



McGuireWoods LLP
501 Fayetteville St.
Suite 500
Raleigh, NC 27601
Phone: 919.755.6600
Fax: 919.755.6699
www.mcguirewoods.com

Kristen M. Kirby
Direct: 919.755.6574
kkirby@mcguirewoods.com
Fax: 919.755.6676

June 22, 2023

**NOTICE TO JOINT LEGISLATIVE COMMITTEE ON LOCAL GOVERNMENT OF
PROPOSED LOCAL GOVERNMENT FINANCING**

Joint Legislative Committee on Local Government
North Carolina General Assembly
16 West Jones Street
Raleigh, North Carolina 27601
Attention: Committee Chairs; Committee Assistant

Fiscal Research Division
North Carolina General Assembly
300 North Salisbury Street, Suite 619
Raleigh, North Carolina 27603-5925
Attention: Interim Director

\$18,000,000

Housing Authority of the City of Asheville

Multifamily Housing Revenue Bonds (Vanderbilt Apartments), Series 2023

Ladies and Gentlemen:

We are bond counsel for the Housing Authority of the City of Asheville (the “Authority”) in connection with the proposed issuance of its Multifamily Housing Revenue Bonds (Vanderbilt Apartments), Series 2023 (the “Bonds”) to be issued in one or more series in an aggregate principal amount not to exceed \$18,000,000. The proceeds of the Bonds will be loaned to Vanderbilt (TC2) Senior Housing Limited Partnership, a North Carolina limited partnership (the “Borrower”), for the purpose of providing all or part of the funds with which to pay the cost of the acquisition and rehabilitation of a 123-unit affordable housing complex for seniors known as Vanderbilt Apartments and located in the City of Asheville, North Carolina (collectively, the “Project”).

The Bonds will be issued under Article 1 of Chapter 157 of the North Carolina General Statutes (the “Act”). The proceeds of the Bonds will be loaned to the Borrower under a loan agreement with the Authority, pursuant to which the Borrower will promise to pay amounts sufficient to pay principal, premium, if any, and interest on the Bonds when due. The Borrower and the Authority will file restrictive covenants requiring that the Project be operated as a “qualified residential rental facility” under the Internal Revenue Code of 1986, as amended, and as a facility that provides housing for persons of low or moderate income under the Act for the longer of the term of the Bonds or 15 years. The Borrower will be solely responsible for repaying the Bonds, and the Authority will have no financial liability whatsoever for their repayment. The Bonds do not represent or constitute a debt or pledge of the faith and credit of the Authority, the

June 22, 2023

Page 2

City of Asheville, the State of North Carolina, or any political subdivision thereof. Principal of and premium (if any) and interest on the Bonds shall be payable solely from the revenues received from the Borrower.

This notice is provided pursuant to N.C. Gen. Stat. § 120-157.2(a). The Authority expects that the North Carolina Local Government Commission (the "Commission") will consider the Authority's proposal to issue the Bonds for approval at the Commission's meeting scheduled for September 12, 2023. We are delivering this notice on behalf of the Authority and the Borrower in accordance with directions provided by the Commission in Memorandum No. 2012-02 dated July 25, 2011.

Very truly yours,



Kristen M. Kirby, Esq.
Bond Counsel

cc: Sharon Edmundson, Secretary
Local Government Commission
NC Department of State Treasurer
3200 Atlantic Avenue
Raleigh, NC 27604