

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE EXECUTIVE DIRECTOR OF THE HOUSING AUTHORITY OF THE CITY OF KEY WEST TO EXECUTE CITY OF KEY WEST COMMUNITY DEVELOPMENT BLOCK GRANT, MAYOR'S REVOLVING LOAN FUND, CDBG-DISASATER RECOVERY 2005 INITIAL, CDBG-DISASTER RECOVERY 2005 SUPPLEMENTAL, CDBG-DISASTER RECOVERY 2005 DE-OBLIGATED, AND IMPACT FEE PROVISIO HOMEOWNERSHIP MORTGAGE SUBORDINATION DOCUMENTS FOR THE PURPOSE OF ALLOWING THE REFINANCE OF EXISTING PRIMARY MORTGAGE LOANS AT IMPROVED TERMS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has entered in to an Administrative Agreement with the Housing Authority for the management of the Community Development Office, with fiduciary responsibility to act in the best interest of the City of Key West; and

WHEREAS, the City authorized the Housing Authority of the City of Key West, Florida to act as the agent for the City of Key West in the implementation of the City's Community Development Block Grant, Mayor's Revolving Loan Fund, CDBG-Disaster Recovery 2005 Initial, CDBG-Disaster Recovery 2005 Supplemental, CDBG-Disaster Recovery 2005 De-obligated, and Impact Fee Proviso Homeownership programs; and

WHEREAS, the City programs referred to herein above have made subordinate mortgage loans under said program; and

WHEREAS, the Florida Housing Finance Corporation has adopted the criteria set forth below when considering a subordination request from mortgage borrowers under the HOME Single Family Programs; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: The Executive Director of the Housing Authority of the City of Key West is hereby authorized to execute Mortgage Subordinations in the form attached hereto as Exhibit “A” when the following conditions are present with respect to loans made pursuant to the City of Key West Community Development Block Grant, Mayor’s Revolving Loan Fund, CDBG-Disaster Recovery 2005 Initial, CDBG-Disaster Recovery 2005 Supplemental, CDBG-Disaster Recovery 2005 De-obligated, and Impact Fee Proviso Homeownership programs:

- (a) The proposed primary mortgage loan has a rate or other terms that is an improvement in the rate or terms of the existing primary mortgage loan.
- (b) The amount of the proposed primary mortgage loan does not exceed the sum of the existing mortgage loan payoff and the closing costs as documented on a proposed HUD-1 Settlement Statement.
- (c) The sum of the proposed primary mortgage and the existing City of Key West Community Development Block Grant, Mayor’s Revolving Loan Fund, CDBG-Disaster Recovery 2005 Initial, CDBG-Disaster Recovery 2005 Supplemental, CDBG-Disaster Recovery 2005 De-obligated, and Impact Fee Proviso

Homeownership program mortgage loan does not exceed 105% of the value of the property as reflected on a property appraisal.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2014.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2014.

Filed with the Clerk on _____, 2014.

Mayor Craig Cates	_____
Vice Mayor Mark Rossi	_____
Commissioner Teri Johnston	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____
Commissioner Tony Yaniz	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK