

NOTICE OF PUBLIC HEARING

**SANDOVAL COUNTY, NEW MEXICO
MULTIFAMILY HOUSING REVENUE BONDS
(550 PASEO APARTMENTS PROJECT)**

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Tax Code”), will be held on behalf of the Board of County Commissioners of Sandoval County, New Mexico (the “County”) on September 4, 2024 at 8:00 a.m. local time, for the purpose of providing a reasonable opportunity for interested individuals to express their views, either orally or in writing, in connection with the proposed plan of financing providing for the re-issuance (for federal tax purposes) of one or more series of the above-captioned exempt facility bonds (the “Obligations”).

The Bonds were originally issued on March 23, 2021, in the maximum principal amount of \$30,000,000 for the qualified residential rental project described below pursuant to Section 142(d) of the Tax Code. The Bonds are being treated as reissued for federal tax purposes.

The hearing will commence on Wednesday, September 4, 2024, at 8:00 a.m., Mountain Time, and will be held via teleconference accessible to the public at the following toll-free telephone number: (833) 548 0282, Conference ID: 938 0563 0863#. Public comment may be submitted in written form via email to tpschenken@shermanhoward.com (with a copy to clerk@sandovalcountynm.gov).

The public hearing is being held in connection with the issuance by the County of the above-captioned exempt facility bonds, notes or other obligations, (i.e., the Obligations) in the maximum aggregate stated principal amount not to exceed \$30,000,000 to finance a portion of the costs of the acquisition, construction and equipping of the multifamily affordable rental housing project described below constituting a qualified residential rental project pursuant to Section 142(d) of the Tax Code (the “Project”). The expected initial legal owner and principal user of the Project will be 550 Paseo Apartments LLLP, a New Mexico limited liability limited partnership, and/or another affiliate of DBG Properties, LLC (“DBG”; such limited liability limited partnership or affiliate is referred to herein as the “Lessee”); the Lessee will occupy and operate the Project under the terms of one or more lease agreements between the Lessee and the County, as lessor. The Project expected to be financed with a portion of the proceeds of the Obligations are the following:

Location:	On a site facing US Highway 550 between Safelite Blvd and Paseo Del Volcan NE in Rio Rancho
Number of Units:	240 units
Maximum Amount:	\$30,000,000

THE OBLIGATIONS ARE A SPECIAL LIMITED OBLIGATION OF THE COUNTY PAYABLE SOLELY FROM: (i) PAYMENTS REQUIRED TO BE MADE PURSUANT TO ONE OR MORE FINANCING AGREEMENTS AMONG THE LESSEE, THE COUNTY AND THE LENDERS NAMED THEREIN (THE “FINANCING AGREEMENT”) AS EVIDENCED BY THE OBLIGATIONS, AND ONE OR MORE LEASE AGREEMENTS BY AND BETWEEN THE COUNTY AND THE LESSEE; (ii) ALL SUMS DEPOSITED IN VARIOUS ACCOUNTS ESTABLISHED BY THE FINANCING AGREEMENT AVAILABLE FOR PAYMENT OF THE PRINCIPAL OF OR INTEREST ON, OR ANY REDEMPTION PREMIUM ON THE OBLIGATIONS; AND (iii) IN CERTAIN EVENTS, OUT OF AMOUNTS DERIVED FROM THE EXERCISE OF REMEDIES PROVIDED IN THE FINANCING AGREEMENT.

NEITHER THE COUNTY, THE STATE OF NEW MEXICO NOR ANY POLITICAL SUBDIVISION OF THE STATE OF NEW MEXICO IS OBLIGATED TO PAY THE PRINCIPAL OF OR INTEREST ON THE OBLIGATIONS, AND NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE COUNTY, THE STATE OF NEW MEXICO NOR ANY OTHER POLITICAL SUBDIVISION OR AGENCY OF THE STATE OF NEW MEXICO IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON, OR ANY REDEMPTION PREMIUM ON THE OBLIGATIONS.

The County will, at the above time and place, receive any written comments from and hear all persons with views in favor of or opposed to the plan of financing, the proposed delivery of the Obligations and the use of the proceeds thereof to finance the Project or any other matter related thereto.

It is intended that the interest payable on the Obligations be excludable from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Tax Code.

Dated this 26th day of August, 2024.

SANDOVAL COUNTY, NEW MEXICO