replat change that Borrower may request for the properties.

**Section 3.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute subordination of lien and intercreditor agreements with lenders providing acquisition or interim construction financing on the property as necessary.

**Section 4.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute lien releases and terminate deed restrictions on the properties upon compliance with the terms of the contract.

**Section 5.** That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

South Dallas/Fair Park Inncity Development Corp. Vendor # 266539  
Fund 8T52, Dept HOU, Unit T807, Act AQDM, Obj 3015  
Program # FRAZIER1, CT HOUT807J277 - in an amount not to exceed \$1,000,000

**Section 6.** That the Controller is hereby authorized to encumber and disburse funds upon issuance and receipt of bonds in accordance with the terms and conditions of the contracts as follows:

South Dallas/Fair Park Inncity Development Corp. Vendor # 266539  
Fund 0T52, Dept HOU, Unit T807, Act AQDM, Obj 3015  
Program # FRAZIER1, CT HOUT807J277 - in an amount not to exceed \$1,000,000

November 9, 2009

**Section 7.** That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available bond funding, and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.

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

**DISTRIBUTION:**

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