

RESOLUTION NO. 2017-03

TO DONATE TWO PARCELS OF REAL PROPERTY KNOWN AS THE “OLD HILLCREST HOSPITAL SITE” TO BETHEL DEVELOPMENT, INC. FOR THE SOLE PURPOSE OF DESIGNING, CONSTRUCTING AND MAINTAINING AN AFFORDABLE HOUSING PROJECT UNDER THE PROVISIONS OF CHAPTER 9, SECTIONS 9-1, ET SEQ. OF THE TOWN OF SILVER CITY MUNICIPAL CODE

Sponsored by: Councilor Cynthia Ann Bettison

WHEREAS, the Town Council of the Town Silver City is the owner of a parcel of real property located in the Town, commonly known as the “Old Hillcrest Hospital Site”, more specifically described as:

Two contiguous parcels (0.376 acre, Tract #1 and 3.499 acres, Tract #2) located in part of Lot 2, Section 34, Township 17 South, Range 14 West, New Mexico Prime Meridian; and described in Grant County Book 226, Pages 7137 and 7138; and

WHEREAS, after due consideration, the Town Council adopted and passed Ordinance No. 1254 which authorized the Town to donate the subject property to Bethel Development, Inc. or to its single-purpose limited liability company for the exclusive purpose of the construction of an affordable housing project, all under the provisions of Chapter 9, Sections 9-1 et seq. of the Town’s Municipal Code; and

WHEREAS, in that Ordinance, the Town Manager was authorized to negotiate the waiver of the fees for permitting, inspections, and other fees and charges normally imposed on a construction project within the Town; and

WHEREAS, notwithstanding the passage of said Ordinance No. 1254, New Mexico Mortgage Finance Authority (“NMMFA”) requires a Resolution of the Town of Silver City Town Council providing for the donation and waiver of fees and charges in order to process

Bethel Development, Inc.'s application thereto for tax credits for the Silver City affordable housing project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Silver City that:

1. The aforesaid parcel of real property (hereinafter, "Property") shall be donated to Bethel Development, Inc. or to its wholly controlled single purpose limited liability company ("Applicant") in accordance with Ordinance No. 1254 for the sole purpose of construction of an affordable housing project consistent with the terms, conditions, and representations made in its application to the Town; and
2. The Town Manager shall waive as much of the fees and charges normally associated with said construction project as he deems beneficial to the Town and its inhabitants. Such list of waived fees and charges shall be provided to Bethel Development, Inc. for its submission to NMMFA in conjunction with its application for tax credits.
3. Upon timely notice to the Town that the Applicant chooses not to proceed with the affordable housing project as mentioned herein, it shall notify the Town in writing and the commitment of donation and waivers made herein shall thereupon be null and void.

PASSED, ADOPTED and APPROVED this 10th day of January, 2017.

(Seal)

Ken Ladner, Mayor

Attest:

Ann L. Mackie, Town Clerk