

RESOLUTION NO. 20191205-023

WHEREAS, on December 13, 1979, City Council authorized the creation and incorporation of the Austin Housing Finance Corporation (“AHFC”) pursuant to applicable state law; and

WHEREAS, on December 13, 1979, City Council also approved the Articles of Incorporation (Articles) and authorized the incorporators of the Corporation to file the Articles with the Office of the Secretary of State in the manner provided by law; and

WHEREAS, on September 16, 1993, City Council approved Articles of Amendment for the AHFC and authorized the filing of the Articles of Amendment with the Office of the Secretary of State in the manner provided by law; and

WHEREAS, City Council, in its sole discretion, seeks to amend the Articles and considers such amendment to be wise, expedient, necessary, and advisable; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF AUSTIN:

City Council approves the amendments set forth in Exhibit A (Certificate of Amendment), authorizes the Mayor to sign Exhibit A, and authorizes the City Manager to file Exhibit A with the office of the Secretary of State.

ADOPTED: December 5, 2019

ATTEST:



Jannette S. Goodall
City Clerk

Form 424
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: See instructions



This space reserved for office use.

Certificate of Amendment

Entity Information

The name of the filing entity is:

Austin Housing Finance Corporation

State the name of the entity as currently shown in the records of the secretary of state. If the amendment changes the name of the entity, state the old name and not the new name.

The filing entity is a: (Select the appropriate entity type below.)

- | | |
|---|---|
| <input type="checkbox"/> For-profit Corporation | <input type="checkbox"/> Professional Corporation |
| <input checked="" type="checkbox"/> Nonprofit Corporation | <input type="checkbox"/> Professional Limited Liability Company |
| <input type="checkbox"/> Cooperative Association | <input type="checkbox"/> Professional Association |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership |

The file number issued to the filing entity by the secretary of state is: 0050078801

The date of formation of the entity is: 12/18/1979

Amendments

1. Amended Name

(If the purpose of the certificate of amendment is to change the name of the entity, use the following statement)

The amendment changes the certificate of formation to change the article or provision that names the filing entity. The article or provision is amended to read as follows:

The name of the filing entity is: (state the new name of the entity below)

The name of the entity must contain an organizational designation or accepted abbreviation of such term, as applicable.

2. Amended Registered Agent/Registered Office

The amendment changes the certificate of formation to change the article or provision stating the name of the registered agent and the registered office address of the filing entity. The article or provision is amended to read as follows:

Registered Agent
(Complete either A or B, but not both. Also complete C.)

A. The registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The registered agent is an individual resident of the state whose name is:

<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
The person executing this instrument affirms that the person designated as the new registered agent has consented to serve as registered agent.			

C. The business address of the registered agent and the registered office address is:

<i>Street Address (No P.O. Box)</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
		TX	

3. Other Added, Altered, or Deleted Provisions

Other changes or additions to the certificate of formation may be made in the space provided below. If the space provided is insufficient, incorporate the additional text by providing an attachment to this form. Please read the instructions to this form for further information on format.

Text Area (The attached addendum, if any, is incorporated herein by reference.)

Add each of the following provisions to the certificate of formation. The identification or reference of the added provision and the full text are as follows:
Please see Attachment 1.

Alter each of the following provisions of the certificate of formation. The identification or reference of the altered provision and the full text of the provision as amended are as follows:
Please see Attachment 1.

Delete each of the provisions identified below from the certificate of formation.

Statement of Approval

The amendments to the certificate of formation have been approved in the manner required by the Texas Business Organizations Code and by the governing documents of the entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 12-5 2019

By: Steve Adler
[Signature]
Signature of authorized person

Steve Adler, Mayor of the City of Austin
Printed or typed name of authorized person (see instructions)

Attachment 1

The City Council of the City of Austin, Texas, on December 5, 2019, at a City Council meeting duly called with a quorum present, adopted these Articles of Amendment for the Austin Housing Finance Corporation on a majority vote of the City Council Members pursuant to the Texas Housing Finance Corporation Act.

1. The Articles of Incorporation of the Austin Housing Finance Corporation are amended by adding a new Article Fourteen and Article Fifteen:

“ARTICLE FOURTEEN

OFFICERS

The board of directors shall elect or appoint the officers of the Corporation in the manner and for the terms provided in the bylaws.”

“ARTICLE FIFTEEN

BYLAWS

The board of directors shall make bylaws for the Corporation that are consistent with the Articles of Incorporation and the Texas Housing Finance Corporation Act for the administration and regulation of the Corporation’s affairs.”

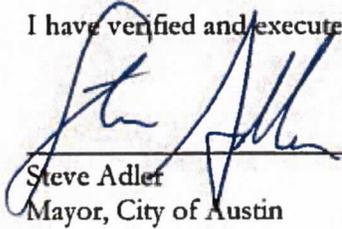
2. The Articles of Incorporation of the Austin Housing Finance Corporation are altered by amending:

ARTICLE EIGHT

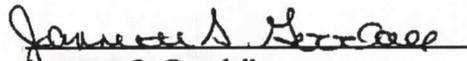
Article Eight is altered by adding the following to the end of the Article:

“After the initial board of directors, the board of directors shall be the duly elected City Council members of the City. Each director serves for a term equal to their term as a City Council member or until their successor director is duly elected and qualified. Any vacancy shall be filled in accordance with the City’s Charter.”

I have verified and executed these Articles of Amendment affective December 5, 2019.



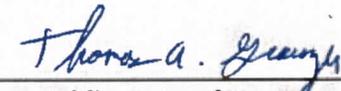
Steve Adler
Mayor, City of Austin



Jannette S. Goodall
City Clerk, City of Austin

State of Texas §
 §
County of Travis §

This instrument was acknowledged before me on December 30, 2019 by Steve Adler, President of the Austin Housing Finance Corporation, a Chapter 394 of the Texas Local Government Code nonprofit corporation, on behalf of said corporation.



Notary Public, State of Texas

