RESOLUTION NO. R-26-141

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA OF ITS MULTIFAMILY HOUSING REVENUE BONDS, SERIES 2026 (FLATS AT 5TH) WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Housing Finance Authority of Manatee County, Florida (the "Authority") was created pursuant to Part IV, Chapter 159, Florida Statutes (the "Act") and Manatee County Ordinances 79-6 and 91-40 (collectively, the "Ordinances"); and

WHEREAS, the Board of County Commissioners of Manatee County, Florida (the "Board") heretofore adopted a resolution on October 30, 1979 (the "County Resolution"), declaring a need for the Authority to function in order to alleviate the shortage of housing and capital investment in affordable housing within Manatee County, Florida (the "County"); and

WHEREAS, the Authority is authorized pursuant to the Act and Ordinances to issue multi-family housing revenue obligations to provide affordable housing to low, moderate or middle income tenants; and

WHEREAS, ECG Fifth Street, LP, a Florida limited partnership (the "Borrower") submitted an application to the Authority for the Authority to issue its Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th), initially issued in the principal amount of $22,000,000 (the "Bonds") to finance the acquisition and construction of a 108-unit multifamily housing project known as "Flats at 5th," located at 4010 5th Street East, Bradenton, Florida 34208 (the "Project"); and

WHEREAS, required notice was provided, at least seven (7) days prior to the Public Hearing (as herein defined), of such hearing, a copy of the proof of publication of such notice being attached hereto as Exhibit A; and

WHEREAS, on September 8, 2026, the Authority held a public hearing (the "Public Hearing") regarding the proposed financing of the Project through the issuance by the Authority of the Bonds, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, it is intended that this Resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code; and

WHEREAS, the Authority has determined that the issuance of the Bonds to finance a portion of the Project will not be inconsistent with its mandates under the Ordinances, the County Resolution and Act; and

WHEREAS, the Borrower will own. operate and maintain the Project in accordance with the applicable laws and regulations of the State of Florida and the County; and

WHEREAS, under no circumstances will the Bonds ever constitute a debt or moral obligation of the County or the State of Florida (the "State") and no property, assets or taxing power of the County or the State are pledged in any respect for the payment of the Bonds; and

WHEREAS, the Bonds will be payable solely from the revenues derived from the operation of the Project, and secured by a first lien mortgage granted by the Borrower on the Project; and

WHEREAS, the interest rates on the Bonds will not exceed the maximum rate permitted under the laws of the State; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. That the recitals set forth above are adopted by the Board as the findings of the County and are incorporated herein.

SECTION 2. That the issuance of the Bonds is hereby approved within the meaning of Section 147(f) of the Code and Section 6 of Manatee County Ordinance Nos. 79-6 and 91-40.

SECTION 3. That this Resolution shall be effective immediately upon its adoption.

SECTION 4. That this Resolution shall not constitute any other approval that may be required in connection with the Project or the Bonds.

PASSED AND ADOPTED in regular session on this 20th day of October, 2026.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

ATTEST:

By: _____
Angelina Colonnesco
Clerk of the Circuit Court and
Comptroller for Manatee County,
Florida

By: _____
Chairperson

NOTICE OF PUBLIC HEARING

The Housing Finance Authority of Manatee County, Florida (the "Authority") will hold a public hearing on September 8, 2026, at 1:30 p.m., at 435 12th Street West, 2nd Floor Conference Room, Bradenton, Florida with respect to the proposed issuance by the Authority of its approximately $22,000,000 Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th) (the "Bonds") in one or more series. The Bonds will be issued for the principal purposes of (i) financing the acquisition, construction, equipping and development of a 108-unit multifamily housing project known as "Flats at 5th," (the "Project") owned by ECG Fifth Street, LP, a Florida limited partnership (the "Company") or a related entity, and (ii) paying costs and expenses associated with the issuance of the Bonds.

The location of the project to be financed by the Bonds is 4010 5th Street East, Bradenton, Florida 34208. The Bonds shall be payable solely from the revenues derived from the operation of the Project. Such Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the Authority, Manatee County, the State of Florida or any political subdivision or agency thereof. The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted to the Authority prior to the hearing by delivery to Angela A. Abbott, Attorney/Administrator, Housing Finance Authority of Manatee County, Florida, 435 12th Street West, Suite 117, Bradenton, Florida 34205 or by email to abbott@manateehfa.org

ALL PERSONS FOR OR AGAINST SAID APPROVAL CAN BE HEARD AT SAID TIME AND PLACE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO SUCH HEARING OR MEETING, (S)HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF SUCH HEARING OR MEETING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

In accordance with the Americans with Disabilities Act persons needing a special accommodation to participate in this proceeding should contact the Authority's office no later than seven days prior to the proceeding at the address given in this notice. Telephone: (877) 264-0334.

By order of the Housing Finance Authority of Manatee County, Florida.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

/s/ Richard M. Pierro
Chairman

EXHIBIT A

NOTICE AFFIDAVIT

I, Angela A. Abbott, Esquire, attorney for the Housing Finance Authority of Manatee County, Florida (the "Authority") do hereby affirm that the documents attached hereto as Schedule 1 and Schedule 2 represent (a) a screen shot showing notice of the Authority's TEFRA public hearing scheduled for September 8, 2026, which notice was placed on the Authority's website on August 25, 2026, and (b) a screen shot showing said notice of public hearing as displayed on the Manatee County website as of August 27, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of September, 2026.



Angela A. Abbott, Esq.

SCHEDULE 1

Housing Finance Authority of Manatee County, Florida

Notices of Public Hearings

NOTICE OF PUBLIC HEARING

The Housing Finance Authority of Manatee County, Florida (the "Authority") will hold a public hearing on September 8, 2026, at 1:30 p.m., at 435 12th Street West, 2nd Floor Conference Room, Bradenton, Florida with respect to the proposed issuance by the Authority of its approximately $22,000,000 Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th) (the "Bonds") in one or more series. The Bonds will be issued for the principal purposes of (i) financing the acquisition, construction, equipping and development of a 108-unit multifamily housing project known as "Flats at 5th," (the "Project") owned by ECG Fifth Street, LP, a Florida limited partnership (the "Company") or a related entity, and (ii) paying costs and expenses associated with the issuance of the Bonds.

The location of the project to be financed by the Bonds is 4010 5th Street East, Bradenton, Florida 34208. The Bonds shall be payable solely from the revenues derived from the operation of the Project. Such Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the Authority, Manatee County, the State of Florida or any political subdivision or agency thereof. The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted to the Authority prior to the hearing by delivery to Angela A. Abbott, Attorney/Administrator, Housing Finance Authority of Manatee County, Florida, 435 12th Street West, Suite 117, Bradenton, Florida 34205 or by email to abbott@manateehfa.org.

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In accordance with the Americans with Disabilities Act persons needing a special accommodation to participate in this proceeding should contact the Authority's office no later than seven days prior to the proceeding at the address given in this notice. Telephone: (877) 264-0334.

By order of the Housing Finance Authority of Manatee County, Florida.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

/s/ Richard M. Perry

Chairman

The Housing Finance Authority of Manatee County, Florida (the "Authority") will hold a public hearing on

NOTICE OF PUBLIC MEETING

NOTICE IS HEREBY GIVEN that the Housing Finance Authority of Manatee County, Florida, will meet on Tuesday, September 8, 2026, at 435 12th Street West, 2nd Floor Conference Room, Bradenton, Florida, at 1:30 p.m. to discuss matters of the Authority as it deems appropriate. All interested parties are invited to attend in person or by conference call by dialing 1-877-304-9269, passcode 534542.

Persons are advised that, if they decide to appeal any decision made at any of these meetings, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The needs of hearing or visually impaired persons, or those requiring special arrangements, shall be met if the Authority is contacted at least 48 hours prior to the public meeting by any person requiring assistance. For further information contact Angela A. Abbott, Attorney for the Authority at (877) 264-0334.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

NOTICE OF APPLICATION

NOTICE OF APPLICATION FOR APPOINTMENT TO HOUSING FINANCE AUTHORITY

Manatee County Government is seeking local qualified citizens to serve on the Housing Finance Authority. The purpose of the Housing Finance Authority is to assist in the alleviation of the shortage of affordable housing by providing financing through the issuance of revenue bonds and other programs. This board is voluntary and members are appointed by the Board of County Commissioners for four year terms. Applications are currently being accepted for one position for a person who is knowledgeable in the labor, finance or commerce field.
Applications are available online at. https://www.mymanatee.org/Home/Home/Forms-Listing?q=2/Horn:-details/advisory boardapplication

Posted to HFA website 8-25-26

SCHEDULE 2

September 8, 2026 - Notice of Public Hearing for Flat at 5th Project

NOTICE OF PUBLIC HEARING

The Housing Finance Authority of Manatee County, Florida (the "Authority") will hold a public hearing on September 8, 2026, at 1:30 p.m., at 435 12th Street West, 2nd Floor Conference Room, Bradenton, Florida with respect to the proposed issuance by the Authority of its approximately $22,000,000 Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th) (the "Bonds") in one or more series. The Bonds will be issued for the principal purposes of (i) financing the acquisition, construction, equipping and development of a 108-unit multifamily housing project known as "Flats at 5th," (the "Project") owned by ECG Fifth Street, LP, a Florida limited partnership (the "Company") or a related entity, and (ii) paying costs and expenses associated with the issuance of the Bonds.

The location of the project to be financed by the Bonds is 4010 5th Street East, Bradenton, Florida 34208. The Bonds shall be payable solely from the revenues derived from the operation of the Project. Such Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the Authority, Manatee County, the State of Florida or any political subd vision or agency thereof. The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted to the Authority prior to the hearing by delivery to Angela A. Abbott, Attorney/Administrator, Housing Finance Authority of Manatee County, Florida, 435 12th Street West, Suite 117, Bradenton, Florida 34205 or by email to abbott@manateehfa.org

ALL PERSONS FOR OR AGAINST SAID APPROVAL CAN BE HEARD AT SAID TIME AND PLACE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO SUCH HEARING OR MEETING, (S)HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF SUCH HEARING OR MEETING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

In accordance with the Americans with Disabilities Act persons needing a special accommodation to participate in this proceeding should contact the Authority's office no later than seven days prior to the proceeding at the address given in this notice. Telephone: (877) 264-0334.

By order of the Housing Finance Authority of Manatee County, Florida.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

/s/ Richard M. Pierro

Chairman

Date Published: August 27, 2026

Website County posting Flats at 5th 8-27-26

Approved in Open Session 10/20/26
Manatee County
Board of County Commissioners

October 20, 2026 - Regular Meeting

Subject
Adoption of Resolution R-26-141 on behalf of the Housing Finance Authority of Manatee County (the "Authority"), approving the issuance within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended, of the Authority's Multifamily Housing Revenue Bonds (Flats at 5th Project), in the principal amount of not to exceed $22,000,000 (the "Bonds"), Angela A. Abbott, Attorney for Housing Finance Authority of Manatee County

Category
CONSENT AGENDA

Briefings
None

Contact and/or Presenter Information
Angela A. Abbott, Attorney for Housing Finance Authority of Manatee County, 877-264-0334
Deborah Ash, Housing and Community Development Coordinator, ext. 3478
Helena Yeatman, Affordable Housing Development Coordinator, ext. 6296

Action Requested
Adoption of Resolution R-26-141.

Enabling/Regulating Authority
Section 147(f) of the Internal Revenue Code of 1986, as amended, Chapter 125 and 159 of Florida Statutes, and all other applicable provisions of law.

Applicable Advisory Board
N/A

Background Discussion
This agenda item has been placed on the agenda by the Department of Community and Veterans Services at the request of the Authority. A representative of the Authority and the applicant will be present at the meeting to address questions or comments of the Board and the public.

The Authority was created pursuant to Part IV, Chapter 159, Florida Statutes (the "Act") and Manatee County Ordinances 79-6 and 91-40 (collectively, the "Ordinances"). The Board adopted a resolution on October 30, 1979 declaring a need for the Authority to function in order to alleviate the shortage of housing and capital investment in affordable

housing within the County. The Authority is authorized pursuant to the Act and Ordinances to issue multi-family housing revenue bonds to provide affordable housing to low, moderate or middle income tenants.

ECF Fifth Street, LP, a Florida limited partnership, submitted an application to the Authority for the Authority to issue Bonds in the initial principal amount of $22,000,000 in tax-exempt bonds to finance the acquisition, construction, equipping and development of a 108 unit affordable multifamily apartment project known as "Flats at 5th Project," located at 4010 5th Street East, Bradenton, Florida 34208, Manatee County (the "Project"). The Project consists of 28 two bedroom/2 bath, 66 three bedroom/2 bath and 14 four bedroom/2bath apartments for families. The tenants' income will be limited as follows: 100% at 60% Area Median Income. The affordability period will be a minimum of 99 years.

On September 8, 2026, the Authority held a public hearing regarding the proposed financing of the Project through the issuance by the Authority of the Bonds, as required by Section 147(f) of the Internal Revenue Code of 1986. There was no public comment received at the public hearing. Therefore, no formal public hearing is required for the Board to adopt the Resolution. The requested action is subject to public comment. In order to issue tax exempt bonds for the Project, the Authority must either apply for and receive allocation from the Florida Division of Bond Finance, or utilize carryforward allocation from prior years.

Attorney Review
Other (Requires explanation in field below)
Not Reviewed. The Resolution was prepared and reviewed by the Authority's Bond Counsel, Nabors Giblin & Nickerson, P.A.

Instructions to Board Records
Please ensure the Chairperson signs page 3 of the Resolution.
Please provide one (1) signed copy of the Resolution to Deborah Ash, Housing and Community Development Coordinator, and Helena Yeatman, Affordable Housing Development Coordinator. Please also provide a courtesy copy of the executed resolution by email to Angela A. Abbott, Attorney for the Housing Finance Authority (angela@angelaabbott.com).
Distributed 10/21/26, RT

Cost and Funds Source Account Number and Name
N/A

Amount and Frequency of Recurring Costs
N/A

RESOLUTION NO. 2026-10

RESOLUTION REGARDING THE OFFICIAL ACTION OF THE HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA RELATIVE TO THE ISSUANCE OF NOT TO EXCEED $22,000,000 IN INITIAL PRINCIPAL AMOUNT OF ITS MULTIFAMILY HOUSING REVENUE BONDS, SERIES 2026 (FLATS AT 5TH) FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING, AND DEVELOPING A MULTIFAMILY RESIDENTIAL HOUSING FACILITY FOR PERSONS OR FAMILIES OF LOW, MIDDLE OR MODERATE INCOME; FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BY AND BETWEEN THE AUTHORITY AND ECG FIFTH STREET, LP; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, ECG Fifth Street, LP, a Florida limited partnership (the "Company") has applied to the Housing Finance Authority of Manatee County, Florida (the "Authority") to (i) issue its Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th) in a principal amount not to exceed $22,000,000 (the "Bonds") for the purpose of financing a portion of the costs of the acquisition, construction, equipping and development of a 108-unit multifamily residential housing facility known as "Flats at 5th" for persons or families of low, middle or moderate income, to be located in Manatee County, Florida (the "Project"), and (ii) to loan the proceeds of the Bonds to the Company pursuant to Chapter 159, Part IV, Florida Statutes, or such other applicable provision or provisions of Florida law (the "Act"); and

WHEREAS, subject to the terms set forth herein and in the Memorandum of Agreement attached hereto as Exhibit A, the Company has requested that the Authority make a determination to issue the Bonds under the Act in one or more issues or series not exceeding an aggregate principal amount of $22,000,000 and to loan the proceeds thereof available to finance a portion of the Project under a project loan agreement or other financing agreement which will provide that payments thereunder be at least sufficient to pay the principal of and interest and redemption premium, if any, on such Bonds, and such other costs in connection therewith as may be incurred by the Authority, to assist the Company and promote the purposes provided in the Act; and

WHEREAS, the Company has reviewed the Memorandum of Agreement relating to the issuance of the Bonds, attached hereto; and

WHEREAS, in order to satisfy certain of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, the Authority will on this date hold a public hearing on the proposed issuance of the Bonds for the purposes herein stated, which date is at least 7

days following the publication of a notice of such public hearing as required by law (an affidavit regarding the publication of such notice is attached hereto as Exhibit B). Such public hearing, which will occur prior to the adoption of this Resolution, will be conducted in a manner that provides a reasonable opportunity for persons with differing views to be heard, both orally and in writing, on both the issuance of such Bonds and the location and nature of the portion of the Project to be financed with the proceeds therefrom; and

WHEREAS, it is intended that this Resolution shall constitute official action toward the issuance of the Bonds within the meaning of the Internal Revenue Code of 1986, as amended, and applicable United States Treasury Regulations.

IT IS, THEREFORE, DETERMINED AND RESOLVED BY THE HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA, THAT:

1. **APPROVAL OF THE PROJECT.** The acquisition, construction, equipping and development of the Project and the financing thereof by the Authority through the issuance of the Bonds, pursuant to the Act, will promote the health and welfare of the citizens of Manatee County, Florida, and will thereby serve the public purposes of the Act.

2. **EXECUTION AND DELIVERY OF THE MEMORANDUM OF AGREEMENT.** The Chairman or any Vice Chairman of the Authority hereby are authorized and directed to execute, for and on behalf of the Authority, the Memorandum of Agreement attached hereto as Exhibit A between the Authority and the Company providing understandings relative to the proposed issuance of the Bonds by the Authority to finance a portion of the Project in an aggregate principal amount of not to exceed $22,000,000.

3. **AUTHORIZATION OF THE BONDS.** Subject to the terms and conditions set forth herein and in the Memorandum of Agreement attached hereto, there is hereby authorized to be issued and the Authority hereby determines to issue the Bonds, if so requested by the Company, in one or more issues or series in an aggregate principal amount not to exceed of $22,000,000 for the purpose of financing a portion of the Project described in such Memorandum of Agreement. The Bonds shall be designated the "Housing Finance Authority of Manatee County, Florida Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th)".

4. **RECOMMENDATION FOR APPROVAL TO BOARD OF COUNTY COMMISSIONERS.** The Authority hereby recommends that the Board of County Commissioners of Manatee County, Florida (the "Board") approve the issuance of the Bonds and the financing of the Project. The Authority hereby directs the Chairman, any Vice Chairman or the Authority's Counsel, either alone or jointly, at the expense of the Company, to seek approval for the issuance of the Bonds and the financing of the Project by the Board as the applicable elected representatives of Manatee County, Florida, under and pursuant to the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended.

5. **GENERAL AUTHORIZATION.** The Chairman, the 1st Vice Chairman, 2nd Vice Chairman and 3rd Vice Chairman, the Secretary-Treasurer and counsel for the Authority

hereby are further authorized to proceed, upon execution of the Memorandum of Agreement, with the undertakings provided for therein on the part of the Authority and are further authorized to take such steps and actions as may be required and necessary in order to cause the Authority to issue the Bonds subject to the terms and conditions set forth herein and in the Memorandum of Agreement authorized hereby.

6. **AFFIRMATIVE ACTION.** This resolution is an affirmative action of the Authority toward the issuance of the Bonds, as contemplated in said Memorandum of Agreement, in accordance with the purposes of the laws of the State of Florida and the applicable United States Treasury Regulations with respect to the Bonds.

7. **APPROVAL OF NOTICE OF PUBLIC HEARING.** The form of notice of public hearing, as evidenced by the affidavit attached hereto as Exhibit B, is hereby ratified and confirmed.

8. **APPOINTMENT OF COUNSEL.** The firm of Nabors, Giblin & Nickerson, P.A. is duly appointed Bond Counsel in connection with the issuance of the Bonds. Angela A. Abbott, P.A., is duly appointed Issuer's Counsel.

9. **LIMITED OBLIGATIONS.** The Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the Authority, Manatee County, the State of Florida or any other political subdivision or agency thereof but shall be payable solely from the revenue pledged therefor pursuant to a project loan agreement or other financing agreement entered into by and between the Authority and the Company prior to or contemporaneously with the issuance of the Bonds.

10. **LIMITED APPROVAL.** The approval given herein shall not be construed as an approval of any necessary zoning applications nor for any other regulatory permits relating to the Project, and the Authority shall not be construed by reason of its adoption of this Resolution to have waived any right of the County and/or of any city in which the proposed Project is to be located or to have estopped the County and/or such city, if any, from asserting any rights or responsibilities it may have in that regard. In addition, this Resolution and the Memorandum of Agreement attached hereto as Exhibit A are conditioned upon and subject to: (1) the determination by the Authority, in its sole and absolute discretion, that it is in the best interests of the Authority and the residents of Manatee County, Florida, to use the tax exempt volume cap allocation potentially available to the Authority to issue the Bonds; (2) receipt of the necessary volume cap tax exempt allocation from the State of Florida Division of Bond Finance; (3) receipt of the approval of the Project and the proposed financing of the Project by the Authority; (4) the ownership and control of the Company and its principals not varying more than five (5%) percent from what has been represented to the Authority in the Company's Application (excluding the admission of a tax-credit limited partner and as otherwise specifically approved by the Authority); (5) the number of multi-family units to be constructed by the Company not decreasing by more than five (5%) percent from the 108 units referenced in the Company's Application; and (6) the closing of the Bonds occurring on or before the date specified in any assigned volume cap allocation from the State of Florida Division of Bond

Finance, unless extended by the Authority in its sole and absolute discretion. In the event that any of the foregoing events shall not take place, if applicable, or shall occur or take place, if applicable, it shall operate as a termination of this Resolution and the Memorandum of Agreement.

11. **BOND ALLOCATION.** Upon a determination by the Authority as set forth in the Memorandum of Agreement to request private activity allocation with respect to such Bonds, the Chairman, 1st Vice Chairman, 2nd Vice Chairman, 3rd Vice Chairman or Authority's Counsel are hereby authorized to execute all necessary documents for obtaining and preserving a private activity bond allocation from the State of Florida, Division of Bond Finance upon request by the Company.

This Resolution shall take effect immediately.

ADOPTED this 8th day of September, 2026.

(SEAL)

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

ATTEST:

By: _____
Secretary-Treasurer

By: _____
Chairman

EXHIBIT A

MEMORANDUM OF AGREEMENT FOR ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS

This Agreement between the Housing Finance Authority of Manatee County, Florida (the "Authority"), a body corporate and politic of the State of Florida and ECG Fifth Street, LP, a Florida limited partnership (the "Company").

W I T N E S S E T H:

1. **PRELIMINARY STATEMENT.** Among the matters of mutual understanding which have resulted in the execution of this Memorandum of Agreement are the following:

(a) The Florida Housing Finance Authority Law (Chapter 159, Part IV, Florida Statutes), as amended, and other provisions of applicable law (the "Act") and the policies and procedures of the Authority in effect on the date hereof (herein "Authority Guidelines") provides that the Authority may issue its revenue bonds and notes and loan the proceeds thereof to one or more persons, firms or private corporations, or use such proceeds to defray the cost of acquiring, by purchase or construction, certain qualifying facilities.

(b) The Company is considering acquiring, constructing, equipping and developing a 108-unit multifamily residential housing facility known as Flats at 5th for persons or families of low, middle or moderate income (the "Project") to be located within the boundaries of Bradenton, Manatee County, Florida. It is estimated that the cost of the acquisition, construction, equipping and development of the Project will be in excess of $22,000,000.

(c) The Authority intends this Memorandum of Agreement to constitute its official binding commitment, subject to the terms and conditions set forth herein and in the Resolution authorizing the Authority to enter into this Memorandum of Agreement, to issue its Multifamily Housing Revenue Bonds in a principal amount not to exceed of $22,000,000 (the "Bonds") in one or more series or issues pursuant to the Act and Authority Guidelines in an amount to be agreed upon by the Authority and the Company and to loan the proceeds thereof to the Company, and to use such proceeds to finance a portion of the cost of acquiring, constructing, equipping and developing the Project, including all costs incurred in connection with the issuance of the Bonds by the Authority, up to an amount not to exceed $22,000,000.

(d) The Authority considers the issuance and sale of the Bonds, for the purpose hereinabove set forth, consistent with the objectives of the Act. This commitment is an affirmative official action of the Authority toward the issuance of the Bonds as herein contemplated in accordance with the purposes of the Act, the Internal Revenue Code of 1986, as amended, and the applicable United States Treasury Regulations.

2. **UNDERTAKINGS ON THE PART OF THE AUTHORITY.** Subject to the terms and conditions set forth herein and in the Authority's Resolution dated September 8, 2026

(the "Inducement Resolution") authorizing the Authority to enter into this Memorandum of Agreement, the Authority agrees as follows:

(a) The Authority will authorize the issuance of the Bonds in the aggregate principal amount necessary and sufficient to finance a portion of the cost of acquiring, constructing, equipping and developing the Project as the Authority and the Company shall agree in writing, but in all events, the principal amount of such Bonds shall not exceed $22,000,000.

(b) The Authority will cooperate with the Company and purchaser(s) of the Bonds and the Authority's Counsel with respect to the issuance and sale of the Bonds and will take such further action and authorize the execution of such documents as shall be mutually satisfactory to the Authority and the Company for the authorization, issuance and sale of such Bonds and the use of the proceeds thereof to finance the cost of acquiring, constructing, equipping and developing the Project.

(c) Such actions and documents may permit the issuance from time to time in the future of additional Bonds on terms which shall be set forth therein, whether pari passu with the Bonds, for the purpose of defraying the cost of completion, enlargements, improvements and expansion of the Project, or any segment thereof, or refunding of the Bonds.

(d) The project loan or financing agreement(s) (the "Project Loan Agreement") among the Authority, the Company and the fiscal agent (or trustee) shall, under the terms agreed upon by the parties, provide for payments to be made by the Company in such sums as shall be necessary to pay the amounts required under the Act, including the principal of and interest and redemption premium, if any, on the Bonds, as and when the same shall become due and payable.

(e) In authorizing the issuance of the Bonds, the Authority will make no warranty, either expressed or implied, that the proceeds of the Bonds will be sufficient to pay all costs of acquiring, constructing, equipping and developing the Project, or that those facilities encompassed by the Project will be suitable for the Company's purposes or needs.

(f) The Bonds shall specifically provide that they are payable solely from the revenues derived from the applicable Project Loan Agreement or other agreements approved by the Authority, except to the extent payable out of amounts attributable to Note proceeds. The Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit of the Authority, Manatee County, or of the State of Florida, or any other political subdivision of the State of Florida and such fact shall be plainly stated on the face of the Bonds.

(g) Due to the tax exempt volume cap limitations established by the State of Florida on the issuance of tax exempt obligations, the Authority reserves the right, in its sole and absolute discretion, to determine if, in what amount, and when to file a Request for Allocation for the Project with the State of Florida Division of Bond Finance. Subject to the foregoing, at any time after receipt of this Memorandum of Agreement properly executed by the Company (but before the expiration date), the Authority may file with the State of Florida

Division of Bond Finance a Request for Allocation. Nothing contained herein shall be deemed to be a guarantee of the tax-exempt private activity allocation for the Company's Project.

(h) The Company has advised the Authority of the need to proceed timely to develop the Project. In that regard, assuming that the proposed financing of the Project and other matters are ultimately worked out and acceptable to the Authority, including a satisfactory third-party credit underwriting review, the Authority is desirous of assisting the Company in the financing of the Project. Accordingly, the Authority is entering into this Memorandum of Agreement so as to assist the Company in obtaining its financing for the Project. However, it is specifically understood and agreed by the Authority and the Company that the Authority, in its sole discretion, reserves the right not to issue the Bonds if it does not ultimately approve the financing, including approval of the financing documents.

(i) Nabors, Giblin & Nickerson, P.A., Bond Counsel, has, upon review of the Company's application, determined that the Project is suitable for tax-exempt financing.

3. **UNDERTAKINGS ON THE PART OF THE COMPANY.** Subject to the terms hereof, the Company acknowledges and agrees as follows:

(a) Although the Authority has approved the proposed Project, it has reserved the right, in its sole and absolute discretion, to determine whether or not to proceed with the issuance of the Bonds as set forth in Section 2(h) above. The Company acknowledges, understands and agrees that the Authority retains said right.

(b) Unless the volume cap received is turned into carry-forward, the Company has been advised that the State of Florida has adopted rules and regulations regarding the use of allocations and requires that an issuer issue its Bonds in substantially the entire amount of the allocation within one hundred and fifty-five (155) days from the date of the granting of an allocation, unless it is extended under certain circumstances.

(c) The Company will use reasonable efforts to ensure that the Bonds in the aggregate principal amount as stated above are timely sold; provided, however, that the terms of such Bonds and of the sale and delivery thereof shall be mutually satisfactory to the Authority and the Company.

(d) Prior to the issuance of the Bonds in one or more series or issues from time to time as the Authority and the Company shall agree in writing, the Company will enter into the applicable Project Loan Agreement with the Authority, the terms of which shall be mutually agreeable to the Authority and Company, providing for the loan or use of the proceeds of the Bonds, as applicable, to finance a portion of the Project. Such agreement will provide that the Company will be obligated to pay the Authority (or pay to the fiscal agent or trustee for holders of the Bonds on behalf of the Authority, as the case may be) sums sufficient in the aggregate to enable the Authority to pay the principal of and interest and redemption premium, if any, on the Bonds, as and when the same shall become due and payable, and all other reasonable expenses related to the issuance and delivery of the Bonds. The Company will agree

in such documents that if the cost of acquisition and construction of the Project exceeds the amounts allocated therefor, it shall not be entitled to any reimbursement for any such excess either from the Authority, the Bondholders or the fiscal agent for the Bondholders.

(e) The Company shall be responsible for and timely pay the Commitment Fee required by the Authority Guidelines, the issuance fee in effect at the time the Bonds are issued and the reasonable fees and costs of Counsel to the Issuer, the reasonable fees and costs of Bond Counsel to the Authority, the reasonable fees and expenses of the Authority's co-financial advisors, plus such other reasonable fees and costs as may be required.

(f) The Company shall, in addition to paying the amount set forth in the Project Loan Agreement, pay all costs of operation, maintenance, taxes, governmental and other charges that may be assessed or levied against or with respect to the Project.

(g) The Company will hold the Authority free and harmless from any loss or damage and from any taxes or other charges levied or assessed by reason of any mortgaging or other disposition of the Project.

(h) The Company will take such further action as may be required to implement its aforesaid undertakings and as it may deem appropriate in pursuance thereof.

(i) All fees and costs that the Company is required to pay, including but not limited to, the issuance fee, and counsel fees and costs not paid at the time of application shall be paid in full at the time of the sale and delivery of the Bonds.

(j) The number of multi-family units to be constructed by the Company will not decrease more than five (5%) percent from the number of multi-family units that it represented that it would construct in its Application to the Authority that resulted in the issuance of the Inducement Resolution and this Memorandum of Agreement.

(k) The closing of the sale of the Bonds shall occur on or before the expiration date of any assigned tax exempt volume allocation, unless extended by the Authority at its sole and absolute discretion. In the event that the closing on the sale of the Bonds does not occur on or before said time, and the Authority chooses not to extend the closing date, the Company shall have no further rights under this Memorandum of Agreement. Further, in such event, the Authority may apply for and use the tax exempt volume allocation, if available, for the funding of such other multifamily housing projects or single family housing as it deems best serves the interests of the residents of Manatee County, Florida.

(l) The ownership and control of the Company and its principals shall not vary more than five (5%) percent from what has been represented in the Company's Application to the Authority without the prior written consent of the Authority, excluding the admission of a tax-credit limited partner to the Company and as otherwise specifically approved by the Authority.

(m) The Company and its principals shall have fully and timely complied with the terms of the Authority Guidelines, including, but not limited to the timely payment of all fees and costs due to the Authority, its Counsel and its Bond Counsel.

(n) The Company and certain related parties or guarantors as determined by the Authority shall be required to enter into an environmental indemnity and certain other guaranties.

4. **GENERAL PROVISIONS.** All commitments of the Authority under Section 2 hereof and of the Company under Section 3 hereof are subject to the conditions that the following events shall have occurred not later than one hundred and fifty-five days from the date of receipt of a tax exempt volume allocation, or such other date as shall be mutually satisfactory to the Authority and Company:

(a) The Authority shall be lawfully entitled to issue the Bonds as herein contemplated.

(b) The Authority and Company shall have agreed on mutually acceptable terms for the Bonds and the sale and delivery thereof and mutually acceptable terms and conditions of any trust instrument in respect thereto and Project Loan Agreement(s) or other agreements incidental to the financing or referred to in Sections 2 and 3 hereof.

(c) Such other rulings, approvals, consents, certificates of compliance, opinions of counsel and other instruments and proceedings satisfactory to the Company and to the Authority as to such matters with respect to the Bonds the Project, the Project Loan Agreement, a funding loan agreement and any other instrument, as shall be specified by the Company or the Authority, shall have been obtained from such governmental, as well as non-governmental, agencies and entities as may have or assert competence or jurisdiction over or interest in matters pertinent thereto and shall be in full force and effect at the time of issuance of the Bonds.

(d) The Company and the Authority each reserve the absolute right to unilaterally cancel this Memorandum of Agreement at any time prior to the time the Bonds are issued by the Authority upon written notice of cancellation. The Authority Guidelines will govern the treatment of fees already paid by the Company.

(e) If the events set forth in this Section 4 do not take place within the time set forth or any extension thereof, or if the Company exercises its right of cancellation as set forth in this Section 4, the Company agrees that it will reimburse the Authority for all the reasonable and necessary direct or indirect expenses which the Authority may incur at the Company's request arising from the execution of this Memorandum of Agreement, and the performance by the Authority of its obligations hereunder, including legal fees and expenses for counsel to the Authority, the reasonable fees and expenses of the Authority's co-financial advisors and Bond Counsel. In addition, the Authority shall be entitled to keep all fees paid to it pursuant to the Authority Guidelines.

(f) The Company acknowledges that the Authority may, during the time this Memorandum of Agreement is in effect, issue similar "inducement" agreements to other companies for other multifamily housing projects, and/or may issue bonds or notes or participate jointly with other authorities to issue bonds for single family housing. This Memorandum of Agreement will create no priority or rights vis-a-vis subsequent agreements for the issuance of multifamily or single family housing bonds or other indebtedness.

(g) The Authority shall have obtained the consent of the Manatee County Board of County Commissioners as to the issuance of the Bonds. Further, the Authority shall have obtained private activity allocation sufficient to allow the issuance of the Bonds from the State of Florida Division of Bond Finance.

5. **BINDING EFFECT.** All covenants and agreements herein contained by or on behalf of the Authority and the Company shall bind and inure to the benefit of the respective successors and assigns of the Authority and the Company whether so expressed or not.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by their officers thereunder duly authorized as of the 8th day of September, 2026.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

By: _____
Name: Richard M. Pierro
Chairman

ECG FIFTH STREET, LP, a Florida limited partnership

By: ECG Fifth Street GP. LLC, a Florida limited liability company, its general partner

By: _____
Name: C. Hunter Nelson
Title: Managing Member

EXHIBIT B

NOTICE AFFIDAVIT

I, Angela A. Abbott, Esquire, attorney for the Housing Finance Authority of Manatee County, Florida (the "Authority") do hereby affirm that the documents attached hereto as Schedule 1 and Schedule 2 represent (a) a screen shot showing notice of the Authority's TEFRA public hearing scheduled for September 8, 2026, which notice was placed on the Authority's website on August 25, 2026, and (b) a screen shot showing said notice of public hearing as displayed on the Manatee County website as of August 27, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of September, 2026.

Angela A. Abbott, Esq.

Notices of Public Hearings

NOTICE OF PUBLIC HEARING

The Housing Finance Authority of Manatee County, Florida (the "Authority") will hold a public hearing on September 8, 2026, at 1:30 p.m., at 435 12th Street West, 2nd Floor Conference Room, Bradenton, Florida with respect to the proposed issuance by the Authority of its approximately $22,000,000 Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th) (the "Bonds") in one or more series. The Bonds will be issued for the principal purposes of (i) financing the acquisition, construction, equipping and development of a 108-unit multifamily housing project known as "Flats at 5th," (the "Project") owned by ECG Fifth Street, LP, a Florida limited partnership (the "Company") or a related entity, and (ii) paying costs and expenses associated with the issuance of the Bonds.

The location of the project to be financed by the Bonds is 4010 5th Street East, Bradenton, Florida 34208. The Bonds shall be payable solely from the revenues derived from the operation of the Project. Such Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the Authority, Manatee County, the State of Florida or any political subdivision or agency thereof. The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted to the Authority prior to the hearing by delivery to Angela A. Abbott, Attorney/Administrator, Housing Finance Authority of Manatee County, Florida, 435 12th Street West, Suite 117, Bradenton, Florida 34205 or by email to abbott@manateehfa.org

ALL PERSONS FOR OR AGAINST SAID APPROVAL CAN BE HEARD AT SAID TIME AND PLACE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO SUCH HEARING OR MEETING, (S)HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF SUCH HEARING OR MEETING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

In accordance with the Americans with Disabilities Act persons needing a special accommodation to participate in this proceeding should contact the Authority's office no later than seven days prior to the proceeding at the address given in this notice. Telephone: (877) 264-0334.

By order of the Housing Finance Authority of Manatee County, Florida.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

/s/ Richard M. Pierro

Chairman

The Housing Finance Authority of Manatee County, Florida (the "Authority") will hold a public hearing on

NOTICE OF PUBLIC MEETING

NOTICE IS HEREBY GIVEN that the Housing Finance Authority of Manatee County, Florida, will meet on Tuesday, September 8, 2026, at 435 12th Street West, 2nd Floor Conference Room, Bradenton, Florida, at 1:30 p.m. to discuss matters of the Authority as it deems appropriate. All interested parties are invited to attend in person or by conference call by dialing 1-877-304-9269; passcode 554542.

Persons are advised that, if they decide to appeal any decision made at any of these meetings, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The needs of hearing or visually impaired persons, or those requiring special arrangements, shall be met if the Authority is contacted at least 48 hours prior to the public meeting by any person requiring assistance. For further information contact Angela A. Abbott, Attorney for the Authority at (877) 264-0334.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

NOTICE OF APPLICATION

NOTICE OF APPLICATION FOR APPOINTMENT TO HOUSING FINANCE AUTHORITY

Manatee County Government is seeking local qualified citizens to serve on the Housing Finance Authority. The purpose of the Housing Finance Authority is to assist in the alleviation of the shortage of affordable housing by providing financing through the issuance of revenue bonds and other programs. This board is voluntary and members are appointed by the Board of County Commissioners for four year terms. Applications are currently being accepted for one position for a person who is knowledgeable in the labor, finance or commerce field.
Applications are available online at: https://www.mymanatee.org/connect/forms/forms-listing-a-z/form-details/advisory-board-application

SCHEDULE 2

September 8, 2026 - Notice of Public Hearing for Flat at 5th Project

NOTICE OF PUBLIC HEARING

The Housing Finance Authority of Manatee County, Florida (the "Authority") will hold a public hearing on September 8, 2026, at 1:30 p.m., at 435 12th Street West, 2nd Floor Conference Room, Bradenton, Florida with respect to the proposed issuance by the Authority of its approximately $22,000,000 Multifamily Housing Revenue Bonds, Series 2026 (Flats at 5th) (the "Bonds") in one or more series. The Bonds will be issued for the principal purposes of (i) financing the acquisition, construction, equipping and development of a 108-unit multifamily housing project known as "Flats at 5th," (the "Project") owned by ECG Fifth Street, LP, a Florida limited partnership (the "Company") or a related entity, and (ii) paying costs and expenses associated with the issuance of the Bonds.

The location of the project to be financed by the Bonds is 4010 5th Street East, Bradenton, Florida 34208. The Bonds shall be payable solely from the revenues derived from the operation of the Project. Such Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the Authority, Manatee County, the State of Florida or any political subdivision or agency thereof. The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted to the Authority prior to the hearing by delivery to Angela A. Abbott, Attorney/Administrator, Housing Finance Authority of Manatee County, Florida, 435 12th Street West, Suite 117, Bradenton, Florida 34205 or by email to abbott@manateehfa.org

ALL PERSONS FOR OR AGAINST SAID APPROVAL CAN BE HEARD AT SAID TIME AND PLACE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO SUCH HEARING OR MEETING, (S)HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF SUCH HEARING OR MEETING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

In accordance with the Americans with Disabilities Act persons needing a special accommodation to participate in this proceeding should contact the Authority's office no later than seven days prior to the proceeding at the address given in this notice. Telephone: (877) 264-0334.

By order of the Housing Finance Authority of Manatee County, Florida.

HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA

/s/ Richard M. Pierro

Chairman

Date Published: August 27, 2026

Website County posting Flats at 5th 8-27-26

REPORT OF
HOUSING FINANCE AUTHORITY OF MANATEE COUNTY

REPORT REGARDING PUBLIC HEARING

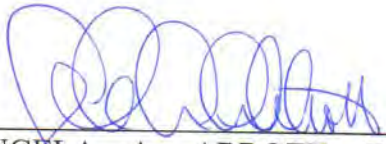
The Housing Finance Authority of Manatee County (the "Authority") conducted a public hearing on the proposed issuance by the Authority of not to exceed $22,000,000 in Multifamily Housing Revenue Bonds, (Flats at 5th Project).

The public hearing was held on September 8, 2026, commencing at 1:30 p.m. and closing at 1:31 p.m., in the second floor Conference Room at 435 12th Street West, Bradenton, Florida, pursuant to the notice of such hearing which was published on August 25, 2026, on the Authority's website and on August 27, 2026, on the County's website. A copy of the Affidavit as to publication of notice is attached to the Authority's Resolution No. 2026-10 as Exhibit B. Interested individuals were given the opportunity to express their views, both orally and in writing.

The following numbers of people attended the hearing or submitted written comments and were in favor of or opposed to the proposed issuance of the Bonds or the nature or location of the project to be financed with the Bonds:

Number of people in attendance:	18
Number of written comments:	0
Number of people in favor:	0
Number of people opposed:	0

Respectfully submitted this 8th day of September, 2026.



ANGELA A. ABBOTT, ESQUIRE,
Attorney for the Housing Finance Authority of Manatee County