

SUBSTITUTE ORDINANCE

WHEREAS, the City of Chicago (the "City") is a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City has determined that the continuance of a shortage of affordable rental housing is harmful to the health, prosperity, economic stability and general welfare of the City; and

WHEREAS, the City has certain funds available from a variety of funding sources ("Multi-Family Program Funds") to make loans and grants for the development of multi-family residential housing to increase the number of individuals and families served with decent, safe, sanitary and affordable housing and to expand the long-term supply of affordable housing, and such Multi-Family Program Funds are administered by the City's Department of Housing ("DOH"); and

WHEREAS, Casa Yucatan LP, an Illinois limited partnership (the "9% Owner"), of which Casa Yucatan GP, LLC, an Illinois limited liability company, is the general partner (the "General Partner"), of which The Resurrection Project, an Illinois not-for-profit corporation ("TRP"), is currently its sole member and manager, and at closing may have an approximately 79% ownership interest in the General Partner and a to-be-determined entity acceptable to the Authorized DOH Officer (as defined below) may have an approximately 21% ownership interest in the General Partner, plans to undertake the 9% Project (as defined below); and

WHEREAS, Casa Yucatan 4% LP, an Illinois limited partnership (the "4% Owner"), of which Casa Yucatan 4% GP, LLC, an Illinois limited liability company (the "4% General Partner"), is the general partner, of which TRP is currently its sole member and the manager and at closing may have an approximately 79% ownership interest in the 4% General Partner and a to-be-determined entity acceptable to the Authorized DOH Officer (as defined below) may have an approximately 21% ownership interest in the 4% General Partner, plans to undertake the 4% Project (as defined below); and

WHEREAS, the 9% Owner, the 4% Owner and TRP (collectively, the "Developers") plan to develop real property located generally at 1609 West 21st Place, Chicago, Illinois (the "Overall Property") and the Developers plan to commence and complete construction of the following, which shall hereinafter be known as the "Project": (i) an eight-story residential building with approximately 98 residential dwelling units for families at or below 80% area median income and (ii) common elements consisting of a community space, outdoor space, approximately 20 parking spaces, and approximately 98 indoor and outdoor bicycle spaces (collectively, the "Common Elements"); and

WHEREAS, the Project will be subject to a declaration of condominium in accordance with the requirements of the Illinois Condominium Property Act, 765 ILCS Section 605/1, *et seq.*, creating a condominium association of two units (the "Condominium Subdivision"), of which one such condominium unit will consist of approximately 70 affordable rental units contained in the eight-story building, all of which will be reserved for tenants at or below 80% of area median income, along with a proportionate share of the Common Elements (the "4% Project"), and of which the second such condominium unit will consist of the remaining approximately 28 affordable rental units contained in the eight-story building, all of which will be reserved for tenants at or

below 80% of area median income, along with a proportionate share of the Common Elements (the "9% Project"); and

WHEREAS, the portion of the Overall Property on which the 9% Project will be situated shall be known as the "Property"; and

WHEREAS, the 9% Owner and TRP propose to undertake the 9% Project; and

WHEREAS, pursuant to an ordinance adopted on April 19, 2024, and published at pages 11493-11568 of the Journal of the Proceedings of the City Council of the City (the "City Council") for such date (the "2024 Bond Ordinance"), the City Council authorized the issuance of certain general obligation bonds in one or more series, in an aggregate principal amount not to exceed \$1,250,000,000 for the Purposes as defined therein (the "2024 Bonds"); and

WHEREAS, DOH has preliminarily reviewed and approved the making of a loan to the 9% Owner in an amount not to exceed \$2,425,192 (the "Loan") to be funded from the proceeds of the taxable 2024 Bonds, other taxable bond proceeds, Multi-Family Program Funds, or corporate funds, pursuant to the terms and conditions set forth in Exhibit A attached hereto and made a part hereof; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are incorporated herein and hereby made a part hereof.

SECTION 2. Upon the approval and availability of the additional financing as shown in Exhibit A hereto, the Commissioner of Housing (the "DOH Commissioner") and a designee of the DOH Commissioner (collectively, the "Authorized DOH Officer") are each hereby authorized, subject to approval by the Corporation Counsel, to enter into and execute such agreements and instruments, and perform any and all acts as shall be necessary or advisable in connection with the implementation of the Loan and any agreements or amendments to existing agreements necessary or advisable in connection with the Condominium Subdivision. The Authorized DOH Officer is hereby authorized, subject to the approval of the Corporation Counsel, to negotiate any and all terms and provisions in connection with the Loan which do not substantially modify the terms described in Exhibit A hereto. Upon the execution and receipt of proper documentation, the Authorized DOH Officer is hereby authorized to disburse the proceeds of the Loan to the 9% Owner, and if such Loan is provided as a grant as described on Exhibit A hereto, the Authorized DOH Officer is hereby authorized to disburse the proceeds of such grant to TRP or an affiliated entity.

SECTION 3. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago (the "Municipal Code"), or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance. The 9% Project shall be deemed to qualify as "Affordable Housing" for purposes of Chapter 16-18 of the Municipal Code. Sections 2-44-080 through 2-44-105 of the Municipal Code shall not apply to the Overall Property or the 9% Project.

SECTION 4. This ordinance shall be in full force and effect upon its passage and approval.