

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF DENTON APPROVING THE ISSUANCE AND SALE BY LEGACY DENTON PUBLIC FACILITY CORPORATION OF MULTIFAMILY HOUSING REVENUE BONDS (WATERFORD AT SPENCER OAKS) SERIES 2025 TO PROVIDE AFFORDABLE RENTAL HOUSING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Legacy Denton Public Facility Corporation (the "Issuer"), a nonprofit public facility corporation, created by the Housing Authority of the City of Denton, Texas, has induced the issuance of Multifamily Housing Revenue Bonds (Waterford at Spencer Oaks) Series 2025 (the "Bonds"), to be issued in one or more series of tax-exempt bonds or governmental notes in an aggregate principal amount not to exceed \$49,000,000; and

WHEREAS, the proceeds of the Bonds will be loaned to 2100 Spencer Road (TX) Owner LP, a Texas limited partnership (the "Borrower"), to finance a portion of the costs of rehabilitation of an approximately 208-unit residential rental development to be known as the Waterford at Spencer Oaks Apartments (the "Project"); and

WHEREAS, Section 147(f) of the United States Internal Revenue Code of 1986, as amended (the "Code"), requires the Issuer to hold a public hearing and obtain the approval by the City of Denton before the Bonds can be issued; and

WHEREAS, the City Council is informed that the requisite public hearing was held by the Issuer on July 10, 2025, at 11:00 a.m., as evidenced by the public hearing minutes attached hereto as Exhibit A; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. The findings and recitations contained in the preamble of this Resolution are true and are incorporated herein by reference.

SECTION 2. The City Council gives its approval for the Issuer to issue the Bonds, the proceeds of which will be loaned to the Borrower to finance the costs of rehabilitation of the Project located at 2100 Spencer Rd, Denton, TX 76205.

SECTION 3. The City Manager is authorized and directed to take any action and to execute and deliver any documents that are necessary or advisable to comply with the terms of this Resolution.

SECTION 4. Nothing in this Resolution shall be construed to create any obligation whatsoever of the City with respect to the repayment of the Bonds. The Bonds shall never constitute an indebtedness or pledge of the City within the meaning of any constitutional or statutory provision, and the Bonds shall never be paid in whole or in part out of any funds raised or to be raised by taxation or any other revenues of the City.

SECTION 5. This Resolution is adopted solely for the purposes of approval under

Section 147(f) of the Code and shall not be construed as a representation, warranty, or other understanding of any kind by the City in respect of the Bonds or the Project. In particular, but without limiting the foregoing, this Resolution does not constitute zoning approval, approval of any building permit, or any other approval required by the City in regard to the Project.

**SECTION 6.** This Resolution shall be effective as of its date of approval and passage by City Council.

The motion to approve this Resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the Resolution was passed and approved by the following vote [\_\_\_\_ - \_\_\_\_]:

	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
LAUREN THODEN, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY: Scott Bray Scott Bray  
Deputy City Attorney

## Exhibit A

### MINUTES OF PUBLIC HEARING

Re: Legacy Denton Public Facility Corporation  
Multifamily Housing Revenue Bonds  
(Waterford at Spencer Oaks Apartments)  
Series 2025

The undersigned Hearing Officer of the Legacy Denton Public Facility Corporation (the "Issuer") presided over the public hearing called to order at 11:02 a.m. on July 10, 2025, and conducted on behalf of the Issuer pursuant to Section 147(f) of the Internal Revenue Code.

The public hearing, required under Section 147(f) of the Internal Revenue Code of 1986, was declared open for purposes of discussing the above-captioned bonds (the "Bonds"), the proceeds of which will be loaned to 2100 Spencer Road (TX) Owner LP to acquire, construct and maintain a multifamily residential rental facility to be known as the Waterford at Spencer Oaks to be located at approximately 2100 Spencer Road, Denton, Texas 76205 (the "Project"), and to contain approximately 208 units.

The required notice of the public hearing for the Project was published in the *Denton-Record Chronicle*, being a newspaper of general circulation in the specific location of the Project and in the jurisdiction in which the public hearing was held, as set forth in the affidavit of publication attached hereto as Exhibit A.

No comments were made by the general public at the public hearing with respect to the Project.

After sufficient time was given for all present to make their comments with respect to the Bonds and the Project, the public hearing was closed.

Dated as of July 10, 2025.



Ms. Sherri McDade  
Hearing Officer

**EXHIBIT A**  
**AFFIDAVIT OF PUBLICATION**  
**(SEE ATTACHED)**

**Denton Record-Chronicle**  
**2413 Fort Worth Dr**  
**(940) 387-7755**

I, Ankit Sachdeva, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Denton Record-Chronicle, a publication that is a "legal newspaper" as that phrase is defined for the city of Denton, for the County of Denton, in the state of Texas, that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

**PUBLICATION DATES:**  
Jun. 27, 2025

**Notice ID:** xVKW0rFESpbzp6NVJF4f  
**Notice Name:** Spencer Oaks TEFRA notice

**PUBLICATION FEE:** \$68.80

I declare under penalty of perjury that the foregoing is true and correct.

*Ankit Sachdeva*

Agent



**VERIFICATION**

State of Florida  
County of Orange

Signed or attested before me on this: 06/30/2025

*J. R.*

Notary Public  
Notarized remotely online using communication technology via Proof.

**NOTICE OF PUBLIC HEARING**

Legacy Denton Public Facility Corporation (the "Issuer") will conduct a public hearing on July 10, 2025 at 11:00 A.M. at 1225 Wilson St., Denton, Texas 76205 with respect to an issue of multifamily housing revenue bonds (the "Bonds") to be issued by the Issuer in one or more series of tax-exempt bonds in an aggregate principal amount not to exceed \$44,200,000. The proceeds of the Bonds will be loaned to 2100 Spencer Road (TX) Owner LP (or a related person or affiliate thereof) (the "Borrower"), to finance a portion of the costs of the acquisition and rehabilitation of a multifamily residential rental development to be known as the Waterford at Spencer Oaks Apartments (the "Development"), containing approximately 208 units and located at approximately 2100 Spencer Road, Denton, Texas 76205.

The Bonds will be issued pursuant to the provisions of the Texas Public Facility Corporations Act, Local Government Code, Chapter 303, Vernon's Texas Code, as amended (the "Act"). The Bonds are expected to be issued as "exempt facility bonds" for a qualified residential rental project pursuant to Section 142(e)(7) and (c) of the Internal Revenue Code of 1986, as amended (the "Code"). The initial owner of the Development will be the Borrower identified above. Questions or requests for additional information may be directed to Ms. Shari McCade, The Housing Authority of the City of Denton, 1225 Wilson St., Denton, Texas 76205 or s.mccade@dentonhousingauthority.com. Persons who intend to appear at the hearing and express their views are invited to contact Ms. McCade in writing in advance of the hearing. Any interested persons unable to attend the hearing may submit their views in writing to Ms. McCade prior to the date scheduled for the hearing.

dlc 06/27/2025