

**RESOLUTION
NO.**

**RESOLUTION CONCERNING THE ISSUANCE OF REVENUE
BONDS BY THE DEVELOPMENT AUTHORITY OF
COLUMBUS, GEORGIA FOR THE BENEFIT OF COLUMBUS
HIGHLAND TERRACE II, LP.**

WHEREAS, The Development Authority of Columbus, Georgia (the "Authority") has considered the application of Columbus Highland Terrace II, LP, a Georgia limited partnership (the "Borrower"), requesting that the Authority assist the Borrower in financing the acquisition, construction and equipping of an approximately 132-unit housing project located on an approximately 10.7 acre site at 705 35th Street, near the intersection of 35th Street and River Road, in Columbus, Muscogee County, Georgia (the "Project") through the issuance of the Authority's revenue bonds in an aggregate principal amount not to exceed \$14,500,000 (the "Bonds"). The Authority held a public hearing on June 23, 2020, with respect to such proposed issuance of the Bonds and financing of the Project and a Certificate of the Hearing Officer designated by the Authority regarding the conduct of the public hearing is attached hereto as Exhibit "A" (the "Public Hearing Certificate"); and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issue of revenue bonds and over the area in which any facility financed with the proceeds of the revenue bonds is located shall approve the issuance of such revenue bonds. The Council of Columbus, Georgia (the "Council") is the body required to approve the issuance of the Bonds on behalf of Columbus, Georgia (the "City"); and

WHEREAS, the Authority issues its revenue bonds pursuant to authority granted it under the Development Authorities Law, O.C.G.A. § 36-62-1, *et seq.*, and the Project is located within the City; and

WHEREAS, the Authority has requested that (i) Council approve, to the extent required by Section 147(f) of the Code, the issuance of the Bonds and the financing of the Project subject to the terms of the financing to be agreed upon by the Authority, the Borrower and the purchaser(s) of the Bonds, and (ii) authorize the Mayor of the City (the "Mayor") to execute a Certificate substantially in the form attached as Exhibit "B" certifying to such approval (the "Certificate"); and

WHEREAS, Such approval by the Mayor or Council shall not constitute an endorsement to a prospective purchaser of the bonds of the creditworthiness of the Borrower or the Project, and **the Bonds shall not constitute an indebtedness or obligation of the State of Georgia, Columbus, Georgia,** or of any municipal corporation, county, or political subdivision thereof, but the Bonds shall be payable solely from the revenues derived from the Borrower and pledged to the payment thereof, and no owner of any of the Bonds shall ever have the right to compel any exercise of the taxing power of said State or of any municipal corporation, county, or political subdivision thereof, nor to enforce the payment thereof against any property of said State or of any such municipal corporation, county, or political subdivision:

NOW, THEREFORE, the Council hereby resolves to approve the issuance of the Bonds to the extent required by said Section 147(f) of the Code. and hereby authorizes the Mayor to execute the Certificate.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the 28th day of July, 2020, and adopted at said meeting by the affirmative vote of _____ members of said Council.

Councilor Allen	voting _____
Councilor Barnes	voting _____
Councilor Crabb	voting _____
Councilor Davis	voting _____
Councilor Garrett	voting _____
Councilor House	voting _____
Councilor Huff	voting _____
Councilor Thomas	voting _____
Councilor Thompson	voting _____
Councilor Woodson	voting _____

Sandra T. Davis
Clerk of Council

B. H. "Skip" Henderson, III
Mayor

EXHIBIT "A" PUBLIC HEARING CERTIFICATE

**CERTIFICATE ON BEHALF OF THE
DEVELOPMENT AUTHORITY OF COLUMBUS, GEORGIA
REGARDING PUBLIC HEARING**

THE UNDERSIGNED, on behalf of the Development Authority of Columbus, Georgia (the "Authority") HEREBY CERTIFIES as follows:

(1) A Public Hearing was duly held on June 23, 2020, at 2:00 p.m., by telephone through the use of a toll-free teleconference, at phone number (866) 459-4773, with conference code 4458044, pursuant to proper notice given in accordance with law as to the time and place of this hearing prior to such hearing. The hearing was open to the public. The time of the hearing and use of the toll free telephone call provided a reasonable opportunity for persons of differing views to be heard.

(2) The designated hearing officer of the Authority announced the commencement of the public hearing on behalf of the Mayor and Council of Columbus, Georgia, on the application of Columbus Highland Terrace II, LP, a Georgia limited partnership (the "Borrower"), and that the Authority had caused the publication of a notice at least seven (7) days prior to the hearing in the *Columbus Ledger-Enquirer*, a newspaper having general circulation in Columbus, Georgia (the "Notice"). A copy of the Notice has been filed and appears of record in the Minute Book of the Authority and is attached hereto together with an affidavit of publication as Exhibit "A".

(3) The following person(s) addressed the hearing on behalf of the Borrower:

- a) Avery Smith
- b) Sara Patenaude

(4) Exhibit "C," attached hereto, contains the name(s) of the person who asked to be heard with respect to the granting by the Authority of the financial assistance requested by the Borrower and the financing of the "Project" referred to in the Notice:

No one else having appeared to speak on the matter, the Hearing Officer declared the public hearing closed at 2:10 p.m.

(5) Based on the results of the hearing, it is the recommendation of the undersigned on the behalf of the Authority that the Mayor of Columbus approve the issuance of the Bonds to the extent required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

This 23rd day of June, 2020.



Robert M. McKenna
Hearing Officer

Exhibits Attached: "A" - Copy of Notice together with Affidavit of Publication
"B" - Participant Name(s) and Comments (if any)



Ledger-Enquirer

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
658059	0004671206	NOTICE OF PUBLIC HEARING ON PROPOSED	Highland Terrace II - TEFRA Notice	\$50.00	1	7.00 In

Attention: Kit Accordinio

PAGE, SCRANTON, SPROUSE, TUCKER
FORD, PC
PO BOX 1199
COLUMBUS, GA 31902

**NOTICE OF PUBLIC HEARING
ON PROPOSED
MULTIFAMILY HOUSING
REVENUE BONDS**

**TO BE ISSUED BY THE DEVELOPMENT
AUTHORITY OF COLUMBUS, GEORGIA
ON BEHALF OF COLUMBUS HIGHLAND
TERRACE II, LP**

Notice is hereby given that on the 23rd day of June, 2020, at 2:00 p.m., a Public Hearing will be held and members of the public may participate by telephone through the use of a toll-free teleconference, at phone number (866) 459-4773, with conference code 4458044. The hearing will be held concerning the proposed issuance of multifamily housing revenue bonds (the "Bonds") by the Development Authority of Columbus, Georgia (the "Authority"), in an aggregate principal amount not to exceed \$14,500,000, in one or more series, for the purpose of assisting Columbus Highland Terrace II, LP, a Georgia limited partnership (hereinafter referred to as the "Borrower"), with the acquisition, construction and equipping of a multifamily housing project located on an approximately 10.7 site at 705 35th Street, near the intersection of 35th Street and River Road, in Columbus, Georgia. The multifamily housing project consists of five residential building and one community building containing approximately 132 housing units, land, buildings, structures, equipment and related real and personal property (collectively, the "Project"). The Borrower will be the initial owner of the Project. The hearing will be held before a hearing officer designated by the Authority, and may be continued or adjourned.

The Bonds, when and if issued, will be the limited obligation of the Authority and will not constitute a general obligation of the State of Georgia, Muscogee County, Georgia or the Authority, nor shall the Bonds be payable in any manner by taxation, but are payable solely by the Authority from the payments made by or on behalf of the Borrower, which are pledged to the payment of the Bonds pursuant to an agreement between the Authority and the Borrower. The issuance of the Bonds is in furtherance of the public purpose of the Authority.

Further information regarding the proposed Bonds and the proposed facility financed are of public record in the office of the Development Authority of Columbus, Georgia.

Any interested party having views on the proposed issuance of the Bonds or the nature or location of the proposed project may be heard at such public hearing.

Development Authority of Columbus, Georgia

Publish: Jun 12 (0004671206)

To whom it may concern:

This is to certify the legal advertisement in the above stated case has been published in the Columbus Ledger-Enquirer, legal organ of Muscogee County on:

1 Insertion(s)

Published On:

June 12, 2020

Representative

Sworn to and subscribed before me this
22nd day of June in the year of 2020

Notary Public, Dallas, TX

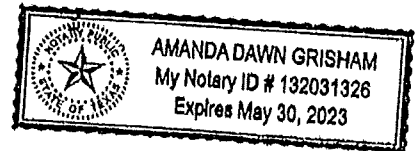


EXHIBIT "B"

NAMES AND COMMENTS FROM MEMBERS OF THE PUBLIC

NONE – No one, other than the Borrower, participated in the Hearing.

EXHIBIT "B" MAYOR'S CERTIFICATE

**CERTIFICATE OF THE MAYOR OF COLUMBUS,
GEORGIA REGARDING THE ISSUANCE OF REVENUE
BONDS BY THE DEVELOPMENT AUTHORITY OF
COLUMBUS, GEORGIA FOR THE BENEFIT OF
COLUMBUS HIGHLAND TERRACE II, LP**

The Development Authority of Columbus, Georgia (the “Authority”) has considered the application of Columbus Highland Terrace II, LP, a Georgia limited partnership (the “Borrower”), requesting the Authority assist the Borrower in financing the acquisition, construction and equipping of an approximately 132-unit housing project located on an approximately 10.7 acre site at 705 35th Street, near the intersection of 35th Street and River Road, in Columbus, Muscogee County, Georgia (the “Project”), through the issuance of the Authority’s revenue bonds in an aggregate principal amount not to exceed \$14,500,000 (the “Bonds”). The Authority held a public hearing on June 23, 2020, with respect to such proposed issuance of the Bonds and financing of the Project.

Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the governmental unit having jurisdiction over the issue of revenue bonds and over the area in which any facility financed with the proceeds of the revenue bonds is located shall approve the issuance of such revenue bonds.

The Authority issues its revenue bonds on behalf of Columbus, Georgia (the “City”) and the Project is located within the City, and the Mayor as the chief elected executive officer of the City has been authorized by Resolution of the Columbus Council to execute this certificate.

The Authority has requested approval of the issuance of the Bonds and the financing of the Project subject to the terms of the financing to be agreed upon by the Authority, the Borrower and the purchaser(s) of the Bonds.

The Authority has delivered to the Mayor and Council a certificate regarding the conduct of the public hearing.

The Mayor of the City hereby certifies as follows:

Section 1. The issuance of the Bonds by the Authority for the benefit of the Borrower in an aggregate principal amount not to exceed \$14,500,000 to assist in the financing of the Project is hereby approved to the extent required by said Section 147(f) of the Code.

Section 2. Such approval by the Mayor does not constitute an endorsement to a prospective purchaser of the bonds of the creditworthiness of the Borrower or the Project, and the Bonds shall not constitute an indebtedness or obligation of the State of Georgia, Columbus, Georgia, or of any municipal corporation, county, or political subdivision thereof, but the Bonds shall be payable solely from the revenues derived from the Borrower and pledged to the payment thereof, and no owner of any of the Bonds shall ever have the right to compel any exercise of the taxing power of said State or of any municipal corporation, county, or political subdivision

thereof, nor to enforce the payment thereof against any property of said State or of any such municipal corporation, county, or political subdivision.

This ____ day of _____, 2020.

COLUMBUS, GEORGIA

By: _____
Skip Henderson, Mayor

[SEAL]

Attest:

Clerk of Council