

City of Minneapolis
Department of Community Planning and Economic Development
Attn: Carrie Goldberg
505 4th Avenue South #320
Minneapolis, MN 55415

Re:<ADD PROJECT NAME HERE> AHTF Application Recitals, Acknowledgement, and Consent

The undersigned, pursuant to representations made in that certain AHTF funding proposal submitted to the City of Minneapolis (the "Lender") on _____, 20__, by _____ (the "Borrower") for the project called _____ (the "Project") makes the following acknowledgements, certifications and/or commitments:

1. The undersigned is legally authorized to represent the Borrower or Borrowers with respect to all transactions pertaining to this proposal and all matters related to it;
2. Any and all action(s) by the undersigned is/are legally binding on the principal(s) and the Borrower or Borrowers being represented;
3. The Borrower or Borrowers identified below has/have complied, or will be able to comply, with all the requirements of the regulations which are a prerequisite with respect to participation in the program(s) selected, specifically, but not limited to the City's Contracting Requirements;
4. The Borrower or Borrowers has/have made a physical inspection of the property and, in his/her opinion, the site plan submitted conveys a concept which can be reasonably followed in practice;
5. The proposed construction will not violate recorded zoning ordinances or restrictions;
6. No information or data contained in the Project's AHTF funding proposal or in the exhibits or attachments submitted herewith, are in any way false or incorrect and that they are truly descriptive of the project or property which is intended as security for the proposed mortgage loan and/or is presented for consideration with respect to the request for approval of a CPED program;
7. The Borrower hereby consents to the release of its development proposal in response to the Affordable Housing Trust Fund Request for Proposals and waives any claims it may have under Minnesota Statutes Section 13.08 against the City of Minneapolis for making such information public, and the foregoing consent and waiver does not extend to financial statements submitted under separate cover marked "confidential" which may be public data, but will be treated consistently with Minnesota Statutes Section 13.591;

RECITALS, ACKNOWLEDEMENT, AND CONSENT FORM

8. If the City Council awards the above-referenced project monies from the Affordable Housing Trust Fund, quarterly project progress reports in the form of Attachment 7 will be submitted to the CPED Residential Finance project coordinator containing the following information:
 - a. Status of pending or contemplated funding proposals to other funders;
 - b. Meetings with each of the funders listed in the project funding sources and other possible funders;
 - c. Tax credit syndication and bond financing updates, if applicable
 - d. Planning, development review, heritage preservation, and land use proposal progress updates;
 - e. Market research, environmental assessment, and related due diligence efforts; and
 - f. Architectural plan status updates.

9. In the event that the Borrower requests to complete a cost reasonableness study in lieu of completing a competitive bidding process as further described in the Bidding Procedures included in Attachment 5, the Borrower hereby consents to the City hiring a consultant chosen by the City at the City's sole discretion to complete the cost reasonableness study at the Borrower's sole cost; and

10. The Undersigned assures and agrees that:
 - a. Pursuant to the regulations and the related requirements of CPED neither the Borrower or Borrowers identified below, nor anyone authorized to act on its/their behalf, will decline to sell, rent or otherwise make available any of the property or housing in the project, identified herein, to a prospective purchaser or tenant because of race, color, religion, sex or national origin;
 - b. The Borrower or Borrowers identified below will comply with Federal, State and Local laws and ordinances prohibiting discrimination;
 - c. Failure or refusal to comply with the requirements of either (a) or (b) shall constitute sufficient basis for the CPED Executive Director to reject requests for future business with the identified Borrower or Borrowers or to take any other action that may be appropriate; and
 - d. Misrepresentation or failure to execute this certification may be cause for denial or revocation of a CPED program commitment.

BORROWER:

<INSERT BORROWER NAME HERE>

By: _____

Its: _____

Date: _____