



SOUTHEAST TEXAS HOUSING FINANCE CORPORATION

April 23, 2024

The Honorable Lori Klien Quinn  
City of Tomball Mayor's Office  
401 Market Street  
Tomball, TX 77375

RE: Village at Baytown-Baytown  
Issuance of Tax-Exempt Bond Financing  
The Southeast Texas Housing Finance Corporation

Dear Mayor Quinn:

Please find enclosed:

- **General and No Litigation Certificate**

These documents represent the Approval for the Issuance of Tax-Exempt Bonds for the acquisition and rehabilitation of Village at Baytown-Baytown.

Please sign two (2) copies of each of the General and No Litigation Certificate. Please return as soon as possible using the pre-paid Fed-Ex Envelope included in this packet.

**NOTE: The date line on the General and No Litigation Certificate does not require your attention.**  
The State of Texas' Attorney General's Office will date those forms when appropriate.

I have also included for your review a copy of:

- **Resolution of No Objection from The City of Baytown**
- **Certificate of Hearing Officer**

If you or your staff have any questions, please do not hesitate to contact me at 281-484-4663 ext. 108; [rwilliams@sethfc.com](mailto:rwilliams@sethfc.com), or Candace Carrier-Spencer at 281-484-4663 ext. 107; [ccspencer@sethfc.com](mailto:ccspencer@sethfc.com).

Sincerely,

Ron Williams  
Executive Director

xc: Ms. Sherrie Meicher, SETH Director (w/o Attachments)

NOTE: Neither the State of Texas Attorney General's Office nor the Housing Finance Corporation's Act requires a Resolution of Approval by City Council's or Commissioners' Courts. SETH must obtain approval from all twenty (20) of its jurisdictions for the issuance of any tax-exempt bonds.

## GENERAL AND NO LITIGATION CERTIFICATE OF THE CITY OF TOMBALL

We hereby certify that we are duly elected or appointed and acting officers of the City of Tomball, Texas (the “*City*”). We do hereby further certify that:

1. This Certificate is for the benefit of the Attorney General of the State of Texas (the “*Attorney General*”) and all persons interested in the validity of the proceedings of The Southeast Texas Housing Finance Corporation (the “*Corporation*”) related to the issuance by the Corporation of its tax-exempt obligations for the Village at Baytown project, to be issued in one or more series in an aggregate principal amount not to exceed \$45,000,000 (the “*Bonds*”).
2. The City Council (the “*Governing Body*”) of the City authorized the membership of the City in the Corporation, a joint housing finance corporation created pursuant to the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code, as amended (the “*Act*”), and approved the Corporation’s articles of incorporation (and all amendments thereto).
3. The City has appointed Sherrie Meicher to act as a member of the board of directors of the Corporation. The individual is a resident of a city or county which is a member of the Corporation.
4. The Governing Body has taken no action pursuant to the Act, including Section 394.016(c) thereof, or otherwise, to limit the effectiveness of the resolution authorizing the issuance of the Bonds or in any way affecting the proceedings relating to the issuance of the Bonds.
5. The Governing Body has not created any other Corporation that currently has the power to make home mortgages or loans to lending institutions, the proceeds of which are to be used to make home mortgage or loans on residential developments.
6. No litigation is pending, or to our knowledge threatened, in any court in any way affecting the existence of the Corporation or seeking to restrain or to enjoin the issuance, sale or delivery of the Bonds, or in any way contesting or affecting the validity or enforceability of the Bonds or the financing documents to which the Corporation is a party, or contesting in any way the completeness or accuracy of any disclosure document prepared in connection with the issuance of the Bonds, or contesting the powers of the Corporation or its authority with respect to the financing documents to which it is party.
7. Each of the undersigned officers of the City hereby certifies that he or she is the duly elected or appointed incumbent of the office appearing below his or her signature and that the signature of the other officer appearing below is the true and correct signature of such person.
8. The Attorney General of the State of Texas is hereby authorized and directed to date this Certificate concurrently with the date of his approval of the Bonds and this Certificate shall be deemed for all purposes to be accurate and correct on and as of that date and on and as of the date of the initial issuance and delivery of the Bonds to the initial purchasers thereof.

9. By his or her signature hereto, the undersigned representative of the Governing Body assumes no liability whatsoever with respect to the Bonds. The Bonds are not an indebtedness of the Governing Body or the City and the Governing Body and the City shall have no liability therefor.

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CITY OF TOMBALL, TEXAS

By \_\_\_\_\_  
Mayor Lori Klein Quinn



ATTEST

By \_\_\_\_\_  
[Deputy] City Clerk .....



DATED: \_\_\_\_\_  
[TO BE DATED BY ATTORNEY  
GENERAL OF THE STATE OF TEXAS]

CITY OF TOMBALL, TEXAS

By \_\_\_\_\_  
Mayor Lori Klein Quinn



ATTEST

By \_\_\_\_\_  
[Deputy] City Clerk



DATED: \_\_\_\_\_  
[TO BE DATED BY ATTORNEY  
GENERAL OF THE STATE OF TEXAS]

RESOLUTION NO. 2887

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AFFIRMING THAT THE CITY OF BAYTOWN HAS NO OBJECTION TO PATHS DEVELOPMENT, LLC'S PROPOSED ACQUISITION AND REHABILITATION OF THE VILLAGE AT BAYTOWN APARTMENTS AND POSSIBLE ALLOCATION OF 4% LOW INCOME HOUSING TAX CREDIT FOR THE PROJECT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

\*\*\*\*\*

WHEREAS, Paths Development, LLC, is seeking a declaration from the City of Baytown that it does not object to the allocation of a 4% Low Income Housing Tax Credit (LIHTC) for its proposed acquisition and rehabilitation of 210 affordable rental housing units located at 4601 Village Lane known as The Village at Baytown Apartments in the corporate limits of the City of Baytown, Harris County, Texas (the "Project"); and

WHEREAS, Resolution No. 1913 of the City Council of the City of Baytown, opposes any additional low income housing tax credit ("LIHTC") units within the City; and

WHEREAS, Resolution No. 2087 amends Resolution No. 1913 to provide a limited exception that allows the City Council to consider the approval of an application for low income housing tax credit units associated with the Texas Department of Housing and Community Affairs' Low Income Housing Tax Credit Program (LIHTC); and

WHEREAS, the Project in the City's corporate limits does not create new subsidized housing but merely proposes to upgrade the existing housing stock; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That in accordance with the requirements of Tex. Gov't Code §2306.67071 and Texas Administrative Code §11.204(4), the City Council hereby finds that:

- a. notice was provided to the City Council in accordance with Tex. Gov't Code, §2306.67071(a); and
- b. the City Council has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
- c. on February 22, 2024, the City Council held a hearing at which public comment may be made on the proposed Project in accordance with Tex. Gov't Code, §2306.67071(b); and
- d. after due consideration of the information provided by Paths Development, LLC, and public comment, the City Council does not object to the proposed application for the allocation of 4% LIHTC for the Project.

Section 2: That the City Council hereby registers no objection to the acquisition and proposed rehabilitation of The Village at Baytown Apartments pursuant to Tex. Gov't Code §2306.6703(a)(4) and no objection to Paths Development, LLC applying and receiving the 4% Low Income Housing Tax Credit (LIHTC) through the Texas Department of Housing and Community Affairs (TDHCA) to rehabilitate Village at Baytown Apartments

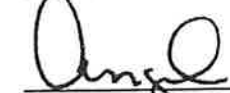
Section 3: That the City Clerk is hereby authorized and directed to send a certified copy of this resolution to the Texas Department of Housing and Community Affairs.

Section 4: This resolution shall take effect immediately from and after its passage by the City Council of the City of Baytown, Texas.

INTRODUCED, READ and PASSED by the City Council of the City of Baytown this the 22<sup>nd</sup> day of February, 2024.

  
BRANDON CAPETILLO, Mayor

ATTEST:

  
ANGELA JACKSON, City Clerk

APPROVED AS TO FORM:

  
SCOTT LEMON, City Attorney



## CERTIFICATE OF HEARING OFFICER

I, the undersigned, acting as hearing officer (the "*Hearing Officer*"), do hereby make and execute this certificate for the benefit of all persons interested in the proposed issuance of one or more series of tax-exempt obligations by The Southeast Texas Housing Finance Corporation in an aggregate principal amount not to exceed \$45,000,000 (the "*Bonds*") for the benefit of Baytown Apartments L.P., or an affiliate thereof, in connection with the acquisition, rehabilitation and equipping of an approximately 210-unit multifamily housing development located at 4601 Village Lane, Baytown, Texas 77521 (the "*Development*").

I hereby certify as follows:

1. That I am the duly appointed Hearing Officer for the public hearing that was held on March 21, 2024, at 11:00 a.m. Central time telephonically whereby all interested persons could monitor and participate in the hearing by calling (800) 504-4496 (a toll-free telephone number) and entering 4844663, followed by a pound key (#), in connection with the issuance of the Bonds.

2. That notice of the public hearing was published no less than seven days before the date of the public hearing in a newspaper or newspapers of general circulation available to residents of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, League City, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball, as described in *Exhibit A* attached hereto; the notice included the date, time and place of the public hearing, the location, a description of the Development and the maximum aggregate principal amount of the Bonds.

3. That all interested persons who attended the public hearing telephonically were given an opportunity to comment on the proposed issuance of the Bonds and the Development. The names and comments of all interested persons appearing at the public hearing, if any, are set forth in *Exhibit A* attached hereto.

4. That after giving all interested persons an opportunity to attend the hearing telephonically by dialing into the toll-free telephone conference line number noted above and comment, the public hearing was declared closed.

5. That copies of the affidavits of publication of notice of public hearing are set forth in *Exhibit B* attached hereto.

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WITNESS MY HAND this 21st day of March, 2024.

A handwritten signature in black ink, appearing to read 'Ron Williams', written over a horizontal line.

Ron Williams, Hearing Officer

## EXHIBIT A

### MINUTES OF PUBLIC HEARING

A public hearing was held by The Southeast Texas Housing Finance Corporation (the "Issuer") telephonically whereby all interested persons could monitor and participate in the hearing by calling (800) 504-4496 (a toll-free telephone number) and entering 4844663, followed by a pound key (#), on March 21, 2024, beginning at 11:00 a.m. Central time.

The hearing was held with respect to the proposed issuance by the Issuer of not to exceed \$45,000,000 of tax-exempt obligations in one or more series (the "Bonds") in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the excludability of the interest on the Bonds from gross income for federal income tax purposes.

The notice of public hearing published in the *Houston Chronicle* on March 12, 2024 and in *The Baytown Sun* on March 12, 2024 indicated that the proceeds of the Bonds will be used to finance the acquisition, rehabilitation and equipping of the Village at Baytown (the "Development"), to be located within the City of Baytown, Texas, by Baytown Apartments L.P., or an affiliate thereof (the "Borrower").

Present at the hearing on behalf of the Issuer were Ron Williams, the hearing officer for the Issuer (the "Hearing Officer") and Candace Carrier-Spencer, executive assistant, of the Issuer. Others present were Ryan J. Bowen, Nora O'Brien and Michelle Krofel of Chapman and Cutler LLP, bond counsel, and Anna Weiss, Bryan Kaplan, Tara Allentuck and Zain Mahmood of Paths Development LLC, an affiliate of the Borrower.

The Hearing Officer called the meeting to order and asked if there were any interested persons present who wished to express their views with respect to the issuance of the Bonds, or the Development being financed.

No one expressed an interest to speak.

Whereupon the Hearing Officer closed the public hearing at 11:16 a.m.

**EXHIBIT B**

**AFFIDAVITS OF PUBLICATION OF NOTICE OF PUBLIC HEARING**

The Baytown Sun  
1301 Memorial Drive  
Baytown, Texas 77520  
281-422-8302

AFFIDAVIT OF PUBLICATION

Miller Advertising Agency, Inc.  
909 Third Ave. 15<sup>th</sup> Floor  
New York, NY 10022  
Attn: Robert Heniff

COUNTY OF HARRIS

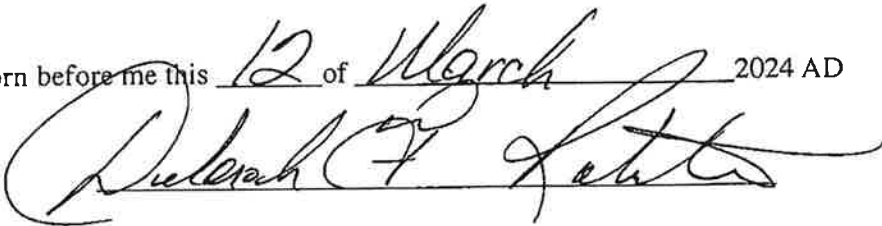
Reference: The Southeast Texas Housing Finance Corporation Public Hearing – Village  
at Baytown, 4601 Village Lane

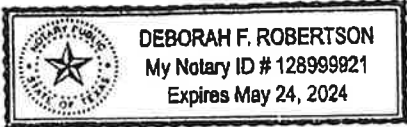
Before me, the undersigned authority, on this day personally appeared, Daisie Herndon  
who being duly sworn, deposes and says that she is an agent of the Baytown Sun: that  
said newspaper is regularly published in Harris County and generally circulated in Harris  
and Chambers Counties, Texas: that the attached notice was published on the following  
date.

  
Daisie Herndon, Agent

Printed: March 12, 2024

Subscribed and sworn before me this 12 of March 2024 AD





**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION**  
**NOTICE OF PUBLIC HEARING**

In accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.0025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:00 a.m. Central time on Thursday, March 21, 2024. All persons interested may monitor and participate in the hearing by calling (800) 504-4496 (a toll-free telephone number) and entering 4844663, followed by a pound key (#) promptly at 11:00 a.m. Central time on Thursday, March 21, 2024. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, League City, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(a) (7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$45,000,000. The Bonds will be issued for the benefit of Baytown Apartments L.P. or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Village at Baytown located at 4601 Village Lane, City of Baytown, Texas 77521 and consisting of approximately 210 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be limited obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged to their payment. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions (or any other city, county or other municipal or political corporation or subdivision of the State of Texas) or of the State of Texas, or a loan of credit of any of them, within the meaning of any constitutional or statutory provision.

All interested persons are invited to attend the hearing and present written or oral comments on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Wednesday, March 20, 2024 may be directed to The Southeast Texas Housing Finance Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77089, Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at [rwilliams@sethfc.com](mailto:rwilliams@sethfc.com).

**March 12, 2024**

[classifieds@baytownsun.com](mailto:classifieds@baytownsun.com)

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PERMIT NO. WQ00\_15052001

the site or facility is provided as a courtesy and is not part of the request or holder's obligation. The holder will be responsible for the accuracy and completeness of the information provided. The holder will also be responsible for the accuracy and completeness of the information provided and will conduct a technical review of

comments. 11

**PUBLIC COMMENT/PUBLIC MEETING.** You may submit public comments or request a public meeting. The TCEQ holds a public meeting if the Executive Director determines that there is a sufficient degree of public interest in the request or if a local legislator requests it. A public meeting is not an administrative hearing of the contentious matter.

[illegible][illegible]

After the close of all applicable comment and petition periods, the Executive Director will forward the record to the TCEQ Commissioners for consideration during a scheduled Commission meeting. The reconsideration or for a contested case hearing to the TCEQ Commissioners for consideration during its timely comments that were submitted by the applicant. If the Commission may only grant a request for a contested case hearing on issues that the applicant has presented in its timely comments that were submitted by the applicant. If the Commission may only grant a request for a contested case hearing on issues that the applicant has presented in its timely comments that were submitted by the applicant. If the Commission may only grant a request for a contested case hearing on issues that the applicant has presented in its timely comments that were submitted by the applicant.

**MAILING LIST.** If you submit public comments, a request for an administrative contentious hearing, or a reconsideration of the Executive Office of the Chief Clerk will mail public notices regarding the request. In addition, you may request that TCEQ put your name on one or more of the following mailing lists: (1) the permanent mailing list to receive notices from the applicant indicated by name and specific permit number and/or (2) the mailing list of all applications in a specific county. If you would like to have your name added to one of the lists, please designate which list(s) and mail your request to the TCEQ Office of the Chief Secretary.

CONTACTS AND INFORMATION TO THE AGENCY. All public comments and requests must be submitted electronically to [tcx.texas.gov/epic/cemcomment/](mailto:tcx.texas.gov/epic/cemcomment/) or in writing addressed to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please note that any personal information you provide, including your name, phone number, email address, and physical address, will become part of the Agency's public record. For more information about this permit application or the permitting process, call TCEQ's toll-free number, 1-800-682-4040. For information in Spanish, call 1-800-687-4040.

Additional information may also be obtained from Jivanji Noman Burhani at the address above or by calling George H. Neil at 281-461-0528.



### AFFIDAVIT OF PUBLICATION

## STATE OF TEXAS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

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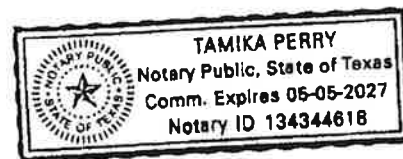
Victoria Bond

NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 12th Day of March A.D. 2024

Tamika Perry

Notary Public in and for the State of Texas





THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION  
NOTICE OF PUBLIC HEARING

In accordance with Section 147(b) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.8025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:00 a.m. Central time on Thursday, March 21, 2024. All persons interested may monitor and participate in the hearing by calling (800) 504-4496 (a toll-free telephone number) and entering 4844663, followed by a pound key (#) promptly at 11:00 a.m. Central time on Thursday, March 21, 2024. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, League City, Pasadena, Santa Fe, Shoresacres, Texas City and Tomball (the "Sponsoring Political Subdivisions").

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All interested persons are invited to attend the hearing and present written or oral comments on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Wednesday, March 20, 2024 may be directed to The Southeast Texas Housing Finance Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77089, Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at [rwil@kama@sethfc.com](mailto:rwil@kama@sethfc.com).

