



CITY OF GRAND PRAIRIE RESOLUTION

MEETING DATE: 03/04/2025

PRESENTER: Esther Coleman, Director of Housing

TITLE: Resolution authorizing entering into an Amended and Restated Payment Agreement with Grand Prairie Housing Finance Corporation (HFC). HFC will contribute annual payments in an amount equal to thirty-five (35%) of the annual Ground Lease payments to compensate the City for on-going City services provided to a multifamily apartment facility known as NeuRock of Westchester Apartments specifically located at 605 W. Westchester Parkway, Grand Prairie, Texas 75052

REVIEWING COMMITTEE:

SUMMARY:

Neurock of Westchester, LP, a Texas limited partnership (the “Company”) has acquired an affordable multifamily apartment facility in Grand Prairie, Dallas County, Texas, known as NeuRock of Westchester specifically located at 605 W. Westchester Parkway, Grand Prairie, Texas 75052 (the “Property”).

The HFC owns the fee simple interest in the Property and the Company owns the improvements on the Property. HFC and the Company entered into a 99-year lease (“Ground Lease”) evidenced by a Memorandum of Ground Lease for the purposes of providing notice of the lease to protect the rights and interests of HFC and Company as to third parties.

The Property will be exempt from ad valorem taxation pursuant to Chapter 394 of the Texas Local Government Code (the “Exemption”).

The City previously entered into a Payment Agreement with the HFC for this Property on July 1, 2024. Since that date, City staff and the HFC have negotiated added language to Sections 2 and 6 of the Agreement that would provide discretion to the City Manager in the resolution of any penalties, interest, attorney’s fees and/or liquidated damages incurred under the Agreement in the event of non-compliance by the HFC. The remaining terms of the Agreement would stay the same.

The HFC has found that payments made under the Payment Agreement are necessary and appropriate for the HFC to carry out its purposes. So long as the Property successfully receives funding, maintains a ground lease with HFC, and is used for affordable multifamily housing, the HFC will contribute annual payments in an amount equal to thirty-five percent (35%) of the annual Ground Lease payment (each, a “Payment”) which payments will serve to compensate the City for City services provided to the Project.

City staff recommends entering into the Amended and Restated Payment Agreement to support the development of affordable housing within the City.

FINANCIAL CONSIDERATION:

Any residential property owned by a Housing Finance Corporation is exempt from all ad valorem taxes.

BODY

RESOLUTION AUTHORIZING ENTERING INTO AN AMENDED AND RESTATED PAYMENT AGREEMENT WITH GRAND PRAIRIE HOUSING FINANCE CORPORATION (HFC) UNDER WHICH THE HFC WILL PAY THE CITY ANNUAL PAYMENTS IN AN AMOUNT EQUAL TO THIRTY-FIVE PERCENT (35%) OF THE ANNUAL GROUND LEASE PAYMENTS TO COMPENSATE THE CITY FOR ON-GOING CITY SERVICES PROVIDED TO A MULTIFAMILY APARTMENT FACILITY KNOWN AS NEUROCK OF WESTCHESTER APARTMENTS SPECIFICALLY LOCATED AT 605 W. WESTCHESTER PARKWAY, GRAND PRAIRIE, TEXAS 75052 (THE “PROPERTY”); ACKNOWLEDGING THAT THE PROPERTY WILL BE EXEMPT FROM LOCAL AD VALOREM TAXATION PURSUANT TO CHAPTER 394 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING AN EFFECTIVE DATE

RECITALS

WHEREAS, Neurock of Westchester, LP, a Texas limited partnership (the “Company”) has acquired an affordable multifamily apartment facility in Grand Prairie, Dallas County, Texas, known as NeuRock of Westchester Apartments specifically located at 605 W. Westchester Parkway, Grand Prairie, Texas 75052 (the “Property”); and

WHEREAS, the HFC owns the fee simple interest in the Property and the Company owns the improvements on the Property, and HFC and Company entered into a 99-year lease (“Ground Lease”) evidenced by a Memorandum of Ground Lease for the purposes of providing notice of the lease to protect the rights and interests of HFC and Company as to third parties; and

WHEREAS, the Property will be exempt from ad valorem taxation pursuant to Chapter 394 of the Texas Local Government Code (the “Exemption”); and

WHEREAS, the City and the HFC previously entered into a Payment Agreement with the HFC for this Property on July 1, 2024 (“Payment Agreement”) under which the HFC will contribute annual payments in an amount equal to thirty-five percent (35%) of the annual Ground Lease payment (each, a “Payment”) which payments will serve to compensate the City for City services provided to the Project, provided the Property successfully receives funding, maintains a ground lease with HFC, and is used for affordable multifamily housing; and

WHEREAS, the City and HFC wish to execute an Amended and Restated Payment Agreement for the purpose of amending Sections 2 and 6 of the Payment Agreement; and

WHEREAS, the City finds that an Amended and Restated Payment Agreement serves the public purpose of promoting economic growth; and

WHEREAS, the HFC finds that payments made under this Amended and Restated Payment Agreement are necessary and appropriate for the HFC to carry out its purposes.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND OTHER CONSIDERATION THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That City of Grand Prairie acting through its City Council (Governing Body), does hereby authorize entering into a 99-year Amended and Restated Payment Agreement with Grand Prairie Housing Finance Corporation (the “HFC”). The HFC shall contribute annual payments in an amount equal to thirty-five percent (35%) of the annual Ground Lease with Neurock of Westchester, LP, a Texas limited partnership that has acquired an affordable multifamily apartment facility in Grand Prairie, Dallas County, Texas, known as NeuRock of Westchester specifically located at 605 W. Westchester Parkway, Grand Prairie, Texas 75052. The payments will serve to compensate the City for on-going City services provided to the Project.

SECTION 2. That the City acknowledges that the Property, while owned by the HFC, will be exempt from local ad valorem taxation pursuant to Chapter 394 of the Texas Local Government Code.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provision of the charter of the City of Grand Prairie, and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 4TH DAY OF MARCH, 2025.