

MEMORANDUM  
7900 E. COLFAX AVENUE  
PURCHASE AND SALE AGREEMENT

Approval of Purchase and Sale Agreement by and between the City and County of Denver and Brother's Redevelopment, Inc. ("BRI") for the sale of city-owned vacant land located at 7900 East Colfax.

Description of Project

- In 2018, the City acquired 7900 East Colfax from Crosscheck, LLC for Six Hundred Fifty Thousand Dollars, with the specific intention of fostering an affordable housing development on-site. Following a comprehensive RFP process, OED has awarded BRI with an opportunity to purchase the property from the city and separately obtain certain development financing through OED.
- BRI is one of the oldest non-profit housing organizations in the state of Colorado. BRI provides affordable housing options for more than 582 low-income elderly or family households at its 14 communities located throughout the Denver metro area. BRI is an experienced housing provider familiar with the Low-Income Housing Tax Credit LOCATION and compliance process. BRI has established a successful track record obtaining funding and other subsidies necessary to complete their projects.
- The Brain Injury Alliance of Colorado ("BIAC"), which shall provide supportive services, is also an experienced service provider

Together, BRI and BIAC will provide supportive housing and on-site services to 72 families, focused on people with brain injuries who are experiencing homelessness. BRI will have an office on-site to provide various housing and neighborhood related services. All units will be covered by vouchers from Denver Housing Authority (DHA) and the Colorado Division of Housing (DOH). The City intends that all 72 units will be covenant restricted at 30% of Area Median Income, as determined by HUD. In terms of unit sizes, 47 of the units will be one-bedroom, 19 will be two-bedroom, and 6 will be three-bedroom. The term of the restrictive covenant will be 99 years.

Purchase and Sale Terms

Address of Property: 7900 East Colfax Avenue, Denver, CO 80220

Land Sales Price: \$10

Deed Restriction/Loan Covenant: 99-year deed restriction

Land Sale Closing:

Must occur on or before December 21, 2021

City rights after sale (Right of Repurchase): In the event BRI, its successors or assigns cease to operate a Residential Facility on the Property prior to the end of 99 year Restrictive Period the City or its designee, by written notice signed by the Mayor, at its sole option, and as a monetary remedy for the cessation of such operations, shall be entitled to repurchase the Property for the amount of One Dollar (\$1.00) plus the amount of any outstanding indebtedness on the Property senior to the City. In the event of either of the following occurrences, the City or its designee, at their sole discretion, shall have the right to repurchase the Property for \$1.00 plus the amount of current, outstanding 'must pay' debt of BRI:

- BRI as owner of the Property decides to sell or transfer the Property to a new owner outside of a tax credit syndication partnership; or
- BRI as a general partner of an entity that owns the Property decides to sell or transfer its ownership interest in the entity.

Specific language regarding this right to repurchase the Property is included in the PSA.