

NORTH CAROLINA  
ORANGE COUNTY

**Orange County HOME Consortium  
HOME Investment Partnership Program Consortium Agreement Amendment**

This is an amendment to the July 1, 2011 AGREEMENT ("The HOME Investment Partnership Program Consortium Agreement") made and entered into by and among the County of Orange (hereinafter "County"), the Town of Carrboro, the Town of Chapel Hill, and the Town of Hillsborough (hereinafter "Towns"), each being a general local governmental unit of the State of North Carolina, and is made pursuant to North Carolina Statutes, Article 20 of Chapter 160A. The effective date of this amendment is July 1, 2011.

**WITNESSETH**

WHEREAS, County and Towns agree that it is desirable and in the interests of their citizens to secure approval by the federal government to be considered as a consortium under the federal HOME Program operated by the U.S. Department of Housing and Urban Development as authorized under the HOME Investment Partnership Act, Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, it is agreed between the County and the Towns hereto that all of the terms and conditions of the Development Agreement are herein affirmed and incorporated herein by reference and amended as follows:

Section III, Paragraph A is rewritten to read as follows:

- A. The term of this Agreement begins with the effective date of July 1, 2011 and ends June 30, 2014. Subject to the requirements of Paragraph E of this Section, the County and Towns agree that the terms of this Agreement cover the period necessary to carry out all activities that will be funded from funds awarded during three federal fiscal years (2011, 2012, 2013) and that all members of OHC will remain in OHC for the entire period. The Agreement remains in effect until the HOME funds from each of the federal fiscal years of the qualification period are closed out pursuant to 24 CFR 92.507.

IN WITNESS WHEREOF, The County and the Towns have authorized this Amendment to be duly executed under seal and have set their hands and seals on the day and year specified below.

**TOWN OF CARRBORO**

\_\_\_\_\_  
**Matt Efird**  
**Interim Town Manager**

**ATTEST:**

\_\_\_\_\_

**NORTH CAROLINA**  
**ORANGE COUNTY**

This is to certify that on this day personally came before me \_\_\_\_\_, with whom I am personally acquainted, and being by me duly sworn, says that Matt Efird is the Interim Town Manager, and that she the said \_\_\_\_\_, is the Town Clerk of the Town of Carrboro, the municipal corporation named within and which executed the foregoing instrument; that she knows the common seal of said corporation; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said Interim Town Manager and that the said Interim Town Manager and said \_\_\_\_\_ Town Clerk subscribed their names hereto and said common seal was affixed, all by order of the Board of Alderman of the Town of Carrboro and that said instrument is the act and deed of said corporation.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Notary Public

My Commission expires: \_\_\_\_\_

**TOWN OF CHAPEL HILL**

\_\_\_\_\_  
**Roger Stancil**  
**Town Manager**

**ATTEST:**

\_\_\_\_\_

**NORTH CAROLINA**  
**ORANGE COUNTY**

This is to certify that on this day personally came before me \_\_\_\_\_, with whom I am personally acquainted, and being by me duly sworn, says that Roger Stancil is the Town Manager, and that he the said \_\_\_\_\_, is the Town Clerk of the Town of Chapel Hill, the municipal corporation named within and which executed the foregoing instrument; that she knows the common seal of said corporation; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said Town Manager and that the said Town Manager and said \_\_\_\_\_ Town Clerk subscribed their names hereto and said common seal was affixed, all by order of the Town Council of the Town of Chapel Hill and that said instrument is the act and deed of said corporation.

Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

**TOWN OF HILLSBOROUGH**

\_\_\_\_\_  
**Eric Peterson**  
**Town Manager**

**ATTEST:**

\_\_\_\_\_  
**NORTH CAROLINA**  
**ORANGE COUNTY**

This is to certify that on this day personally came before me \_\_\_\_\_, with whom I am personally acquainted, and being by me duly sworn, says that Eric Peterson is the Town Manager, and that she the said \_\_\_\_\_, is the Town Clerk of the Town of Hillsborough, the municipal corporation named within and which executed the foregoing instrument; that she knows the common seal of said corporation; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said Town Manager and that the said Town Manager and said \_\_\_\_\_ Town Clerk subscribed their names hereto and said common seal was affixed, all by order of the Town Board of the Town of Hillsborough and that said instrument is the act and deed of said corporation.

Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
 Notary Public

My Commission expires: \_\_\_\_\_

**ORANGE COUNTY**

\_\_\_\_\_  
**Frank W. Clifton, Jr.**  
**County Manager**

**ATTEST:**

\_\_\_\_\_

**NORTH CAROLINA**  
**ORANGE COUNTY**

This is to certify that on this day personally came before Donna Baker, with whom I am personally acquainted, and being by me duly sworn, says that Frank W. Clifton is the County Manager, and that she the said Donna Baker, is the Clerk to the Board of Commissioners of the County of Orange, the body politic and corporate named within and which executed the foregoing instrument; that she knows the common seal of said County; that the seal affixed to said instrument is said common seal; that the name of corporation was subscribed thereto by the said County Manager and that the said County Manager and said Donna Baker subscribed their names hereto and said common seal was affixed, all by order of the Board of County Commissioners of Orange County and that said instrument is the act and deed of Orange County.

Witness my hand and notarial seal, this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
 Notary Public

My Commission expires: \_\_\_\_\_

**A RESOLUTION TO APPROVE AN AMENDMENT TO THE  
2011 ORANGE COUNTY HOME CONSORTIUM AGREEMENT**

Draft Resolution No. 13/2011-12

**WHEREAS**, the Board of Aldermen on April 29, 2011 approved a resolution directing the Town Manager to execute an agreement for the Orange County HOME Consortium; and

**WHEREAS**, HUD is requesting the HOME Consortium partners amend the agreement to include the language "The term of this Agreement begins with the effective date of July 1, 2011 and ends June 30, 2014. Subject to the requirements of Paragraph E of this Section, the County and Towns agree that the terms of this Agreement cover the period necessary to carry out all activities that will be funded from funds awarded during three federal fiscal years (2011, 2012, 2013) and that all members of OHC will remain in OHC for the entire period. The Agreement remains in effect until the HOME funds from each of the federal fiscal years of the qualification period are closed out pursuant to 24 CFR 92.507." ; and

**WHEREAS**, this language was included in the previous 2008 HOME Consortium Agreement.

**NOW THEREFORE BE IT RESOLVED**, that the Carrboro Board of Aldermen amend the agreement and direct the Interim Town Manager, Matt Efird, to sign the proposed amendment.