

1 **BY AUTHORITY**

2 RESOLUTION NO. CR23-1367
3 SERIES OF 2023

COMMITTEE OF REFERENCE:
Safety, Housing, Education & Homelessness

4 **A RESOLUTION**

5 **Approving a proposed Assignment and Assumption Agreement between the**
6 **City and County of Denver, Zia Sunnyside SPE, LLC (as successor-in-interest**
7 **to CD-Inca, LLC), and KG Sunnyside Owner, LLC to assign the affordable**
8 **housing obligations contained in a Loan Agreement and consent to the transfer**
9 **of the property.**

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11 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** The proposed Assignment and Assumption Agreement between the City and
13 County of Denver, Zia Sunnyside SPE, LLC (as successor-in-interest to CD-Inca, LLC), and KG
14 Sunnyside Owner, LLC, in the words and figures contained and set forth in that form of Assignment
15 and Assumption Agreement available in the office and on the web page of City Council, and to be
16 filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, under
17 City Clerk’s Filing No. 202370443-01, is hereby approved.

18 COMMITTEE APPROVAL DATE: October 4, 2023 by Consent

19 MAYOR-COUNCIL DATE: October 10, 2023 by Consent

20 PASSED BY THE COUNCIL: _____

21 _____ - PRESIDENT

22 ATTEST: _____ - CLERK AND RECORDER,
23 EX-OFFICIO CLERK OF THE
24 CITY AND COUNTY OF DENVER

25 PREPARED BY: Eliot C. Schaefer, Assistant City Attorney DATE: October 12, 2023

26 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the Office of the
27 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
28 resolution. The proposed resolution is submitted to the City Council for approval pursuant to § 3.2.6
29 of the Charter.

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31 Kerry Tipper, Denver City Attorney

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33 BY: _____, Assistant City Attorney DATE: _____