

RESOLUTION AUTHORIZING AND APPROVING THE CREATION OF THE EL PASO COUNTY HOUSING FINANCE CORPORATION III UNDER CHAPTER 394 OF THE TEXAS LOCAL GOVERNMENT CODE TO ACT ON BEHALF OF EL PASO COUNTY, TEXAS; TO PROVIDE AFFORDABLE HOUSING IN EL PASO COUNTY; APPROVING THE ARTICLES OF INCORPORATION AND BYLAWS RELATED THERETO AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, a written application requesting the authorization and approval of the creation of The El Paso County Housing Finance Corporation III (the "*Corporation*") to act on behalf of the County of El Paso, Texas (the "*County*"), under the provisions of Chapter 394 of the Texas Local Government Code, as amended (the "*Act*"), and having attached thereto Articles of Incorporation and Bylaws proposed to be used in organizing the Corporation has been filed with the County; and

WHEREAS, the Commissioners' Court of El Paso County, Texas (the "*Commissioners' Court*") has considered such application and has found and determined that such is signed by not less than three (3) natural persons, each of whom is at least eighteen (18) years of age and a qualified resident of the County, and that said application is otherwise proper in form and content in accordance with applicable law so that it may be reviewed and acted upon; and

WHEREAS, Commissioners' Court has considered the Articles of Incorporation and the Bylaws proposed to be used in organizing the Corporation as submitted with the aforementioned application and has found and determined that they are proper in form and content and should be approved; and

WHEREAS, Commissioners' Court has determined there is a significant need for more safe, secure, sanitary, and affordable housing for residents of El Paso County, Texas, and the formation of organization of the Corporation may address this important need; and

WHEREAS, Commissioners' Court has determined that a nonprofit housing finance corporation created on behalf of the County, pursuant to the Act, is wise, expedient, necessary or advisable and would be of benefit to the County and its inhabitants; that accordingly the creation of such Corporation should be approved and authorized;

BE IT THEREFORE RESOLVED BY THE COMMISSIONERS' COURT OF EL PASO COUNTY, TEXAS:

Section 1. Commissioners' Court hereby authorizes and approves the creation of the Corporation as a housing finance corporation under the Act, to carry out all purposes of the Act in El Paso County, Texas.

Section 2. Commissioners' Court consents to and approves the terms of the Articles of Incorporation (including the names of individuals who are to serve as the initial board of directors as therein set forth) and Bylaws of the Corporation. Commissioners' Court furthermore herein grants authority for the incorporation of the Corporation.

Section 3. If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. The recitals contained in this preamble of this Resolution are found to be true and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of Commissioners' Court on behalf of the County.

Section 5. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 6. This Resolution shall be governed and interpreted pursuant to the laws of the State of Texas and the United States of America.

Section 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Resolution shall be in full force and effect from and after its passage, and it is so resolved. Any other actions necessary, required, or prudent in connection with the formation, organization, and operation of the Corporation are hereby ratified and affirmed.

Passed and approved this 10th day of March 2025.

El Paso County, Texas

Ricardo A. Samaniego
County Judge

Attest:

County Clerk