

**CITY OF SANTA FE
AMENDMENT No. 2 TO
HOUSING OPPORTUNITY PROGRAM AGREEMENT
AND HOP HOME LIEN
To adjust HOP lot assignment and Establish Fractional Fee
"Plaza Bonita" Subdivision, Santa Fe, New Mexico**

AMENDMENT No. 2 (the "Amendment") to the CITY OF SANTA FE SANTA FE HOUSING OPPORTUNITY PROGRAM AGREEMENT and HOUSING OPPORTUNITY PROGRAM HOME LIEN, dated May 13, 2004 (Item #04-0228) (the "Agreement"), between the City of Santa Fe (the "City") and L B & B Properties, LLC (the "HOP Developer"), as amended by Amendment #1 (Item #18-784), dated July 12, 2018. The date of this Amendment shall be the date when it is executed by the City and the Developer, whichever occurs last.

RECITALS

- A. Developer is the developer of "Plaza Bonita Subdivision" hereinafter referred to as the "Property".
- B. Developer desires to develop the Property.
- C. Pursuant to Article 7.18 of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the City and the Developer agree as follows:

1. THE PROJECT

Article 2, paragraph 2.4 is amended to delete former Exhibit B-1 and insert a new Exhibit B-2, so that Article 2, paragraph 2.4 now reads in its entirety as follows:

2.4 HOP Plan. The HOP Developer agrees to construct a total of six HOP Homes as indicated on the attached Exhibit B-2 (the "HOP Plan") and pay a fee for the fraction of a home in

the amount of THIRTY-ONE THOUSAND DOLLARS (\$31,000). The HOP Plan shall include the number of bedrooms and bathrooms, the minimum square footage, the minimum household size, the percentage (%) of area median income to be served, and the current HOP Home price for the HOP homes as set forth in Section 8.2 of the HOP Administrative Procedures. The HOP Plan also calculates the fractional fee.

2. AGREEMENT IN FULL FORCE

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to the City of Santa Fe Housing Opportunity Program Agreement and HOP Home Lien as of the date set forth below.

ATTEST:

Yolanda Y. Vigil
YOLANDA Y. VIGIL, CITY CLERK
aw

CITY OF SANTA FE:

Erik Litzenberg
ERIK LITZENBERG, CITY MANAGER
DATE: 9/5/18

APPROVED AS TO FORM:

Erin McSherry
ERIN MCSHERRY, CITY ATTORNEY

L B & B Properties, LLC:

Richard Borrego
By: RICHARD BORREGO
Its: MANAGER
DATE: 9/11/18

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

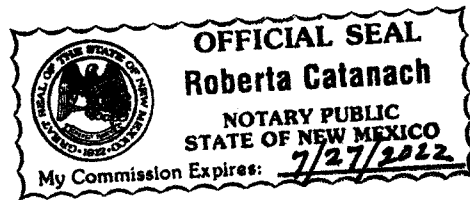
The foregoing instrument was acknowledged before me this 11 day of September
2018, by Ricardo Borrego.

Roberta Catanach
NOTARY PUBLIC

My Commission Expires:

7/27/2022

Attachment: Exhibit B-2: HOP Plan



PLAZA BONITA HOP PLAN - 7 HOP UNITS

Updated August 2018

REQUIRED UNIT DISTRIBUTION

FOR-SALE UNIT TYPES	MAXIMUM HOP HOME PRICE 50% of AMI	MAXIMUM HOP HOME PRICE 55% of AMI	MAXIMUM HOP HOME PRICE 60% of AMI	MAXIMUM HOP HOME PRICE 65% of AMI	MAXIMUM HOP HOME PRICE 70% of AMI	MAXIMUM HOP HOME PRICE 75% of AMI
2 BR, 1 Bath (900 sq ft min) 1, 2, or 3 person household			\$138,758 \$149,989 1 Unit(s)			\$160,106 \$187,486 1 Unit(s)
3 BR, 1.5 Baths (1,150 sq ft min.) 3-4 person household		\$130,456 \$154,707 1 Unit(s)		\$154,176 \$182,836 2 Unit(s)		\$177,895 \$210,964 0 Unit(s)
4 BR, 2 Bath (1,250 sq ft min.) 4-5 person household			\$153,702 \$194,580 1 Unit(s)			

The home prices shall be modified by the City according to Section 8.7.3 of the SFHP Administrative Procedures to reflect annual changes in the median income levels. The HOP Home prices shown in this HOP Plan are the prices in effect at the time this Plan is made. The current HOP prices, which are in effect at the time the HOP Home is made available for sale, determine the actual HOP Home price. The prices are updated annually.

REVISED HOP LOTS: 1, 16, 29, 44, 45, 48, 50

Calculation for determining HOP Requirement (11%):

$$= 65 \text{ lots} / 1.11 = 58.56$$

$$65 - 58.56 = 6.44 \text{ units}$$

Formula for fractional fee of 0.44:

$$= \frac{1}{2} \text{ price of 3 BR, Tier 2 Home } (\$140,750) \times \text{Unit Fraction}$$

$$= \$70,375 \times 0.44 = \$30,965 = \underline{\$31,000 \text{ fractional fee (rounded)}}$$