

ORDINANCE

WHEREAS, the City of Chicago (the "City"), a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, has heretofore found and does hereby find that there exists within the City a serious shortage of decent, safe, and sanitary rental housing available for persons of low and moderate income; 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, 5853 N Broadway 4 LP, an Illinois limited partnership (the "Developer"), of which (i) Rockwell Community Development, Inc., an Illinois not-for-profit corporation, is the general partner, and (ii) Bickerdike Redevelopment Corporation, an Illinois not-for-profit corporation, is the initial limited partner; and

WHEREAS, the Developer intends to acquire certain property located generally at 5853 North Broadway in the City (the "Property"); and

WHEREAS, the Developer has proposed a certain low-income multi-family housing development project consisting of acquisition of the Property and new construction of one 11-story building and of approximately ninety (90) affordable residential dwelling units therein, together with an on-site management office and certain tenant amenity spaces and common facilities, for which the Developer will serve as the owner of a portion of the building and a related entity to the Developer will own the remaining portion of the building (the acquisition and construction of the building and other improvements on the Property shall be known as the "Project"); and

WHEREAS, the Developer has requested that the City issue multi-family housing revenue bonds, notes, or other indebtedness in an amount not to exceed \$26,000,000 (the "Bonds") for the purpose of financing a portion of the Project costs, including the Eligible Project Costs (as defined herein); and

WHEREAS, it is intended that the interest on the Bonds will be excluded from gross income for federal income tax purposes; and

WHEREAS, it is intended that this ordinance shall constitute a declaration of intent to reimburse certain eligible expenditures for the Project made prior to the issuance of the Bonds (the "Eligible Project Costs") from the proceeds of the Bonds (if and when issued) within the meaning of Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code of 1986, as amended (the "Treasury Regulations"); now, therefore,

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

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The City intends to issue the Bonds and lend all or a portion of the proceeds thereof (the "Bond Proceeds") to the Developer, or an entity affiliated with or related to the Developer, for the purpose of financing a portion of the Project costs, as well as costs incurred in connection with the issuance of the Bonds and funding certain reserves, if required, subject to the City and the Developer agreeing to the terms and conditions necessary to issue the Bonds and further approval by the City Council of the City. The maximum principal amount of Bonds

which the City intends to issue for the Project will not exceed \$26,000,000.

SECTION 3. Certain Eligible Project Costs will be incurred by the Developer and/or its affiliates in connection with the Project prior to the issuance of the Bonds. The City reasonably expects to reimburse such Eligible Project Costs with Bond Proceeds.

SECTION 4. The Eligible Project Costs to be reimbursed with Bond Proceeds will be paid initially from funds of the Developer and/or an entity or entities affiliated with or related to the Developer.

SECTION 5. This ordinance is consistent with the budgetary and financial circumstances of the City. No funds from sources other than Bond Proceeds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City for the Project for costs to be paid from Bond Proceeds.

SECTION 6. This ordinance constitutes a declaration of official intent under Section 1.150-2 of the Treasury Regulations.

SECTION 7. To the extent that any ordinance, resolution, rule, order, or provision of the Municipal Code of Chicago, or any 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.

SECTION 8. This ordinance shall be effective as of the date of its passage and approval.