



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 6/26/2025

File ID: TMP-5656

Department: Community Development

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville, Alabama and Habitat for Humanity of the River Valley for the use of HOME Investment Partnership Funds to Construct Affordable Housing at 211 Lake Drive NW.

Resolution No.

Finance Information:

Account Number: 515520

City Cost Amount: \$0

Total Cost: \$0

Special Circumstances:

Grant Funded: \$125,000.00

Grant Title - CFDA or granting Agency: HOME Investment Partnership Funds - HUD

Resolution #: Click or tap here to enter text.

Location: (list below)

Address: 211 Lake Drive NW

District: District 1 ☒ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments:

Agreement with Habitat for Humanity of the River Valley to modify Resolution No. 23-1065 to revise Time of Performance to extend the Project Homeownership Completed Deadline from July 1, 2025 to September 30, 2025.

RESOLUTION NO. 25-_____

WHEREAS, the City of Huntsville, Alabama, previously entered into an agreement with Habitat for Humanity of the River Valley for the use of HOME Investment Partnerships Program funds from a grant under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990 (P.L. 101-625), as amended, from the U.S. Department of Housing and Urban Development; and

WHEREAS, Habitat for Humanity of the River Valley has requested to amend Section IV, TIME OF PERFORMANCE of the agreement; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor of the City of Huntsville is hereby authorized, requested and directed to execute “Modification No. 1 to the Agreement between Habitat for Humanity of the River Valley and the City of Huntsville, Alabama for the use of HOME Investment Partnerships Funds to Construct Affordable Housing at 211 Lake Drive NW, as adopted by Resolution No. 23-1065,” consisting of three (3) pages, and the date of June 26, 2025, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville.

ADOPTED this the 26th day of June, 2025.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 26th day of June, 2025.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)

COUNTY OF MADISON)

**MODIFICATION NO. 1 TO THE AGREEMENT BETWEEN
HABITAT FOR HUMANITY OF THE RIVER VALLEY AND THE CITY OF
HUNTSVILLE, ALABAMA FOR THE USE OF HOME INVESTMENT PARTNERSHIP
FUNDS TO CONSTRUCT AFFORDABLE HOUSING AT 211 LAKE DRIVE NW,
AS ADOPTED BY RESOLUTION NO. 23-1065**

THIS MODIFICATION IS MADE TO THE AGREEMENT entitled "Agreement between Habitat for Humanity of the River Valley and the City of Huntsville, Alabama for the Use of HOME Investment Partnerships Funds to Construct Affordable Housing at 211 Lake Drive NW," as referenced above and is entered into on this the 26th day of June 2025 by and between the City of Huntsville, Alabama (CITY) and Habitat for Humanity of the River Valley (DEVELOPER).

WITNESSETH

WHEREAS, the DEVELOPER has indicated a need to revise the Project Homeownership Completed Deadline, the date for completion of all activities utilizing HOME funds, not including monitoring activities, and the date for completion of all documentation from July 1, 2025 to September 30, 2025 in order to complete the sale of the property.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree to modify the Agreement as follows:

- 1 . Effective June 26, 2025, the Time of Performance set forth in **Section IV**, of the Agreement is deleted and replaced with the following:

TIME OF PERFORMANCE. All activities to be undertaken by the DEVELOPER will be undertaken beginning on December 21, 2023. All activities utilizing HOME funds, other than monitoring activities which continue for the duration of the affordability periods, will be completed by September 30, 2025. All documentation shall be completed no later than September 30, 2025.

The DEVELOPER shall perform according to the following schedule:

President of the City Council
City of Huntsville, Alabama
Date: June 26, 2025

<u>Program Element</u>	<u>Deadline</u>
• Execute Contract for Project	December 21, 2023
• Project Start Date	December 21, 2023
• Project Homeownership Sale Started	December 21, 2023
• Pre-construction Conference	December 22, 2023
• Construction Completion Date	March 1, 2025
• Project Homeownership Completed	September 30, 2025
• Monitoring Period	5-15 years for each home in accordance with the applicable affordability period as calculated per home sale.

This schedule is subject to change by mutual agreement of both parties executed in writing and signed by a duly authorized representative of each entity.

All other terms and conditions of the Original Agreement remain unchanged and in full force and effect.

The Parties agree that any form of electronic signature, including but not limited to signatures via facsimile, standing, or electronic mail, may substitute for the original signature and shall have the same legal effect as the original signature.

[Signature pages to follow.]

IN WITNESS WHEREOF, the parties hereto have executed this Modification on this the 26th day of June 2025.

CITY OF HUNTSVILLE, ALABAMA

By: _____
Tommy Battle, Mayor
City of Huntsville, Alabama

Date: _____

ATTEST:

Shaundrika Edwards, City Clerk
City of Huntsville, Alabama

HABITAT FOR HUMANITY OF THE RIVER VALLEY

By: _____
Its: President/CEO

Date: _____

ATTEST:

By: _____