

RESOLUTION NO 2023-02

RESOLUTION OF THE CITY COUNCIL OF YERINGTON, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the Yerington, Lyon County, Nevada (the "City," "County" and "State," respectively), the amount of \$203,692.08 in tax-exempt private activity bond volume cap for year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the City transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Programs"); and

WHEREAS, the City is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the City Council of the City does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the City hereby transfers its 2023 Bond Cap in the amount of \$203,692.08 to the NRHA for its Single Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of City. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director") may contact Robert Switzer, City Manager, City of Yerington, regarding this Resolution at (775) 463-3511 or by email at Manager@Yerington.Net or in writing 14 E. Goldfield Avenue , Yerington, Nevada 89447.

Section 5. Additional Action. The Mayor and Clerk of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the City hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

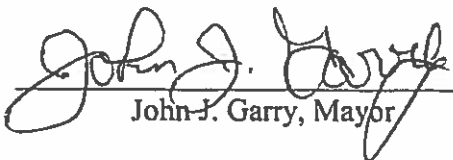
Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the City. This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City. Nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this 12th day of June, 2023. YERINGTON, NEVADA

By 
John J. Garry, Mayor

ATTEST:

By 
Sheema D. Shaw, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Sheema D. Shaw, am the duly chosen and qualified City Clerk of Yerington, Nevada (the "City") and in the performance of my duties as City Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the private activity bond volume cap allocated to the City in the amount of \$203,692.08 has been transferred as follows:

\$203,692.08 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Lyon County to the Nevada Rural Housing Authority, a local government, located within Lyon County for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

YERINGTON, NEVADA

By 
Sheema D. Shaw, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION NO. R-8-15-23-2

**RESOLUTION TO TRANSFER CLARK COUNTY 2023 PRIVATE
ACTIVITY BOND VOLUME CAP TO THE NEVADA HOUSING
DIVISION AND THE NEVADA RURAL HOUSING AUTHORITY**

1. **WHEREAS**, pursuant to the provisions of chapter 348A of Nevada Revised Statutes (“NRS”) and chapter 348A of the Nevada Administrative Code (“NAC”), Clark County, Nevada (the “County”), has been allocated tax-exempt private activity bond volume cap for calendar year 2023 (“volume cap”) in the amount of \$61,090,486.14; and

2. **WHEREAS**, the County has received requests for an allocation of volume cap (“Applications”) for Torrey Pines Seniors by CLSN/Ovation Development for the construction of a proposed affordable rental housing project at the Northwest Corner of Torrey Pines Drive and Arby Avenue (the “Torrey Pines Seniors Project”); for the Housing Division (the “Housing Division”) of the Department of Business and Industry (the “Department”) for its multifamily rental housing (bond/4% Low-income Housing Tax Credit) program (“MFHP”) and its single family mortgage bond and mortgage credit certificate (“Single Family Homebuyer”) programs (“SFHP”); for the Nevada Rural Housing Authority (“NRHA”) for its single family mortgage bond and mortgage credit certificate programs (“Single Family Mortgage Programs”) in rural Clark County; and the County desires to also provide volume cap to the Housing Division for bonds issued for upcoming Clark County multifamily rental housing projects (the “Multifamily Rental Housing Program”); and

3. **WHEREAS**, the County desires to prevent the County’s volume cap from reverting to the State, and this resolution is intended to indicate that the County intends to use its entire allocation for calendar year 2023 for specific projects and uses described herein; and

4. **WHEREAS**, as permitted by NAC 348A.180, the County intends to so use its allocation by transferring that allocation to the Director of the State of Nevada Department of Business and Industry (the “Director”) for further allocation by the Director to the Housing Division and the Nevada Rural Housing Authority (“NRHA”), for the specific projects and uses authorized by the Internal Revenue Code described herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF CLARK COUNTY, NEVADA:**

Section 1. The County hereby transfers its 2023 volume cap to the Director with a request that the Director allocate that volume cap as follows for the Projects and Programs described below:

Sponsor & Project Description	Amount of Volume Cap Allocation
(a) Housing Division for the Torrey Pines Seniors Project	\$12,000,000.00
(b) Housing Division for funding any projects located in Clark County through its Multifamily Housing Program	\$44,090,486.14
(c) NRHA for Single Family Mortgage Programs in rural Clark County	\$5,000,000.00
(d) Up to \$11,000,000 of any funding unused by the Housing Division for Multifamily projects located in Clark County shall be used for the Housing Division’s Single-Family Homebuyer Programs	TBD
TOTAL	<u>\$61,090,486.14</u>

Section 2. A. The Director of the Department is requested to transfer the volume cap described:

(a) in Section 1(a), 1(b) and 1(d) to the Housing Division for use on the Projects and Programs listed in those clauses; and

(b) in Section 1(c) to the NRHA for use on its SFHP.

B. The allocations in clauses (a) of Section 1 is subject to the condition that bonds be issued for the project to which the volume cap is allocated on or before December 31, 2024, which utilize all or part of the allocated volume cap. In the event this condition is not met, or in the event this condition is met but the bonds are issued on or before December 31, 2024 and Housing Division does not fully use the allocation made, the Housing Division is requested to use that allocation or the remaining part of that allocation for one or more other affordable rental housing projects located in the County, the financing of which is approved by the Board; or, if the

Board has not approved other financings to use that Volume Cap prior to September 1, 2025, for any projects for which that Volume Cap can legally be used in the County or elsewhere in the State of Nevada.

C. The Housing Division is requested to use the allocation made in clause (b) of Section 1 for one or more affordable rental housing projects located in the County, the financing of which is hereafter approved by the Board; or, if the Board has not approved financings that use that volume cap prior to September 1, 2025, for any projects for which that Volume Cap can legally be used in the County or elsewhere in the State of Nevada.

Section 3. Pursuant to Section 348A.220 of NAC, the County hereby certifies that it has used \$0 of its allocation for calendar year 2023, and that it intends to use and hereby reserves the entire unused portion of its volume cap. The County also hereby reserves all amounts transferred to the County by the Director, by any cities in the County or by any other local governments during the calendar year for the projects for which those transfers are made.

Section 4. A. Pursuant to Section 348A.180 of NAC, the County provides the following information: a representative of the County with whom the Director may communicate regarding this resolution is Kevin Sipes, Senior Grants Coordinator, Community Housing Office, Clark County. Mr. Sipes may be contacted by telephone at (702) 423-9040 or by e-mail at Kevin.Sipes@ClarkCountyNV.Gov.

B. To the extent required by NAC 348A.180, the Housing Division as beneficiary of the transfers made in section 1(a), 1(b) and 1(d) is required to:

1. Notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition stated in Section 1 or 2 hereof that would affect the disposition of the subject volume cap;
2. Identify a representative of the beneficiary of the transfer with whom the Director may communicate regarding the resolution; and
3. Provide a means of contacting that representative.

Section 5. The County Clerk is hereby authorized and directed to mail a certified copy of this Resolution to the Director, the Secretary of the State Board of Finance, the Housing Division, NRHA, and the Office of Business Finance and Planning. A copy of this resolution as executed by the Chair of the Board and the County Clerk as provided below shall constitute a

certificate of the County that it has authorized the transfers described in this Resolution pursuant to Subsection 2 of NAC 348A.180. As provided in Subsection 2 of NAC 348A.180, the transfers made herein are subject to the approval of the Director. The Director is requested to file any additional certificate or certificates required by NAC 348A.260 at the time of the Director's approval of the transfers made hereby.

Section 6. Nothing in this Resolution obligates the County to issue bonds for any particular project, to grant approvals for a project, or constitutes a representation that such bonds will be issued, that such projects will be approved, or that any county volume cap will be made available for any particular project. This Resolution may be amended or repealed at any time by the County in its sole discretion before the bonds are issued which use the volume cap allocated herein. After bonds are issued, no such amendment or repeal is permissible if it would change the allocation of volume cap to the bonds which were issued.

Section 7. This Resolution shall be effective upon its passage and approval.

PASSED, ADOPTED, and APPROVED this 15th day of August, 2023.

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY

By


JAMES B. GIBSON, CHAIR

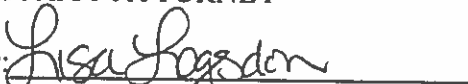
ATTEST:


LYNN MARIE GOYA, COUNTY CLERK

(Seal)

APPROVED AS TO FORM:

STEVEN B. WOLFSON,
DISTRICT ATTORNEY

By: 
Deputy District Attorney

RESOLUTION NO. 2023R-040

RESOLUTION OF THE BOARD OF COMMISSIONERS OF DOUGLAS COUNTY, NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to Douglas County, Nevada (the "County") the amount of \$3,134,465.86 in tax-exempt private activity bond volume cap for calendar year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA") has requested that the County transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the cost of single-family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("*Single Family Programs*"); and

WHEREAS, the County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State of Nevada (the "State"); and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the Board of Commissioners of the County does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the County hereby transfers the County's 2023 Bond Cap, in the amount of \$3,134,465.86, to the NRHA for its Single-Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023, or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of County. Pursuant to NAC 348A.180(1), the Director may contact Jenni Cartwright, Douglas County Finance Manager, regarding this Resolution at (775) 782-9097, jcartwright@douglasnv.us, or in writing at P.O. Box 218, Minden, Nevada 89423.

Section 5. Additional Action. The County Manager and Clerk of the County are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900, Diane@NVRural.org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the County. This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

PASSED AND ADOPTED this July 20, 2023.

VOTE:

Ayes Commissioners:

Rice
Hales
Gardner
Nowosad
Tarkanian

Nays Commissioners:

Absent Commissioners:



Mark Gardner
Chairman
Douglas County
Board of Commissioners

ATTEST:


Amy Burgans
Douglas County Clerk-Treasurer

CERTIFICATE OF TRANSFER OF VOLUME CAP

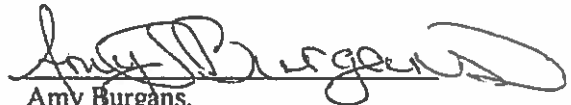
I, Amy Burgans, am the duly chosen and qualified County Clerk of the County of Douglas, Nevada (the "County") and in the performance of my duties as County Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the 2023 private activity bond volume cap allocated to the County in the amount of \$3,134,465.86 has been transferred as follows:

\$3,134,465.86 has been transferred pursuant to NAC 348A.180 from the County, a local government, located in the State of Nevada to the Nevada Rural Housing Authority, a local government, located within the County for the purpose of providing a means of financing the costs of single-family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

COUNTY OF DOUGLAS, NEVADA

By:


Amy Burgans,
Douglas County Clerk-Treasurer

cc: Diane Arvizo, Nevada Rural Housing Authority



Elko County Board of Commissioners

540 Court Street, Suite 101 • Elko, Nevada 89801

775-738-5398 Phone • 775-753-8535 Fax

www.elkocountynv.net

Commissioners

Delmo Andreozzi

Wilde Brough

Travis Gerber

Jon Karr

Rex Steninger

Elko County Manager

Amanda Osborne

Executive Assistant

Michele Petty

Administrative Assistant

Anna Hight

RESOLUTION NO. 2023-24

RESOLUTION OF THE BOARD OF COMMISSIONERS OF ELKO COUNTY, NEVADA
PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2023 PRIVATE ACTIVITY BOND
VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS
RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to Elko County, Nevada (the "County"), the amount of \$1,596,331.80 in tax-exempt private activity bond volume cap for year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the County transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Programs"); and

WHEREAS, the County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State of Nevada (the "State"); and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the Board of Commissioners of the County does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the County hereby transfers its 2023 Bond Cap in the amount of \$1,596,331.80 to the NRHA for its Single Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Resolution 2023-24

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Section 4. Representative of County. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director" may contact Amanda Osborne, County Manager, Elko County, regarding this Resolution at (775) 738-5398 or by email at AOsborne@ElkoCountyNV.Net or Administrator@ElkoCountyNV.Net or in writing at 540 Court Street, Suite 101, Elko, Nevada 89801.

Section 5. Additional Action. The County Manager and Clerk of the County are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the County. This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

PROPOSED by Commissioner Jon Karr.

SECONDED by Commissioner Delmo Andreozzi.

PASSED and ADOPTED this 7th day of June, 2023.

Resolution 2023-24

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VOTE: AYES - 5
 NAYS - 0
 ABSENT - 0



REX STENINGER, CHAIR
BOARD OF COUNTY COMMISSIONERS
ELKO COUNTY NEVADA

ATTEST:



KRISTINE JAKEMAN, ELKO COUNTY CLERK


CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Kristine Jakeman, am the duly chosen and qualified County Clerk of the Elko County, Nevada (the "County") and in the performance of my duties as County Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the 2023 private activity bond volume cap allocated to the County in the amount of \$1,596,331.80 has been transferred as follows:

\$1,596,331.80 has been transferred pursuant to NAC 348A.180 from the County, a local government, located in the State of Nevada to the Nevada Rural Housing Authority, a local government, located within Elko County, for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

BOARD OF COUNTY COMMISSIONERS
ELKO COUNTY, NEVADA

By 
Kristine Jakeman, County Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

RESOLUTION NO. 23-R-23

RESOLUTION OF THE BOARD OF COMMISSIONERS OF ESMERALDA COUNTY, NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to Esmeralda County, Nevada (the "County"), the amount of \$63,553.36 in tax-exempt private activity bond volume cap for year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the County transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Programs"); and

WHEREAS, the County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State of Nevada (the "State"); and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the Board of Commissioners of the County does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the County hereby transfers its 2023 Bond Cap in the amount of \$63,553.36 to the NRHA for its Single Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of County. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director") may contact LaCinda Elgan, County Clerk, Esmeralda County, regarding this Resolution at (775) 485-6309 or by email at celgan@esmeraldacountynev.org or in writing at P.O. Box 547, Goldfield, Nevada 89013.

Section 5. Additional Action. The Chair of the County Commission and Clerk of the County are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at diane@nvrural.org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the County. This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this 20th day of June, 2023.

BOARD OF COUNTY COMMISSIONERS
ESMERALDA COUNTY, NEVADA

By Ralph Keyes
Ralph Keyes, Chair

ATTEST:

By LaCanda Elgan
LaCanda Elgan, County Clerk

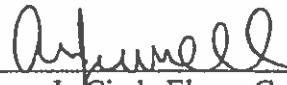
CERTIFICATE OF TRANSFER OF VOLUME CAP

I, LaCinda Elgan, am the duly chosen and qualified County Clerk of Esmeralda County, Nevada (the "*County*") and in the performance of my duties as County Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("*NAC*"), that the 2023 private activity bond volume cap allocated to the County in the amount of \$63,553.36 has been transferred as follows:

\$63,553.36 has been transferred pursuant to NAC 348A.180 from the County, a local government, located in the State of Nevada to the Nevada Rural Housing Authority, a local government, located within Esmeralda County, for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

ESMERALDA COUNTY, NEVADA

By 
LaCinda Elgan, County Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

EUREKA COUNTY RESOLUTION – AUGUST 15, 2023

RESOLUTION OF THE BOARD OF COMMISSIONERS OF EUREKA COUNTY, NEVADA PROVIDING FOR THE TRANSFER OF THE COUNTY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to Eureka County, Nevada (the "County"), the amount of \$109,909.22 in tax-exempt private activity bond volume cap for year 2023 (the "2023 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the County transfer its 2023 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("Single Family Programs"); and

WHEREAS, the County is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the County may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2023 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State of Nevada (the "State"); and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the Board of Commissioners of the County does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the County hereby transfers 2023 Bond Cap in the amount of \$109,909.22 to the NRHA for its Single Family Programs.

Section 3. Use of 2023 Bond Cap. The NRHA will use the 2023 Bond Cap for single family purposes in calendar year 2023 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of County. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director") may contact Jackie Berg, Deputy Clerk II, point of contact for the Eureka County Board of Commissioners, regarding this Resolution at (775) 237-7211 or by email at JBerg@EurekaCountyNV.gov or in writing at P.O. Box 540, Eureka, Nevada 89316.

Section 5. Additional Action. The Chair of the Board of Commissioners and Commissioner Clerk are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2023 Bond Cap, and carry out the duties of the County hereunder, including the execution of all certificates pertaining to the transfer as required by NAC 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2023 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the County. This Resolution is not to be construed as a pledge of the faith and credit of or by the County, or of any agency, instrumentality, or subdivision of the County. Nothing in this Resolution obligates or authorizes the County to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this 15th day of August, 2023.

EUREKA COUNTY COMMISSION

By Rich McKay
Rich McKay, Chairman of the Board

ATTEST:
By Katherine J. Bowling
Katherine J. Bowling, County Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Katherine J. Bowling, am the duly qualified County Clerk of Eureka County of Eureka County, Nevada (the "County"), and in the performance of my duties as County Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("NAC"), that the 2023 private activity bond volume cap allocated to the County in the amount of \$109,909.22 has been transferred as follows:

\$109,909.22 has been transferred pursuant to NAC 348A.180 from the County, a local government, located in the State of Nevada to the Nevada Rural Housing Authority, a local government, located within Eureka County, for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

EUREKA COUNTY COMMISSION
EUREKA COUNTY, NEVADA

By 
Katherine J. Bowling, County Clerk

cc: Carrie Foley, Nevada Department of Business & Industry
via email at CFoley@business.nv.gov

Diane Arvizo, Nevada Rural Housing Authority
via email at diane@nvrural.org