Resolution authorizing the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporation in an aggregate principal amount not to exceed $49,800,000 for the 601 King Street Apartments.

WHEREAS, The ABAG Finance Authority for Nonprofit Corporations, a joint exercise of powers agency established pursuant to the laws of the State of California (the "Authority") has proposed to issue and sell its revenue bonds (the "Bonds") in an aggregate principal amount not to exceed $49,800,000 for the purpose of making a loan to 601 King Associates, LLC (of which A. F. Evans Development Inc. is the managing member) or a related entity (the "Developer"); and,

WHEREAS, The City and County of San Francisco (the "City") is a member of the Authority; and,

WHEREAS, The project to be financed with the proceeds of the Bonds includes the acquisition and construction of a proposed 250 unit multifamily rental housing development, together with 6,000 square feet of commercial space, to be known as 601 King Street Apartments (the "Project") to be located in a 2.14 acre site at 601 King Street and 830 Seventh Street in the City and County of San Francisco. The initial operator of the Project will be Evans Property Management Company, Inc. or another entity selected by the Developer; and,

WHEREAS, The interest on the Bonds may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") only if the Bonds are approved in accordance with Section 147(f) of the Code; and,
WHEREAS, The Authority has requested the Board of Supervisors of the City (the 
"Board") to approve the issuance and sale of the Bonds in order to satisfy the public approval 
requirements of Section 147(f) of the Code; and,

WHEREAS, On July 19, 2003, the City caused a notice stating that a public hearing 
with respect to the issuance of the Bonds would be held by the Mayor's Office of Public 
Finance on August 4, 2003, to appear in *The Independent* which is a newspaper of general 
circulation in the City; and,

WHEREAS, The Mayor's Office of Public Finance has held the public hearing 
described above on August 4, 2003, and an opportunity was provided for persons to comment 
on the issuance and sale of the Bonds and the Project; and,

WHEREAS, This Board is the elected legislative body of the City and is the applicable 
elected representative required to approve the issue within the meaning of Section 147(f) of 
the Code; now, therefore be it

RESOLVED, That this Board hereby finds and declares the above recitals are true and 
correct; and, be it

FURTHER RESOLVED, That this Board hereby approves the issuance and sale of the 
Bonds by the Authority. It is the purpose and intent of this Board that this Resolution 
constitute approval of the Bonds by the applicable elected representative of the governmental 
unit having jurisdiction over the area in which the Project is located in accordance with Section 
147(f) of the Code; and, be it

FURTHER RESOLVED, That the approval of the issuance and sale of the Bonds by 
the City is neither an approval of the underlying credit issues of the proposed Project nor an 
approval of the financial structure of the Bonds.

Supervisor Maxwell
BOARD OF SUPERVISORS
Resolution authorizing the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporation in an aggregate principal amount not to exceed $49,800,000 for the 601 King Street Apartments.

August 12, 2003  Board of Supervisors — ADOPTED
  Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom
  Excused: 3 - Hall, Peskin, Sandoval

File No. 031355

I hereby certify that the foregoing Resolution was ADOPTED on August 12, 2003 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
Acting Clerk of the Board

Mayor Willie L. Brown Jr.