

RESOLUTION HR2019-\_\_

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ASSIGNMENT AGREEMENTS WITH THE CITY OF NAPA (CITY) ASSIGNING THE CDBG DEED OF TRUST AND RELATED LOAN DOCUMENTS AND THE HOME DEED OF TRUST AND RELATED LOAN DOCUMENTS TO THE CITY FOR VILLA DE ADOBE, A 12-UNIT AFFORDABLE HOUSING PROJECT LOCATED AT 2270-2298 CLAY STREET

WHEREAS, on November 17, 2000 the Housing Authority of the City of Napa (the "Housing Authority") made two loans to Napa Valley Community Housing, a California nonprofit corporation (NVCH) to make improvements to Villa De Adobe, a 12-unit affordable rental project located at 2270-2298 Clay Street (the "Property"); and

WHEREAS, the loans included a deferred loan in the amount of \$65,000 from the City of Napa's Rental Rehabilitation Loan Program funded by Community Development Block Grant funds and a deferred loan in the amount of \$150,965 funded with HOME Investment Partnership funds received by the City (collectively "the Loans"); and

WHEREAS, the loans are each evidenced by promissory notes secured by deeds of trust and are subject to regulatory agreements (collectively "the Loan Documents"); and

WHEREAS, the NVCH has submitted a request that the Housing Authority subordinate the Loan Documents to a new loan from Mechanics Bank for the purpose of refinancing the Property's existing first mortgage loan in order to reduce the interest rate and corresponding debt service; and

WHEREAS, in preparing the subordination agreements, Housing staff noticed the loan documents were executed by the Housing Authority instead of the City; and

WHEREAS, to correct the error, the Housing Authority desires to assign and transfer to the City all of its rights, title and interest to and under the Loan Documents, and the City desires to acquire the Housing Authority's rights, title and interest under the Loan Documents in accordance with the Assignment of the Deed of Trust and Related Loan Documents; and

WHEREAS, the Authority Board of Commissioners has considered all information related to this matter, as presented at the public meetings of the Authority identified herein, including any supporting reports by Authority staff, and any information provided during public meetings.

# ATTACHMENT 1

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Napa, as follows:

1. The Authority Board finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the Authority's adoption of this Resolution.

2. The Authority Board hereby authorizes the Executive Director to execute on behalf of the Housing Authority the Assignment of CDBG Deed of Trust and Related Loan Documents for Villa De Adobe for which is attached as Exhibit "A" and incorporated by references.

3. The Authority Board hereby authorizes the Executive Director to execute on behalf of the Housing Authority the Assignment of HOME Deed of Trust and Related Loan Documents for Villa De Adobe, which is attached as Exhibit "B" and incorporated by reference.

4. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Board of Commissioners of the Housing Authority of the City of Napa at a public meeting of said Housing Authority held on the 3rd day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
Authority Deputy Secretary

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
Authority General Counsel