

RESOLUTION 82-13

RESOLUTION OF THE CALIFORNIA HOUSING  
FINANCE AGENCY CONCERNING THE FINANCING  
OF LOANS RELATED TO MULTI-UNIT HOUSING  
DEVELOPMENTS AND THE ISSUANCE OF THE  
AGENCY'S CONSTRUCTION LOAN  
REVENUE NOTES (FHA INSURED ADVANCES) AND  
MORTGAGE LOAN REVENUE BONDS  
(FHA INSURED MORTGAGE LOANS)

WHEREAS, the California Housing Finance Agency (the "Agency") has determined that there exists a need in California for the direct or indirect financing of insured loans for multi-unit rental housing developments (the "Developments") for persons and families of low or moderate income;

WHEREAS, the Agency has determined that it is in the public interest for the Agency to provide such financial assistance by means of an ongoing program (the "Program") to make loans for the construction financing and the permanent financing of Developments (the "Loans");

WHEREAS, pursuant to the Zenovich-Moscone-Chacon Housing and Home Finance Act (the "Act"), the Agency has the authority to issue notes and bonds to provide sufficient funds to finance the making of Loans, and the establishment of reserves to secure the bonds;

WHEREAS, pursuant to Section 11(b) of the United States Housing Act of 1937, as amended, the Agency may issue bonds and notes to fund loans for certain multi-unit housing developments, the interest on such notes and bonds being exempt from Federal income taxation;

WHEREAS, the Board of Directors of the Agency hereby approves the offering and sale of its Construction Loan Revenue Notes (FHA Insured Advances) (the "Notes") and Mortgage Loan Revenue Bonds (FHA Insured Mortgage Loans) (the "Bonds"), the aggregate principal amount of such Notes not to exceed \$60,000,000 and the aggregate principal amount of such Bonds not to exceed \$60,000,000, from time to time during the course of the calendar year 1982, in such series, in such amounts, and at such interest rates as the Executive Director of the Agency deems appropriate; and

WHEREAS, the Housing Bond Credit Committee, pursuant to the Act, is required to determine the general

adequacy of the Program's security in protecting the credit of the State;

NOW, THEREFORE, BE IT RESOLVED, by the California Housing Finance Agency as follows:

Section 1. The Agency is of the opinion and hereby determines that the offer, sale and issuance of Notes and Bonds during calendar year 1982 in the aggregate principal amount of not to exceed \$60,000,000 of Notes and \$60,000,000 of Bonds is necessary to provide sufficient funds for the Program.

Section 2. Pursuant to the Act, revenue notes and bonds of the Agency, designated as "California Housing Finance Agency Construction Loan Revenue Notes (FHA Insured Advances)" and as "California Housing Finance Agency Mortgage Loan Revenue Bonds (FHA Insured Mortgage Loans)," the aggregate principal amount of such Notes not to exceed \$60,000,000, and of such Bonds not to exceed \$60,000,000, are authorized to be issued following public or private sale thereof at such times during calendar year 1982 and in such series as the Executive Director of the Agency (the "Executive Director") deems appropriate upon consultation with the Treasurer of the State of California (the "State Treasurer") and the Housing Bond Credit Committee. The Notes and the Bonds are to have the maturities deemed appropriate by the Executive Director. In the event of a public sale, the Notes or the Bonds are to bear interest at the rates specified in the bid or bids accepted by the State Treasurer pursuant to the terms of the applicable notice of sale and, in the event of a private sale, the Notes or the Bonds are to bear interest at the rates specified by a purchase contract by and among the Agency, the State Treasurer, and the purchaser or purchasers of such Notes or Bonds; provided that no Note shall bear interest at a stated rate in excess of twelve percent (12%) per annum and that no Bond shall bear interest at a stated rate in excess of fourteen percent (14%) per annum. The Executive Director is hereby authorized to determine upon consultation with the State Treasurer whether to sell the Notes or the Bonds at public or private sale. If the Executive Director determines to sell the Notes or the Bonds at private sale, he is hereby authorized to select one or more underwriters and to execute and deliver purchase contracts for the Notes or the Bonds, by and among the Agency, the State Treasurer and such underwriters, either on behalf of themselves or on behalf of themselves and as managers for the purchasers of the Notes or the Bonds, on such terms and conditions as he may approve upon consultation with the Agency's legal counsel, such approval to be

conclusively evidenced by the execution and delivery of such purchase contract by the Executive Director.

Section 3. The Executive Director is hereby requested and authorized on behalf of the Board of Directors of the Agency to submit from time to time to the Housing Bond Credit Committee pursuant to the Act, statements of the purpose for which the Notes or the Bonds, as the case may be, are proposed to be issued and the amount of each proposed issuance.

Section 4. Prior to the issuance and sale of one or more series of Notes or Bonds, the Director of Financing of the Agency, with full knowledge of the Executive Director, will present to the Financing Committee of the Board of Directors of the Agency, for its consideration, the aggregate principal amount of such series, the period of time during which such series will be sold, and any information concerning such series that the Financing Committee shall require.

Section 5. The Indenture relating to the Notes and the Bonds to be entered into by and between the Agency and the State Treasurer, as trustee (herein called the "Indenture"), in the form presented to this meeting, is hereby approved by this Board, and the Executive Director is hereby authorized and directed to execute, and the Secretary of the Board of Directors of the Agency is hereby authorized to attest, for and in the name and on behalf of the Agency and under its seal, one or more Indentures in substantially said form, with such additions, changes and modifications as the Executive Director may approve upon consultation with the Agency's legal counsel, such approval to be conclusively evidenced by the execution and delivery of the Indenture by authorized officers of the Agency.

Section 6. The Executive Director is hereby expressly authorized and directed, for and in the name and on behalf of the Agency, to determine the principal amount, the maturity or maturities, the amount of money to be credited to the Note Escrow Fund or the Bond Escrow Fund and the Bond Debt Service Reserve Fund, as the case may be, and the Supplementary Reserve Subaccount, if any, and the title and designation for each series of Notes or Bonds to be sold. The date(s), the maturity date(s), interest payment date(s), denomination(s), form(s), registration privileges, terms and place or places of payment, terms of redemption, security and other terms of the Notes and the Bonds and the designation of the various accounts shall be as provided in the Indentures as finally executed. Payments to a bond reserve account in the California Housing Finance Fund established pursuant to

said Indenture shall be made from the proceeds of the Notes and the Bonds in the amount and to the extent provided in such Indenture(s) as finally executed.

Section 7. In connection with any public sale of a series of Notes or Bonds the Executive Director is hereby expressly authorized to determine the limitations to be set forth in a notice of sale on the bids for the purchase of such series of Notes or Bonds, as the case may be. The State Treasurer is hereby authorized and requested to cause notices of sale, in such form as the Executive Director may direct, to be published in such newspapers or journals as the Executive Director may deem advisable. The State Treasurer hereby is requested to coordinate with the Executive Director and set forth in said notices of sale the dates upon which bids for the Notes or the Bonds shall be received. Such bids shall be received at the times and places, and subject to the terms and conditions set forth in said notices of sale.

Section 8. The State Treasurer is hereby authorized and requested, without further action of the Board of the Directors of the Agency and unless instructed otherwise by the Board of Directors of the Agency, to sell the Notes or the Bonds at the times and places and pursuant to the terms and conditions set forth in the notices of sale or purchase contracts. The State Treasurer is hereby further authorized and requested to cash and deposit the proceeds of any bid or good faith checks to be received by the State Treasurer from the successful bidders or purchasers in connection with a sale of Notes or Bonds in a special trust account for the benefit of the Agency, and the amount of said checks shall be applied at the time of delivery of the Notes or the Bonds as part of the purchase price thereof. The bid or good faith checks of bidders whose bids are not accepted shall be returned to them.

Section 9. The Executive Director is further authorized to hold information meetings concerning the Notes and the Bonds and to distribute other information and material relating to the Notes and the Bonds.

Section 10. The Executive Director and the Secretary are hereby authorized and directed to execute, for and on behalf and in the name of the Agency and under its seal, the Notes and the Bonds, the aggregate principal amount of the Notes not to exceed \$60,000,000 and the aggregate principal amount of the Bonds not to exceed \$60,000,000, in accordance with said Indenture(s) in one or more of the forms set forth therein.

Section 11. The Notes or Bonds, as the case may be, when so executed, shall be delivered to the Trustee under the Indenture(s) for authentication by said Trustee. Said Trustee is hereby requested and directed to authenticate the Notes or the Bonds by executing the Trustee's Certificate of Authentication appearing thereon, and to deliver the Notes or the Bonds when duly executed and authenticated to the purchaser or purchasers thereof in accordance with written instructions executed on behalf of the Agency by the Executive Director, which instructions said officer is hereby authorized and directed, for and on behalf and in the name of the Agency, to execute and deliver to said Trustee. Such instructions shall provide for the delivery of the Notes or the Bonds to the purchaser or purchasers thereof, as determined and confirmed by the State Treasurer, upon payment of the purchase price thereof.

Section 12. The Executive Director is hereby authorized to execute and circulate Official Statement(s) relating to the Notes or the Bonds, as the case may be, and the circulation of such Official Statement(s) to prospective and actual purchasers of the Notes or the Bonds is hereby approved.

Section 13. The State Treasurer and the officers of the Agency, or the duly authorized deputies thereof, are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the issuance, sale and delivery of the Notes or the Bonds, as the case may be, and otherwise to effectuate the purposes of this resolution.

Section 14. In the Executive Director's absence or upon his written authorization, all actions by the Executive Director herein approved or authorized may be taken by the Director of Financing of the Agency.

SECRETARY'S CERTIFICATE

I, Arthur Packerham, Secretary of the Board of Directors of the California Housing Finance Agency, hereby certify that the foregoing is a full, true, and correct copy of the Resolution 82-13 duly adopted at a regular meeting of the Board of Directors of the California Housing Finance Agency duly called and held in Sacramento, California, on the 15th day of April, 1982, of which meeting all said directors had due notice; and that at said meeting said resolution was adopted by the following vote:

AYES: Cantu, Hess, Kruer, Mazirow, Ruffin, Schenk (by Collins),  
Termer, Unruh (by Gagan), Wilson, Frank

NOES: None

ABSTENTIONS: None

ABSENT: None

I further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true, and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, or rescinded in any manner since the date of its adoption, and the same is now in full force and effect.

IN WITNESS WHEREOF, I have executed this  
certificate and affixed the seal of the Board of Directors of  
the California Housing Finance Agency hereto this 15th day of  
April, 1982.

A handwritten signature in cursive script, appearing to read "A. Packenham", written over a horizontal line.

Arthur Packenham  
Secretary of the Board of  
Directors of the California  
Housing Finance Agency