

**Form 424
(Revised 05/11)**

Submit in duplicate to:
 Secretary of State
 P.O. Box 13697
 Austin, TX 78711-3697
 512 463-5555
 FAX: 512/463-5709
Filing Fee: See instructions



This space reserved for office use.

Certificate of Amendment**Entity Information**

The name of the filing entity is:

AHFC HYDE PARK NON-PROFIT CORPORATION

State the name of the entity as currently shown in the records of the secretary of state. If the amendment changes the name of the entity, state the old name and not the new name.

The filing entity is a: (Select the appropriate entity type below.)

- | | |
|---|---|
| <input type="checkbox"/> For-profit Corporation | <input type="checkbox"/> Professional Corporation |
| <input checked="" type="checkbox"/> Nonprofit Corporation | <input type="checkbox"/> Professional Limited Liability Company |
| <input type="checkbox"/> Cooperative Association | <input type="checkbox"/> Professional Association |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership |

The file number issued to the filing entity by the secretary of state is: 0804962770

The date of formation of the entity is: 03/09/2023

Amendments**1. Amended Name**

(If the purpose of the certificate of amendment is to change the name of the entity, use the following statement)

The amendment changes the certificate of formation to change the article or provision that names the filing entity. The article or provision is amended to read as follows:

The name of the filing entity is: (state the new name of the entity below)

The name of the entity must contain an organizational designation or accepted abbreviation of such term, as applicable.

2. Amended Registered Agent/Registered Office

The amendment changes the certificate of formation to change the article or provision stating the name of the registered agent and the registered office address of the filing entity. The article or provision is amended to read as follows:

Registered Agent
(Complete either A or B, but not both. Also complete C.)

☐ A. The registered agent is an organization (cannot be entity named above) by the name of:

OR

☐ B. The registered agent is an individual resident of the state whose name is:

First Name

M.I.

Last Name

Suffix

The person executing this instrument affirms that the person designated as the new registered agent has consented to serve as registered agent.

C. The business address of the registered agent and the registered office address is:

Street Address (No P.O. Box)

City

TX

State Zip Code

3. Other Added, Altered, or Deleted Provisions

Other changes or additions to the certificate of formation may be made in the space provided below. If the space provided is insufficient, incorporate the additional text by providing an attachment to this form. Please read the instructions to this form for further information on format.

Text Area (The attached addendum, if any, is incorporated herein by reference.)

☐ **Add** each of the following provisions to the certificate of formation. The identification or reference of the added provision and the full text are as follows:

☒ **Alter** each of the following provisions of the certificate of formation. The identification or reference of the altered provision and the full text of the provision as amended are as follows:

Article 5 - Purpose

The attached addendum includes Article 5 - Purpose in its entirety and is incorporated herein by reference.

☐ **Delete** each of the provisions identified below from the certificate of formation.

Statement of Approval

The amendments to the certificate of formation have been approved in the manner required by the Texas Business Organizations Code and by the governing documents of the entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. ☒ This document becomes effective when the document is filed by the secretary of state.
- B. ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____
- The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: _____

By: _____

Signature of authorized person

Rosie Truelove

Printed or typed name of authorized person (see instructions)

Addendum

Article 5 – Purpose

The nonprofit corporation is organized for the following purpose or purposes:

AHFC Hyde Park Non-Profit Corporation is established to aid Austin Housing Finance Corporation (AHFC), an instrumentality of the City of Austin, in its essential governmental functions and duties to foster affordable rental housing for moderate, low, and very low-income households in the City of Austin, specifically through the acquisition, ownership, development, financing, rehabilitation, construction, maintenance, and operation of rental housing developments located at or near 4415 Avenue B, Austin, Texas 78751; 4100 Avenue A, Austin, Texas 78751; 609 E. 45th Street, Austin, Texas 78751; 4209 Speedway, Austin, Texas 78751; and 4200 and 4208 Avenue A, Austin, Texas 78751 (Developments).

The sole purposes of AHFC Hyde Park Non-Profit Corporation are (i) to serve as general partner, or controlling member of the general partner, of the Texas limited partnership (Limited Partnership) that will own the Developments (subject to one or more ground leases), and in connection therewith, to own, hold, sell, dispose of or otherwise deal with its general partnership interest, or its controlling interest in the general partnership interest, in the Limited Partnership, and (ii) if applicable, to serve as general contractor for the rehabilitation, construction, or both of the Developments.

AHFC Hyde Park Non-Profit Corporation may engage in any lawful act or activity and exercise any power permitted to a nonprofit corporation organized under the laws of the State of Texas that is related or incidental to and necessary, convenient, or advisable for the accomplishment of the foregoing purposes.

The nonprofit corporation is formed pursuant to Chapter 22 of the Texas Business Organizations Code (Nonprofit Corporations). The nonprofit corporation is directed by the AHFC, in accordance with Chapter 394 of the Texas Local Government Code (Housing Finance Corporations in Municipalities and Counties), which authorizes the nonprofit corporation to assist and act on behalf of the AHFC and the City of Austin and to engage in activities that promote the purpose for its creation. The nonprofit corporation may be organized and operated exclusively for one or more charitable purposes as defined by Section 501(c)(4) of the Internal Revenue Code of 1986, as amended, or any successor federal tax code.

The Limited Partnership will own (subject to one or more ground leases) and operate the Developments. The Developments are multifamily developments of rental units in Austin, Travis County, Texas.