


2007 MAY 17 PM 3:40

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

RESOLUTION NO. 2007-0045 C.M.S.

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**A RESOLUTION AUTHORIZING THE REMOVAL OF  
AFFORDABILITY RESTRICTIONS ON THE 2001-2007 LINDEN  
STREET RESIDENTIAL PROJECT, AND RESCINDING  
RESOLUTION NO. 2007-0033 C.M.S. AUTHORIZING A RELOAN OF  
FUNDS TO THE PROJECT**

**WHEREAS**, Resolution No. 2000-0013, which authorized issuance of tax allocation bonds for affordable housing (the "Affordable Housing Bond"), required that Affordable Housing Bond proceeds be used to develop housing for households at or below 80% of area median income; and

**WHEREAS**, on July 25, 2000, the Redevelopment Agency adopted Resolution No. 2000-0055 C.M.S. establishing the Affordable Housing Site Acquisition Program and authorizing a \$10 million allocation from Affordable Housing Bond Proceeds to fund site acquisition loans under the Program; and

**WHEREAS**, the Site Acquisition Program rules require that affordability restrictions be recorded on properties acquired with Agency funds; and

**WHEREAS**, in 2001 the Redevelopment Agency authorized a site acquisition loan under the Program in the amount up to \$148,500 to the Community Development Corporation of Oakland ("CDCO") to purchase parcels located at 2001-2007 Linden Street (the "Property"); and

**WHEREAS**, CDCO entered into a partnership with Oakland Community Housing, Inc. ("OCHI") to develop the Property as an eight unit homeownership development (the "Project") of which two units must be affordable to households at or below 80% of Area Median Income, and \$140,929 was disbursed from the authorized loan amount to cover site acquisition and carrying costs; and

**WHEREAS**, CDCO and OCHI repaid in full the Agency loan principal balance of \$140,929 and accrued interest of \$29,185 in March 2005 and proceeded with construction of the Project; and

**WHEREAS**, the Project is nearly completed, but has experienced significant construction cost overruns; and

**WHEREAS**, Resolution No. 2007-0033 C.M.S. authorized the reloan of the funds with and the requirement that two units be sold to household at or below 80% of Area Median Income; and

**WHEREAS**, the Project is still not financially feasible with the reloan; and

**WHEREAS**, since the Agency loan has been repaid in full and the Low and Moderate Income Housing Fund has been made whole, the Agency wishes to remove the affordability restrictions on the Project in order to make the Project financially feasible; now, therefore be it

**RESOLVED:** That the Redevelopment Agency hereby authorizes the Agency Administrator to release the affordability restrictions from 2001-2007 Linden; and be it

**FURTHER RESOLVED:** That with the removal of the restrictions, all eight units at the ownership development located at 2001-2007 Linden may be sold without any affordability restrictions; and be it

**FURTHER RESOLVED:** That Resolution No. 2007-0033 C.M.S. is hereby rescinded; and be it

**FURTHER RESOLVED:** That the Agency Administrator or his or her designee is hereby authorized to negotiate and execute documents and take other action with respect to the removal of the affordability restrictions consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, JUN 5 2007, 2007

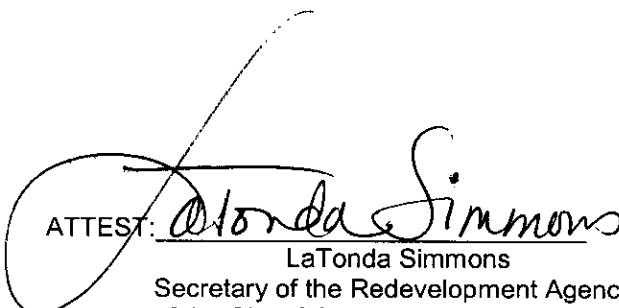
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND CHAIRPERSON DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LaTonda Simmons  
Secretary of the Redevelopment Agency  
of the City of Oakland, California