



IOWA FINANCE
AUTHORITY

**Board Meeting
Tentative Agenda
March 9, 2016, 11:00 a.m.**

**Presentation Room
2015 Grand Ave.
Des Moines, Iowa**

I. Consent Agenda

- Approval of Minutes of the February 3, 2016, IFA Board Meeting
- AG 16-004A, John P. and Melinda S. Skow
- AG 16-005A, Scott C. and Chelsey A. Dannielson
- AG 16-006A, Travis L. and Jamie D. Miller
- AG 16-007-IA, Chad A. and Kristal A. Rave
- AG 16-009A Lucas R. and Lindsay Dinkla
- AG 16-010A, Matthew R. and Jennifer M. Ries
- AG 16-011A, Aaron P. Benson
- AG-LP 16-03, Loan Participation Program
- AG-TC 16-03, Beginning Farmer Tax Credit Program
- ED 16-01A, Pheasant Ridge Project
- ED 16-02A, UnityPoint Health Project
- ED 16-03A, Care Initiatives Project
- WQ 16-05, SRF Construction Loans

II. Housing Iowa

- Resolution HI 16-03, Low-Income Housing Tax Credit, 2016 Funding Round
- Resolution HI 16-04, SHTF Project-Based Housing Award
- Resolution HI 16-05, SHTF Project-Based Housing Awards

III. Administration

- ◆ Executive Director's Report
- **Accounting and Finance**
 - ◆ January Financial Statement
 - ◆ FIN 16-04, Resolution Authorizing Engagement of Auditor
- **Legal**
 - ◆ Adopted and Filed, Chapter 9
 - ◆ IFA Participation in Class Action Refund: Kragnes v. City of Des Moines
- **Communications**
- **Legislative Update**

IV. Community Development

- **Iowa Agriculture Development Division**
 - ◆ AG 16-004B, John P. and Melinda S. Skow
 - ◆ AG 16-005B, Scott C. and Chelsey A. Dannielson
 - ◆ AG 16-006B, Travis L. and Jamie D. Miller
 - ◆ AG 16-007-IB, Chad A. and Kristal A. Rave
 - ◆ AG 16-009B Lucas R. and Lindsay Dinkla
 - ◆ AG 16-010B, Matthew R. and Jennifer M. Ries
 - ◆ AG 16-011B, Aaron P. Benson
- **Economic Development**
 - ◆ ED 15-17B, Drake West Village Project
 - ◆ ED 364K, Village Court Associates Project

V. Iowa Title Guaranty

- Transfer of Funds

VI. Miscellaneous Items

- Receive Comments from General Public – 5 min./person; 30 min. total time

VII. Adjournment

Items on the consent agenda may be removed from the consent agenda for separate consideration at the request of any Board member. Agenda items may be taken out of order at the discretion of the Board Chair.



TELEPHONIC BOARD MEETING MINUTES

**Iowa Finance Authority
2015 Grand Ave
Des Moines, Iowa
February 3, 2016**

Board Members Present

Ruth Randleman, Chair
Darlys Baum
Jane Bell
Shaner Magalhães

Joan Johnson
Jeff Heil
Eric Peterson
David Greenspon

Board Members Absent

Michel Nelson

Staff Members Present

David Jamison, Executive Director
Jess Flaherty, Executive Assistant/
Recording Secretary
Lori Beary, Chief Community Development
Officer
Cindy Harris, Chief Financial Officer

Carolann Jensen, Chief Programs Officer
Katie Kulisky, LIHTC Administrative Assistant
Wes Peterson, Director of Government Relations
Mark Thompson, General Counsel
Dave Vaske, LIHTC Manager
Steve Harvey, Accounting Director

Others Present

David Grossklaus, Dorsey & Whitney

Call to Order

Chair Randleman called to order the February 3, 2016, regular monthly meeting of the Iowa Finance Authority (IFA) Board of Directors at 11:02 a.m. Roll call was taken, and a quorum was established with the following Board members present: Randleman, Baum, Heil, Johnson, Magalhães, Bell, and Greenspon.

Chair Randleman stated that the meeting was being held electronically, by telephone, due the inability of Board members meeting in person due to conflicting schedules.

Consent Agenda

Chair Randleman introduced the consent agenda and asked if anyone wanted to request items be removed.

MOTION: There being no objections, Mr. Greenspon made a motion to approve the items on the consent agenda, which included the following:

- Approval of Minutes of the January 6, 2016, IFA Board Meeting
- December Financial Statement
- AG 16-001A, Daniel W. and Lauren B. Welter
- AG 16-002A, Michael J. and Renee C. Telfer
- AG 16-003A, Jeffrey A. and Darian Graff
- 04485M, Ramon J. and Heather Gilroy
- AG-LP 16-02, Loan Participation Program
- AG-TC 16-02, Beginning Farmer Tax Credit Program
- WQ 16-02, SRF Planning and Design Loans
- WQ 16-03, Loan for INHF, Butler County, O'Regan Property
- WQ 16-04, SRF Construction Loans

On a second by Mr. Magalhães, a roll call vote was taken with the following results: **YES:** Baum, Bell, Greenspon, Heil, Johnson, Magalhães and Randleman. **NO:** None. **ABSTAIN:** None. The motion passed unanimously.

Administration

ACCOUNTING AND FINANCE

FIN 16-03, Adoption and Approving Series Resolutions and Authorizing the Issuance, Sale, and Delivery of Single Family – Mortgage Bonds (“1991 Indenture”), 2016 Series A, B and C (“2016 Bonds”)

Ms. Harris introduced the resolution and gave background information regarding the need for Single Family Mortgage Bonds. Ms. Harris requested Board action on FIN 16-03.

MOTION: Ms. Baum made a motion to approve FIN 16-03. On a second by Mr. Greenspon, a roll call vote was taken with the following results: **YES:** Baum, Bell, Greenspon, Heil, Johnson, Magalhães and Randleman. **NO:** None. **ABSTAIN:** None. The motion passed unanimously.

Mr. Peterson joined the board meeting telephonically at 11:08 a.m.

SF 2016 ABC Budget Amendment

Mr. Harvey requested an amendment to the FY 2016 budget to reduce the net income. He reported that this amendment was in anticipation of the SF 2016 ABC bond issue. Mr. Harvey stated that this amendment is contingent on the execution of the related bond transaction.

MOTION: Ms. Bell made a motion to approve the SF 2016 ABC Budget Amendment. On a second by Mr. Greenspon, a roll call vote was taken with the following results: **YES:** Baum, Bell, Greenspon, Heil, Johnson, Magalhães, Peterson and Randleman. **NO:** None. **ABSTAIN:** None. The motion passed unanimously.

HousingIowa

HI 16-02, Request for Exception to Unit Cost Cap: Heartland Senior

Mr. Vaske introduced the resolution and stated that the developer was requesting an exception to the cost cap. He stated that the project was awarded 9% tax credits under the 2012 QAP and that the QAP does allow for exceptions if there are extenuating circumstances. Mr. Vaske did not recommend approval of the resolution.

MOTION: Mr. Greenspon made a motion to approve the HI 16-02. On a second by Ms. Baum, a roll call vote was taken with the following results: **YES**: None. **NO**: Baum, Bell, Greenspon, Heil, Johnson, Magalhães, Peterson and Randleman. **ABSTAIN**: None. The motion failed.

Community Development

IOWA AGRICULTURAL DEVELOPMENT DIVISION (IADD)

AG 16-001B, Daniel W. and Lauren B. Welter

AG 16-002B, Michael J. and Renee C. Telfer

AG 16-003B, Jeffrey A. and Darian Graff

Ms. Beary introduced the resolutions for the IADD and asked for Board action.

MOTION: Ms. Bell made a motion to approve AG 16-001B, AG 16-002B, and 16-003B. On a second by Mr. Greenspon, a roll call vote was taken with the following results: **YES**: Baum, Bell, Greenspon, Heil, Johnson, Magalhães, Peterson and Randleman. **NO**: None. **ABSTAIN**: None. The motion passed unanimously.

Miscellaneous

Receive Comments from General Public

Chair Randleman opened the public comment period and asked if anyone in the audience would like to address the Board.

No members of the audience requested to speak. Chair Randleman closed the public comment period.

Adjournment

On a motion by Ms. Bell and a second by Mr. Heil, the February 3, 2016, regular monthly meeting of the IFA Board of Directors adjourned at 11:25 a.m.

Dated this 9th day of March 2016.

Respectfully submitted:

Approved as to form:

David D. Jamison
Executive Director/Board Secretary

Ruth Randleman, Chair
Iowa Finance Authority



IOWA FINANCE
AUTHORITY

To: IFA Board of Directors
From: Tammy Nebola, Iowa Ag Program Specialist
Lori Beary, Community Development Director
Date: February 29, 2016
Re: Iowa Agricultural Division Beginning Farmer Loan Program

Consent Agenda
Iowa Agricultural Development Division
Inducement Resolutions

AG 16-004 John P. and Melinda S. Skow

This is an application for \$160,000 of Agricultural Development Revenue Bonds for John P. and Melinda S. Skow. The bond will be used: To purchase approximately 40 acres of agricultural land in Humboldt County. The lender is Bank Iowa in Humboldt.

- **Need Board action on Resolution AG 16-004A**

AG 16-005 Scott C. and Chelsey A. Danielson

This is an application for \$85,000 of Agricultural Development Revenue Bonds for Scott C. and Chelsey A. Danielson. The bond will be used: To purchase an undivided 1/2 interest in approximately 30 acres of agricultural land in Webster County. The lender is Northwest Bank in Fort Dodge.

- **Need Board action on Resolution AG 16-005A**

AG 16-006 Travis L. and Jamie D. Miller

This is an application for \$520,000 of Agricultural Development Revenue Bonds for Travis L. and Jamie D. Miller. The bond will be used: To purchase approximately 154 acres of agricultural land in Boone County. The lender is U.S. Bank, N.A. in Boone.

- **Need Board action on Resolution AG 16-006A**

AG 16-007-I Chad A. and Kristal A. Rave

This is an application for \$287,400 of Agricultural Development Revenue Bonds for Chad A. and Kristal A. Rave. The bond will be used: To purchase approximately 80 acres of agricultural land, house and out-buildings in Delaware County. The lender is Leo L. and Mary C. Trumm in Manchester.

- **Need Board action on Resolution AG 16-007-IA**

AG 16-009 Lucas R. and Lindsay Dinkla

This is an application for \$420,000 of Agricultural Development Revenue Bonds for Lucas R. and Lindsay Dinkla. The bond will be used: To purchase approximately 155 acres of agricultural land in Adair County. The lender is U.S. Bank, N.A. in Boone.

- **Need Board action on Resolution AG 16-009A**

AG 16-010 Matthew R. and Jennifer M. Ries

This is an application for \$520,000 of Agricultural Development Revenue Bonds for Matthew R. and Jennifer M. Ries. The bond will be used: To purchase approximately 138 acres of agricultural land in Linn County. The lender is Community Savings Bank in Edgewood.

- **Need Board action on Resolution AG 16-010A**

AG 16-011 Aaron P. Benson

This is an application for \$345,275 of Agricultural Development Revenue Bonds for Aaron P. Benson. The bond will be used: To purchase approximately 72.35 acres of agricultural land in Winnebago County. The lender is Clear Lake Bank and Trust Company in Clear Lake.

- **Need Board action on Resolution AG 16-011A**

Loan Participation Program

AG-LP #16-03, Loan Participation Program

The Loan Participation Program (LPP) was established in to assist low income farmers secure loans and make down payments. IADD's participation can be used to supplement the borrower's down payment, thereby helping a farmer secure a loan more readily. The lender's risk is also reduced since the IADD provides a "last-in/last-out" loan participation for the financial institution. The interest rate will be 1.0% over the FSA Direct Farm Ownership Down Payment Loan Program (which is currently at 1.5%) fixed for the first five years, then re-adjusted to the same index and fixed for the final five years. The participation loan is a 10 year balloon with a 20 year amortization. Attached are the LPP applications reviewed last month. The IADD Board has recommended approval.

Beginning Farmer Tax Credit Program

AG-TC #16-03, Beginning Farmer Tax Credit Program

The Agricultural Assets Transfer Tax Credit commonly referred to as the Beginning Farmer Tax Credit (BFTC) program allows agricultural asset owners to earn tax credits for leasing their land, equipment and/or breeding livestock to beginning farmers. Leases must be for terms of 2-5 years. The tax credit for cash rent leases is 7% of the amount of the rent. The tax credit for crop share leases is 17%. There is an additional 1% tax credit if the beginning farmer is also a veteran. Maximum tax credit for any one asset owner is \$50,000 per year. The maximum amount of tax credits allocated cannot be more than \$12 million in any one year. Attached are the BFTC applications reviewed last month. The IADD Board has recommended approval.

RESOLUTION
AG 16-004A

A Resolution approving an Application of a Beginning Farmer and evidencing an Intent to Proceed with Issuance of an Agricultural Development Revenue Bond.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, an Application has been received by the Authority from a Beginning Farmer requesting that the Authority issue its Agricultural Development Revenue Bond for the purposes heretofore stated, the name and address of the Beginning Farmer, the name and address of the Bond Purchaser, the maximum principal amount of the bond, and the nature of the project to be financed with respect to the Application (the “Project”) being set out in Exhibit A attached hereto; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the Authority as issuer if the Beginning Farmer intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the Authority is issuer and the Beginning Farmer desire to comply with requirements of the Regulations with respect to the Project;

Now, Therefore, Be It Resolved by the Iowa Finance Authority, as follows:

Section 1. The Application received from the Beginning Farmer named in Exhibit A attached hereto, which Application by this reference is incorporated herein as though set out here in full, for the issuance of an Agricultural Development Revenue Bond (the “Bond”) is not to exceed the principal amount stated in said Exhibit A is hereby approved, and the Executive Director of the Authority is hereby authorized to mark appropriately said Application as approved and to notify the Beginning Farmer and the Bond Purchaser of such approval.

Section 2. Based upon representations of the Beginning Farmer, the Authority declares (a) that the Beginning Farmer proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5 percent of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20 percent of the issue price of the Bonds, and (iii) other expenditures made no earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Beginning Farmer and no expenditures will be made by the Beginning Farmer until after the date hereof, and (c) the Beginning Farmer reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the

bond. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. It is hereby determined to be necessary and advisable that the Authority proceed with the issuance and sale of the Bond as a separate and distinct issue as authorized and permitted by the Act to finance the cost of the Project and the Authority hereby declares its intent to issue the Bond to finance the Project, and such actions will be taken by the Authority as may be required pursuant to the provisions of the Act to authorize, issue and sell the Bond.

Section 4. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bond. The Authority's Bond Counsel shall approve all agreements to be entered into in connection with the issuance of the Bond, and such agreements shall be authorized and approved after due consideration by this Authority prior to their execution by the Authority.

Section 5. The Chairman, Vice Chairman, Secretary and Bond Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and the purpose of this Resolution, the accomplishment of the Project, and the sale and issuance of the Bond.

Section 6. The Bond, when issued, shall be a limited obligation payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Beginning Farmer, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of the State of Iowa or the Authority or a charge against their general credit or general fund.

Section 7. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number: AG 16-004**
- 2. Beginning Farmer: John P. and Melinda S. Skow
2376 Ohio Ave
Humboldt, IA 50548-8800**
- 3. Bond Purchaser: Bank Iowa
506 Sumner Ave, PO Box 37
Humboldt, IA 50548-1759**
- 4. Principal Amount: \$160,000**
- 5. Approval Date: 3/9/2016**
- 6. Project: To purchase approximately 40 acres of agricultural land**

RESOLUTION
AG 16-005A

A Resolution approving an Application of a Beginning Farmer and evidencing an Intent to Proceed with Issuance of an Agricultural Development Revenue Bond.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, an Application has been received by the Authority from a Beginning Farmer requesting that the Authority issue its Agricultural Development Revenue Bond for the purposes heretofore stated, the name and address of the Beginning Farmer, the name and address of the Bond Purchaser, the maximum principal amount of the bond, and the nature of the project to be financed with respect to the Application (the “Project”) being set out in Exhibit A attached hereto; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the Authority as issuer if the Beginning Farmer intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the Authority is issuer and the Beginning Farmer desire to comply with requirements of the Regulations with respect to the Project;

Now, Therefore, Be It Resolved by the Iowa Finance Authority, as follows:

Section 1. The Application received from the Beginning Farmer named in Exhibit A attached hereto, which Application by this reference is incorporated herein as though set out here in full, for the issuance of an Agricultural Development Revenue Bond (the “Bond”) is not to exceed the principal amount stated in said Exhibit A is hereby approved, and the Executive Director of the Authority is hereby authorized to mark appropriately said Application as approved and to notify the Beginning Farmer and the Bond Purchaser of such approval.

Section 2. Based upon representations of the Beginning Farmer, the Authority declares (a) that the Beginning Farmer proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5 percent of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20 percent of the issue price of the Bonds, and (iii) other expenditures made no earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Beginning Farmer and no expenditures will be made by the Beginning Farmer until after the date hereof, and (c) the Beginning Farmer reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the

bond. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. It is hereby determined to be necessary and advisable that the Authority proceed with the issuance and sale of the Bond as a separate and distinct issue as authorized and permitted by the Act to finance the cost of the Project and the Authority hereby declares its intent to issue the Bond to finance the Project, and such actions will be taken by the Authority as may be required pursuant to the provisions of the Act to authorize, issue and sell the Bond.

Section 4. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bond. The Authority's Bond Counsel shall approve all agreements to be entered into in connection with the issuance of the Bond, and such agreements shall be authorized and approved after due consideration by this Authority prior to their execution by the Authority.

Section 5. The Chairman, Vice Chairman, Secretary and Bond Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and the purpose of this Resolution, the accomplishment of the Project, and the sale and issuance of the Bond.

Section 6. The Bond, when issued, shall be a limited obligation payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Beginning Farmer, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of the State of Iowa or the Authority or a charge against their general credit or general fund.

Section 7. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-005
- 2. Beginning Farmer:** Scott C. and Chelsey A. Danielson
701 Hunter St
Callender, IA 50523
- 3. Bond Purchaser:** Northwest Bank
10 N 29th St, PO Box 977
Fort Dodge, IA 50501
- 4. Principal Amount:** \$85,000
- 5. Approval Date:** 3/9/2016
- 6. Project:** To purchase an undivided 1/2 interest in approximately 30 acres of agricultural land

RESOLUTION
AG 16-006A

A Resolution approving an Application of a Beginning Farmer and evidencing an Intent to Proceed with Issuance of an Agricultural Development Revenue Bond.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, an Application has been received by the Authority from a Beginning Farmer requesting that the Authority issue its Agricultural Development Revenue Bond for the purposes heretofore stated, the name and address of the Beginning Farmer, the name and address of the Bond Purchaser, the maximum principal amount of the bond, and the nature of the project to be financed with respect to the Application (the “Project”) being set out in Exhibit A attached hereto; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the Authority as issuer if the Beginning Farmer intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the Authority is issuer and the Beginning Farmer desire to comply with requirements of the Regulations with respect to the Project;

Now, Therefore, Be It Resolved by the Iowa Finance Authority, as follows:

Section 1. The Application received from the Beginning Farmer named in Exhibit A attached hereto, which Application by this reference is incorporated herein as though set out here in full, for the issuance of an Agricultural Development Revenue Bond (the “Bond”) is not to exceed the principal amount stated in said Exhibit A is hereby approved, and the Executive Director of the Authority is hereby authorized to mark appropriately said Application as approved and to notify the Beginning Farmer and the Bond Purchaser of such approval.

Section 2. Based upon representations of the Beginning Farmer, the Authority declares (a) that the Beginning Farmer proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5 percent of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20 percent of the issue price of the Bonds, and (iii) other expenditures made no earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Beginning Farmer and no expenditures will be made by the Beginning Farmer until after the date hereof, and (c) the Beginning Farmer reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the

bond. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. It is hereby determined to be necessary and advisable that the Authority proceed with the issuance and sale of the Bond as a separate and distinct issue as authorized and permitted by the Act to finance the cost of the Project and the Authority hereby declares its intent to issue the Bond to finance the Project, and such actions will be taken by the Authority as may be required pursuant to the provisions of the Act to authorize, issue and sell the Bond.

Section 4. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bond. The Authority's Bond Counsel shall approve all agreements to be entered into in connection with the issuance of the Bond, and such agreements shall be authorized and approved after due consideration by this Authority prior to their execution by the Authority.

Section 5. The Chairman, Vice Chairman, Secretary and Bond Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and the purpose of this Resolution, the accomplishment of the Project, and the sale and issuance of the Bond.

Section 6. The Bond, when issued, shall be a limited obligation payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Beginning Farmer, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of the State of Iowa or the Authority or a charge against their general credit or general fund.

Section 7. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-006
- 2. Beginning Farmer:** Travis L. and Jamie D. Miller
3203 SE 22nd St
Ankeny, IA 50021-9598
- 3. Bond Purchaser:** U.S. Bank, N.A.
724 Story St, PO Box 518
Boone, IA 50036-0518
- 4. Principal Amount:** \$520,000
- 5. Approval Date:** 3/9/2016
- 6. Project:** To purchase approximately 154 ares of agricultural land

RESOLUTION
AG 16-007-IA

A Resolution approving an Application of a Beginning Farmer and evidencing an Intent to Proceed with Issuance of an Agricultural Development Revenue Bond.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, an Application has been received by the Authority from a Beginning Farmer requesting that the Authority issue its Agricultural Development Revenue Bond for the purposes heretofore stated, the name and address of the Beginning Farmer, the name and address of the Bond Purchaser, the maximum principal amount of the bond, and the nature of the project to be financed with respect to the Application (the “Project”) being set out in Exhibit A attached hereto; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the Authority as issuer if the Beginning Farmer intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the Authority is issuer and the Beginning Farmer desire to comply with requirements of the Regulations with respect to the Project;

Now, Therefore, Be It Resolved by the Iowa Finance Authority, as follows:

Section 1. The Application received from the Beginning Farmer named in Exhibit A attached hereto, which Application by this reference is incorporated herein as though set out here in full, for the issuance of an Agricultural Development Revenue Bond (the “Bond”) is not to exceed the principal amount stated in said Exhibit A is hereby approved, and the Executive Director of the Authority is hereby authorized to mark appropriately said Application as approved and to notify the Beginning Farmer and the Bond Purchaser of such approval.

Section 2. Based upon representations of the Beginning Farmer, the Authority declares (a) that the Beginning Farmer proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5 percent of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20 percent of the issue price of the Bonds, and (iii) other expenditures made no earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Beginning Farmer and no expenditures will be made by the Beginning Farmer until after the date hereof, and (c) the Beginning Farmer reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the

bond. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. It is hereby determined to be necessary and advisable that the Authority proceed with the issuance and sale of the Bond as a separate and distinct issue as authorized and permitted by the Act to finance the cost of the Project and the Authority hereby declares its intent to issue the Bond to finance the Project, and such actions will be taken by the Authority as may be required pursuant to the provisions of the Act to authorize, issue and sell the Bond.

Section 4. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bond. The Authority's Bond Counsel shall approve all agreements to be entered into in connection with the issuance of the Bond, and such agreements shall be authorized and approved after due consideration by this Authority prior to their execution by the Authority.

Section 5. The Chairman, Vice Chairman, Secretary and Bond Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and the purpose of this Resolution, the accomplishment of the Project, and the sale and issuance of the Bond.

Section 6. The Bond, when issued, shall be a limited obligation payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Beginning Farmer, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of the State of Iowa or the Authority or a charge against their general credit or general fund.

Section 7. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-007-I
- 2. Beginning Farmer:** Chad A. and Kristal A. Rave
1630 190th Ave
Manchester, IA 52057-8785
- 3. Bond Purchaser:** Leo L. and Mary C. Trumm
1442 190th Ave
Manchester, IA 52057-8728
- 4. Principal Amount:** \$287,400
- 5. Approval Date:** 3/9/2016
- 6. Project:** To purchase approximately 80 acres of agricultural land,
house and out-buildings

RESOLUTION
AG 16-009A

A Resolution approving an Application of a Beginning Farmer and evidencing an Intent to Proceed with Issuance of an Agricultural Development Revenue Bond.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, an Application has been received by the Authority from a Beginning Farmer requesting that the Authority issue its Agricultural Development Revenue Bond for the purposes heretofore stated, the name and address of the Beginning Farmer, the name and address of the Bond Purchaser, the maximum principal amount of the bond, and the nature of the project to be financed with respect to the Application (the “Project”) being set out in Exhibit A attached hereto; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the Authority as issuer if the Beginning Farmer intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the Authority is issuer and the Beginning Farmer desire to comply with requirements of the Regulations with respect to the Project;

Now, Therefore, Be It Resolved by the Iowa Finance Authority, as follows:

Section 1. The Application received from the Beginning Farmer named in Exhibit A attached hereto, which Application by this reference is incorporated herein as though set out here in full, for the issuance of an Agricultural Development Revenue Bond (the “Bond”) is not to exceed the principal amount stated in said Exhibit A is hereby approved, and the Executive Director of the Authority is hereby authorized to mark appropriately said Application as approved and to notify the Beginning Farmer and the Bond Purchaser of such approval.

Section 2. Based upon representations of the Beginning Farmer, the Authority declares (a) that the Beginning Farmer proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5 percent of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20 percent of the issue price of the Bonds, and (iii) other expenditures made no earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Beginning Farmer and no expenditures will be made by the Beginning Farmer until after the date hereof, and (c) the Beginning Farmer reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the

bond. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. It is hereby determined to be necessary and advisable that the Authority proceed with the issuance and sale of the Bond as a separate and distinct issue as authorized and permitted by the Act to finance the cost of the Project and the Authority hereby declares its intent to issue the Bond to finance the Project, and such actions will be taken by the Authority as may be required pursuant to the provisions of the Act to authorize, issue and sell the Bond.

Section 4. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bond. The Authority's Bond Counsel shall approve all agreements to be entered into in connection with the issuance of the Bond, and such agreements shall be authorized and approved after due consideration by this Authority prior to their execution by the Authority.

Section 5. The Chairman, Vice Chairman, Secretary and Bond Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and the purpose of this Resolution, the accomplishment of the Project, and the sale and issuance of the Bond.

Section 6. The Bond, when issued, shall be a limited obligation payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Beginning Farmer, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of the State of Iowa or the Authority or a charge against their general credit or general fund.

Section 7. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-009
- 2. Beginning Farmer:** Lucas R. and Lindsay Dinkla
13418 310th St
Redfield, IA 50233-6109
- 3. Bond Purchaser:** U.S. Bank, N.A.
724 Story St, PO Box 518
Boone, IA 50036-0518
- 4. Principal Amount:** \$420,000
- 5. Approval Date:** 3/9/2016
- 6. Project:** To purchase approximately 155 acres of agricultural land

RESOLUTION
AG 16-010A

A Resolution approving an Application of a Beginning Farmer and evidencing an Intent to Proceed with Issuance of an Agricultural Development Revenue Bond.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, an Application has been received by the Authority from a Beginning Farmer requesting that the Authority issue its Agricultural Development Revenue Bond for the purposes heretofore stated, the name and address of the Beginning Farmer, the name and address of the Bond Purchaser, the maximum principal amount of the bond, and the nature of the project to be financed with respect to the Application (the “Project”) being set out in Exhibit A attached hereto; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the Authority as issuer if the Beginning Farmer intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the Authority is issuer and the Beginning Farmer desire to comply with requirements of the Regulations with respect to the Project;

Now, Therefore, Be It Resolved by the Iowa Finance Authority, as follows:

Section 1. The Application received from the Beginning Farmer named in Exhibit A attached hereto, which Application by this reference is incorporated herein as though set out here in full, for the issuance of an Agricultural Development Revenue Bond (the “Bond”) is not to exceed the principal amount stated in said Exhibit A is hereby approved, and the Executive Director of the Authority is hereby authorized to mark appropriately said Application as approved and to notify the Beginning Farmer and the Bond Purchaser of such approval.

Section 2. Based upon representations of the Beginning Farmer, the Authority declares (a) that the Beginning Farmer proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5 percent of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20 percent of the issue price of the Bonds, and (iii) other expenditures made no earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Beginning Farmer and no expenditures will be made by the Beginning Farmer until after the date hereof, and (c) the Beginning Farmer reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the

bond. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. It is hereby determined to be necessary and advisable that the Authority proceed with the issuance and sale of the Bond as a separate and distinct issue as authorized and permitted by the Act to finance the cost of the Project and the Authority hereby declares its intent to issue the Bond to finance the Project, and such actions will be taken by the Authority as may be required pursuant to the provisions of the Act to authorize, issue and sell the Bond.

Section 4. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bond. The Authority's Bond Counsel shall approve all agreements to be entered into in connection with the issuance of the Bond, and such agreements shall be authorized and approved after due consideration by this Authority prior to their execution by the Authority.

Section 5. The Chairman, Vice Chairman, Secretary and Bond Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and the purpose of this Resolution, the accomplishment of the Project, and the sale and issuance of the Bond.

Section 6. The Bond, when issued, shall be a limited obligation payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Beginning Farmer, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of the State of Iowa or the Authority or a charge against their general credit or general fund.

Section 7. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-010
- 2. Beginning Farmer:** Matthew R. and Jennifer M. Ries
3292 140th Ave
Ryan, IA 52330
- 3. Bond Purchaser:** Community Savings Bank
101 E Union, PO Box 77
Edgewood, IA 52042-0077
- 4. Principal Amount:** \$520,000
- 5. Approval Date:** 3/9/2016
- 6. Project:** To purchase approximately 138 acres of agricultural land

**RESOLUTION
AG 16-011A**

A Resolution approving an Application of a Beginning Farmer and evidencing an Intent to Proceed with Issuance of an Agricultural Development Revenue Bond.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, an Application has been received by the Authority from a Beginning Farmer requesting that the Authority issue its Agricultural Development Revenue Bond for the purposes heretofore stated, the name and address of the Beginning Farmer, the name and address of the Bond Purchaser, the maximum principal amount of the bond, and the nature of the project to be financed with respect to the Application (the “Project”) being set out in Exhibit A attached hereto; and

WHEREAS, the Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse project expenditures incurred prior to the date of issuance; the Regulations generally require that a prior declaration of official intent be made by the Authority as issuer if the Beginning Farmer intends to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the payment of the expenditure or, if longer, within eighteen months of the date the project is placed in service, and that the expenditure be a capital expenditure or payment of costs of issuance; and the Authority is issuer and the Beginning Farmer desire to comply with requirements of the Regulations with respect to the Project;

Now, Therefore, Be It Resolved by the Iowa Finance Authority, as follows:

Section 1. The Application received from the Beginning Farmer named in Exhibit A attached hereto, which Application by this reference is incorporated herein as though set out here in full, for the issuance of an Agricultural Development Revenue Bond (the “Bond”) is not to exceed the principal amount stated in said Exhibit A is hereby approved, and the Executive Director of the Authority is hereby authorized to mark appropriately said Application as approved and to notify the Beginning Farmer and the Bond Purchaser of such approval.

Section 2. Based upon representations of the Beginning Farmer, the Authority declares (a) that the Beginning Farmer proposes to undertake the Project, (b) that, except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5 percent of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20 percent of the issue price of the Bonds, and (iii) other expenditures made no earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Beginning Farmer and no expenditures will be made by the Beginning Farmer until after the date hereof, and (c) the Beginning Farmer reasonably expects to reimburse the expenditures made for costs of the Project out of proceeds of the

bond. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. It is hereby determined to be necessary and advisable that the Authority proceed with the issuance and sale of the Bond as a separate and distinct issue as authorized and permitted by the Act to finance the cost of the Project and the Authority hereby declares its intent to issue the Bond to finance the Project, and such actions will be taken by the Authority as may be required pursuant to the provisions of the Act to authorize, issue and sell the Bond.

Section 4. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bond. The Authority's Bond Counsel shall approve all agreements to be entered into in connection with the issuance of the Bond, and such agreements shall be authorized and approved after due consideration by this Authority prior to their execution by the Authority.

Section 5. The Chairman, Vice Chairman, Secretary and Bond Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and the purpose of this Resolution, the accomplishment of the Project, and the sale and issuance of the Bond.

Section 6. The Bond, when issued, shall be a limited obligation payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Beginning Farmer, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of the State of Iowa or the Authority or a charge against their general credit or general fund.

Section 7. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-011
- 2. Beginning Farmer:** Aaron P. Benson
5614 310th St
Clear Lake, IA 50428-8739
- 3. Bond Purchaser:** Clear Lake Bank and Trust Company
322 Main Ave, PO Box 8
Clear Lake, IA 50428-0008
- 4. Principal Amount:** \$345,275
- 5. Approval Date:** 3/9/2016
- 6. Project:** To purchase approximately 72.35 acres of agricultural land

**RESOLUTION
AG-LP 16-03**

WHEREAS, the Iowa Finance Authority (the "Authority"), in accordance with the statutory directives set forth in Chapter 16 of the Code of Iowa and 2013 Iowa Acts House File 607, has established the Iowa Agricultural Development Division ("IADD") to administer the Loan Participation Program pursuant to Chapter 175 and Chapter 16

WHEREAS, the Authority administers programs to assist beginning farmers with the purchase of agricultural land, equipment and breeding livestock; and

WHEREAS, the Authority understands that the lack of capital is a major impediment for beginning farmers and desires to assist those farmers with down payment assistance; and

WHEREAS, the IADD has received an application from a lending institution to participate in a loan for the down payment for the purchase of agricultural land by an eligible beginning farmer; and

WHEREAS, the IADD Board has recommended approval of the funding of the Loan Participation set forth on Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Iowa Finance Authority as follows:

SECTION 1. The Board authorizes the Executive Director to execute and deliver for and on behalf of the Authority any and all certificates, documents, opinions or other papers and perform all other acts as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

SECTION 2. The Board authorizes the Authority to finalize this transaction with the Borrower, to negotiate and complete the necessary loan documents, and to fund the participation in the Loan as described herein. The Executive Director is authorized to prepare and execute any necessary documents in connection with the participation in the Loan, consistent with the terms of this Resolution.

SECTION 3. The Board authorizes the Executive Director to fund said participation from available funds held under the IADD, all in the manner deemed necessary and appropriate by the Executive Director, subject to the terms and conditions of this Resolution.

SECTION 4. The provisions of this Resolution are declared to be separable, and if any section, phrase or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

SECTION 5. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict and this Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED this 9th day of March., 2016.

David D. Jamison, Secretary

(Seal)

Exhibit A

Loan Participation Program

Project No.	Beginning Farmer	Bank	Purpose	Loan Amt
P0212	Nathan G. Nieuwendorp	Northwestern Bank, Orange City	To construct a 2,400 Hd Hog Barn	<u>\$150,000.00</u> \$150,000.00

**RESOLUTION
AG-TC 16-03**

WHEREAS, the Iowa Finance Authority (the “Authority”), in accordance with the statutory directives set forth in Chapter 16 of the Code of Iowa, has established the Iowa Agricultural Development Division (“IADD”) to administer the Agricultural Assets Transfer Tax Credit program and the Custom Farming Contract Tax Credit (together the “Iowa Agricultural Tax Credit Programs”); and

WHEREAS, the Authority offers tax credits under the Iowa Agricultural Tax Credit Programs as a means of encouraging the execution of assets transfer agreements and custom farming contracts with beginning farmers; and

WHEREAS, the Authority has received applications seeking tax credit allocations from the Iowa Agricultural Tax Credit Programs; and

WHEREAS, the IADD has determined the applications meet the eligibility requirements of Chapter 16; and

WHEREAS, the IADD Board has recommended approval of the tax credit applications set forth on Exhibit A; and

WHEREAS, the Authority desires to authorize the allocation of tax credits set forth on Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Iowa Finance Authority as follows:

SECTION 1. The Board authorizes the Executive Director to execute and deliver for and on behalf of the Authority any and all certificates, documents, opinions or other papers and perform all other acts as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

SECTION 2. The Board authorizes allocating tax credits to the asset owners set forth on Exhibit A, attached hereto, against taxes imposed in chapter 422, division II, as provided in section 422.11M, and in chapter 422, division III, as provided in section 422.33, and such other restrictions as may be deemed necessary and appropriate by the Executive Director.

SECTION 3. The Board authorizes the Executive Director to certify said tax credits in the manner deemed necessary and appropriate by the Executive Director, subject to the terms and conditions of this Resolution.

SECTION 4. The provisions of this Resolution are declared to be separable, and if any section, phrase or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

SECTION 5. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict and this Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

Exhibit A

Agricultural Assets Transfer Tax Credit Program

Project #	Owner Name	County	Beginning Farmer	Rental Type	Term(Years)	Tax Credit
2299	Douglas R Holtorf	Calhoun	Boyd Saliger	Cash Rent	2	\$ 2,327.50
2300	Calvin & Erma Juergensen	Calhoun	Cale & Connor Juergensen	Cash Rent	2	\$ 2,499.00
2301	Juergensen Land & Livestock	Calhoun	Cale & Connor Juergensen	Cash Rent	2	\$ 4,074.00
2302	Arlene Holst	Clinton	Adam Holst	Cash Rent	2	\$ 4,079.32
2303	Eugene R Holst	Clinton	Adam Holst	Cash Rent	2	\$ 4,126.08
2304	Connie Ramsey	Madison	(Johnathan) Tyler Price	Share Crop	2	\$ 1,627.41
2305	Duaine G & Myra E Diercks	Mitchell	Shawn Sponheim	Cash Rent	5	\$ 2,954.00
2306	Duaine G & Myra E Diercks	Mitchell	Shawn Sponheim	Share Crop	2	\$ 3,160.95
8						<u>\$ 24,848.26</u>

Denotes Military Veteran



To: IFA Board of Directors
From: Lori Beary, Community Development Director
Date: 2/29/16
Re: Economic Development and Water Quality

Consent Agenda

Economic Development Bond Program

ED Loan #16-01, Pheasant Ridge Project

This is an application for \$17,500,000 of Iowa Finance Authority Multifamily Housing Revenue Bonds for the Pheasant Ridge Project in Iowa City. The bonds will be used for the acquisition and rehabilitation of a 248 unit apartment complex. The project will also have 4% LIHTC's and will require an allocation of Private Activity Bond Cap.

ED Loan #16-02, UnityPoint Health Project

This is an application for \$179,000,000 of Iowa Finance Authority Health Facilities Revenue and Refunding Bonds for the UnityPoint Health Project. The bonds will be used to refund the 2008A bonds and for funds to renovate facilities in Dubuque and Cedar Falls. UnityPoint Health is a 501 c(3) non-profit corporation.

ED Loan #16-03, Care Initiatives Project

This is an application for \$55,000,000 of Iowa Finance Authority Health Care Facility Revenue and Refunding Bonds for the Care Initiatives Project. The bonds will be used to refinance their 2006A bonds. Care Initiatives is a 501 c(3) non-profit corporation.

State Revolving Fund

SRF Construction Loans - WQ 16-05

This is a resolution to approve an SRF Construction Loan of \$3,457,000 for the cities of Gladbrook and Sumner and for Anita Municipal Utilities. SRF loans have an interest rate of 1.75% for 20 years or 2.75% for 30 years.

RESOLUTION
ED 16-01A

Approving an Application for \$17,500,000
Iowa Finance Authority Multifamily Housing Revenue Bonds
(Pheasant Ridge Project), in one or more series
For Iowa City Leased Housing Associates III, LLC or a related entity (the "Borrower")

And Evidencing the Intent to Proceed with the Issuance of
\$17,500,000 Multifamily Housing Revenue Bonds

WHEREAS, the Iowa Finance Authority, a public instrumentality and agency of the State of Iowa duly organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Authority") is authorized and empowered by Chapter 16 of the Code of Iowa (the "Act") to issue bonds and notes for the purpose of financing or refunding the cost of certain projects defined in the Act that further the development and expansion of family farming, soil conservation, housing, and business in the State; and

WHEREAS, the Authority has received the Economic Development Loan Program Application set forth in Exhibit A attached hereto (the "Application") which Application is incorporated herein as though set out here in full; and

WHEREAS, the Application is a request that the Authority issue its Multifamily Housing Revenue Bonds in an amount not to exceed \$17,500,000 (the "Bonds") and loan the proceeds from the sale of the Bonds to the Borrower listed in the Application for the purposes stated therein (the "Project"); and

WHEREAS, the Authority and the Borrower desire to comply with the requirements of Treasury Regulation 1.150-2 (the "Regulations") with respect to the Project;

NOW, THEREFORE, Be It Resolved by the Board of the Authority, as follows:

Section 1. Approval of Application. The Application is hereby approved, and the Executive Director of the Authority is authorized to notify the Borrower of such approval.

Section 2. Reimbursement from Bond Proceeds. Based upon representations of the Borrower, the Authority declares (a) that the Borrower proposes to undertake the Project, (b) that except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5% of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20% of the issue price of the Bonds, and (iii) other expenditures made not earlier than 60 days before the date hereof, no expenditures for the Project have been made by the Borrower and no expenditures will be made by the Borrower until after the date hereof, and (c) the Borrower reasonably expects to reimburse the expenditures made for costs of the Project with the proceeds of the Bonds. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Intent to Issue Bonds. It is hereby determined necessary and advisable that the Authority proceed with the issuance and sale of the Bonds as permitted by the Act and that the Authority hereby declares its intent to issue the Bonds to finance the Project, and that such actions will be taken by the Authority as may be required by the Act to authorize, issue and sell the Bonds.

Section 4. Execution and Approval of Agreements. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bonds. The Authority's Program Counsel and/or General Counsel shall approve all agreements to be entered into in connection with the issuance of the Bonds, and such agreements shall be authorized and approved after due consideration by the Authority prior to their execution by the Authority.

Section 5. Notice and Governor Approval. The Executive Director, and the staff of the Authority are directed, on behalf of the Authority, to publish notice of the proposal to issue the Bonds, to conduct a public hearing on such proposal and, following such hearing, obtain the approval of the Governor as the chief elected executive officer, all as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

Section 6. Preliminary Official Statement. The Executive Director and the staff of the Authority are authorized to cooperate in the preparation of a preliminary official statement with respect to the Bonds, and that the Executive Director is authorized to execute and deliver such certificates to comply with SEC Rule 15c2-12 in connection with the offer, sale and issuance of the Bonds.

Section 7. Further Actions. The officers, Executive Director and Program Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and purpose of this Resolution, the accomplishment of the Project and the sale and issuance of the Bonds.

Section 8. Not Obligations of the Authority. The Bonds, when issued, shall be limited obligations payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Borrower, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of, or claim against, the State of Iowa or the Authority or a charge against their general credit or general funds.

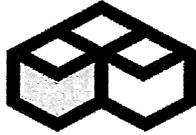
Section 9. Costs. It is to be understood that the Borrower shall pay all reasonable and necessary costs, including costs of counsel, and expenses of the Authority related to the Bonds and the Project.

Section 10. Repealer. All resolutions, parts of resolutions, and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

David D. Jamison, Secretary

(Seal)



IOWA FINANCE AUTHORITY

David D. Jamison, Executive Director
2015 Grand Avenue
Des Moines, Iowa 50312
(515) 725-4900 - (800) 432-7230

FOR IFA USE ONLY

Project No. ED16-01
Application Received 2/18/16
Application Fee Received? [X]
Volume Cap? [X] Yes [] No
Amount of Request \$ 17,500,000

Application forms can be obtained from the Authority's website at www.IowaFinanceAuthority.gov

ECONOMIC DEVELOPMENT BOND APPLICATION

Part A - Borrower Information

- 1. Project Name: Pheasant Ridge
2. Contact Person/Title: Patrick Ostrom - Development Associate
Company: Dominion Development and Acquisition
Address: 2905 Northwest Blvd, Suite 150
City, State, Zip: Plymouth, MN, 55441
Telephone: (763) 354-5644 E-mail: postrom@dominiuminc.com
5. Principals: (If a partnership, list partners; if a corporation, list officers/directors and state of incorporation; if a nursing facility, list directors and principal staff.) Attach separate list if necessary.
General Partner - Iowa City Leased Housing Associates III, LLC
Limited Partner - To Be Determined
6. If Borrower is a nonprofit corporation, provide copy of IRS determination letter or date of application for determination letter and state purpose: Borrower is not a nonprofit corporation.
7. Is the Borrower currently qualified to transact business within the State of Iowa? Yes [X] No []
8. If project is a Nursing Facility, is state certificate of need required: [] Yes [] No
If yes, attach copy. Project is not a Nursing Facility.
9. Total current FTE's of Borrower: 0
Number of permanent FTE's created by the project: 5-6

Part B - Project Information

1. This Project qualifies for financing pursuant to the Economic Development Loan Program as land, buildings or improvements suitable for use as one of the following facilities (Check one):

501 c (3) entity:

Private college or university

Housing facility for elderly or disabled persons

Museum or library facility

Voluntary nonprofit hospital, clinic or health care facility as defined in Section 135c.1 (6) of the Iowa Code. Specify: _____

Other 501c (3) entity (please specify) _____

Manufacturing facility

Agricultural processing facility

Multi-family housing

Solid Waste facility

3. Amount of Loan Request: \$17,500,000

Amount to be used for refunding: \$0

4. Address/Location of Project

Street/City/State 2626 Bartelt Road, Iowa City, IA 52246

County Johnson County

5. General Project Description:

Pheasant Ridge is a 248 unit garden style apartment community located at 2626 Bartelt Road, Iowa City, Iowa. The 31 apartment buildings consist of one, two, three, and four bedroom apartments. The site has 231 units that benefit from project based rental assistance through the section eight program. The remaining 17 units currently rent for the market rate. The community is currently 99% leased with a waitlist. Dominion plans to finance the acquisition of the project by using a 4% tax credit allocation and a Freddie Mac tax exempt loan.

Part B - Project Information continued

6. Does the Borrower expect to use bond proceeds to reimburse capital expenditures already made?
 X No
_____ Yes, in the amount of \$ _____ (There are IRS limitations on eligible reimbursable costs.)

7. Parties related to the Project:

- a. Principal User will be: Iowa City Leased Housing Associates III, LLLP
- b. Seller (if any) of the Project: Pheasant Ridge Acquisition, LLC
- c. Purchaser (if any) or Owner or Lessee of the Project: Iowa City Leased Housing Associates III, LLLP
- d. Relationship of Project Seller and Purchaser, if any: The Buyer and Seller are unrelated.

8. Sources and Uses of Project Funds (Sum of Sources and Uses must match):

Please refer to "Exhibit A"

9. Type of Bond Sale Public Sale Private Placement

Part C - Professionals Participating in the Financing

Applications must have either Bond Counsel or Underwriter/Financial Institution identified

1. **Bond Counsel:** (an attorney hired by the borrower to ensure the bonds can be issued on a tax-exempt basis)

Name: TBD
Firm Name: Dorsey & Whitney
Address: 801 Grand Ave Ste 4100
City/State/Zip Code: Des Moines, IA 50309
Telephone: TBD E-mail: TBD

2. **Counsel to the Borrower:**

Name: Jeff Drennan
Firm Name: Winthrop & Weinstine
Address: 225 South Sixth Street, Suite 3500

City/State/Zip Code: Minneapolis, MN 55402

Telephone: (612) 604-6730 E-mail: jdrennan@winthrop.com

3. Underwriter or Financial Institution purchasing the bonds:

Name: TBD

Firm Name: Freddie Mac

Address: TBD

City/State/Zip Code: TBD

Telephone: TBD E-mail: TBD

4. Counsel to the Underwriter:

Name: TBD

Firm Name: TBD

Address: TBD

City/State/Zip Code: TBD

Telephone: TBD E-mail: TBD

5. Trustee: (if needed)

Name: TBD

Firm Name: TBD

Address: TBD

City/State/Zip Code: TBD

Telephone: TBD E-mail: TBD

PART D - Fees and Charges

- 1. A non-refundable application fee must accompany this form at the time of submission to the Authority. For applications up to \$10 million, the application fee is \$1,000. For applications over \$10 million, the application fee is \$2,500. The application fee is subtracted from the Issuer's fee at closing.**

Applications will expire if the bonds are not issued within 18 months.

Submit application to the Authority at the following address:

Lori Beary
Community Development Director
Iowa Finance Authority
2015 Grand Avenue
Des Moines, IA 50312

- 2. An Issuer's fee will be due at the time of closing. The fee is 10 basis points for the first \$10 million and declines after that. Please contact Lori Beary at 515-725-4965 or lori.beary@iowa.gov for more information.**

3. Borrower is required to pay the fees and expenses of Dorsey & Whitney, who serve as Issuer's Counsel. Bond documents should be sent to David Claypool (claypool.david@dorsey.com) or David Grossklaus (Grossklaus.David@dorsey.com) at Dorsey & Whitney and the Authority's Community Development Director (lori.beary@iowa.gov).

Dated this 29th day of January, 2016

Borrower: _____



By: Mark S. Moorhouse
Title: Senior Vice President

Pheasant Ridge

2626 Bartelt Road, Iowa City, IA

SOURCE AND USE SUMMARY

Sources of Funds:

	<i>Total</i>	<i>Per Unit</i>
1st Mortgage - Freddie TEL	\$ 17,500,000	\$ 70,565
Low Income Tax Credit Equity	11,199,982	45,161
Borrower Cash (Credit)	1,105,361	4,457
Total Source of Funds	\$ 29,805,343	\$ 120,183

Uses of Funds:

	<i>Total</i>	<i>Per Unit</i>
Acquisition Costs	\$ 14,000,000	\$ 56,452
Construction Costs	7,540,154	30,404
Cash Accounts	1,935,177	7,803
Professional Services	555,695	2,241
Construction Financing Costs	105,506	425
Permanent Financing Costs	738,891	2,979
Closing Costs	77,000	310
Tax Credit Fees	75,777	306
Developer Fee	4,777,143	19,263
Total Use of Funds	\$ 29,805,343	\$ 120,183

RESOLUTION
ED 16-02A

Approving an Application for \$179,000,000
Iowa Finance Authority Health Facilities Revenue and Refunding Bonds
(UnityPoint Health), in one or more series
For Iowa Health System d/b/a UnityPoint Health (the "Borrower")

And Evidencing the Intent to Proceed with the Issuance of
\$179,000,000 Health Facilities Revenue and Refunding Bonds

WHEREAS, the Iowa Finance Authority, a public instrumentality and agency of the State of Iowa duly organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Authority") is authorized and empowered by Chapter 16 of the Code of Iowa (the "Act") to issue bonds and notes for the purpose of financing or refunding the cost of certain projects defined in the Act that further the development and expansion of family farming, soil conservation, housing, and business in the State; and

WHEREAS, the Authority has received the Economic Development Loan Program Application set forth in Exhibit A attached hereto (the "Application") which Application is incorporated herein as though set out here in full; and

WHEREAS, the Application is a request that the Authority issue its Health Facilities Revenue and Refunding Bonds in one or more series, in an amount not to exceed \$179,000,000 (the "Bonds") and loan the proceeds from the sale of the Bonds to the Borrower listed in the Application for the purposes of (i) refunding the outstanding bonds stated therein (the "Refunding"); and (ii) financing the project stated therein (the "Project"); and

WHEREAS, the Authority and the Borrower desire to comply with the requirements of Treasury Regulation 1.150-2 (the "Regulations") with respect to the Project and the Refunding;

NOW, THEREFORE, Be It Resolved by the Board of the Authority, as follows:

Section 1. Approval of Application. The Application is hereby approved, and the Executive Director of the Authority is authorized to notify the Borrower of such approval.

Section 2. Reimbursement from Bond Proceeds. Based upon representations of the Borrower, the Authority declares (a) that the Borrower proposes to undertake the Project and the Refunding, (b) that except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5% of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20% of the issue price of the Bonds, and (iii) other expenditures made not earlier than 60 days before the date hereof, no expenditures for the Project or the Refunding have been made by the Borrower and no expenditures will be made by the Borrower until after the date hereof, and (c) the Borrower reasonably expects to reimburse the expenditures made for costs of the Project and the Refunding with the proceeds of the Bonds. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Intent to Issue Bonds. It is hereby determined necessary and advisable that the Authority proceed with the issuance and sale of the Bonds as permitted by the Act and that the Authority hereby declares its intent to issue the Bonds to finance the Project and the Refunding, and

that such actions will be taken by the Authority as may be required by the Act to authorize, issue and sell the Bonds.

Section 4. Execution and Approval of Agreements. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bonds. The Authority's Program Counsel and/or General Counsel shall approve all agreements to be entered into in connection with the issuance of the Bonds, and such agreements shall be authorized and approved after due consideration by the Authority prior to their execution by the Authority.

Section 5. Notice and Governor Approval. If necessary, the Executive Director, and the staff of the Authority are directed, on behalf of the Authority, to publish notice of the proposal to issue the Bonds, to conduct a public hearing on such proposal and, following such hearing, obtain the approval of the Governor as the chief elected executive officer, all as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

Section 6. Preliminary Official Statement. If necessary, the Executive Director and the staff of the Authority are authorized to cooperate in the preparation of a preliminary official statement with respect to the Bonds, and that the Executive Director is authorized to execute and deliver such certificates to comply with SEC Rule 15c2-12 in connection with the offer, sale and issuance of the Bonds.

Section 7. Further Actions. The officers, Executive Director and Program Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and purpose of this Resolution, the accomplishment of the Project and the Refunding and the sale and issuance of the Bonds.

Section 8. Not Obligations of the Authority. The Bonds, when issued, shall be limited obligations payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Borrower, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of, or claim against, the State of Iowa or the Authority or a charge against their general credit or general funds.

Section 9. Costs. It is to be understood that the Borrower shall pay all reasonable and necessary costs, including costs of counsel, and expenses of the Authority related to the Bonds, the Project and the Refunding.

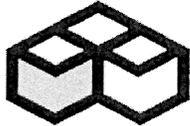
Section 10. Repealer. All resolutions, parts of resolutions, and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

David D. Jamison, Secretary

(Seal)

Exhibit A



IOWA FINANCE AUTHORITY

David D. Jamison, Executive Director
2015 Grand Avenue
Des Moines, Iowa 50312
(515) 725-4900 - (800) 432-7230

FOR IFA USE ONLY
Project No. ED16-02
Application Received 2/18/16
Application Fee Received? [checked]
Volume Cap? [] Yes [checked] No
Amount of Request \$ 179,000,000

Application forms can be obtained from the Authority's website at www.IowaFinanceAuthority.gov

ECONOMIC DEVELOPMENT BOND APPLICATION

Part A - Borrower Information

- 1. Project Name: UnityPoint Health Series 2008A refunding and New Money
2. Contact Person/Title: Matthew T. Kirschner
Company: Iowa Health System d/b/a UnityPoint Health
Address: 1776 West Lakes Parkway
City, State, Zip: West Des Moines, IA 50325
Telephone: (515) 241-8272 E-mail: matthew.kirschner@unitypoint.org
5. Principals: (If a partnership, list partners; if a corporation, list officers/directors and state of incorporation; if a nursing facility, list directors and principal staff.) Attach separate list if necessary.
State of Incorporation : Iowa
List of Officers/Directors: See Exhibit A
6. If Borrower is a nonprofit corporation, provide copy of IRS determination letter or date of application for determination letter and state purpose: See Exhibit B
7. Is the Borrower currently qualified to transact business within the State of Iowa? Yes [X] No []
8. If project is a Nursing Facility, is state certificate of need required: [] Yes [] No
9. Total current FTE's of Borrower: 28,000
Number of permanent FTE's created by the project: 0

Part B - Project Information

1. This Project qualifies for financing pursuant to the Economic Development Loan Program as land, buildings or improvements suitable for use as one of the following facilities (Check one):

X 501 c (3) entity:

_____ Private college or university

_____ Housing facility for elderly or disabled persons

_____ Museum or library facility

X _____ Voluntary nonprofit hospital, clinic or health care facility as defined in Section 135c.1 (6) of the Iowa Code. Specify: _____

_____ Other 501c (3) entity (please specify) _____

___ Manufacturing facility

___ Agricultural processing facility

___ Multi-family housing

___ Solid Waste facility

3. Amount of Loan Request: \$ ~179,000,000 _____

Amount to be used for refunding: \$ ~139,475,000 _____

4. Address/Location of Project

Street/City/State 350 N Grandview Ave., Dubuque, IA 52001 _____

County Dubuque _____

Street/City/State 5100 Prairie Parkway, Cedar Falls, IA 50613 _____

County Black Hawk _____

5. General Project Description:

Refinancing of the 2008A bond series _____

New Money Projects: _____

Located at 350 N Grandview Ave., Dubuque, IA and will consist of the acquisition of medical equipment and the renovation, construction, improving, furnishing and equipping of the hospital facilities. _____

___ Located at 5100 Prairie Parkway, Cedar Falls, IA and will consist of the acquisition of medical equipment and the renovation, construction, improving, furnishing and equipping of the hospital facilities. _____

Part B - Project Information continued

6. Does the Borrower expect to use bond proceeds to reimburse capital expenditures already made?
 ___ No
 ___X___ Yes, in the amount of \$ ~22,000,000 (There are IRS limitations on eligible reimbursable costs.)

7. Parties related to the Project:
 a. Principal User will be: UnityPoint Health and its affiliates
 b. Seller (if any) of the Project: _____
 c. Purchaser (if any) or Owner or Lessee of the Project: _____
 d. Relationship of Project Seller and Purchaser, if any: _____

8. Sources and Uses of Project Funds (Sum of Sources and Uses must match):

Sources:	Amount	Uses:	Amount
Loan proceeds from 2016 loan	\$179,000,000	Payment of Series 2008A	\$139,475,000
_____	_____	New Money Projects	36,000,000
_____	_____	Cost of Issuance (est.)	3,525,000
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
	\$ 179,000,000		\$179,000,000
Total	_____	Total	_____

9. Type of Bond Sale Public Sale Private Placement

Part C - Professionals Participating in the Financing

Applications must have either Bond Counsel or Underwriter/Financial Institution identified

1. Bond Counsel: (an attorney hired by the borrower to ensure the bonds can be issued on a tax-exempt basis)

Name: David Claypool/Cristina Kuhn _____
Firm Name: Dorsey & Whitney _____
Address: 801 Grand Ave, Suite 4100 _____
City/State/Zip Code: Des Moines, IA 50309 _____
Telephone: 515-699-3265 _____ E-mail: claypool.david@dorsey.com _____

2. Counsel to the Borrower:

Name: Scott Kortmeyer _____
Firm Name: Norton Rose Fulbright _____
Address: 2200 Ross Ave, Suite 3600 _____
City/State/Zip Code: Dallas, TX 75201 _____
Telephone: 214-855-7459 _____ E-mail: scott.kortmeyer@nortonrosefulbright.com _____

3. Underwriter or Financial Institution purchasing the bonds:

Name: David Gallin _____
Firm Name: Morgan Stanley _____
Address: 1585 Broadway, 16th Floor _____
City/State/Zip Code: New York, NY 10036 _____
Telephone: 212-761-9069 _____ E-mail: david.gallin@morganstanley.com _____

4. Counsel to the Underwriter:

Name: John Myers _____
Firm Name: Orrick, Herrington & Sutcliffe, LLP _____
Address: 400 Capital Mall, Suite 3000 _____
City/State/Zip Code: Sacramento, CA 95814 _____
Telephone: 916-329-7903 _____ E-mail: jmyers@orrick.com _____

5. Trustee: (if needed)

Name: Christine Robinette _____
Firm Name: US Bank, NA _____
Address: 60 Livingston Ave _____
City/State/Zip Code: St. Paul, MN 55107 _____
Telephone: 651-466-6307 _____ E-mail: Christine.robinette@usbank.com _____

PART D - Fees and Charges

1. A non-refundable application fee must accompany this form at the time of submission to the Authority. For applications up to \$10 million, the application fee is \$1,000. For applications over \$10 million, the application fee is \$2,500. The application fee is subtracted from the Issuer's fee at closing.

Applications will expire if the bonds are not issued within 18 months.

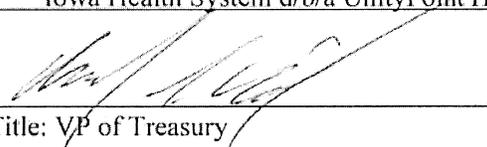
Submit application to the Authority at the following address:

Lori Beary
Community Development Director
Iowa Finance Authority
2015 Grand Avenue
Des Moines, IA 50312

2. An Issuer's fee will be due at the time of closing. The fee is 10 basis points for the first \$10 million and declines after that. Please contact Lori Beary at 515-725-4965 or lori.beary@iowa.gov for more information.
3. Borrower is required to pay the fees and expenses of Dorsey & Whitney, who serve as Issuer's Counsel. Bond documents should be sent to David Claypool (claypool.david@dorsey.com) or David Grossklaus (Grossklaus.David@dorsey.com) at Dorsey & Whitney and the Authority's Community Development Director (lori.beary@iowa.gov).

Dated this 18 day of February, 2016

Borrower: Iowa Health System d/b/a UnityPoint Health

By: 
Title: VP of Treasury

Board of Directors
2015

Chair: Mike Williams
Chair Elect/Vice Chair: Mike Stone

Secretary: Linda Newborn
Treasurer: Rick McConnell

Angela Aldrich, M.D.
Sioux City

Ron Klosterman
Dubuque (At-Large)

Dave Boyer
Madison

Rick McConnell
Des Moines

Terri Christoffersen
Cedar Rapids

Pete McLaughlin
Quad Cities

Brenda Clancy
Cedar Rapids (At-Large)

Linda Newborn
Quad Cities

Stanton Danielson, M.D.
Des Moines (UP Clinic)

Kurt Pittner
Fort Dodge

Randy Easton
Cedar Rapids

Cate Ranheim, M.D.
Madison (At-Large)

Sarah Hasken
Dubuque

Bruce Sherman
Des Moines

Kent Henning
Des Moines

Mike Stone
Peoria

Steve Herwig, D.O.
Des Moines

Devendra Trivedi, M.D.
Peoria

George Kamperschroer
Madison

Mike Williams
Waterloo

Francis Kane, M.D.
Quad Cities (At-Large)

Internal Revenue Service

Department of the Treasury

Washington, DC 20224

Iowa Health System
1200 Pleasant Street
Des Moines, IA 50309

Person to Contact: Lawrence M. Brauer

Telephone Number: (202) 622-6466

Refer Reply to: CP:E:EO:T:1:LMB

Date: OCT 22 1996

Employer Identification Number: 42-1435199
Key District: Midstates (Dallas, TX)
Accounting Period Ending: December 31
Foundation Status Classification: 509(a)(3)
Form 990 Required: Yes

Dear Applicant:

Based on the information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in the section(s) indicated above.

If your sources of support, or your purposes, character, or method of operation change, please let your key district know so that office can consider the effect of the change on your exempt status. In the case of an amendment to your organizational document or bylaws, please send a copy of the amended document or bylaws to your key district. Also, you should inform your key district office of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act.

Because you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Iowa Health System

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Donors (including private foundations) may rely on this ruling unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your 509(a) status as indicated above, donors (other than private foundations) may not rely on the classification indicated above if they were in part responsible for, or were aware of, the act that resulted in your loss of such status, or they acquired knowledge that the Internal Revenue Service had given notice that you would be removed from that classification. Private foundations may rely on the classification as long as you were not directly or indirectly controlled by them or by disqualified persons with respect to them. However, private foundations may not rely on the classification indicated above if they acquired knowledge that the Internal Revenue Service had given notice that you would be removed from that classification.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fund-raising events may not necessarily qualify as fully deductible contributions, depending on the circumstances. If your organization conducts fund-raising events such as benefit dinners, shows, membership drives, etc., where something of value is received in return for payments, you are required to provide a written disclosure statement informing the donor of the fair market value of the specific items or services being provided. To do this you should, in advance of the event, determine the fair market value of the benefit received and state it in your fund-raising materials such as solicitations, tickets, and receipts in such a way that the donor can determine how much is deductible and how much is not. Your disclosure statement should be made, at the latest, at the time payment is received. Subject to certain exceptions, your disclosure responsibility applies to any fund-raising circumstance where each complete payment, including the contribution portion, exceeds \$75. In addition, donors must have written substantiation from the charity for any charitable contribution of \$250 or more. For further details regarding these substantiation and disclosure requirements, see the enclosed copy of Publication 1771. For additional guidance in this area, see Publication 1391, Deductibility of Payments Made to Organizations Conducting Fund-Raising Events, which is available at many IRS offices or by calling 1-800-TAX-FORM (1-800-829-3676).

Iowa Health System

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt from Income Tax. If "Yes" is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. If your gross receipts each year are not normally more than \$25,000, we ask that you establish that you are not required to file Form 990 by completing Part I of that Form for your first year. Thereafter, you will not be required to file a return until your gross receipts exceed the \$25,000 minimum. For guidance in determining if your gross receipts are "normally" not more than the \$25,000 limit, see the instructions for the Form 990. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. The maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, any supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$20 per day for each day there is a failure to comply (up to a maximum of \$10,000 in the case of an annual return).

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

In this letter, we have not determined the effect on your tax-exempt status of financing your activities with the proceeds of tax-exempt bonds since you have not indicated that you intend to use such methods now or in the future.

Iowa Health System

You need an employer identification number even if you have no employees. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

We are informing your key district office of this ruling. Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any immediate questions about this ruling, please contact the person whose name and telephone number are shown in the heading of this letter. For other matters, including questions concerning reporting requirements, please contact your key district office.

In accordance with the Power of Attorney currently on file with the Internal Revenue Service, we are sending a copy of this letter to your authorized representative.

Sincerely,

(signed) Marvin Friedlander

Marvin Friedlander
Chief, Exempt Organizations
Technical Branch 1

Enclosure:
Pub. 1771

RESOLUTION
ED 16-03A

Approving an Application for \$55,000,000
Iowa Finance Authority Health Care Facility Revenue and Refunding Bonds
(Care Initiatives Project), in one or more series
For Care Initiatives (the "Borrower")

And Evidencing the Intent to Proceed with the Issuance of
\$55,000,000 Health Care Facility Revenue and Refunding Bonds

WHEREAS, the Iowa Finance Authority, a public instrumentality and agency of the State of Iowa duly organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Authority") is authorized and empowered by Chapter 16 of the Code of Iowa (the "Act") to issue bonds and notes for the purpose of financing or refunding the cost of certain projects defined in the Act that further the development and expansion of family farming, soil conservation, housing, and business in the State; and

WHEREAS, the Authority has received the Economic Development Loan Program Application set forth in Exhibit A attached hereto (the "Application") which Application is incorporated herein as though set out here in full; and

WHEREAS, the Application is a request that the Authority issue its Health Care Facility Revenue and Refunding Bonds in one or more series, in an amount not to exceed \$55,000,000 (the "Bonds") and loan the proceeds from the sale of the Bonds to the Borrower listed in the Application for the purpose of refunding the outstanding bonds stated therein (the "Prior Bonds"); and

NOW, THEREFORE, Be It Resolved by the Board of the Authority, as follows:

Section 1. Approval of Application. The Application is hereby approved, and the Executive Director of the Authority is authorized to notify the Borrower of such approval.

Section 2. Reimbursement from Bond Proceeds. Based upon representations of the Borrower, the Authority declares (a) that the Borrower proposes to undertake the Refunding, (b) that except for (i) expenditures aggregating no more than the lesser of \$100,000 or 5% of the proceeds of the Bonds, (ii) preliminary expenditures (as described in the Regulations) in an amount not to exceed 20% of the issue price of the Bonds, and (iii) other expenditures made not earlier than 60 days before the date hereof, no expenditures for the Refunding have been made by the Borrower and no expenditures will be made by the Borrower until after the date hereof, and (c) the Borrower reasonably expects to reimburse the expenditures made for costs of the Refunding with the proceeds of the Bonds. This Resolution is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Intent to Issue Bonds. It is hereby determined necessary and advisable that the Authority proceed with the issuance and sale of the Bonds as permitted by the Act and that the Authority hereby declares its intent to issue the Bonds to refunding the Prior Bonds, and that such actions will be taken by the Authority as may be required by the Act to authorize, issue and sell the Bonds.

Section 4. Execution and Approval of Agreements. The Authority will enter into all agreements necessary to be entered into by the Authority in connection with the issuance and sale of the Bonds. The Authority's Program Counsel and/or General Counsel shall approve all agreements to be entered into in connection with the issuance of the Bonds, and such agreements shall be authorized and approved after due consideration by the Authority prior to their execution by the Authority.

Section 5. Notice and Governor Approval. If necessary, the Executive Director, and the staff of the Authority are directed, on behalf of the Authority, to publish notice of the proposal to issue the Bonds, to conduct a public hearing on such proposal and, following such hearing, obtain the approval of the Governor as the chief elected executive officer, all as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

Section 6. Preliminary Official Statement. If necessary, the Executive Director and the staff of the Authority are authorized to cooperate in the preparation of a preliminary official statement with respect to the Bonds, and that the Executive Director is authorized to execute and deliver such certificates to comply with SEC Rule 15c2-12 in connection with the offer, sale and issuance of the Bonds.

Section 7. Further Actions. The officers, Executive Director and Program Counsel of the Authority are hereby authorized and directed to take such further actions as may be necessary to effect the intent and purpose of this Resolution, the accomplishment of the refunding and the sale and issuance of the Bonds.

Section 8. Not Obligations of the Authority. The Bonds, when issued, shall be limited obligations payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of the Borrower, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to a pecuniary liability of, or claim against, the State of Iowa or the Authority or a charge against their general credit or general funds.

Section 9. Costs. It is to be understood that the Borrower shall pay all reasonable and necessary costs, including costs of counsel, and expenses of the Authority related to the Bonds and the refunding.

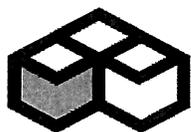
Section 10. Repealer. All resolutions, parts of resolutions, and prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of March, 2016.

David D. Jamison, Secretary

(Seal)

Exhibit A



IOWA FINANCE AUTHORITY

David D. Jamison, Executive Director
2015 Grand Avenue
Des Moines, Iowa 50312
(515) 725-4900 - (800) 432-7230

FOR IFA USE ONLY

Project No. ED16-03
Application Received 2/19/16
Application Fee Received? Yes No
Volume Cap? Yes No
Amount of Request \$ 55,000,000

Application forms can be obtained from the Authority's website at www.IowaFinanceAuthority.gov

ECONOMIC DEVELOPMENT BOND APPLICATION

Part A - Borrower Information

1. Project Name: Health Care Facility Revenue Refunding Bonds (Care Initiatives Project) Series 2016
2. Contact Person/Title: Stephen V. Marlow, Vice President and Chief Financial Officer
Company: Care Initiatives
Address: 1611 West Lakes Parkway
City, State, Zip: West Des Moines, IA 50266-8212
Telephone: (515) 224-7234 E-mail: smarlow@careinitiatives.org
5. Principals: (If a partnership, list partners; if a corporation, list officers/directors and state of incorporation; if a nursing facility, list directors and principal staff.) Attach separate list if necessary.

Please see attached Exhibit A for list of Officers and Directors

6. If Borrower is a nonprofit corporation, provide copy of IRS determination letter or date of application for determination letter and state purpose: Please see Exhibit B
7. Is the Borrower currently qualified to transact business within the State of Iowa? Yes No
8. If project is a Nursing Facility, is state certificate of need required: Yes No
If yes, attach copy.
9. Total current FTE's of Borrower: 2,316

Number of permanent FTE's created by the project: None

Part B - Project Information

1. This Project qualifies for financing pursuant to the Economic Development Loan Program as land, buildings or improvements suitable for use as one of the following facilities (Check one):

501 c (3) entity:

Private college or university

Housing facility for elderly or disabled persons

Museum or library facility

Voluntary nonprofit hospital, clinic or health care facility as defined in Section 135c.1 (6) of the Iowa Code. Specify: 501c3 nursing home

Other 501c (3) entity (please specify) _____

Manufacturing facility

Agricultural processing facility

Multi-family housing

Solid Waste facility

3. Amount of Loan Request: Up to \$55,000,000

Amount to be used for refunding: \$55,000,000 (Series 2006A Bonds issued by the Authority)

4. Address/Location of Project

Care Initiatives operates facilities throughout Iowa. Please see attached Exhibit C. Improvements to certain of those facilities will be refinanced with the proposed Series 2016 Bonds.

5. General Project Description:

Care Initiatives desires to use the proceeds of the proposed Series 2016 Bonds to refinance its Series 2006A Bonds

Part B - Project Information continued

6. Does the Borrower expect to use bond proceeds to reimburse capital expenditures already made?

No

Yes (There are IRS limitations on eligible reimbursable costs.)

7. Parties related to the Project:

a. Principal User will be: Care Initiatives

b. Seller (if any) of the Project: Not Applicable

Firm Name: _____
Address: _____
City/State/Zip Code: _____
Telephone: _____ E-mail: _____

4. Counsel to the Underwriter:

Name: _____
Firm Name: _____
Address: _____
City/State/Zip Code: _____
Telephone: _____ E-mail: _____

5. Trustee: (if needed)

Name: _____
Firm Name: _____
Address: _____
City/State/Zip Code: _____
Telephone: _____ E-mail: _____

PART D - Fees and Charges

1. **A non-refundable application fee must accompany this form at the time of submission to the Authority. For applications up to \$10 million, the application fee is \$1,000. For applications over \$10 million, the application fee is \$2,500. The application fee is subtracted from the Issuer's fee at closing.**

Applications will expire if the bonds are not issued within 18 months.

Submit application to the Authority at the following address:

Lori Beary
Community Development Director
Iowa Finance Authority
2015 Grand Avenue
Des Moines, IA 50312

2. An Issuer's fee will be due at the time of closing. The fee is 10 basis points for the first \$10 million and declines after that. Please contact Lori Beary at 515-725-4965 or lori.beary@iowa.gov for more information.
3. Borrower is required to pay the fees and expenses of Dorsey & Whitney, who serve as Issuer's Counsel. Bond documents should be sent to David Claypool (claypool.david@dorsey.com) or David Grossklaus (Grossklaus.David@dorsey.com) at Dorsey & Whitney and the Authority's Community Development Director (lori.beary@iowa.gov).

Dated this 18 day of FEBRUARY, 2016

Borrower: Care Initiatives

By: Stephen V. Mark
Title: VP/CFO

Exhibit A

Care Initiatives Officers and Directors

A. Directors

- Miles King
- Robert Conlon
- Ron Northup
- Ron Harmond
- Michael Byrnes
- John K. Smith
- Hulon Walker
- Kent Kaplan

B. Officers

- Miles B. King, *President and CEO*
- Charleen A. Schlepp, *Vice President, Director of Operations*
- Stephen V. Marlow, *Vice President, CFO and Treasurer*
- William P. Havekost, *Vice President, Marketing and Care Initiatives Hospice*
- Jeramy Kuhn, *Corporate Compliance Officer*

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
1100 COMMERCE STREET
DALLAS, TX 75242-0000

EXHIBIT B

DEPARTMENT OF THE TREASURY

Date: JUL 18 1986

CARE INITIATIVES, INC.
C/O MICHAEL MCDANIEL
6915 VISTA
W DES MOINES, IA 50268

Employer Identification Number:
78-0262402
Case Number:
758199000
Contact Person:
ANNETTE SMITH
Contact Telephone Number:
(214) 767-6023
Our Letter Dated:
March 3, 1989
Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(2).

- Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(2) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(2) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



Bobby E. Scott
District Director



Care Initiatives

Devoted care for older Iowans

FACILITIES LIST

<i>Facility</i>	<i>City</i>	<i># of Beds</i>	<i>Originally Constructed</i>	<i>Map Position</i>
Atlantic Nursing & Rehab Center	Atlantic	90	2004	1
Avoca Lodge Assisted Living	Avoca	20	2002	2
Avoca Nursing & Rehab Center	Avoca	46	2001	3
Bedford Nursing & Rehab Center	Bedford	49	1967	4
Belle Plaine Nursing & Rehab Center	Belle Plaine	66	1962	5
Centerville Nursing & Rehab Center	Centerville	67	1976	6
Chariton Nursing & Rehab Center	Chariton	111	1966	7
Cherokee Villa Nursing & Rehab Center	Cherokee	62	1972	8
Colonial Estates Independent Living	Kingsley	8	1999	9
Corning Nursing & Rehab Center	Corning	54	1964	10
Correctionville Nursing & Rehab Center	Correctionville	39	1964	11
Corydon Nursing & Rehab Center	Corydon	71	1972	12
Cottonwood Estates Independent Living	Corning	6	1999	13
Creston Nursing & Rehab Center	Creston	74	1972	14
Crestview Nursing & Rehab Center	West Branch	65	2000	15
Dubuque Nursing & Rehab Center	Dubuque	98	1973	16
Dunlap Nursing & Rehab Center	Dunlap	57	1977	17
Dunlap Assisted Living	Dunlap	10	2007	18
Eldora Nursing & Rehab Center	Eldora	49	1978	19

<i>Facility</i>	<i>City</i>	<i># of Beds</i>	<i>Originally Constructed</i>	<i>Map Position</i>
Estabrook Lodge Assisted Living	Eldora	8	2002	20
Fonda Nursing & Rehab Center	Fonda	46	1966	21
Heritage Nursing & Rehab Center (Leased)	Cedar Rapids	201	1971	22
Kingsley Nursing & Rehab Center	Kingsley	43	1965	23
Lamoni Nursing & Rehab Center	Lamoni	43	1973	24
Lamoni Assisted Living	Lamoni	8	2007	25
Lantern Park Nursing & Rehab Center	Coralville	90	2007	26
LaPorte City Nursing & Rehab Center	LaPorte City	46	2004	27
Lyon Manor Nursing & Rehab Center	Rock Rapids	49	1976	28
Manly Nursing & Rehab Center	Manly	50	1976	29
Circle Terrace Lodge	Manly	8	2006	30
Mechanicsville Nursing & Rehab Center	Mechanicsville	67	1976	31
Montezuma Nursing & Rehab Center	Montezuma	49	Prior to 1970	32
New London Nursing & Rehab Center	New London	49	Prior to 1970	33
North Mahaska Nursing & Rehab Center	New Sharon	63	2007	34
Oakwood Nursing & Rehab Center	Albia	87	1968	35
Odebolt Nursing & Rehab Center	Odebolt	46	1965	36
Odebolt Assisted Living	Odebolt	10	2007	37
Panora Nursing & Rehab Center	Panora	91	1974	38
Panora Assisted Living	Panora	11	2007	39
Parkridge Specialty Care	Pleasant Hill	90	2012	40

<i>Facility</i>	<i>City</i>	<i># of Beds</i>	<i>Originally Constructed</i>	<i>Map Position</i>
NorthCrest Specialty Care	Waterloo	94	2013	41
Ravenwood Nursing & Rehab Center	Waterloo	196	1967	42
Ridgewood Nursing & Rehab Center	Ottumwa	70	1979	43
Sibley Nursing & Rehab Center	Sibley	51	1976	44
Silver Hills Independent Living	Bedford	6	1999	45
Southern Hills Nursing & Rehab Center	Osceola	90	2009	46
Southridge Nursing & Rehab Center	Marshalltown	82	2001	47
State Center Nursing & Rehab Center	State Center	48	Prior to 1970	48
Stratford Nursing & Rehab Center	Stratford	66	1977	49
Valley Lodge Assisted Living	Correctionville	9	2002	50
Valley View Nursing & Rehab Center	Eldora	72	1967	51
Wapello Nursing & Rehab Center	Wapello	49	Prior to 1970	52
West Ridge Nursing & Rehab Center	Knoxville	78	2003	53
Westwood Nursing & Rehab Center	Sioux City	85	2005	54
Windsor Nursing & Rehab Center	Cedar Falls	100	1969	55
Care Initiatives Hospices	Albia	N/A	N/A	56
	Cedar Rapids			57
	Des Moines			58
	Greenfield			59
	Sioux City			60
	Waterloo			61



Care Initiatives

Devoted care for older Iowans

Up To \$55,000,000
IOWA FINANCE AUTHORITY
Health Care Facility Revenue Refunding Bonds
(Care Initiatives Project), Series 2016

Distribution List

ISSUER

Iowa Finance Authority
2015 Grand Avenue
Des Moines, IA 50312

Lori Beary, Community Development Director

Telephone: **515-725-4965**
FAX: 515-725-4901
Email: Lori.beary@iowa.gov

BOND/ISSUER'S COUNSEL

Dorsey & Whitney LLP
801 Grand Avenue
Suite 4100
Des Moines, IA 50309
Fax: 515-283-1060

David Claypool, Esq.

Telephone: **515-699-3265**
Email: claypool.david@dorseylaw.com

Cristina Kuhn, Esq.

Telephone: **515-699-3273**
Email: kuhn.cristina@dorsey.com

Darla Giese, Esq.

Telephone: **515-699-3293**
Email: giese.darla@dorsey.com

BORROWER

Care Initiatives
1611 West Lakes Parkway
West Des Moines, IA 50266

Stephen V. Marlow, VP & CFO

Telephone: **515-224-4442, ext. 1215**
Cell: **515-491-6727**
FAX: 515-224-0389
Email: smarlow@careinitiatives.org

Dave Dixon, Director of Finance

Telephone: **(515) 224-7234, ext. 1223**
Fax: (515) 224-0389
Email: ddixon@careinitiatives.org

BORROWER'S COUNSEL

Davis, Brown, Koehn, Shors & Roberts, P.C.
215 10th Street, Ste. 1300
Des Moines, IA 50309

David B. VanSickel, Esq

Telephone: **515-246-7808**
Fax: 515-243-0654
Email: dbv@davisbrownlaw.com

BORROWER'S FINANCIAL ADVISOR

Wye River Group Incorporated
522 Chesapeake Avenue, 2nd Floor
Annapolis, MD 21403
Fax: 410-267-8235

Kevin G. Quinn

Telephone: **410-267-8811**
Email: kquinn@wyeriver.com

William H. Bass III

Telephone: **410-267-8811**
Email: wbass@wyeriver.com

LENDER

To be Determined

LENDER'S COUNSEL

To be Determined

TRUSTEE

Wells Fargo Bank, N.A.
Corporate Trust Department
MAC N9311-115
625 Marquette Avenue, 11th Floor
Minneapolis, MN 55479

Jeff Carlson

Telephone: **612-667-4802**
Fax: 612-667-2160
Email: jeffrey.k.carlson@wellsfargo.com

Mark Birkholz

Telephone: **612-667-4562**
Fax: 612-667-2160
Email: mark.v.birkholz@wellsfargo.com

RESOLUTION
WQ 16-05

WHEREAS, the Iowa Finance Authority (the "Authority"), in accordance with the statutory directives set forth in Chapter 16 of the Code of Iowa and sections 455B.291 through and including 455B.299 of the Code of Iowa, works with the Iowa Department of Natural Resources (the "Department"), to administer the Iowa Water Pollution Control Works Financing Program and the Iowa Drinking Water Facilities Financing Program (collectively, the "SRF Program"); and

WHEREAS, the Authority offers loans under the SRF Program as a means of financing all or part of the construction of certain drinking water or wastewater treatment facilities; and

WHEREAS, the construction activities being undertaken meet the requirements of the SRF Program and have been approved by the Department; and

WHEREAS, the Authority offers the SRF loans at below market interest maturing no later than thirty years from execution; and

WHEREAS, the Authority desires to approve SRF Loans to the communities and in the amounts set forth on Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Iowa Finance Authority as follows:

SECTION 1. The Board authorizes the Executive Director to execute and deliver for and on behalf of the Authority any and all certificates, documents, opinions or other papers and perform all other acts as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

SECTION 2. The Board authorizes funding SRF Loans to the communities and in the amounts set forth on Exhibit A attached hereto, each with an interest rate of 1.75% for a maturity of twenty years or an interest rate of 2.75% with a maturity of not to exceed thirty years, and such other restrictions as may be deemed necessary and appropriate by the Executive Director.

SECTION 3. The Board authorizes the Executive Director to fund said loan from funds held under the SRF Program, all in the manner deemed necessary and appropriate by the Executive Director, subject to the terms and conditions of this Resolution.

SECTION 4. The provisions of this Resolution are declared to be separable, and if any section, phrase or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

SECTION 5. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict and this Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

Exhibit A

SRF Construction Loans

Borrower	County	Population	Amount	CW/ DW	Description
Anita Municipal Utilities	Cass	972	\$1,600,000	DW	Source & Treatment Improvements
Gladbrook	Tama	945	\$1,044,000	CW	UV Disinfection
Sumner	Bremer	2,028	\$813,000	CW	UV Disinfection

\$3,457,000

RESOLUTION
HI 16-03

WHEREAS, the Iowa Finance Authority (the “Authority”) is the housing credit agency for the State of Iowa in connection with the Low-Income Housing Tax Credit Program administered under Section 42 of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the Authority has received applications for 2016 low-income housing tax credits pursuant to the 2016 Qualified Allocation Plan (“2016 QAP”).

WHEREAS, the Authority has reviewed the applications and desires to award 2016 tax credits under the 2016 QAP as set forth on the 2016 Combined Rankmaster attached to this Resolution as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Iowa Finance Authority as follows:

SECTION 1. Subject to Section 2 hereof, the Board hereby awards 2016 tax credits to the projects listed on Exhibit A as set forth therein.

SECTION 2. The provisions of this Resolution are declared to be separable, and if any section, phrase, line item, or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, line items, and provisions.

SECTION 3. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict and this Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED this 9th day of March, 2016.

David D. Jamison, Secretary
(Seal)

Exhibit A
2016 Combined Rankmaster



Total Tax Credits	\$7,880,237													
Application Number	Project Name	City	County	Set-Asides	Project Type	Occ. Type	Total Score	Tax Credit Request	Tax Credit Award	Tax Credits Remaining	Senior Living Revolving Loan	Comments	Developer	
Nonprofit Set-Aside	\$788,024													
16-07	The Brickstones at Riverbend	Des Moines	Polk	Nonprofit, Senior	NC	OP 55	199	\$456,296	\$456,296	\$7,423,941	\$0		Anawim	
16-16	Corinthian Gardens	Des Moines	Polk	Nonprofit, Senior, Preservation	Acq/Rehab	OP 62	190	\$748,246	\$748,246	\$6,675,695	\$0		Newbury Management Company d/b/a Newbury Living, Corinthian Gardens, Inc.	
Sub Total								\$1,204,542	\$1,204,542	\$6,675,695	\$0			
Preservation Set-Aside	\$788,024													
16-27	Steamboat Landing	Burlington	Des Moines	Preservation	Acq/Rehab	Family	198	\$683,152	\$683,152	\$5,992,543	\$0		Millennia Housing Development, Ltd	
16-02	Bluffs Towers Apartments	Council Bluffs	Pottawattamie	Preservation, Senior	Acq/Rehab	OP 62	189	\$652,700	\$652,700	\$5,339,843	\$0		Knudson Development Company, LLC	
Sub Total								\$1,335,852	\$1,335,852	\$5,339,843	\$0			
Senior Set-Aside	\$1,182,036													
16-03	Villas at Meadow Springs	Ankeny	Polk	Senior	NC	OP 55	231	\$576,682	\$575,940	\$4,763,903	\$0		MBL Development Co., Zimmerman Properties, LLC	
16-17	Coral Ridge Apartments	Coralville	Johnson	Senior	NC	OP 55	230	\$800,000	\$800,000	\$3,963,903	\$0		St. Michael Development Group, LLC	
Sub Total								\$1,376,682	\$1,375,940	\$3,963,903	\$0			
Rural Set-Aside	\$1,182,036													
16-30	4th Avenue Lofts	Clinton	Clinton	Rural	NC	Family	235	\$711,856	\$706,071	\$3,257,832	\$0		MV Residential Development LLC, St. Mary Development Corporation	
16-14	Harrison Lofts	Muscatine	Muscatine	Rural	NC	Family	227	\$767,792	\$762,022	\$2,495,810	\$0		MV Residential Development LLC, St. Mary Development Corporation	
Sub Total								\$1,479,648	\$1,468,093	\$2,495,810	\$0			
Housing for Homeless Demonstration Set-Aside - Noncompetitive								\$800,000			\$1,695,810			
General Pool	\$1,695,810 **Doesn't Include the \$800,000 set-aside for the Housing for the Homeless Demonstration Set-Aside - Noncompetitive)													
16-24	Diamond Senior Apartments of Iowa City	Iowa City	Johnson	Senior	NC	OP 55	225	\$562,432	\$562,432	\$1,133,378	\$0		3 Diamond Development LLC	
16-01	Applewood IV	Dubuque	Dubuque	Senior	NC	OP 55	224	\$675,005	\$670,353	\$463,025	\$0		Horizon Development Group, Inc, Midwest Affordable Housing Corporation	
16-19	Paragon Square	Dubuque	Dubuque	Senior	Adaptive Reuse	OP 55	206	\$244,965	\$244,930	\$218,095	\$0		Frantz Community Investors	
Sub Total:								\$1,482,402	\$1,477,715	\$218,095	\$0			
TOTAL AWARDED									\$6,862,142		\$0			
No Offer														
16-31	Maple Senior	Burlington	Des Moines	Senior	NC	OP 55	228	\$795,785	\$0	\$0	\$0	Developer Cap	MV Residential Development LLC, St. Mary Development Corporation	
16-20	University Senior Lofts	Dubuque	Dubuque	Senior	NC	OP 55	225	\$756,598	\$0	\$0	\$0	Developer Cap	MV Residential Development LLC, St. Mary Development Corporation	
16-23	Alice Place at Boone	Boone	Boone	Rural, Senior	NC	OP 55	224	\$730,756	\$0	\$0	\$0		Iceberg Development Group, LLC	
16-05	Meadow Springs	Ankeny	Polk		NC	Family	223	\$650,128	\$0	\$0	\$0		MBL Development Co., Zimmerman Properties, LLC	
16-04	Kingston Senior Apartments	Cedar Rapids	Linn	Senior	NC	OP 55	223	\$800,000	\$0	\$0	\$0		TWG Development, LLC	
16-06	Hilltop II	Des Moines	Polk		NC	Family	221	\$800,000	\$0	\$0	\$0		Conlin Development Group, L.L.C., Barnes Realty, L.L.C	
16-22	Melbourne IV 2016	Des Moines	Polk	Senior	NC	OP 55	216	\$761,575	\$0	\$0	\$0		Hubbell Realty Company	
16-28	Bondurant Senior Housing	Bondurant	Polk	Senior	NC	OP 55	197	\$692,830	\$0	\$0	\$0		Newbury Management Company d/b/a Newbury Living	
16-12	Creekside	Muscatine	Muscatine	Rural, Senior	NC	OP 55	196	\$717,466	\$0	\$0	\$0		DN Development, LLC	
16-13	Marquette Hall	Dubuque	Dubuque	Senior	Adaptive Reuse	OP 62	195	\$318,263	\$0	\$0	\$0		Cohen-Esrey Affordable Partners, LLC	
16-10	Brookline	DeWitt	Clinton	Rural, Senior	NC	OP 55	169	\$453,297	\$0	\$0	\$0		DN Development, LLC	
16-09	Red Oak Village	Red Oak	Montgomery	Preservation, Rural	Acq/Rehab	Family	148	\$283,036	\$0	\$0	\$0		Tier 1 Development Group, LLC	
Sub Total								\$7,759,734	\$0	\$218,095	\$0			

2016 Combined Rankmaster

Application Number	Project Name	City	County	Set-Asides	Project Type	Occ. Type	Total Score	Tax Credit Request	Tax Credit Award	Tax Credits Remaining	Senior Living Revolving Loan	Comments	Developer
Did Not Meet Threshold													
16-11	Washington	Clinton	Clinton	Rural, Senior	Adaptive Reuse	OP 55		\$704,642	\$0			Underwriting	DN Development, LLC
16-15	Calvin Senior Housing	Des Moines	Polk	Senior	NC	OP 55		\$579,239	\$0			Underwriting	Compass Property Consulting, LLC
16-18	Rose Park Senior Apartments	Carlisle	Warren	Senior	NC	OP 62		\$800,000	\$0			Underwriting	Allegiant Development, LLC, National Consulting Alliance, Inc.
16-21	Factory Lofts	Newton	Jasper	Rural	Adaptive Reuse	Family		\$370,488	\$0			Incomplete Application	Hubbell Realty Company
16-25	The Aberdeen Apartments	Sioux City	Woodbury		Adaptive Reuse	Family		\$800,000	\$0			Underwriting	Arch Icon Development Corporation
16-26	City View	Spirit Lake	Dickinson	Rural	NC	Family		\$488,238	\$0			Underwriting	City View Partners, LLC
16-29	Louden Senior Housing	Fairfield	Jefferson	Rural, Senior	Rehab, Adaptive Reuse	OP 55		\$554,798	\$0			Underwriting	Gardner Development, LLC
								Sub Total	\$4,297,405	\$0			
9% Total Credits Requested									\$18,936,265				
Withdrawn													
16-08	Prairie Village Apartments	Parkersburg	Butler	Nonprofit	Acq/Rehab	OP 62		\$0	\$0			\$0 Withdrawn by Applicant	National Affordable Housing Foundation, National Consulting Alliance



To: IFA Board of Directors
From: Terri Rosonke, HousingIowa Development Specialist
Date: 3/9/16
Re: State Housing Trust Fund – Project-Based Housing Program

As provided in the Allocation Plan, IFA will accept applications for the Project-Based Housing Program on an open-window basis until all available moneys have been exhausted. Available funding under the FY 2016 Project-Based Housing Program totals \$295,000. The attached funding recommendation is offered for the Board's consideration of one award totaling \$15,000.

On May 6, 2015, the IFA Board of Directors approved a \$35,000 Project-Based Housing Program grant award to Heart of Iowa Habitat for Humanity to help construct a new three bedroom, one bathroom single-family home on an infill lot located at 205 17th Street in Boone. Habitat for Humanity of Iowa was contracted to provide grant administration services. When the Habitat affiliate first requested disbursement of grant funds in September 2015, IFA staff discovered that as a result of staffing turnover at Habitat for Humanity of Iowa and miscommunication as to the timing of the application submission and review process, Heart of Iowa Habitat for Humanity had actually started construction on the 17th Street build prior to May 6, 2015, making those costs ineligible for reimbursement under the SHTF grant agreement. In addition, IFA became aware that half of the proposed build site was located in the 100-year floodplain, which was unknown at the time of application submission. IFA and Heart of Iowa Habitat for Humanity agreed that the best option was to propose an alternate build to be assisted with the Project-Based Housing Program award and seek an amendment to the original grant agreement.

In January 2016, Heart of Iowa Habitat for Humanity submitted an amendment request proposing transfer of the original \$35,000 grant award to the proposed construction of a single-family home to be located at 2110 Carroll Street in Boone. The Habitat affiliate will partner with an eight-person immigrant family from South Sudan for the Carroll Street build requiring the construction of a larger five bedroom, two bathroom home, resulting in a higher total development budget. Increased project costs are compounded by an inability to utilize HOME funds as anticipated in the original budget, leading Heart of Iowa Habitat for Humanity to also request an additional \$15,000 in FY 2016 Project-Based Housing Program funding that would be added to the original \$35,000 FY 2015 grant. If approved by the Board, the supplemental award would bring the total Project-Based Housing Program grant award to the project to \$50,000, which is the maximum allowable award to an applicant in a calendar year.

If the attached FY 2016 Project-Based Housing Program funding recommendation is approved by the Board, awards to date will total \$90,000, with \$205,000 remaining available for allocation this fiscal year.



**FY 2015 State Housing Trust Fund – Project-Based Housing Program
Application Summary and Funding Recommendations
March 9, 2016**

Project-Based Application #16-15-34

<u>Applicant:</u>	Heart of Iowa Habitat for Humanity
<u>Project Location:</u>	Boone (Boone County)
<u>Project Name:</u>	Heart of Iowa HFH: Kouk Family Home
<u>Funding Request:</u>	\$15,000 supplemental award request (original \$35,000 award approved as SHTF #15-34 on May 6, 2015)
<u>Number of Units:</u>	1
<u>Total Budget:</u>	\$110,370
<u>Project Type:</u>	Homeownership
<u>Activity:</u>	New construction of affordable housing

Background: Heart of Iowa Habitat for Humanity has requested an additional \$15,000 grant to help construct a single-family home on an infill lot in Boone for sale to a low-income family of eight. The new ranch style home will include five bedrooms and two bathrooms with a full basement. The main floor of the home will include 1,280 square feet with an additional 432 square feet of finished space in the basement to provide the additional living space required to meet the family's needs. The partner family will receive financial, home repair, homeownership, and foreclosure prevention education and must also complete the required sweat equity hours prior to closing on the home.

Since its inception in 1995, Heart of Iowa Habitat for Humanity has constructed 25 single-family homes for low-income homebuyers and completed an additional 13 owner-occupied housing repair projects. The nonprofit organization amended its articles of incorporation in 2014 to change its name from Habitat for Humanity of Boone and Greene Counties, Inc. to Heart of Iowa Habitat for Humanity.

The Project-Based Housing Program award will be used to help finance construction costs. The total grant represents 49 percent of the net project budget, exclusive of any amounts budgeted for administration and developer fee.

Recommendation: The supplemental award request is recommended for funding in the amount of \$15,000 contingent upon satisfaction of the following prior to the disbursement of any Project-Based Housing Program grant funds:

1. IFA compliance staff must review and approve the homebuyer's gross annual household income verification documentation as submitted by Heart of Iowa Habitat for Humanity.
2. Heart of Iowa Habitat for Humanity shall submit documentation that all other funding sources, as identified in the Exhibit B, Project Budget, have been secured.

RESOLUTION
HI 16-04

WHEREAS, the Iowa Finance Authority (the “Authority”), in accordance with the statutory directives set forth in Chapter 16 of the Code of Iowa, as amended, works to expand, protect and preserve affordable housing for low and moderate income families in the State of Iowa; and

WHEREAS, pursuant to Iowa Code section 16.181, a housing trust fund has been created within the Authority (the “Trust Fund”); and

WHEREAS, the Authority has adopted an allocation plan for the Project-Based Housing Program under the Trust Fund (the “Allocation Plan”); and

WHEREAS, the Allocation Plan establishes a Project-Based Housing Program and provides for criteria for grants for the program; and

WHEREAS, pursuant to Iowa Code section 16.181 and the terms of the Allocation Plan, applications for the program are accepted on an open-window basis until all available moneys have been exhausted; and

WHEREAS, on May 6, 2015, Heart of Iowa Habitat for Humanity (the “Applicant”) was awarded \$35,000 (the “2015 Award”) for a housing project to be located in Boone, Iowa (the “Original Project”); and

WHEREAS, it was subsequently discovered that the Original Project was not a good candidate for Trust Fund financing; and

WHEREAS, the Applicant has since identified a new project (the “New Project”) that is suitable for Trust Fund financing, but which will require more funds than the Original Project; and

WHEREAS, the Applicant has accordingly requested that the 2015 Award be amended to permit its use in connection with the New Project and supplemented with additional 2016 funding for use in connection with the New Project; and

WHEREAS, Authority staff has reviewed the application referenced in Exhibit A pursuant to the criteria set forth in the Allocation Plan and recommends the Board permit the amendment of the 2015 Award and that the Board award additional funds under the Allocation Plan as set forth on the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Iowa Finance Authority as follows:

SECTION 1. Pursuant to the Allocation Plan, the Board hereby consents to the amendment of the 2015 Award to permit those funds to be used in connection with the New Project instead of the Original Project.

SECTION 2. Pursuant to the Allocation Plan, the Board hereby awards a supplemental grant of 2016 funds under the Project-Based Housing Program to the Applicant in the amount listed on Exhibit A, contingent upon all other funding sources, as identified in the Applicant's project budget, being secured.

SECTION 3. The Board hereby authorizes Authority staff to prepare a grant award agreement consistent with this resolution and with the Allocation Plan.

PASSED AND APPROVED this 9th day of March, 2015.

David D. Jamison, Secretary
(Seal)

EXHIBIT A

Applicant	Category	Funding Recommendation
#16-15-34, Heart of Iowa Habitat for Humanity <i>Project Location: Boone (Boone County)</i>	Project-Based	\$ 15,000
Total Funding Recommendations 3/9/16	Project-Based	\$ 15,000
Total Prior Awards FY2016	Project-Based	\$ 75,000
Total FY2016 Funding Recommendations/Awards To Date	Project-Based	\$ 90,000
Total FY2016 Funding Remaining	Project-Based	\$ 205,000



IOWA FINANCE
AUTHORITY

To: IFA Board of Directors
From: Terri Rosonke, HousingIowa Development Specialist
Date: 3/9/16
Re: State Housing Trust Fund – Project-Based Housing Program

As provided in the Allocation Plan, IFA will accept applications for the Project-Based Housing Program on an open-window basis until all available moneys have been exhausted. Available funding under the FY 2016 Project-Based Housing Program totals \$295,000. The attached funding recommendation is offered for your consideration for two awards totaling \$50,000.

If the attached FY 2016 Project-Based Housing Program funding recommendation is approved by the Board, awards to date will total \$140,000, with \$155,000 remaining available for allocation.

Awards approved by the Board in FY 2016 are leveraging an additional \$574,415 in other financing resources or \$4.10 for every dollar of Project-Based funding. The approved projects will assist a total of six affordable housing units in Iowa with an average per unit subsidy of \$23,333 in FY 2016 funding.



**FY 2016 State Housing Trust Fund – Project-Based Housing Program
Application Summary and Funding Recommendations
March 9, 2016**

Project-Based Application #16-30

Applicant: Iowa Heartland Habitat for Humanity

Project Location: Waterloo (Black Hawk County)

Project Name: Irving Square Lot 12

Funding Request: \$25,000

Number of Units: 1

Total Budget: \$147,500

Project Type: Homeownership

Activity: New construction affordable housing

Background: Iowa Heartland Habitat for Humanity has requested a \$25,000 grant to help construct a single-family home on the infill site of a former elementary school in Waterloo. The new approximately 1,150 square foot ranch-style home to be sold to a low-income family will include four bedrooms and two bathrooms with a full basement. The partner family will receive financial, home repair, homeownership, and foreclosure prevention education and must also complete the required sweat equity/community service hours prior to closing on the home.

Iowa Heartland Habitat for Humanity serves Black Hawk, Bremer, and Butler Counties. Since its inception in 1990, Iowa Heartland Habitat for Humanity has constructed 128 homes for low-income families. This build will be the Habitat affiliate's 134th home.

The Project-Based Housing Program award will be used to help finance construction costs. The requested grant represents 20 percent of the net project budget, exclusive of any amounts budgeted for administration and developer fee.

Recommendation: The application is recommended for funding in the amount of \$25,000 contingent upon satisfaction of the following prior to the disbursement of any Project-Based Housing Program grant funds:

1. IFA compliance staff must review and approve the homebuyer's gross annual household income verification documentation as submitted by Iowa Heartland Habitat for Humanity.
2. Iowa Heartland Habitat for Humanity shall submit a copy of the properly executed and recorded warranty deed for the build site.

Project-Based Application #16-31

<u>Applicant:</u>	Iowa Heartland Habitat for Humanity
<u>Project Location:</u>	Waterloo (Black Hawk County)
<u>Project Name:</u>	330 Irving Street
<u>Funding Request:</u>	\$25,000
<u>Number of Units:</u>	1
<u>Total Budget:</u>	\$147,500
<u>Project Type:</u>	Homeownership
<u>Activity:</u>	New construction of affordable housing

Background: Iowa Heartland Habitat for Humanity has requested a \$25,000 grant to help construct a single-family home on an infill lot in Waterloo. The new approximately 1,200 square foot two-story home to be sold to a low-income family will include two bedrooms and two and a half bathrooms with a full basement. The partner family will receive financial, home repair, homeownership, and foreclosure prevention education and must also complete the required sweat equity/community service hours prior to closing on the home.

Iowa Heartland Habitat for Humanity serves Black Hawk, Bremer, and Butler Counties. Since its inception in 1990, Iowa Heartland Habitat for Humanity has constructed 128 homes for low-income families. This build will be the Habitat affiliate's 135th home.

The Project-Based Housing Program award will be used to help finance construction costs. The requested grant represents 20 percent of the net project budget, exclusive of any amounts budgeted for administration and developer fee.

Recommendation: The application is recommended for funding in the amount of \$25,000 contingent upon satisfaction of the following prior to the disbursement of any Project-Based Housing Program grant funds:

1. IFA compliance staff must review and approve the homebuyer's gross annual household income verification documentation as submitted by Iowa Heartland Habitat for Humanity.
2. Iowa Heartland Habitat for Humanity shall submit a copy of the properly executed and recorded warranty deed for the build site.

RESOLUTION
HI 16-05

WHEREAS, the Iowa Finance Authority (the “Authority”), in accordance with the statutory directives set forth in Chapter 16 of the Code of Iowa, as amended, works to expand, protect and preserve affordable housing for low and moderate income families in the State of Iowa; and

WHEREAS, pursuant to Iowa Code section 16.181, a housing trust fund has been created within the Authority (the “Trust Fund”); and

WHEREAS, the Authority has adopted an allocation plan for the Project-Based Housing Program under the Trust Fund (the “Allocation Plan”); and

WHEREAS, the Allocation Plan establishes a Project-Based Housing Program and provides for criteria for grants for the program; and

WHEREAS, pursuant to Iowa Code section 16.181 and the terms of the Allocation Plan, applications for the program will be accepted on an open-window basis until all available moneys have been exhausted; and

WHEREAS, Authority staff has reviewed the applications referenced in Exhibit A pursuant to the criteria set forth in the Allocation Plan and recommends the Board award funds under the Allocation Plan as set forth on the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Iowa Finance Authority as follows:

SECTION 1. Pursuant to the Allocation Plan, the Board hereby awards grants under the Project-Based Housing Program to the recipients and in the amounts listed on Exhibit A, contingent upon all other funding sources, as identified in each applicant’s project budget, being secured.

SECTION 2. The Board hereby authorizes Authority staff to prepare a grant award agreement for each recipient consistent with this resolution and with the Allocation Plan.

PASSED AND APPROVED this 9th day of March, 2016.

David D. Jamison, Secretary
(Seal)

EXHIBIT A

Applicant	Category	Funding Recommendation
#16-30, Iowa Heartland Habitat for Humanity <i>Project Location: Waterloo (Black Hawk County)</i>	Project-Based	\$ 25,000
#16-31, Iowa Heartland Habitat for Humanity <i>Project Location: Waterloo (Black Hawk County)</i>	Project-Based	\$ 25,000
Total Funding Recommendations 3/9/16	Project-Based	\$ 50,000
Total Prior Awards FY2016	Project-Based	\$ 90,000
Total FY2016 Funding Recommendations/Awards To Date	Project-Based	\$ 140,000
Total FY2016 Funding Remaining	Project-Based	\$ 155,000

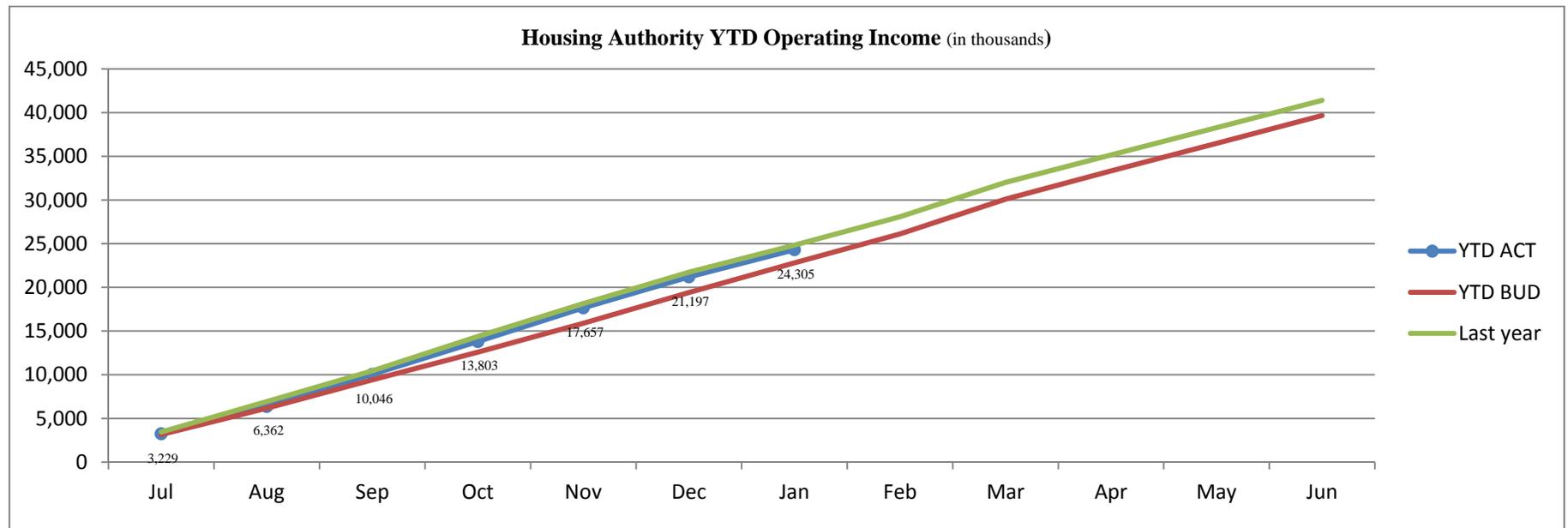
To: David D Jamison
 From: Steven E Harvey
 Date: February 19, 2015
 Re: January 2016 Financial Results



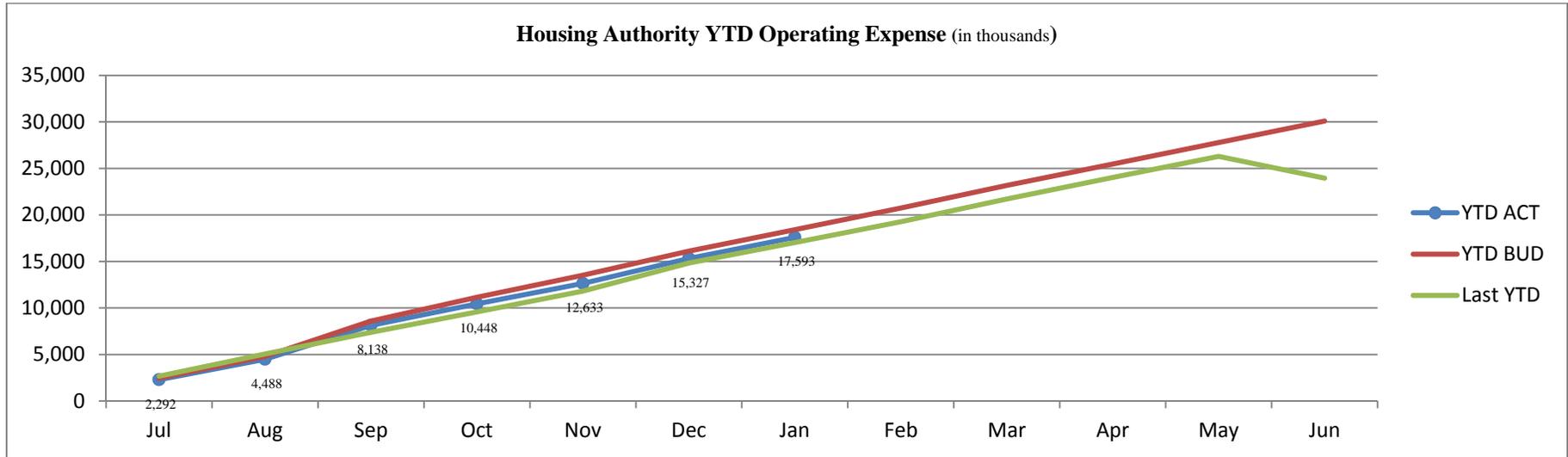
Housing Authority Highlights

YTD January results for the Housing Authority were favorable to budget.

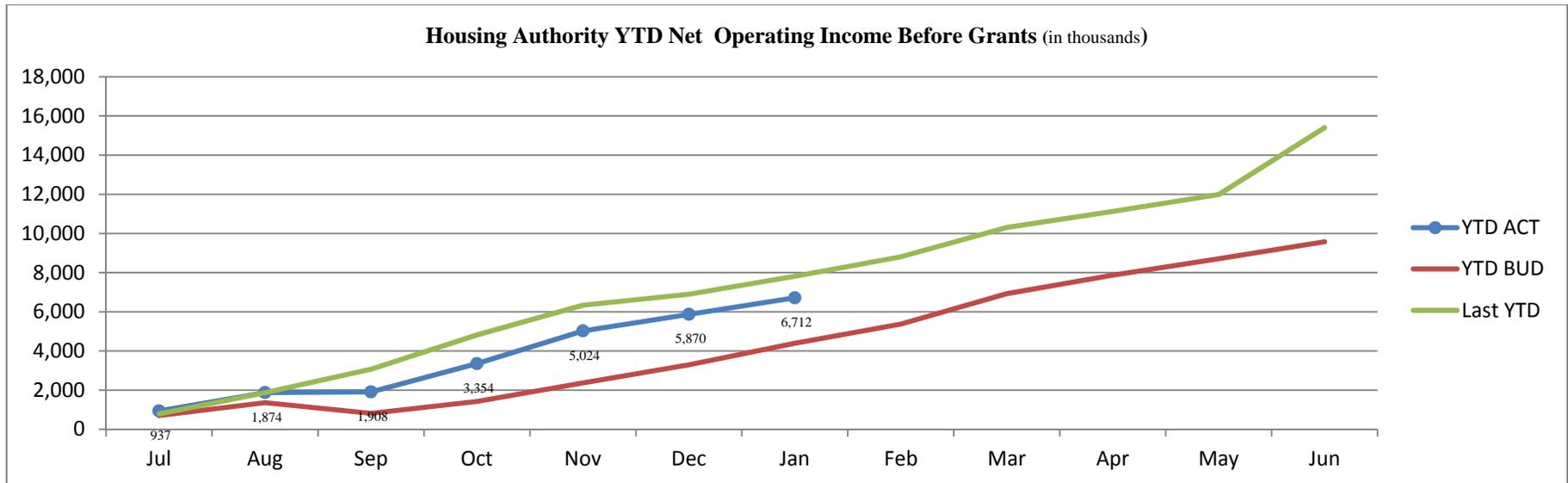
- ITG continues to exceed Operating Income budget by \$1,065,604 or 29.8%.
- LIHTC Fees exceed budget by \$237,824 or 41.8%
- Ag Division fees exceed budget by \$115,523 or 51.0%
- Aggressive debt reduction continues to reduce interest expense, which is \$994,142 or 12.4% below budget.
- Staffing was below budget by 8 FTE’s resulting in a reduction of employee expenses of \$398,782 or 6.5% below budget.
- Professional services were above budget by \$639,526 or 23.3% due mainly to ITG incentive payments to field issuers.
- Net Grant Expense of \$277,404 exceeded budget by \$802,728 due to disbursements occurring earlier in the year than expected.



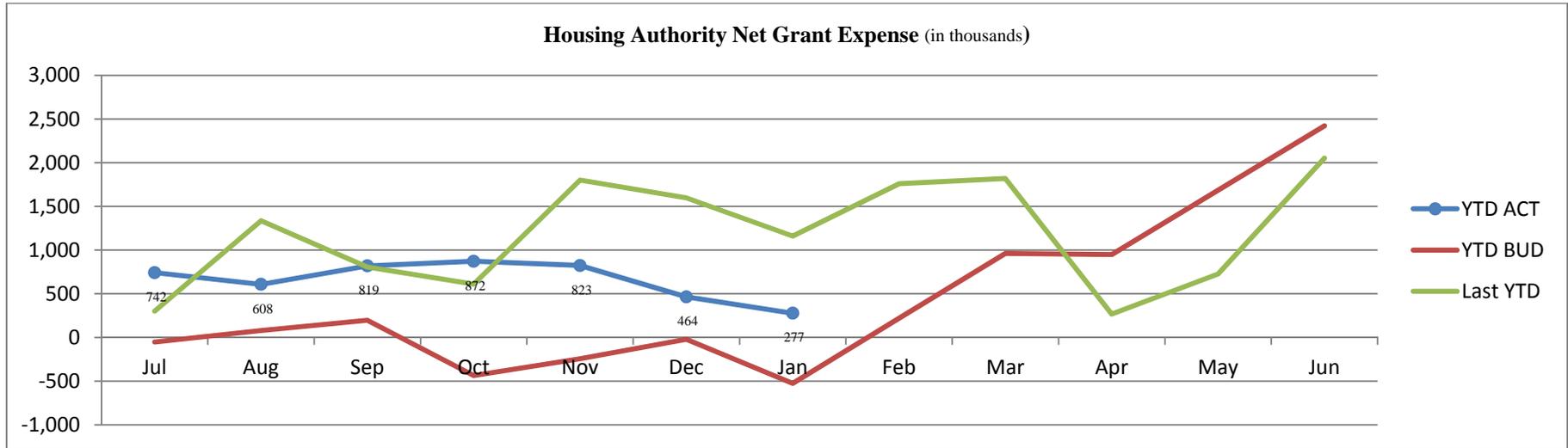
YTD Operating Income of \$24,304,619 was \$1,499,596 or 6.6% above budget but \$530,002 or 2.1% below last year.



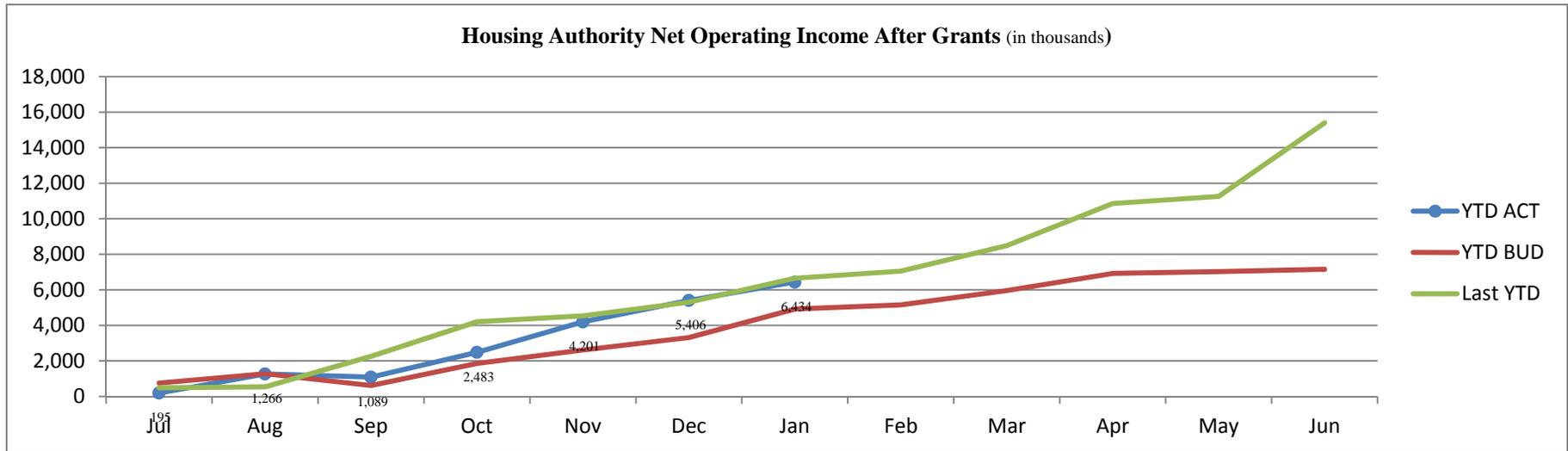
YTD Operating Expense of \$17,592,877 was \$822,593 or 4.5% below budget but \$570,887 or 3.4% above last year.



YTD Net Operating Income before Grants of \$6,711,742 was \$2,322,189 or 52.9% above budget but \$1,100,879 or 14.1% below last year.

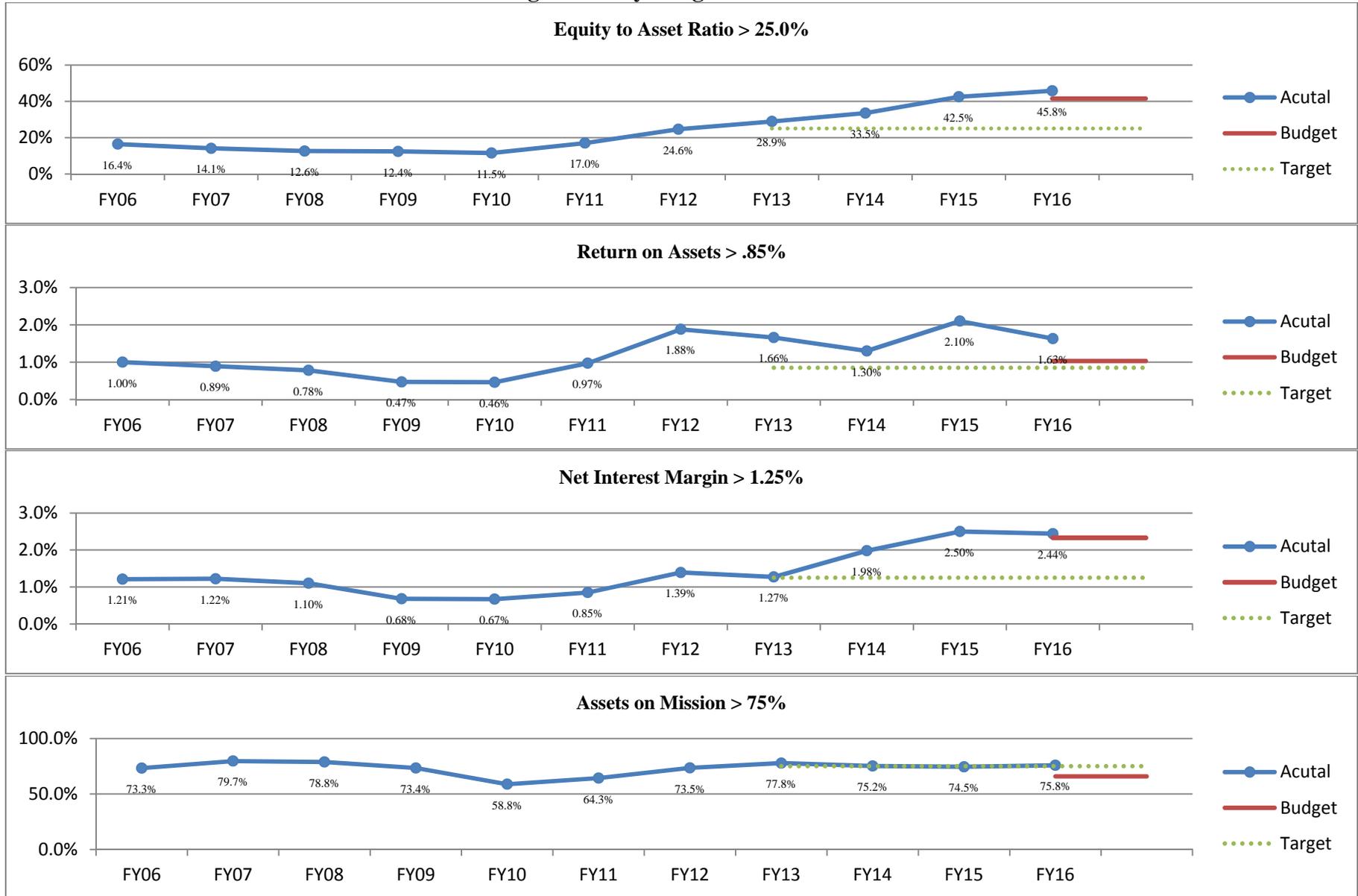


YTD Net Grant Expense of \$277,404 was \$802,728 or 152.8% above budget but \$883,535 or 76.1% below last year



YTD Net Operating Income after Grants of \$6,434,338 was \$1,519,462 or 30.9% above budget but \$217,343 or 3.3% below last year.

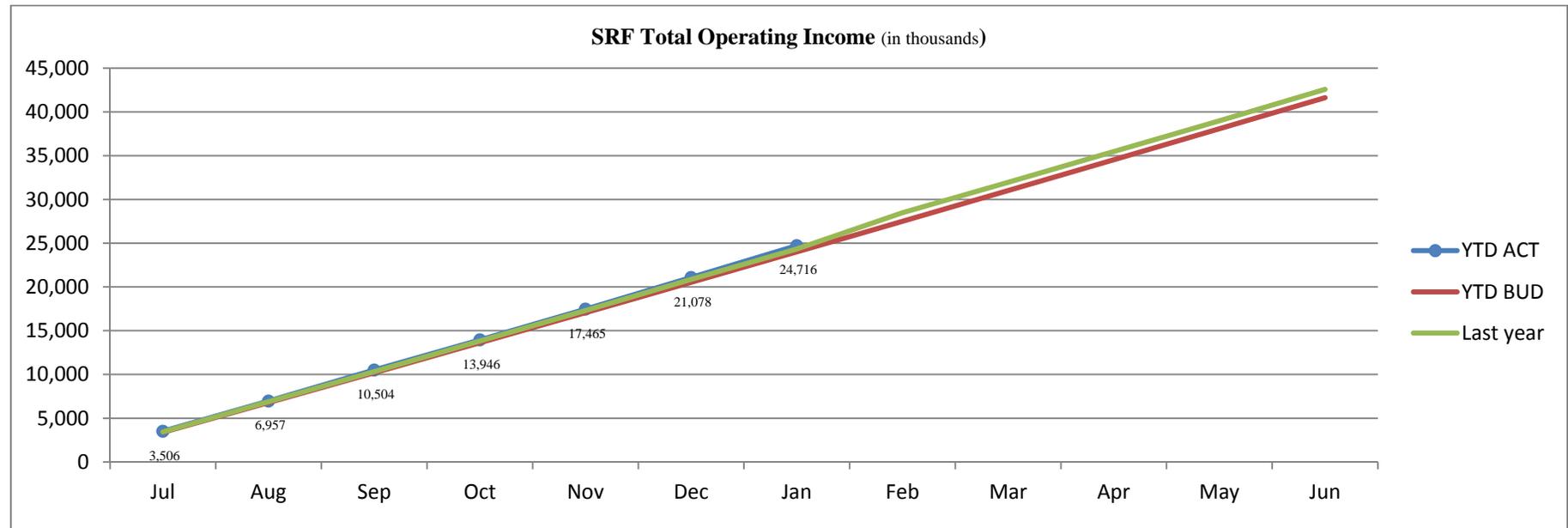
Housing Authority Long-Term Measures



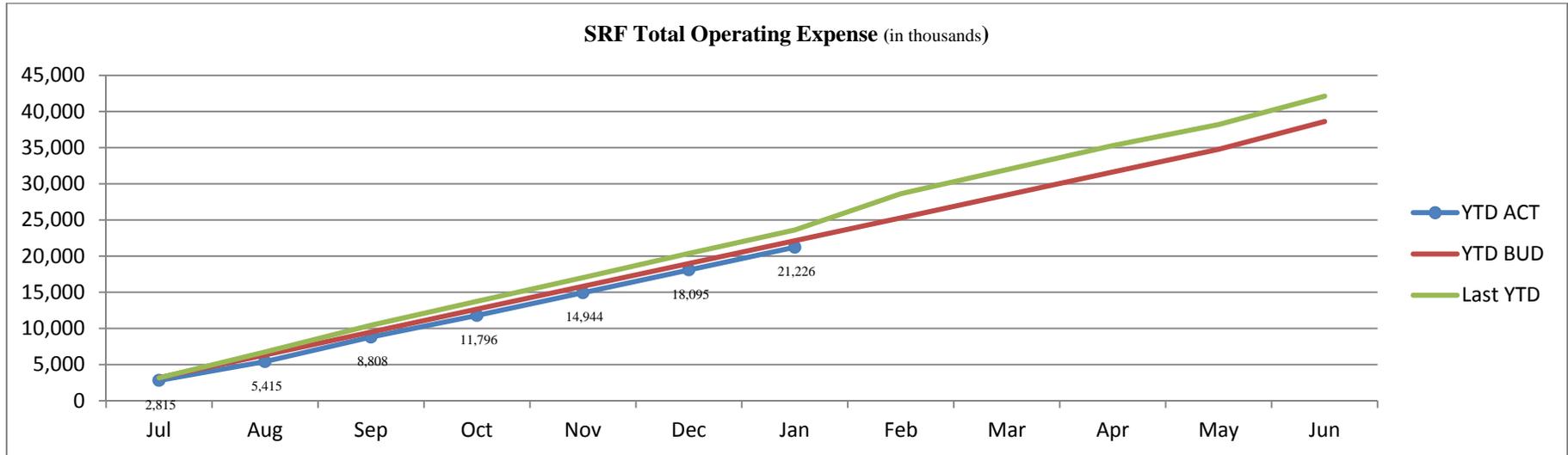
State Revolving Fund Highlights

YTD January results for the SRF were favorable to budget.

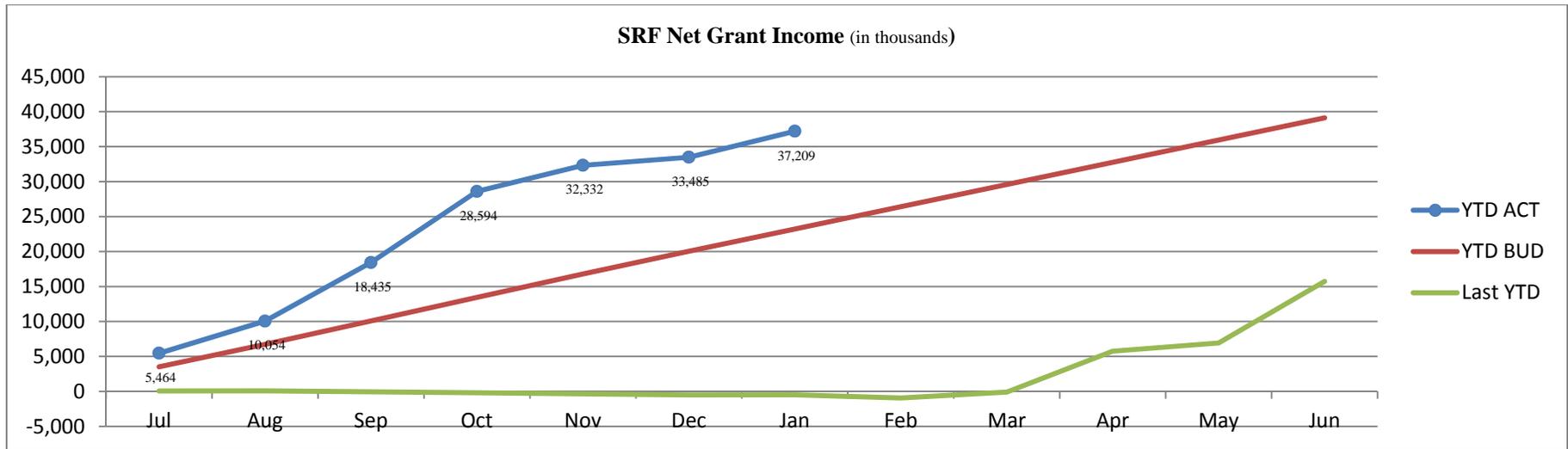
- SRF has \$156.9 million available to fund loan disbursements plus \$2.3 million of cap grants available to fund commitments of \$191.0 million.
- YTD the SRF has disbursed \$101.5 million in loan draws.
- Operating income and expense are both favorable to budget.



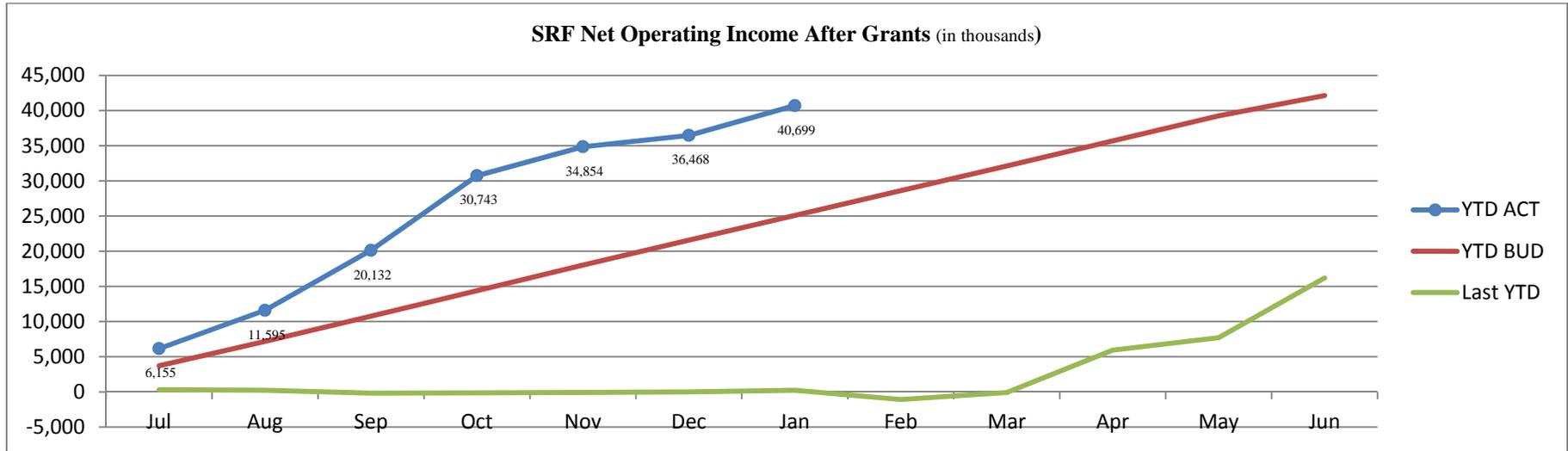
YTD Operating Income of \$24,715,854 was \$711,720 or 3.0% above budget and \$377,759 or 1.6% above last year.



YTD Operating Expenses of \$21,226,008 was \$914,081 or 4.1% below budget and \$2,384,476 below last year



YTD Net Grant Income of \$37,208,722 was \$13,985,856 or 60.2% above budget and \$37,705,837 above last year.



YTD Net Operating Income after Grants of \$40,698,568 was \$15,611,657 or 62.2% above budget and \$40,468,072 above last year.

Income Statement	Housing Authority (Rollup)													
	Jan-2016							YTD as of Jan-2016						
	Actuals	Bud FY16	Difference	%	Last Year	Difference	%	Actuals	Bud FY16	Difference	%	Last Year	Difference	%
Operating Income														
Interest Income	2,099,694	2,471,788	(372,094)	-15.1	2,401,244	(301,550)	-12.6	16,463,639	16,493,500	(29,862)	-0.2	19,108,427	(2,644,789)	-13.8
Authority Income	-	-	-	0.0	-	-	0.0	-	-	-	0.0	-	-	0.0
Fee Income	1,006,363	922,624	83,740	9.1	687,499	318,864	46.4	7,656,910	6,123,104	1,533,806	25.0	5,539,419	2,117,491	38.2
Other Income	1,636	3,589	(1,952)	-54.4	4,308	(2,672)	-62.0	184,070	188,418	(4,348)	-2.3	186,774	(2,704)	-1.4
Total Operating Income	3,107,694	3,398,000	(290,306)	-8.5	3,093,052	14,643	0.5	24,304,619	22,805,023	1,499,596	6.6	24,834,621	(530,002)	-2.1
Operating Expense														
Interest Expense	852,711	897,946	(45,235)	-5.0	897,530	(44,819)	-5.0	7,048,053	8,042,195	(994,142)	-12.4	7,960,781	(912,727)	-11.5
Authority Expense	-	-	-	0.0	-	-	0.0	-	-	-	0.0	-	-	0.0
Employee Expenses	792,594	850,240	(57,646)	-6.8	830,567	(37,973)	-4.6	5,717,638	6,116,420	(398,782)	-6.5	5,673,600	44,038	0.8
Operating Expenses	105,496	110,032	(4,537)	-4.1	98,326	7,170	7.3	732,469	745,104	(12,635)	-1.7	734,049	(1,580)	-0.2
Marketing Expense	32,210	10,349	21,861	211.3	33,407	(1,197)	-3.6	362,706	485,762	(123,056)	-25.3	351,488	11,218	3.2
Professional Services	468,387	385,715	82,672	21.4	285,197	183,190	64.2	3,388,645	2,749,120	639,526	23.3	2,289,912	1,098,733	48.0
Claim and Loss Expenses	3,554	35,892	(32,338)	-90.1	31,137	(27,583)	-88.6	296,711	213,289	83,423	39.1	3,958	292,753	7396.3
Service Release Premium	9,616	11,647	(2,031)	-17.4	5,647	3,969	70.3	52,160	71,030	(18,871)	-26.6	12,568	39,592	315.0
Miscellaneous Operating Expense	7,294	3,697	3,598	97.3	7,854	(559)	-7.1	45,368	39,174	6,194	15.8	40,620	4,748	11.7
Overhead Allocation	(5,854)	(6,413)	559	-8.7	(8,905)	3,050	-34.3	(50,874)	(46,624)	(4,251)	9.1	(44,977)	(5,897)	13.1
Total Operating Expense	2,266,009	2,299,106	(33,097)	-1.4	2,180,762	85,247	3.9	17,592,877	18,415,470	(822,593)	-4.5	17,022,000	570,877	3.4
Net Operating Income (Loss) Before Grants	841,686	1,098,894	(257,209)	-23.4	912,290	(70,605)	-7.7	6,711,742	4,389,553	2,322,189	52.9	7,812,621	(1,100,879)	-14.1
Net Grant (Income) Expense														
Grant Income	(2,290,754)	(2,628,527)	337,773	-12.9	(3,053,906)	763,152	-25.0	(16,701,772)	(14,899,690)	(1,802,082)	12.1	(17,715,890)	1,014,119	-5.7
Grant Expense	2,103,792	2,123,798	(20,006)	-0.9	2,616,512	(512,720)	-19.6	16,979,176	14,374,367	2,604,809	18.1	18,876,830	(1,897,654)	-10.1
Total Net Grant (Income) Expense	(186,962)	(504,729)	317,767	-63.0	(437,394)	250,432	-57.3	277,404	(525,323)	802,728	-152.8	1,160,939	(883,535)	-76.1
Net Operating Income (Loss) After Grants	1,028,648	1,603,624	(574,976)	-35.9	1,349,685	(321,037)	-23.8	6,434,338	4,914,876	1,519,462	30.9	6,651,681	(217,343)	-3.3
Non-Operating (Income) Expense	(2,982,228)	-	(2,982,228)	0.0	(1,410,185)	(1,572,043)	111.5	2,559,174	-	2,559,174	0.0	(980,271)	3,539,446	-361.1
Net Income (Loss)	4,010,876	1,603,624	2,407,252	150.1	2,759,870	1,251,006	45.3	3,875,164	4,914,876	(1,039,713)	-21.2	7,631,953	(3,756,789)	-49.2
Home Dept Staff Count	84	93	(9)	-9.7	87	(3)	-3.4	83	92	(10)	-10.4	87	(4)	-5.1
FTE Staff Count	85	93	(8)	-9.1	88	(3)	-3.4	84	92	(8)	-9.0	89	(5)	-5.3

Balance Sheet	Housing Authority (Rollup)						
	Jan-2016						
	Actuals	Bud FY16	Difference	%	Last Year	Difference	%
Assets and Deferred Outflows							
Cash & Cash Equivalents	134,335,681	167,087,323	(32,751,642)	-19.6	133,468,214	867,466	0.6
Investments	20,082,815	23,111,855	(3,029,040)	-13.1	23,334,160	(3,251,345)	-13.9
Mortgage Backed Securities	396,479,229	379,121,078	17,358,151	4.6	422,243,453	(25,764,224)	-6.1
Loans - net of reserve for losses	130,276,715	136,380,328	(6,103,613)	-4.5	148,321,814	(18,045,098)	-12.2
Capital Assets (net of accumulated depreciation)	2,675,092	2,997,768	(322,677)	-10.8	2,835,822	(160,730)	-5.7
Other Assets	13,196,468	39,092,895	(25,896,427)	-66.2	39,333,165	(26,136,697)	-66.4
Deferred Outflows	4,364,333	6,887,051	(2,522,718)	-36.6	6,047,406	(1,683,073)	-27.8
Total Assets and Deferred Outflows	701,410,333	754,678,298	(53,267,966)	-7.1	775,584,035	(74,173,702)	-9.6
Liabilities, Deferred Inflows, and Equity							
Liabilities and Deferred Inflows							
Debt	338,323,586	357,493,234	(19,169,648)	-5.4	375,214,837	(36,891,252)	-9.8
Interest Payable	1,131,761	1,882,615	(750,854)	-39.9	1,287,764	(156,003)	-12.1
Unearned Income	4,308,416	4,026,297	282,119	7.0	4,485,297	(176,882)	-3.9
Escrow Deposits	9,498,466	7,196,146	2,302,320	32.0	7,956,864	1,541,602	19.4
Reserves for Claims	957,927	5,491,264	(4,533,336)	-82.6	5,321,713	(4,363,786)	-82.0
Accounts Payable & Accrued Liabilities	3,685,175	3,802,790	(117,615)	-3.1	15,437,611	(11,752,436)	-76.1
Other liabilities	10,731,608	37,241,055	(26,509,447)	-71.2	37,241,055	(26,509,447)	-71.2
Deferred Inflows	1,537,930	-	1,537,930	0.0	-	1,537,930	0.0
Total Liabilities and Deferred Inflows	370,174,868	417,133,399	(46,958,531)	-11.3	446,945,142	(76,770,273)	-17.2
Equity							
YTD Earnings(Loss)	3,875,164	4,914,876	(1,039,713)	-21.2	7,631,953	(3,756,789)	-49.2
Prior Years Earnings	327,360,300	332,630,023	(5,269,722)	-1.6	321,006,940	6,353,360	2.0
Transfers	(0)	(0)	0		(0)	0	
Total Equity	331,235,464	337,544,899	(6,309,435)	-1.9	328,638,893	2,596,571	0.8
Total Liabilities, Deferred Inflows, and Equity	701,410,333	754,678,298	(53,267,966)	-7.1	775,584,035	(74,173,702)	-9.6

Income Statement	State Revolving Fund (Rollup)													
	Jan-2016							YTD as of Jan-2016						
	Actuals	Bud FY16	Difference	%	Last Year	Difference	%	Actuals	Bud FY16	Difference	%	Last Year	Difference	%
Operating Income														
Interest Income	3,133,921	3,133,753	168	0.0	2,926,588	207,333	7.1	22,089,111	21,643,162	445,950	2.1	21,777,002	312,109	1.4
Authority Income	-	-	-	0.0	-	-	0.0	-	-	-	0.0	-	-	0.0
Fee Income	503,493	341,622	161,870	47.4	546,690	(43,197)	-7.9	2,626,743	2,360,973	265,770	11.3	2,561,092	65,650	2.6
Other Income	-	-	-	0.0	-	-	0.0	-	-	-	0.0	0	(0)	-100.0
Total Operating Income	3,637,414	3,475,375	162,038	4.7	3,473,278	164,136	4.7	24,715,854	24,004,134	711,720	3.0	24,338,095	377,759	1.6
Operating Expense														
Interest Expense	2,439,589	2,446,095	(6,506)	-0.3	2,607,676	(168,086)	-6.4	16,880,162	17,142,105	(261,943)	-1.5	18,983,438	(2,103,276)	-11.1
Authority Expense	-	-	-	0.0	-	-	0.0	-	-	-	0.0	-	-	0.0
Employee Expenses	50,708	55,439	(4,731)	-8.5	51,489	(780)	-1.5	389,083	402,818	(13,736)	-3.4	374,973	14,110	3.8
Operating Expenses	10,491	10,936	(445)	-4.1	9,560	931	9.7	62,048	60,205	1,843	3.1	48,992	13,057	26.7
Marketing Expense	-	2,200	(2,200)	-100.0	710	(710)	-100.0	5,138	15,400	(10,262)	-66.6	14,332	(9,194)	-64.2
Professional Services	27,319	19,328	7,992	41.4	20,016	7,304	36.5	190,194	177,937	12,257	6.9	234,103	(43,909)	-18.8
Claim and Loss Expenses	-	-	-	0.0	-	-	0.0	-	(10,000)	10,000	-100.0	(5,000)	5,000	-100.0
Service Release Premium	-	-	-	0.0	-	-	0.0	-	-	-	0.0	-	-	0.0
Miscellaneous Operating Expense	597,390	615,000	(17,610)	-2.9	539,790	57,601	10.7	3,648,509	4,305,000	(656,491)	-15.2	3,914,669	(266,160)	-6.8
Overhead Allocation	5,854	6,413	(559)	-8.7	8,905	(3,050)	-34.3	50,874	46,624	4,251	9.1	44,977	5,897	13.1
Total Operating Expense	3,131,353	3,155,411	(24,058)	-0.8	3,238,145	(106,792)	-3.3	21,226,008	22,140,089	(914,081)	-4.1	23,610,484	(2,384,476)	-10.1
Net Operating Income (Loss) Before Grants	506,061	319,964	186,096	58.2	235,132	270,928	115.2	3,489,846	1,864,045	1,625,801	87.2	727,611	2,762,235	379.6
Net Grant (Income) Expense														
Grant Income	(4,570,502)	(3,680,000)	(890,502)	24.2	(1,438,897)	(3,131,605)	217.6	(42,600,151)	(26,722,866)	(15,877,285)	59.4	(3,140,774)	(39,459,376)	1256.4
Grant Expense	846,474	500,000	346,474	69.3	1,429,289	(582,816)	-40.8	5,391,429	3,500,000	1,891,429	54.0	3,637,889	1,753,540	48.2
Total Net Grant (Income) Expense	(3,724,029)	(3,180,000)	(544,029)	17.1	(9,608)	(3,714,421)	38660.6	(37,208,722)	(23,222,866)	(13,985,856)	60.2	497,115	(37,705,837)	-7584.9
Net Operating Income (Loss) After Grants	4,230,089	3,499,964	730,125	20.9	244,740	3,985,349	1628.4	40,698,568	25,086,911	15,611,657	62.2	230,497	40,468,072	17556.9
Non-Operating (Income) Expense	(491,244)	-	(491,244)	0.0	(834,290)	343,045	-41.1	(289,226)	-	(289,226)	0.0	(779,595)	490,369	-62.9
Net Income (Loss)	4,721,333	3,499,964	1,221,369	34.9	1,079,030	3,642,303	337.6	40,987,794	25,086,911	15,900,883	63.4	1,010,091	39,977,703	3957.8
Home Dept Staff Count	4	4	-	0.0	4	-	0.0	4	4	-	0.0	4	-	0.0
FTE Staff Count	5	6	(1)	-20.5	5	(1)	-11.0	5	6	(1)	-13.1	5	(0)	-7.1

Balance Sheet	State Revolving Fund (Rollup)						
	Jan-2016						
	Actuals	Bud FY16	Difference	%	Last Year	Difference	%
Assets and Deferred Outflows							
Cash & Cash Equivalents	192,433,991	216,912,545	(24,478,554)	-11.3	236,423,619	(43,989,628)	-18.6
Investments	101,800,062	92,504,143	9,295,920	10.0	77,607,381	24,192,681	31.2
Mortgage Backed Securities	-	-	-	0.0	-	-	0.0
Loans - net of reserve for losses	1,505,670,185	1,470,461,051	35,209,133	2.4	1,441,565,638	64,104,547	4.4
Capital Assets (net of accumulated depreciation)	(0)	543	(543)	-100.0	44,167	(44,167)	-100.0
Other Assets	8,726,926	9,368,759	(641,832)	-6.9	8,579,718	147,208	1.7
Deferred Outflows	24,405,675	24,309,558	96,117	0.4	2,761,440	21,644,235	783.8
Total Assets and Deferred Outflows	1,833,036,839	1,813,556,599	19,480,240	1.1	1,766,981,963	66,054,876	3.7
Liabilities, Deferred Inflows, and Equity							
Liabilities and Deferred Inflows							
Debt	947,586,083	947,586,083	-	0.0	937,310,465	10,275,618	1.1
Interest Payable	18,610,926	18,610,926	-	0.0	19,224,442	(613,515)	-3.2
Unearned Income	-	-	-	0.0	-	-	0.0
Escrow Deposits	-	-	-	0.0	-	-	0.0
Reserves for Claims	-	-	-	0.0	-	-	0.0
Accounts Payable & Accrued Liabilities	778,859	733,713	45,146	6.2	662,239	116,620	17.6
Other liabilities	269,655	-	269,655	0.0	-	269,655	0.0
Deferred Inflows	155,061	-	155,061	0.0	-	155,061	0.0
Total Liabilities and Deferred Inflows	967,400,584	966,930,723	469,862	0.0	957,197,146	10,203,439	1.1
Equity							
YTD Earnings(Loss)	40,987,794	25,086,911	15,900,883	63.4	1,010,091	39,977,703	3957.8
Prior Years Earnings	824,656,460	821,538,965	3,117,496	0.4	808,774,726	15,881,734	2.0
Transfers	(8,000)	0	(8,000)		0	(8,000)	
Total Equity	865,636,254	846,625,876	19,010,378	2.2	809,784,817	55,851,437	6.9
Total Liabilities, Deferred Inflows, and Equity	1,833,036,839	1,813,556,599	19,480,240	1.1	1,766,981,963	66,054,876	3.7

RESOLUTION
FIN 16-04

WHEREAS, the Iowa Finance Authority (the “Authority”), in accordance with the statutory directives set forth in Chapter 16 of the Code of Iowa, as amended, works to protect and preserve affordable housing for low and moderate income families in the State of Iowa; and

WHEREAS, the Authority is required by state law and good business practices to be audited on an annual basis; and

WHEREAS, accordingly the Authority must contract with an appropriate accounting firm to perform the annual audit; and

WHEREAS, the Authority recently issued a Request for Proposals for auditing services, receiving five proposals with firm pricing through fiscal year 2018; and

WHEREAS, the Authority, upon the recommendation of the proposal review committee, has determined that for fiscal year 2016, and, upon mutual agreement of the parties, for fiscal years 2017 through 2021, the annual audit should be performed by Eide Bailly, LLP.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Iowa Finance Authority as follows:

SECTION 1. The Board authorizes the Executive Director of the Authority to enter into one or more engagement letters with Eide Bailly for purposes of performing the annual audits of the Authority for fiscal years 2016, 2017, and 2018; any engagement for fiscal years 2019, 2020, and 2021 shall subject to further board approval.

SECTION 2. The Board further authorizes the Executive Director to execute and deliver for and on behalf of the Authority any and all documents or other information and perform all other acts as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

SECTION 2. The provisions of this Resolution are declared to be separable, and if any section, phrase or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

SECTION 3. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict and this Resolution shall become effective immediately upon adoption.

PASSED AND APPROVED this 9th day of March, 2016.

David D. Jamison, Secretary

(Seal)

IOWA FINANCE AUTHORITY [265]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 17A.3(1)“b,” 16.5(1)“r” and 16.91(8), the Iowa Finance Authority hereby amends Chapter 9, “Title Guaranty Division,” Iowa Administrative Code.

The amendment strikes rules 265—9.1(16) to 265—9.22(16) and adopts new rules 265—9.1(16) to 265—9.11(16) in order to reorganize Chapter 9. The purpose of the amendment is to clarify the rules, align the language with statutory authority and current practice, and streamline the process for obtaining a waiver of the 40-year title plant requirement.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2128C** on September 2, 2015. A public hearing was held on September 22, 2015, at the Iowa Finance Authority. A request for a regulatory analysis, pursuant to Iowa Code section 17A.4A, was received by the Authority on or about September 15. A regulatory analysis was prepared and published in the Iowa Administrative Bulletin on November 25, 2015, at page 839. Accordingly, by operation of law, the public comment period and the public hearing were extended until December 15, 2015. One member of the public attended the extended public hearing on December 15, 2015. No public comment was made at the extended hearing.

Public comments were received from Iowa Land Title Association, abstractors and attorneys. Comments received addressed the definition of “abstract” and “participating abstractor.” Comments were also received on title plant inspections and title plant waiver subrules, including:

- the content of the application,
- criteria for a waiver of the 40-year title plant requirement,

- definitions for “hardship” and “public interest,”
- rulings by the board,
- mentoring and liability of attorneys,
- geographic limitations,
- conditions, and
- revocation

Based on public comments, the following changes were made from the published Notice:

- Added a definition to rule 265—9.1 for “abstractor.”
- Removed the references to “oral instructions given by the division” throughout the chapter.
- Corrected typographical errors in subrule 9.4(1) and subparagraph 9.7(1)*b*.(3).
- Moved eligibility considerations from paragraph 9.7(4)*a*” that applied to issuance of closing protection letters and created a new subsection 9.6(3) to apply the eligibility considerations to all participants. Renumbered subsections following new subsection 9.6(3), and renumbered remaining provisions in 9.7(4).
- Replaced reference to “Title Insurance and Settlement Company Best Practices’ set forth by the American Land Title Association” with “title and settlement best practices adopted by the division” in new paragraph 9.6(3)*g*.”
- In subrule 9.6(6), clarified that liability insurance is also known as errors and omissions insurance and modified liability insurance to “professional liability insurance.”

- Clarified, in paragraph 9.6(13)“f” that material noncompliance with the law, rules, and other instructions will be based on a finding by the division director, instead of reliance on a complaint or claim.
- In subparagraph 9.7(1)“d”(6)4, provided for giving considerable weight in the granting of a title plant waiver, if the applicant has experience abstracting under the supervision of a participating attorney or participating abstractor in certain circumstances; or if the participating attorney or participating abstractor has supervised the applicant’s abstracting for a period of two years and attests to the board regarding the applicant’s ability to abstract.
- Clarified in subparagraph 9.7(1)“d”(8)4 that the revocation of a waiver recipient’s authorization to provide services on behalf of the division is grounds for the division board to withdraw a waiver.

This amendment does not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Authority’s general rule on waivers at 265—Chapter 18.

The Iowa Finance Authority adopted this amendment on March 9, 2016.

After analysis and review of this rule making, no adverse impact on jobs is expected.

This amendment is intended to implement Iowa Code sections 16.2A, 16.4C, 16.91, 16.92, and 16.93.

The following amendment is adopted.

Amend **265—Chapter 9** as follows:

CHAPTER 9

TITLE GUARANTY DIVISION

~~265~~ ~~9.1(16) Definitions.~~ The following words and phrases, when used in this chapter, shall have the meanings set forth below unless a meaning is inconsistent with the manifest intent or the context of a particular rule:

~~“Abstract of title” or “abstract,” for the purposes of the title guaranty program, means a written or electronic summary of all matters of record including, but not limited to, grants, conveyances, easements, encumbrances, wills, and judicial proceedings affecting title to a specific parcel of real estate, together with a statement including, but not limited to, all liens, judgments, taxes and special assessments affecting the property and a certification by a participating abstractor that the summary is complete and accurate; provided, however, that for purposes of issuance of a title guaranty certificate covering nonpurchase financing, and for only such purposes, the “abstract of title” or “abstract” may also mean a title guaranty report of title.~~

~~“Authority” means the Iowa finance authority described in Iowa Code chapter 16.~~

~~“Certificate” means the division certificate to guarantee title, including any part or schedule thereof and any endorsements thereto.~~

~~“Closing protection letter” means an agreement by the division to indemnify a lender or owner or both for loss caused by a division closer’s theft of settlement funds or failure to comply with written closing instructions relating to title certificate coverage when agreed to by the division closer.~~

~~“Commitment” means the division commitment to guarantee title, including any part or schedule thereof and any endorsements thereto.~~

~~“Division” means the title guaranty division of the Iowa finance authority.~~

~~“Division board” means the board of the title guaranty division created pursuant to Iowa Code section 16.2A(1).~~

~~“Division closer” means a participating attorney, a participating abstractor, or an independent closer who is authorized by the division to conduct a division closing under the protection of a closing protection letter.~~

~~“Division closing” means a settlement in which a division closer is appointed to finalize a real estate transaction in accordance with general and specific instructions prior to disbursement of the proceeds and for which a closing protection letter is issued.~~

~~“Division escrow account” means, in conjunction with division closings, escrows, settlements, and title indemnities, any checking account utilized for the purpose of:~~

~~1.——Deposits, including, but not limited to, the acceptance of incoming funds from the lender or borrower or both; and~~

~~2.——Disbursements, including, but not limited to, sellers’ proceeds, mortgage payoffs, expenses of sale, and professional fees.~~

~~However, “division escrow account” shall not include client trust accounts subject to the requirements of chapter 45 of the Iowa Court Rules.~~

~~“Electronic record,” for the purposes of the title guaranty program, means a record created, generated, sent, communicated, received, or stored by electronic means that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.~~

~~“Field issuer” means a participating attorney, a participating abstractor, or an independent closer authorized by the division to issue commitments and certificates.~~

~~“Form” or “forms” means printed instruments used in guaranteeing title to Iowa real estate that, when completed and executed, create contractual obligations or rights affecting the division.~~

~~“Grandfathered attorney” means a participating attorney who has been providing abstract services continuously from November 12, 1986, to the date of application to be a participating abstractor, either personally or through persons under the participating attorney’s supervision and control, who is exempt from the requirement to own or lease a title plant.~~

~~“Independent closer” means a person or entity, other than a participating attorney or a participating abstractor, conducting a division closing and authorized to close a transaction under protection of a closing protection letter.~~

~~“Manual” means a title guaranty reference book approved by the division board containing division certificate forms and certain Iowa statutory requirements.~~

~~“Nonpurchase financing,” for the purposes of the title guaranty program, means a refinanced or junior mortgage securing an amount fixed by the division board and included in the manual.~~

~~“Participant” means a participating attorney or a participating abstractor.~~

~~“Participating abstractor” means an abstractor who is authorized to participate in the title guaranty program and who is in full compliance with the abstractor’s participation agreement, the Code of Iowa, these rules, the manual, staff supplements, and any other written or oral instructions or requirements given by the division.~~

~~“Participating attorney” means an attorney who is authorized to participate in the title guaranty program, who is in full compliance with the attorney’s participation agreement, the Code of Iowa, these rules, the manual, staff supplements, and any other written or oral instructions or requirements given by the division, and who is not subject to current disciplinary proceedings by the Iowa supreme court that preclude the attorney from practicing law in this state.~~

~~“Person” shall have the same meaning as in Iowa Code section 4.1(20).~~

~~“Residential property,” for the purposes of the title guaranty program, means residential real estate consisting of single family housing or multifamily housing of no more than four units.~~

~~“Supervision and control,” for the purposes of the title guaranty program, means that a participant’s or independent closer’s shareholders, partners, associates, secretaries, paralegals, and other persons under the participant’s or independent closer’s supervision or control who transact the business of abstracting, which includes but is not limited to any manner of title search or review, opining on titles to real estate, or issuing commitments or certificates at the direction of or in the name of the participant or independent closer, shall comply with the requirements of the contracts, forms, the manual, staff supplements, and any other written or oral instructions or requirements given by the division. A participant or independent closer shall be liable to the division for loss or damage suffered by the division resulting from acts or omissions of the participant’s or independent closer’s shareholders, partners, associates, secretaries, paralegals, and other persons under the participant’s or independent closer’s supervision or control who transact the business of abstracting, which includes but is not limited to any manner of title search or review, opining on titles to real estate, or issuing commitments or certificates at the direction of or in the name of the participant or independent closer as an agent of the division as though the act or omission were that of the participant or independent closer.~~

~~“Title guaranty report of title,” for the purpose of nonpurchase financing, means a written or electronic short form of the abstract of title covering the borrower’s title, liens, and encumbrances. The division board shall approve requirements and procedures for the title guaranty report of title in the manual.~~

~~“Title search(es)” or “search(es),” for the purposes of the title guaranty program, means the abstract of title.~~

~~[ARC 8458B, IAB 1/13/10, effective 2/17/10]~~

~~**265 9.2(16) Purpose.** This chapter describes the mission, organization, programs and operations of the division, including the office where and the means by which interested persons may obtain information and make submissions or requests.~~

~~[ARC 8458B, IAB 1/13/10, effective 2/17/10]~~

~~**265 9.3(16) Mission.** The mission of the division is to operate a program that offers guaranties of real property titles in order to provide, as an adjunct to the abstract attorney’s title opinion system, a low cost mechanism to facilitate mortgage lenders’ participation in the secondary market and add to the integrity of the land title transfer system in the state. Surplus funds in the title guaranty fund shall be transferred to the authority’s housing program fund after providing for adequate reserves and for the operating expenses of the division.~~

~~[ARC 8458B, IAB 1/13/10, effective 2/17/10]~~

~~**265 9.4(16) Organization.**~~

~~**9.4(1) Location.** The office of the division is located at 2015 Grand Avenue, Des Moines, Iowa 50312. Office hours are 8 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. The division’s Web site address is www.iowafinanceauthority.gov, and the division’s telephone and facsimile numbers are as follows: (515)725-4900 (general telephone number); 1-800-432-7230 (toll free telephone number); 1-800-618-4718 (TTY); and (515)725-4901 (facsimile).~~

~~9.4(2) Division board.~~ A chair and vice chair shall be elected annually by the members of the division board, generally at the first meeting following July 1 of each year, which is the beginning of the fiscal year.

~~9.4(3) Meetings.~~ Meetings of the division board shall be held quarterly on the date and time determined by the board. Meetings of the division board may also be held at the call of the chair or on written request of two members. The division will give advance public notice of the specific date, time and place of each division board meeting, and will post the tentative agenda for each meeting at least 24 hours before commencement of the meeting at the main office of the authority, as well as on the authority's Web site. Meetings may occasionally be conducted by electronic means. Any interested person may attend and observe division board meetings except for any portion of a meeting that may be closed pursuant to Iowa Code section 21.5. The minutes of the division board meetings are available for viewing at the main office of the authority or via the authority's Web site. Three members of the division board constitute a quorum. An affirmative vote of a majority of the appointed board members is necessary for any substantive action taken by the division board. The majority shall not include any board member who has a conflict of interest, and a statement of a conflict of interest shall be conclusive for this purpose.

[ARC 8458B, IAB 1/13/10, effective 2/17/10]

~~265—9.5(16) Location where public may obtain information.~~ Requests for information, inquiries, submissions, petitions and other requests may be directed to the division at the address set forth in subrule 9.4(1). Requests may be made personally, by telephone, mail, E-mail or any other medium available.

~~265—9.6(16) Title guaranty program.~~

~~9.6(1) Operation.~~ The division operates a program to offer guaranties of real property titles in the state through the issuance of title guaranty commitments and certificates by the division, by participating abstractors for the division pursuant to subrule 9.6(4), paragraph “c,” herein, or by participating attorneys pursuant to Iowa Code section 16.91(7).

~~9.6(2) Application for title guaranty commitments or certificates.~~ The division may authorize entities engaged in the real estate industry to apply directly to the division staff, an independent closer, a participating attorney, or a participating abstractor for a title guaranty commitment or certificate. The applicant shall complete and submit such forms and other information as the division may require and pay the appropriate fee. Entities engaged in the real estate industry that the division may authorize to apply include, but are not limited to, mortgage lenders as defined in Iowa Code section 16.1(1)“y,” and closing and escrow companies.

~~9.6(3) Participating attorneys.~~ An attorney licensed to practice law in the state of Iowa may participate in the title guaranty program upon approval by the division director of an application submitted by the licensed attorney to the division and upon execution and acceptance by the division director of the attorney’s participation agreement.

a. License. A participating attorney shall be licensed to practice law in the state of Iowa and shall be in good standing with the Iowa supreme court at all times while acting as an agent of the division.

b. Underwriting determinations. A participating attorney shall make all underwriting determinations prior to or at the time of closing. If the participating attorney does not attend the closing and is not available by telephone during the closing, all underwriting determinations must have been made by the participating attorney issuing the opinion, commitment or certificate prior to closing. For purposes of this rule, the term “underwriting determinations” includes, but is

~~not limited to, guaranteeing access, reviewing gap searches, possible judgments, survey matters (including encroachments), unreleased mortgages or other liens, and any other matters disclosed by the opinion, commitment or other sources of title information. A participating attorney who causes or allows an erroneous underwriting determination to be made by someone other than a member of the division's legal staff or the participating attorney who issued the opinion, commitment or certificate shall be strictly liable to the division for loss or damage the division may suffer as a result of the erroneous underwriting determination.~~

~~(1) — A participating attorney shall make all underwriting determinations arising out of the issuance of an attorney title opinion or a title commitment or certificate using both:~~

~~1. — Generally accepted and prudent title examining methods; and~~

~~2. — Procedures implemented by the division and outlined in these rules, the manual, staff supplements, and any other written or oral instructions or requirements given by the division.~~

~~(2) — Any underwriting determination about which there may be a bona fide difference of opinion among local lawyers and that is not specifically covered by materials provided by the division shall be approved by division legal staff.~~

~~*c. — Authority of participating attorney.* A participating attorney is authorized to act as an agent of the division but only for the purposes and in the manner set forth in the attorney's participation agreement, the Code of Iowa, these rules, the manual, staff supplements, and any other written or oral instructions given by the division and in no other manner whatsoever. The authority of the participating attorney under the preceding sentence is not exclusive and is subject to the rights of the authority, the division, and other participants, independent closers, agents, or representatives of the division to transact the business of opining on titles to real estate~~

~~and issuing commitments and certificates and is further subject to the right of the division to appoint other participants and independent closers.~~

~~**9.6(4) Participating abstractors.** An abstractor or abstracting concern may participate in the title guaranty program upon approval by the division director of an application to the division and upon execution and acceptance by the division director of an abstractor's participation agreement.~~

~~*a.* — *Title plant.* Participating abstractors shall own or lease, and maintain and use in the preparation of abstracts, an up-to-date abstract title plant including tract indices for real estate for each county in which abstracts are prepared for titles to real property guaranteed by the division. Each of the tract indices shall be designated to encompass a geographical area of not more than one block in the case of platted real estate, nor more than one section in the case of unplatted real estate. The tract indices shall include a reference to all of the instruments affecting real estate recorded in the office of the county recorder, and the tract indices shall commence not less than 40 years prior to the effective date of the abstractor's participation in the title guaranty program.~~

~~*b.* — *Title plant exemption.* Grandfathered attorneys and attorneys and abstractors who have received a waiver of the use of an up-to-date plant described in Iowa Code section 16.91(5)“a”(2), either personally or through persons under their supervision and control, shall be exempt from the requirement to own or lease a title plant. This exemption is a personal exemption of the individual participant, is not transferable, and terminates at such time as the participant ceases providing abstracting services or upon the death or incapacity of the participant.~~

~~c. — Issuing title guaranty. Pursuant to a written contract with the division director, a participating abstractor may be authorized to issue a title guaranty commitment or certificate for the division when the participating attorney who prepares the opinion allows issuance by the participating abstractor. Written contractual approval by the division director for division issuance will be based upon the completion of a division request form by a participating abstractor and the attachment of all disclosures required by the division. A participating abstractor authorized to issue a title guaranty commitment or certificate must comply with the Code of Iowa, these rules, the manual, staff supplements, and any other written or oral instructions or requirements given by the division and in no other manner whatsoever. The rights of the participating abstractor under the preceding sentence are not exclusive and are subject to the rights of the authority, the division, and other field issuers of the division to issue commitments or certificates and are further subject to the right of the division to appoint other field issuers. A participating abstractor's right to issue commitments and certificates is a privilege for the convenience of the division and may be terminated pursuant to the written contract with the division.~~

~~d. — Authority of participating abstractor. A participating abstractor is authorized to act as an agent of the division but only for the purposes and in the manner set forth in the abstractor's participation agreement, the Code of Iowa, these rules, the manual, staff supplements, and any other written or oral instructions or requirements given by the division and in no other manner whatsoever. The authority of the participating abstractor under the preceding sentence is not exclusive and is subject to the rights of the authority, the division, and other participating abstractors, agents, or representatives of the division to transact the business of abstracting, which includes but is not limited to any manner of title search or review of titles to~~

~~real estate, and is further subject to the right of the division to appoint other participating abstractors.~~

~~**9.6(5) Participation requirements.**~~

~~*a.*— *Errors and omissions insurance.* A participant shall maintain errors and omissions insurance at all times while acting as an agent of the division, with such coverage and in such amounts as the division board may direct from time to time by resolution.~~

~~(1) — The division will inform the Iowa State Bar Association, the Iowa Land Title Association, and any person requesting such information of any proposed change in the amount of required errors and omissions insurance at least 30 days prior to the date of the meeting at which the matter will be considered.~~

~~(2) — Interested parties may submit evidence or statements in support of or in opposition to the proposal in writing or by personal appearance before the division board.~~

~~*b.*— *Participation fees.* A participant shall pay a participation fee set by resolution of the division board subject to the approval of the authority board.~~

~~(1) — The division will inform the Iowa State Bar Association, the Iowa Land Title Association, and any person requesting such information of any proposed change in the amount of participation fees at least 30 days prior to the date of the meeting at which the matter will be considered.~~

~~(2) — Interested parties may submit evidence or statements in support of or in opposition to the proposal in writing or by personal appearance before the division board.~~

~~**9.6(6) Abstract of title.** All abstracts of title shall be prepared and conducted in compliance with division procedures as specified in the manual, staff supplements, and any other written or oral instructions or requirements given by the division that are in effect at the time of~~

~~abstracting. A participating abstractor shall retain a written or electronic copy of each abstract of title prepared for a title guaranty certificate and shall provide such copy to the division upon request.~~

~~**9.6(7) Attorney title opinion.** All attorney title opinions shall be prepared and issued in compliance with division procedures as specified in the manual, staff supplements, and any other written or oral instructions or requirements given by the division that are in effect at the time of issuance. A participating attorney who is a field issuer may issue a commitment as the preliminary attorney title opinion and the certificate as the final attorney title opinion in compliance with division procedures. A written or electronic copy of each attorney title opinion shall be retained by a field issuer, and a copy thereof shall be provided to the division upon request.~~

~~**9.6(8) Closing protection letters.**~~

~~*a. Issuance of closing protection letters.* Division closers may be authorized to receive a closing protection letter approved by the division board when:~~

- ~~(1) A division closer has completed division forms and procedures training,~~
- ~~(2) The division director has approved the application, and~~
- ~~(3) A division commitment is issued.~~

~~*b. Application.* Application for designation of division closer status shall be on forms provided by the division, and all requested information shall be provided with the application form. The division may consider an application withdrawn if it does not contain all of the information required and the information is not submitted to the division within 30 days after the division requests the information. The application shall be accompanied by a fee to be set by the division board. The division director shall approve or deny the application within 90 days~~

~~after the application has been accepted for processing and send written notice thereof to the applicant.~~

~~c. *Guidelines.* In determining whether to approve or deny an application for designation of division closer status, the division director may consider the following factors, including but not limited to:~~

~~(1) — The needs of the public and the needs of existing or potential customers of the applicant that are served by a designation of division closer status.~~

~~(2) — A history of operation and management of the applicant's business.~~

~~(3) — Character, fitness, financial responsibility and experience of the applicant and the applicant's employees.~~

~~(4) — Criminal background checks for felony or misdemeanor convictions of the applicant or the applicant's employees involving moral turpitude.~~

~~(5) — A record of defaulting by the applicant or the applicant's employees in the payment of moneys collected for others in this state or other states.~~

~~(6) — A history of discharge of debts by the applicant or the applicant's employees through bankruptcy proceedings.~~

~~(7) — The applicant's credit report, which is to be submitted directly to the division director at the expense of the applicant.~~

~~(8) — Other factors as determined by the division director to be relevant.~~

~~d. *Investigation.* The division director may conduct an investigation as deemed necessary. The division director may solicit, by whatever manner deemed appropriate, comments from other persons conducting closings, or from any other person or entity which may be affected by or have an interest in the pending application.~~

~~e. — *Revocation.* The division director has discretion to revoke a division closer's status for reasons including but not limited to the following:~~

~~(1) — When the financial condition of the division closer deteriorates.~~

~~(2) — When the division director determines that the division closer's activities are being conducted unlawfully or in an unsafe or unsound manner.~~

~~f. — *Authority of division closer.* A division closer is authorized to conduct division closings only for the purposes and in the manner set forth in the division closer's agreement, the Code of Iowa, these rules, the manual, staff supplements, and any other instructions or requirements given by the division and in no other manner whatsoever. The authority of the division closer under the preceding sentence is not exclusive and is subject to the rights of the authority, the division, and other division closers to transact the business of guaranteeing titles to real estate in Iowa and is further subject to the right of the division to appoint other division closers.~~

~~A division closer shall obtain the written authorization of a member of the division's legal staff prior to issuing a commitment or certificate which exceeds such amounts as the division board may set from time to time by resolution. If any authorization required under 9.6(8)“f” is not obtained through the act or omission of the division closer, the division closer shall be strictly liable to the division for any resulting loss or damage.~~

~~g. — *Division escrow accounts.* The division board shall approve procedures and requirements for the maintenance of division escrow accounts. Division closers shall comply with the rules and requirements set by the division board with respect to the procedures, format, and style for maintaining the division escrow accounts. The division board may require the division closer to provide an irrevocable letter of direction to the institution at which each~~

~~division escrow account is established, authorizing the division to review and audit the institution's records of such account at any time that the division, in its discretion, deems necessary.~~

9.6(9) General provisions.

~~a. — *Commitment and certificate amount limitations.* A field issuer shall obtain the written authorization of a member of the division's legal staff prior to issuing a commitment or certificate which exceeds such amounts as the division board may set from time to time by resolution. If any authorization required under this paragraph is not obtained through the act or omission of the field issuer, the field issuer shall be strictly liable to the division for any loss or damage resulting from issuance of the commitment or certificate.~~

~~b. — *Title/closing files and forms.* A participant or independent closer shall maintain separate title, client and closing files or maintain client files in such a manner that information pertaining to activities of the participant or the independent closer is readily available to the division. A participant or independent closer shall maintain files for a period of ten years after the effective date of the commitment and certificate or certificates.~~

~~(1) — The division will provide forms to a participant or independent closer for use in acting for the division. A participant or independent closer may not alter any form supplied by the division, or use a form supplied by another person or entity to bind the division, or otherwise bind the division to liability with a form, other writing or representation not supplied or authorized by the division. In addition, the participant or independent closer shall:~~

- ~~1. — Return the original of any canceled certificate to the division, and~~

~~2. — Not transfer or attempt to transfer unissued commitments or certificates to another participant, independent closer, or other person or entity unless authorized in writing by the division.~~

~~(2) — If a participant or independent closer fails to comply with the requirements of 9.6(9)“b,” in addition to the division’s other rights and remedies, the division may refuse to supply any forms to the participant or independent closer until the participant or independent closer complies with the requirements of 9.6(9)“b” to the satisfaction of the division.~~

~~(3) — The participant or independent closer shall be liable to the division for loss or damage sustained by the division by reason of the loss of, misuse of, or inability of the participant or independent closer to account for any form supplied by the division, or the failure of the participant or independent closer to comply with the requirements of 9.6(9)“b.”~~

~~*c. — Training.* The division director may require a participant, an independent closer, and the participant’s and independent closer’s staff to attend training sessions or continuing education seminars as deemed necessary by the division director in order to ensure compliance with division requirements and procedures.~~

~~*d. — Office audits.* The division may, with or without notice to a participant or an independent closer, audit the participant or independent closer at the participant’s or independent closer’s office. This audit may include, but need not be limited to, a review of the participant’s or independent closer’s commitment and certificate issuance procedures, an audit of serialized forms, an audit and test of title plants and tract indices, an audit of closing operation and closing procedures, an audit of the division escrow account(s), and verification of the participant’s or independent closer’s compliance with division rules, participation agreements, the Code of Iowa,~~

~~these rules, the manual, staff supplements, and any other written or oral instructions or requirements given by the division.~~

~~*e. Interest in property.* No participant or independent closer shall prepare an abstract of title, issue attorney title opinions, commitments, or certificates, or conduct a closing upon property in which the participant or independent closer has an interest without prior authorization of the division.~~

[ARC 8458B, IAB 1/13/10, effective 2/17/10]

~~**265—9.7(16) Waiver of up-to-date title plant requirement.** The division board shall consider an application by an attorney or abstractor for waiver of the use of an up-to-date title plant requirement described in Iowa Code Supplement section 16.91(5)“a”(2).~~

~~**9.7(1) Mission.** The division is authorized under Iowa Code chapter 16 to issue title guaranties throughout the state. The division’s public purpose is to facilitate lenders’ participation in the secondary market and to promote land title stability through use of the abstract attorney opinion system. The division recognizes the 40-year title plant as the preferred method of providing title evidence for the purpose of issuing title guaranties. The division must weigh the benefits of the traditional title plant with other alternatives to ensure buyers and lenders high quality of title guaranties throughout the state, rapid service, and a competitive price. To assist the division in this mission, Iowa Code Supplement section 16.91(5)“b” expressly allows the division to waive the up-to-date title plant requirement.~~

~~**9.7(2) Definitions.** The following words and phrases, when used in this rule, shall have the meanings set forth below unless a meaning is inconsistent with the manifest intent or the context of a particular rule:~~

~~“Availability of title guaranties” means that title guaranties are uniformly accessible throughout the state to buyers and lenders with competitive pricing, service, and quality and that there are two or more abstractors physically located in all 99 counties.~~

~~“Exempt attorney abstractor,” as it relates to the title plant requirement, means a grandfathered attorney or a waived attorney.~~

~~“Grandfathered attorney” means a participating attorney who has been providing abstract services continuously from November 12, 1986, to the date of application to be a participating abstractor, either personally or through persons under the participating attorney's supervision and control, who is exempt from the requirement to own or lease a title plant. This exemption is a personal exemption of the individual participating attorney, is not transferable, and terminates at such time as the participating attorney ceases providing abstracting services or upon the death or incapacity of the participating attorney.~~

~~“Hardship” means deprivation, suffering, adversity, or long term adverse financial impact in complying with the title plant requirement that is more than minimal when considering all the circumstances. Financial hardship alone may constitute a hardship.~~

~~“Interested person” means a person requesting a plant waiver, all division board members, all participating abstractors in the county for which the waiver is requested, the Iowa State Bar Association, the Iowa Land Title Association, and any person requesting such information that an application for waiver has been made to the division.~~

~~“Person” means an individual, including a corporation, limited liability company, government or governmental subdivision or agency, business trust, trust, partnership or association, or any other legal entity.~~

~~“Public interest” means that which is beneficial to the public as a whole, including but not limited to increasing competition among abstractors, encouraging the use of title guaranties throughout the state, making title guaranties more competitive than out-of-state title insurance, increasing the division’s market share, improving the quality of land titles, protecting consumers, and encouraging maximum participation by participating abstractors and participating attorneys physically located in all 99 counties.~~

~~“Waiver” or “variance” means an action by the division which suspends in whole or in part the requirement of the use of a current tract index described in Iowa Code Supplement section 16.91(5) as applied to an abstractor.~~

~~**9.7(3) Filing of application.** An applicant must submit a plant waiver application in writing to the attention of the director of the Title Guaranty Division of the Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa 50312.~~

~~**9.7(4) Content of application.** The title guaranty division may provide an application form on the division’s Web site. A plant waiver application shall include, at a minimum, the following information where applicable and known to the applicant:~~

- ~~a. — The name, business address, E-mail address, and telephone number of the abstractor for whom a waiver is being requested;~~
- ~~b. — The type of waiver being requested, as described in subrule 9.7(8);~~
- ~~c. — A general description of the applicant’s business;~~
- ~~d. — A description of intention to develop a 40-year tract index;~~
- ~~e. — The relevant facts that the applicant believes would justify a waiver under subrules 9.7(7) and 9.7(8); and~~

~~f. — A signed statement from the applicant attesting to the accuracy of the facts provided in the application.~~

~~**9.7(5) Notification and response.**~~

~~a. — The division director shall acknowledge an application upon receipt. All interested persons shall be contacted by E mail and Web site posting, and notice shall be given by United States first class mail to any party requesting the same in writing. Notice shall be given within 14 days of the receipt of the application by the division director. Notification to an interested person is not a requirement for the division board to consider the waiver, and failure to inform an interested person of an application for waiver shall not void or otherwise nullify any action or decision of the division board.~~

~~b. — Any person may submit a written statement in support of or in opposition to the application.~~

~~c. — The application shall be placed on the agenda for the next scheduled division board meeting which is at least 30 days after the application is filed unless a special meeting is requested by the chairperson of the board or by written request of two board members.~~

~~**9.7(6) Board meeting action.**~~

~~a. — The informal review of the waiver is not a contested case proceeding but other agency action wherein the rules of evidence are not applicable.~~

~~b. — To preserve order, the chairperson of the board may set reasonable limitations upon the number of persons who may appear before the division board and the time allotted for presentations in favor of and against the requested waiver.~~

~~c. Title guaranty director review. The title guaranty director shall investigate and review the petition and its supporting documentation and, at the waiver meeting before the board, shall give the board a recommendation to grant or deny the waiver.~~

~~d. The board shall consider the application, the criteria and type of waiver set forth in subrules 9.7(7) and 9.7(8), and then vote on the application.~~

~~**9.7(7) Criteria for waiver or variance.** In response to an application completed pursuant to subrule 9.7(4), the division board may issue a ruling permanently or provisionally waiving the requirement set forth in Iowa Code Supplement section 16.91(5) “a”(2) of an up-to-date title plant requirement, if the board finds both of the following:~~

~~a. The title plant requirement described in Iowa Code Supplement section 16.91(5) “a”(2) imposes a hardship to the abstractor or attorney; and~~

~~b. The waiver is:~~

~~(1) Clearly in the public interest; or~~

~~(2) Absolutely necessary to ensure availability of title guaranties throughout the state.~~

~~**9.7(8) Type of waiver or variance granted.** Provisional and permanent waivers described in this subsection may be granted by the division board. Guidelines for provisional and permanent waivers are as follows:~~

~~a. *Provisional waivers.* The division board may grant a provisional waiver of one year or less to an applicant intending to build a title plant. If such time period is not sufficient, the applicant may reapply to the division board for an extension of the waiver up to one additional year at the discretion of the division board. The division board may grant a provisional waiver when the applicant provides the following:~~

~~(1) Evidence that a title plant will be built for a specified county;~~

~~(2) — Evidence of significant financial loss due to the inability to provide abstracts for the division;~~

~~(3) — Evidence that the provisional waiver is necessary in order to produce a revenue stream to justify the expense associated with building a title plant; and~~

~~(4) — Professional references from two licensed Iowa attorneys or one participating plant abstractor attesting to the applicant's ability to abstract.~~

~~b. — *Permanent waivers for attorneys.* The division board may grant a permanent waiver to an Iowa licensed attorney.~~

~~(1) — Attorneys granted a permanent waiver hold the same status as grandfathered attorneys and, absent express legislative authority to the contrary, the board will not limit geographically an attorney's ability to abstract for the division. However, the applicant may by contract with the division board agree voluntarily to limit the applicant's abstracting for the division to one or more specified counties.~~

~~(2) — A permanent waiver is personal in nature and nontransferable. An attorney granted a permanent waiver shall be personally liable for abstracting conducted on behalf of the division. Although an attorney may abstract through a separate entity, such liability cannot be transferred to a corporate entity nor may an attorney utilize a corporate structure which would shield the attorney from personal liability.~~

~~(3) — Permanent waivers are predicated upon the attorney's retaining an Iowa license to practice law. An attorney whose license is suspended shall reapply to the division director upon reinstatement by the Iowa supreme court. The division director has the discretion to refer the matter to the division board.~~

~~(4) There are two circumstances when an attorney may be granted a permanent waiver:~~

~~1. For attorney applicants with experience abstracting under the supervision and control of an exempt attorney abstractor, the board shall consider, at a minimum, the following:~~

~~• The applicant's abstract experience. The board shall give considerable weight to an applicant's experience abstracting under the personal supervision and control of an exempt attorney abstractor with whom the applicant has had a close working relationship or with whom the applicant is a legal partner or associate.~~

~~• Professional references. The board shall give considerable weight to a recommendation from the exempt attorney abstractor or grandfathered attorney who personally supervised the applicant's abstracting for a period of two years or more and who attests in writing or in person before the division board regarding the applicant's ability to abstract.~~

~~• Samples of abstracts prepared by the applicant.~~

~~• The division board shall give consideration to the number of participating abstractors physically located in the county or counties where the applicant seeks to abstract in determining whether a waiver should be granted.~~

~~2. For attorney applicants without experience working under the supervision and control of an exempt attorney abstractor, the board shall consider, at a minimum, the following:~~

~~• The applicant's abstract experience;~~

~~• Professional references;~~

~~• Samples of abstracts prepared by the applicant;~~

~~• The applicant's business plan;~~

~~● Evidence of clients and volume of additional transactions that will be brought into the title guaranty abstract/attorney system as a result of the waiver;~~

~~● The number, availability, service and quality of other abstractors available to perform abstracting and whether the grant of a permanent waiver will adversely impact the business of other participating abstractors;~~

~~● Whether the applicant demonstrates the inability to abstract under the supervision and control of an exempt attorney.~~

~~e. Permanent waivers for non-attorneys.~~

~~(1) The board may grant a permanent waiver with limitations as to county, or transaction type, or both.~~

~~(2) In determining whether to grant a waiver, the board shall consider, at a minimum, the following:~~

~~1. The applicant's abstract experience, maintenance of a title plant by the applicant in any other county, and degree of participation by the applicant in the title guaranty division standards in excellence program;~~

~~2. Professional references;~~

~~3. Samples of abstracts prepared by the applicant;~~

~~4. The applicant's business plan;~~

~~5. Evidence of clients and volume of additional transactions that will be brought into the title guaranty abstract/attorney system as a result of the waiver;~~

~~6. The number, availability, service and quality of other abstractors available to perform abstracting and whether the grant of a permanent waiver will adversely impact the business of other participating abstractors.~~

~~9.7(9) Ruling.~~ The division board shall direct the division director to prepare, or cause to be prepared, a proposed written ruling setting forth the board's rationale for granting or denying the waiver. Action to adopt or direct changes to the proposed ruling will be taken by the division board at a subsequent meeting. However, if the board directs the division director to prepare a proposed ruling granting the waiver, the applicant may start abstracting while the ruling is being prepared, and staff shall issue a new participating abstractor number to the applicant immediately.

~~a.~~ The ruling granting or denying a waiver shall contain a reference to the particular applicant, discuss the application of subrules 9.7(7) and 9.7(8), and describe how granting the waiver would or would not advance the division's statutory mission described in subrule 9.7(1). The ruling will summarize the relevant facts and reasons upon which the action is based and include a description of the precise scope and duration of the waiver if the waiver contains limitations, restrictions or requirements.

~~b.~~ The final decision on whether the circumstances justify the granting of a waiver shall be made at the sole discretion of the division board upon consideration of all relevant factors. Relevant factors to be considered are the unique circumstances set out in the application, presentations given before the board, the professional knowledge and expertise of the board members and division staff, and any other resources available to the entire division board. Consideration should be afforded to rulings on prior plant waiver requests, but the division board shall not be bound by such rulings.

~~c.~~ Within seven days of its issuance, any ruling issued under subrule 9.7(9) shall be transmitted to the applicant, the Iowa State Bar Association and the Iowa Land Title Association.

~~d. — The decision of the division board shall be final agency action and all appeals shall be filed with the Iowa District Court for Polk County.~~

~~9.7(10) Title plant certification. For applicants granted a provisional waiver, an inspection of the title plant shall be performed by division staff or a designee of the title guaranty director. The inspection shall determine if the title plant meets the criteria set forth in paragraph 9.6(4)“a” and shall occur before the division board grants up to date title plant status to the applicant. If the applicant, following verification of up to date title plant status by the division board, proposes to conduct business under a name other than that of the entity to which the provisional waiver was granted, the applicant must obtain prior written approval to do so from the division. Any transfer of a title plant must be approved by division staff in order for the title plant to be a title guaranty abstractor.~~

~~9.7(11) Public availability. Applications for waivers and rulings on waiver applications are public records under Iowa Code chapter 22. Some applications or rulings may contain information the division is authorized or required to keep confidential. Division staff may accordingly redact confidential information from applications or rulings prior to public inspection or dissemination.~~

~~9.7(12) Voiding or cancellation. A waiver or variance is voidable if material facts upon which the petition is based are not true or if material facts have been withheld. A waiver or variance issued by the division board may be withdrawn, canceled, or modified if, after appropriate notice and meeting, the division board issues a ruling finding any of the following:~~

~~a. — That the petitioner or the applicant who was the subject of the waiver ruling withheld or misrepresented material facts relevant to the propriety or desirability of the waiver;~~

~~or~~

~~b. — That the alternative search method assuring that the public interest will be adequately protected after issuance of the ruling has been demonstrated to be insufficient; or~~

~~c. — That the subject of the waiver ruling has failed to comply with all conditions contained in the ruling.~~

~~[ARC 7892B, IAB 7/1/09, effective 8/5/09; ARC 0826C, IAB 7/10/13, effective 8/14/13]~~

~~**265 9.8(16) Title guaranty contracts, forms, manual, and staff supplements.** The division shall adopt and issue such contracts, forms, and the manual as the division deems necessary to set out standards and requirements, and such other matters that the division deems necessary for implementation and effective administration of the title guaranty program. The contents of the contracts, forms, and the manual shall be applicable to participants and independent closers in the title guaranty program.~~

~~**9.8(1) Division board adoption.** The form of title guaranty commitments and certificates will be adopted, revised, or amended by resolution of the division board, and the form of such commitments and certificates is subject to the approval of the authority board. The manual will be adopted, revised, or amended on approval of a majority vote of the division board.~~

~~a. — The division will inform the Iowa State Bar Association, the Iowa Land Title Association, and any person requesting such information of any proposed adoption of or change to the form of title guaranty commitments and certificates at least 30 days prior to the date of the division board meeting at which the matter will be considered.~~

~~b. — Interested parties may submit evidence or statements in support of or in opposition to the proposal in writing or by personal appearance before the division board.~~

~~**9.8(2) Division staff adoption.** Under the direction of the division director, the division staff shall adopt and issue staff supplements as the division deems necessary to set out standards~~

~~and requirements of these rules, applicable statutes, and the manual; to address nonresidential, extraordinary and unusual risk situations; and to address such other matters that the division deems necessary for implementation and effective administration of the title guaranty program.~~

~~[ARC 8458B, IAB 1/13/10, effective 2/17/10]~~

~~**265—9.9(16) Mortgage release certificate.** Pursuant to Iowa Code section 16.92, the division is charged with the administration of a system, after notification to lenders, to clear paid off mortgages from real estate titles in Iowa by executing and filing with county recorders release certificates for mortgages that have been paid in full.~~

~~**9.9(1) Definitions.** As used in this rule, unless the context otherwise requires:~~

~~“Certificate” means the certificate of release or partial release of mortgage issued by the division.~~

~~“Claim for damages” means a claim for actual money damages against the division caused by the division’s wrongfully or erroneously, through an act of negligence, filing a certificate while division staff are acting within the scope of their office or employment.~~

~~“Effective release” or “satisfaction” means a release or satisfaction of mortgage pursuant to Iowa Code chapter 655.~~

~~“Mortgage” means a mortgage or mortgage lien on an interest in real property in this state given to secure a loan in an original principal amount, including any future advances, equal to or less than:~~

~~1. — \$20 million for mortgages paid off by the division staff or a division closer within a division closing, unless prior written approval is obtained from the division director.~~

~~2. — \$1 million for all other mortgages.~~

~~“Real estate lender or closer” means a person licensed to regularly lend moneys to be secured by a mortgage on real property in this state, a licensed real estate broker, a licensed attorney, or a participating abstractor.~~

~~9.9(2) Request for certificate. Applications, forms, procedures and practices for the implementation of an effective mortgage release certificate by the division pursuant to Iowa Code section 16.92 shall be provided in the staff supplements. Further, any fee to be charged for the mortgage release application shall be set by the division board upon the recommendation of the division director.~~

~~9.9(3) Authority to sign certificate. The division director or designee of the division director may execute and record the certificates pursuant to Iowa Code section 16.92 and this rule.~~

~~9.9(4) Additional remedies. In addition to any other remedy provided by law, the division may recover from the real estate lender or closer who requested the certificate all expenses incurred, and all damages including punitive or exemplary damages paid to the mortgagee or mortgage service provider, in satisfaction or resolution of a claim for damages.~~

[ARC 8458B, IAB 1/13/10, effective 2/17/10]

~~265—9.10(16) Rates. The rate or fee, if any, for the owner’s guaranty, the lender’s guaranty, the various endorsements, and the closing protection letter will be fixed by the division board by resolution. In situations involving extraordinary risk, unusual transactions, or unique or multiple endorsements, the division, under the direction of the division director, may make additional charges that are added to and become part of the rate or fee. The rates or fees of any other products or services that will be offered by the division shall be set by the division board upon the recommendation of the division director.~~

~~A participant or independent closer shall calculate the title guaranty fees and premiums according to the applicable rate schedule in effect on the effective date of the commitment or the certificate, whichever is earlier. A participant or independent closer shall collect the fee in effect for any other product or service offered by the division at the time the product or service is sold. Additional participant or independent closer responsibilities with regard to the collection and use of fees and premiums shall be set forth in the manual and staff supplements.~~

~~{ARC 8458B, IAB 1/13/10, effective 2/17/10}~~

~~265~~ **9.11(16) Claims.**

~~**9.11(1) Definitions.** The following words and phrases, when used in this rule, shall have the meanings set forth below unless a meaning is inconsistent with the manifest intent or the context of a particular rule:~~

~~“*Claim*” means loss or damage or potential loss or damage arising by reason of a matter actually, possibly, or allegedly within the coverage of a commitment, certificate, closing protection letter, mortgage release certificate, or by reason of any other matter for which the division is actually, possibly, or allegedly liable.~~

~~“*Claim loss*” means amounts paid by the division in the investigation and resolution of a claim including, but not limited to, payments to the guaranteed, payments to adverse claimants, attorneys’ fees, and all other expenses and costs related to or arising from the claim in accordance with the provisions of this rule.~~

~~“*Party*” means a participant, independent closer, or any other person or entity that has a contractual relationship with the division to provide coverage or services for which a claim may be brought against the division.~~

~~9.11(2) Claim procedures. In the event of a claim, the rights of the division and a party are as follows:~~

~~a. — Upon receipt of notice by a party of a claim, the party must notify the division in writing within three business days of receipt of information about a claim by the party and shall mail notification to the division by first class mail at the division's address in subrule 9.4(1). In addition, if the nature of the claim is such that the guaranteed claimant or the division, or both, may suffer loss or damage that might be reduced or avoided by notice given more promptly than required by the preceding sentence, the party shall notify the division by telephone, facsimile transmission, overnight mail or other overnight delivery service, or any combination of these methods.~~

~~b. — When a party receives a request from the division for information with respect to a claim, the party shall supply to the division any documents, correspondence, surveys, abstracts of title, title searches, other writings, or other information known by or available to the party and relevant to the claim, even if not specifically requested by the division.~~

~~c. — A party shall cooperate fully in the investigation and resolution of a claim and shall supply any additional, new information that may come to the party's attention with such promptness as the circumstances permit.~~

~~d. — The division may, with or without prior notice to the party or parties involved, investigate and resolve any claim in any manner that, in the division's sole discretion, the division may deem advisable.~~

~~9.11(3) Claim loss recovery:~~

~~a. — Any claim losses paid are recoverable from a party by the division.~~

~~b. — In the absence of knowledge by the party about the title defect or other matter causing the claim loss, the division shall not seek recovery from the party when a claim loss arises from one or more of the following:~~

~~(1) — Hidden defects, including, but not limited to, forged deeds and mortgages, false affidavits, and false statements of marital status;~~

~~(2) — Errors by public officials in maintaining and indexing the public records, including, but not limited to, errors by county assessors, recorders, clerks, and treasurers;~~

~~(3) — Errors in these rules, the manual, staff supplements, and any other written or oral instructions or requirements given by the division that the party relies upon in issuing an abstract of title, opinion, commitment, certificate, or endorsement;~~

~~(4) — Errors in surveys provided by registered Iowa land surveyors that the party relies upon in giving survey coverage or issuing an endorsement or endorsements; or~~

~~(5) — Underwriting determinations or title risks approved by the division prior to issuance of the abstract of title, opinion, commitment, certificate, or endorsement.~~

~~c. — The party shall reimburse the division for a claim loss when the division determines, in accordance with 9.11(3) “d,” that the party is liable and when the claim loss arises from one or more of the following:~~

~~(1) — Errors by the party in the title search and report of information in the public record;~~

~~(2) — Reliance by the party upon sources of title searches and other title information that had not been approved by the division at the time of the reliance;~~

~~(3) — Errors made by the party in examining the title information provided in an abstract of title, survey, affidavit, or other source of title information;~~

~~(4) — Errors made by the party in the preparation or review of an abstract of title, opinion, commitment or certificate;~~

~~(5) — Knowing issuance of an abstract of title, opinion, commitment or certificate by the party upon a defective title; or~~

~~(6) — Failure of the party to follow these rules, the manual, staff supplements, or any other written or oral instructions or requirements given by the division with respect to any other matters not included within 9.11(3)“c.”~~

~~d. — Unless another rule, the Code of Iowa, the manual, a procedure, or a guideline provides for a different standard of liability or other rule for determining whether the party shall be liable for a claim loss, the division shall apply the following standards:~~

~~(1) — In the event that a claim loss occurs for which the division may seek recovery from the party under 9.11(3)“c”(1), the division may demand reimbursement from the party if the party was grossly negligent in conducting the title search. Gross negligence includes the failure to make a search or the use of inadequate search procedures. Gross negligence under the preceding sentence includes but is not limited to failure to search certain indices, failure to search all names of parties with an interest in the real estate, or failure to search in all public offices required by the division search procedures or procedures used by prudent title searchers if the division has not established specific search procedures. In making its determination whether to seek recovery, the division may consider the complexity of the public record, the reliance of the party upon division approved search procedures, the training and experience of the person who made the error, and the existence or nonexistence of previous search errors by the party.~~

~~(2) — In the event that a claim loss occurs for which the division may seek recovery from a party under 9.11(3)“c”(2), the division may demand reimbursement from that party if the~~

~~party relied upon sources of title searches or other title information that had not been approved by the division at the time of the reliance.~~

~~(3) — In the event that a claim loss occurs for which the division may seek recovery from the party under 9.11(3)“e”(3), the division may demand reimbursement from the party if the party negligently examined the title information used in making a title determination, failed to raise an appropriate exception, waived an exception, or endorsed a title commitment or certificate.~~

~~1. — The division may make full review of local county abstracting standards and bar title rules as a guide to determine whether the party has failed to meet the standard of skill and competence of an abstractor who prepares an abstract of title or an attorney who examines titles in the community where the claim arose.~~

~~2. — The division may also consider whether the party followed these rules, the manual, staff supplements, or any other written or oral instructions or requirements given by the division in examining the title.~~

~~3. — In addition, the division may seek input from other parties in the community in which the claim arose as to the standard of care of an abstractor who prepares an abstract of title or of an attorney who examines titles in that community.~~

~~(4) — In the event that a claim loss occurs for which the division may seek recovery from the party under 9.11(3)“e”(4), the division may demand reimbursement from the party if the party negligently prepared and reviewed an abstract of title, opinion, commitment or certificate.~~

~~(5) — In the event that a claim loss occurs for which the division may seek recovery from the party under 9.11(3)“e”(5), the division may demand reimbursement from the party if~~

~~the issuance of the abstract of title, opinion, commitment or certificate constituted fraud, concealment or dishonesty, or if the issuance of the abstract of title, opinion, commitment or certificate was based upon an underwriting decision on an unusual risk that was made without contacting the division for approval.~~

~~(6) — In the event that a claim loss occurs for which the division may seek recovery from the party under 9.11(3)“e”(6), the division may demand reimbursement from the party if the party failed to follow these rules, the manual, staff supplements, or any other written or oral instructions or requirements given by the division with respect to the matter causing the claim loss.~~

~~(7) — In the event the division seeks reimbursement from a party, the division shall state the basis of the reimbursement.~~

~~e. — The division board may, from time to time by resolution, establish levels of authority, including dollar amounts, for the division board, the division director and the division staff for the settlement of claims made against the division.~~

~~[ARC 8458B, IAB 1/13/10, effective 2/17/10]~~

~~**265 — 9.12(16) Rules of construction.** In the construction of this chapter, the following rules of construction shall be observed, unless either the rules of Iowa Code chapter 4, Construction of Statutes, or the following rules of construction are inconsistent with the manifest intent or the context of a rule:~~

~~1. — The word “shall” means mandatory and not permissive and the word “may” means permissive and not mandatory.~~

~~2. — The word “closing” includes, but is not limited to, the recording of a deed executed and delivered in lieu of a mortgage foreclosure or pursuant to a mortgage foreclosure~~

~~proceeding and also includes the entry into a binding agreement and transfer of possession by a seller to a buyer on a contract sale of land.~~

~~3. Nothing contained in this chapter shall be construed to require a participating attorney to disclose privileged information of a client to the division or to any other person.~~

~~4. Any rule that provides a specific remedy or sanction for violation of the rule shall not be construed as limiting the ability of the division to pursue and enforce other penalties or sanctions under this chapter, or otherwise, against the participating abstractor, participating attorney, independent closer or other person responsible or liable, either separately, concurrently, cumulatively, or in any combination, at the sole discretion of the division.~~

~~5. The failure of the division to enforce a right or remedy under this chapter, a statute, or common law shall not be construed as a waiver of such right or remedy either in the specific instance or in any other instance.~~

[ARC 8458B, IAB 1/13/10, effective 2/17/10]

~~**265—9.13(16) Seal.** The division shall have a corporate seal that may be altered from time to time. The seal shall impress the words “Title Guaranty Division Iowa Finance Authority” and may be used to authenticate acts and legal instruments of the division.~~

[ARC 8458B, IAB 1/13/10, effective 2/17/10]

~~**265—9.1(16) Definitions.** The following words and phrases, when used in this chapter, shall have the meanings set forth below unless a meaning is inconsistent with the manifest intent or the context of a particular rule:~~

~~“Abstract” means a written or electronic summary of all matters of record affecting title to a specific parcel of real estate prepared in accordance with abstract minimum standards adopted by the division, provided however, that for nonpurchase transactions, “abstract” may also mean a~~

written or electronic short-form summary setting forth the titleholders, liens, and encumbrances in accordance with guidelines adopted by the division.

“Abstractor” means a person who is engaged in the practice of searching public records for the purpose of creating abstracts.

“Authority” means the Iowa finance authority established by Iowa Code chapter 16.

“Certificate” means the form used to guarantee title, including any part or schedule thereof and any endorsements thereto.

“Claim” means loss or damage or potential loss or damage arising by reason of a matter actually, possibly, or allegedly within the coverage of a commitment, certificate, closing protection letter, mortgage release certificate, or by reason of any other matter for which the division is actually, possibly, or allegedly liable.

“Claim loss” means amounts paid by the division in the investigation and resolution of a claim including, but not limited to, payments to the guaranteed, payments to adverse claimants, attorneys’ fees, and all other expenses and costs related to or arising from the claim.

“Closing protection letter” means the division’s written agreement to indemnify a lender or borrower or both for loss caused by a participating closer’s theft of settlement funds or failure to comply with written closing instructions relating to title certificate coverage when agreed to by the participating closer.

“Commitment” means the division’s written offer to issue a certificate.

“Division” means Iowa title guaranty, a division of the Iowa finance authority.

“Division board” means the board of the division created pursuant to Iowa Code section 16.2A(1).

“Field issuer” means a participant authorized by the division to issue commitments and

certificates.

“Mortgage release certificate” means a certificate of release or a certificate of partial release issued by the division, pursuant to Iowa Code section 16.92.

“Participant” means a participating attorney, a participating abstractor, or a participating closer.

“Participating abstractor” means an abstractor who is authorized by the division to prepare abstracts for division purposes.

“Participating attorney” means an attorney licensed to practice law in the state of Iowa who is authorized by the division to prepare title opinions for division purposes.

“Participating closer” means any of the following authorized by the division to issue a closing protection letter: an Iowa licensed attorney disbursing funds through an interest on lawyer trust account, a closing agent licensed by the Iowa division of banking, or a real estate broker licensed by the Iowa real estate commission disbursing funds through a real estate trust account.

“Party” means a participant, or any other person, that has a contractual relationship with the division to provide services for which a claim may be brought against the division.

“Person” means an individual or legal entity, including corporation, limited liability company, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

265—9.2(16) Purpose. This chapter describes the mission, organization, programs and operations of the division, including the office where and the means by which a person may obtain information and make submissions or requests.

265—9.3(16) Mission. The mission of the division is to operate a program that offers guaranties

of real property titles in order to provide, as an adjunct to the abstract-attorney's title opinion system, a low-cost mechanism to facilitate mortgage lenders' participation in the secondary market and add to the integrity of the land-title transfer system in the state of Iowa and to perform other duties as assigned by Iowa law. Surplus funds generated by the division shall be transferred to the authority's housing assistance fund after providing for adequate reserves and for the operating expenses of the division.

265—9.4(16) Organization.

9.4(1) Location. The office of the division is located at 2015 Grand Avenue, Des Moines, Iowa 50312. Office hours are 8 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. The division's Web site address is www.iowatitleguaranty.gov and the division's telephone and facsimile numbers are as follows: (515)725-4900 (general telephone number); 1-800-432-7230 (toll-free telephone number); and (515)725-4901 (facsimile). The division's e-mail address is titleguaranty@iowa.gov. Inquiries, submissions, applications and other requests for information may be directed to the division at the address set forth herein. Requests may be made personally or by telephone, fax, mail or e-mail.

9.4(2) Division board. A chair and vice chair shall be elected annually by the members of the division board at the first quarterly meeting following July 1 of each year, which is the beginning of the division's fiscal year.

9.4(3) Meetings. Meetings of the division board shall generally be held quarterly on the date and time determined by the division board. Meetings of the division board may also be held at the call of the chair or on written request of two division board members. The division will give advance public notice of the specific date, time and place of each division board meeting. At least 24 hours before commencement of a division board meeting, the division will post the

tentative agenda at the office of the division and on the division's Web site. Division board meetings may be conducted by conference call. Any person may attend and observe division board meetings except for any portion of a division board meeting that may be closed pursuant to Iowa Code section 21.5. The minutes of the division board meetings are available at the office of the division and on the division's Web site. Three members of the division board constitute a quorum. An affirmative vote of a majority of the division board members is necessary for any substantive action taken by the division board. The majority shall not include any division board member who has a conflict of interest, and a statement of a conflict of interest shall be conclusive for this purpose.

265—9.5(16) Operation. The division offers guaranties of real property titles in the state through the issuance of commitments and certificates.

9.5(1) *Commitments, certificates, forms and manuals.* The terms, conditions, and form of commitments and certificates shall be approved by the division board. The division may adopt and use manuals and other forms as the division deems necessary for implementation and administration of the title guaranty program.

a. The division will provide forms to a participant for use in issuing commitments and certificates on behalf of the division. A participant may not alter any form supplied by the division or use a form supplied by another person to bind the division. In addition, the participant shall not transfer or attempt to transfer unissued commitments or certificates to another participant or other person unless authorized in writing by the division.

b. If a participant fails to comply with the requirements of this rule, in addition to the division's other rights and remedies, the division may refuse to allow the participant access to any forms until the participant complies with the requirements of this chapter to the satisfaction

of the division.

c. A participant shall be liable to the division for loss or damage sustained by the division by reason of the loss of, misuse of, or inability of the participant to account for any form supplied by the division, or the failure of the participant to comply with the requirements of this rule.

9.5(2) Application for commitments and certificates. The division shall make an application for commitments and certificates available at the office of the division and on the division's Web site.

9.5(3) Rates. The division shall set the rates for certificates and closing protection letters in an amount sufficient to permit the title guaranty program to operate on a self-sustaining basis, including payment of administrative costs and the maintenance of an adequate reserve against claims. In transactions involving extraordinary risk or unusual or unique endorsements, the division may charge additional fees.

265—9.6(16) Participants.

9.6(1) General provisions. An applicant shall submit a participant application and the first year's annual fee and shall sign a participation agreement in order to be authorized to provide one or more services on behalf of the division.

9.6(2) Participant application. Applications for participation and renewal are available on the division's Web site. An applicant shall submit an application to provide one or more services on behalf of the division. If the applicant is approved as a participant, the participant is required to submit a renewal application annually.

9.6(3) Eligibility considerations. In determining whether to approve or deny a participant application, the division may consider the following, including but not limited to:

a. The needs of the public and the needs of existing or potential customers of the applicant.

- b. A history of the operation and management of the applicant's business.
- c. The character, fitness, financial responsibility and experience of the applicant and the applicant's employees.
- d. A credit report or criminal background check of the applicant or the applicant's employees.
- e. A record of default in the payment of moneys collected for others by the applicant or the applicant's employees.
- f. A history of discharge of debts by the applicant or the applicant's employees through bankruptcy proceedings.
- g. Compliance with the title and settlement best practices adopted by the division.
- h. Other factors as determined by the division.

9.6(4) *Participation agreement.* The participation agreement sets forth the contractual relationship between the participant and the division. A new participation agreement is executed annually and when otherwise required by the division.

9.6(5) *Annual fee.* A participant may be required to pay an annual fee to be eligible to participate in the title guaranty program. The fee, if any, shall be set by the division.

9.6(6) *Professional liability insurance.* A participant shall maintain professional liability insurance, also known as errors and omissions insurance, at all times while acting as an agent of the division, with such coverage and in such amounts as the division may determine.

9.6(7) *Agent relationship.* A participant is only authorized to act as an agent of the division for the purposes and in the manner set forth in the participant's participation agreement, the Code of Iowa, these rules, manuals and any other written instructions given by the division. The authority of a participant to act as an agent of the division is not exclusive and is subject to the

rights of the authority, the division, and other participants, agents, or representatives of the division.

9.6(8) *Conflict of interest.* A participant shall not, without prior authorization of the division, prepare an abstract or issue a title opinion, commitment, certificate, or closing protection letter for a transaction in which the participant has a personal or financial interest in the real estate that is the subject of that transaction.

9.6(9) *Clearance of title objections.* All title objections must be cleared in accordance with applicable division manuals and any other written instructions given by the division prior to the issuance of a certificate. Any underwriting determination about which there may be a bona fide difference of opinion among attorneys, which is not specifically addressed by division manuals or instructions, shall be approved by the division in writing.

9.6(10) *Commitment and certificate coverage limitations.* A field issuer shall obtain written authorization from the division prior to issuing a commitment or certificate that exceeds the allowable maximum amount of coverage, as determined by the division. If authorization required under this subrule is not obtained through the act or omission of the field issuer, the field issuer shall be strictly liable to the division for any loss or damage resulting from issuance of the commitment or certificate.

9.6(11) *Document retention.* A participant shall maintain transaction files in such a manner that information pertaining to activities of the participant is readily available to the division while protecting confidential client information. A participant shall retain files for a period of ten years after the effective date of the certificate or the effective date of the commitment if a certificate is not issued. A participating abstractor shall retain a written or electronic copy of each abstract prepared for division purposes and shall provide a copy to the division upon request.

9.6(12) Training. The division may require a participant and the participant's staff, as a condition of participation, to participate in training sessions or continuing education seminars as deemed necessary by the division in order to ensure compliance with division requirements and procedures.

9.6(13) Compliance. Participants shall comply with the Code of Iowa, these rules, the participation agreement, manuals, and any other written instructions given by the division. The division may audit the participant, with or without notice, for verification of compliance. An audit may include, but not be limited to, a review of the participant's commitment and certificate issuance procedures, a test of title plants and tract indices, and a review of closing policies and procedures and escrow account details. An inspection of a title plant may be performed by the division or its designee to determine if the title plant meets the criteria set forth in paragraph 9.7(1)"a."

9.6(14) Revocation. The division has discretion to revoke a participant's authorization to provide services on behalf of the division for reasons including, but not limited to, the following:

- a. Failure to comply with the terms and conditions of the participation agreement.
- b. Failure to submit an annual renewal application.
- c. Knowingly withholding or misrepresenting material facts relied upon by the division.
- d. Fraud, theft, dishonesty, or misappropriation of funds or documents.
- e. Deterioration of the participant's financial condition adversely affecting the participant's ability to provide services on behalf of the division.
- f. A finding by the division director of material noncompliance with the Code of Iowa, these rules, manuals, and any other written instructions given by the division.
- g. Other factors as determined by the division.

265—9.7(16) Services offered.

9.7(1) Abstracting. Abstracts utilized for division purposes must be prepared by a participating abstractor.

a. Title plant. A participating abstractor shall own and maintain, or lease and use, a title plant including tract indices for each county in which that participating abstractor prepares abstracts for division purposes, unless exempt under paragraph 9.7(1)“c” or authorized under paragraph 9.7(1)“d.” Each of the tract indices shall be designated to encompass a geographical area of not more than one block in the case of platted real estate, nor more than one section in the case of unplatted real estate. The tract indices shall include a reference to all of the instruments affecting real estate recorded in the office of the county recorder, and the tract indices shall commence not less than 40 years prior to the effective date of the abstractor’s participation in the title guaranty program. A government-maintained and -controlled database is not considered a title plant for division purposes.

b. Intent to build title plant. The division may authorize an abstractor that is building or that intends to build a title plant to prepare abstracts for use by the division, upon review of the following:

- (1) The abstractor’s business plan;
- (2) Evidence that a title plant will be built for a specific county or counties within three years;
- (3) A timeline for completion of the title plant; and
- (4) A description of the applicant’s abstracting experience.

c. Grandfathered attorney. A participating attorney who has provided abstracts continuously from November 12, 1986, to the date of application to provide abstracts for division purposes, either personally or through persons under the participating attorney’s supervision and control,

shall be exempt from the requirements to own or lease a title plant. This exemption is unique to the participating attorney, is nontransferable, and terminates at such time as the participating attorney ceases providing abstracts for division purposes or upon the death or incapacity of the participating attorney.

d. Title plant waivers. The division recognizes the 40-year title plant as the preferred method of providing title evidence for the purpose of issuing commitments and certificates. The division must weigh the benefits of the traditional title plant with other alternatives to ensure buyers and lenders high quality of certificates throughout the state, rapid service, and a competitive price. Iowa Code section 16.91(5)“b” allows the division board to waive the up-to-date title plant requirements under certain conditions.

(1) General provisions. The division board shall consider an application for a title plant waiver upon submission by an attorney or an abstractor.

(2) Submission of application. The division shall provide an application form at the office of the division and on the division’s Web site. An applicant must submit an application in writing to the attention of the division director at the office of the division.

(3) Content of application. The applicant must provide, at a minimum, the following information:

1. The name, business address, e-mail address, and telephone number of the applicant;
2. The applicant’s business plan;
3. The county or counties in which the applicant intends to abstract;
4. A description of the applicant’s abstracting experience;
5. Samples of abstracts prepared by the applicant;
6. A history of any professional disciplinary action against the applicant;

- 7. Professional references in support of the applicant;
- 8. The relevant facts that the applicant believes would justify a waiver under 9.7(1)“d”(5) and 9.7(1)“d”(6)“4”; and
- 9. A signed statement from the applicant attesting to the accuracy of the facts provided in the application.

(4) Notification and response.

- 1. The division shall notify the applicant upon receipt of a complete application.
- 2. The division shall publish notice of an application on the division’s Web site within 7 calendar days of receipt of a complete application. A copy of the application and supporting documents will be provided to any interested person upon request.
- 3. The Iowa State Bar Association and Iowa Land Title Association shall be provided notice of an application. Provision of the notice to the identified associations is not a requirement for the division board to consider the application, and failure to inform an interested person of an application shall not void or otherwise nullify any action or decision of the division board.
- 4. If a complete application is received at least 90 days prior to the next scheduled division board meeting, the application shall be placed on the agenda for that division board meeting. The division shall receive public comments up to 45 calendar days prior to that division board meeting.

(5) Criteria for title plant waiver. Pursuant to Iowa Code section 16.91(5)“b,” the division board may issue a ruling waiving the title plant requirement set forth in Iowa Code section 16.91(5)“a”(2) if the board finds the following:

- 1. The title plant requirement imposes a hardship to the applicant; and
- 2. The waiver is:

• Clearly in the public interest; or

• Absolutely necessary to ensure availability of certificates throughout the state.

3. For purposes of paragraph 9.7(1)“d,” “hardship” means deprivation, suffering, adversity, or long-term adverse financial impact in complying with the title plant requirement that is more than minimal when considering all the circumstances.

4. For purposes of paragraph 9.7(1)“d,” “public interest” means that which is beneficial to the public as a whole, including but not limited to increasing competition among abstractors, encouraging the use of certificates throughout the state, making certificates more competitive than out-of-state title insurance, increasing the division’s market share, improving the quality of land titles, and protecting consumers.

(6) Board meeting and ruling.

1. The review of a waiver application is not a contested case proceeding.

2. The division director or designee shall review an application and its supporting documentation. The division director shall present to the division board a proposed written ruling. The division board shall adopt, amend or reject the proposed written ruling. If the proposed written ruling is rejected, the division board shall instruct the division director to prepare an alternative written ruling to be considered at a subsequent division board meeting.

3. The written ruling shall summarize the relevant facts and the basis for granting or denying the waiver. The written ruling may specify the scope and duration of the waiver and any restrictions, conditions, or requirements.

4. The final decision on whether the circumstances justify the granting of a waiver shall be made at the sole discretion of the division board upon consideration of all relevant factors. Relevant factors to be considered include, but are not limited to, the division director’s

proposed written ruling, the facts and circumstances set out in the application, any history of professional disciplinary action against the applicant, adverse claims made against the applicant, prior waiver withdrawal actions against the participating attorney or participating abstractor, public comments, the professional knowledge and expertise of the board members and division staff, and any other resources available to the entire division board. The division board shall give considerable weight to an applicant's experience abstracting under the supervision of a participating abstractor or participating attorney with whom the applicant has had a close working relationship or with whom the applicant is a partner or associate. The division board shall also give considerable weight to a recommendation from a participating abstractor or participating attorney who supervised the applicant's abstracting for a period of two years or more and who attests in writing or in person before the division board regarding the applicant's ability to abstract. Consideration should be afforded to rulings on prior waiver requests, but the division board shall not be bound by such rulings. The division board may limit a waiver as to county, or transaction type, or both.

5. The written ruling shall be mailed to the applicant within 7 days of its issuance.

6. The decision of the division board shall be final agency action, and all appeals shall be filed with the Iowa District Court for Polk County.

(7) Conditions. A waiver is unique to the recipient and is nontransferable. A waiver recipient shall be accountable to the division for abstracts prepared for division purposes. The division may require a waiver recipient to provide a guarantee, performance bond, or other form of indemnification, as assurance for abstracts prepared by the waiver recipient on behalf of the division. The division may review the waiver recipient annually and may require a renewal, modification or addition to any required assurances. Retention of a waiver is dependent on the

applicant meeting the requirements for a participant in rule 265—9.6(16). If the waiver recipient fails to meet the terms of the recipient’s participation agreement, the waiver may be withdrawn by the division board.

(8) Withdrawal of a waiver. A waiver issued by the division board may be withdrawn or modified if, after public notice and division board meeting, the division board issues a written ruling finding any of the following:

1. That the waiver recipient knowingly withheld or misrepresented material facts relied upon by the division board in granting the waiver; or

2. That the waiver recipient failed to comply with all conditions contained in the written ruling; or

3. That the abstracts prepared by the waiver recipient fail to meet the abstract minimum standards adopted by the division.

4. That the division has revoked the waiver recipient’s authorization to provide services on behalf of the division pursuant to subrule 9.6(13).

The decision of the division board shall be final agency action, and all appeals shall be filed with the Iowa District Court for Polk County.

(9) Public availability. Applications for waivers and written rulings are public records under Iowa Code chapter 22. Some applications or written rulings may contain information that the division is authorized or required to keep confidential. The division may redact confidential information from applications or written rulings prior to public inspection or dissemination.

9.7(2) Issuing title opinions.

a. All title opinions shall be prepared by participating attorneys and issued in compliance with division procedures as specified in manuals and any other written instructions given by the

division.

b. A participating attorney who is a field issuer may issue a commitment as the preliminary title opinion and the certificate as the final title opinion.

c. A participating attorney shall be licensed to practice law in the state of Iowa and shall be in good standing with the Iowa supreme court at all times while acting as an agent of the division.

9.7(3) Issuing commitments and certificates. Pursuant to a participation agreement with the division, a participant may be authorized to issue a commitment or certificate on behalf of the division. A participant's right to issue commitments and certificates is a privilege for the convenience of the division and may be terminated pursuant to terms of the participation agreement.

9.7(4) Issuing closing protection letters. Pursuant to a participation agreement with the division, a participant may be authorized to issue a closing protection letter on behalf of the division.

The division may require the participating closer to provide an irrevocable letter of direction to the institution at which each escrow account is established, authorizing the division to review and audit the institution's records of such account at any time that the division, in its discretion, deems necessary.

265—9.8(16) Claims.

9.8(1) Claim procedures. In the event of a claim, the rights of the division and a party are as follows:

a. Upon receipt of notice by a party of a claim, the party must notify the division in writing within three business days of receipt of information about a claim by the party and shall mail

notification to the division by first-class mail at the division's address as set forth in subrule 9.4(1). In addition, if the nature of the claim is such that the guaranteed claimant or the division, or both, may suffer loss or damage that might be reduced or avoided by notice given more promptly than required by the preceding sentence, the party shall notify the division by telephone, facsimile transmission, e-mail, overnight mail or other overnight delivery service, or any combination of these methods.

b. When a party receives a request from the division for information with respect to a claim, the party shall supply to the division any documents, correspondence, surveys, abstracts of title, title searches, other writings, or other information known by or available to the party and relevant to the claim, even if not specifically requested by the division.

c. A party shall cooperate fully in the investigation and resolution of a claim and shall supply any additional, new information that may come to the party's attention with such promptness as the circumstances permit.

d. The division may, with or without prior notice to the party or parties involved, investigate and resolve any claim in any manner that, in the division's sole discretion, the division may deem advisable.

9.8(2) Claim loss recovery.

a. Any claim losses paid are recoverable from a party by the division.

b. In the absence of knowledge by the party about the title defect or other matter causing the claim loss, the division shall not seek recovery from the party when a claim loss arises from one or more of the following:

(1) Hidden defects, including, but not limited to, forged deeds and mortgages, false affidavits, and false statements of marital status;

(2) Errors by public officials in maintaining and indexing the public records, including, but not limited to, errors by county assessors, recorders, clerks, and treasurers;

(3) Errors in these rules, manuals, and any other written instructions given by the division that the party relies upon in issuing an abstract, title opinion, commitment or certificate;

(4) Errors in surveys provided by registered Iowa land surveyors that the party relies upon in issuing a certificate that provides survey coverage; or

(5) Underwriting determinations or title risks approved by the division prior to issuance of the abstract, title opinion, commitment, or certificate.

c. The party shall reimburse the division for a claim loss when the division determines, in accordance with paragraph 9.8(2)“d,” that the party is liable and when the claim loss arises from one or more of the following:

(1) Errors by the party in the preparation of an abstract or any other report of information in the public record;

(2) Reliance by the party upon sources of title searches and other title information that had not been approved by the division at the time of the reliance;

(3) Errors made by the party in examining the title information provided in an abstract, survey, affidavit, or other source of title information;

(4) Errors made by the party in the preparation or review of an abstract, title opinion, commitment or certificate;

(5) Issuance of an abstract, title opinion, commitment or certificate by the party with knowledge that title is defective; or

(6) Failure of the party to follow the Code of Iowa, these rules, manuals, or any other written instructions given by the division.

d. Unless another rule, the Code of Iowa, manuals, or any other written instruction given by the division provides for a different standard of liability or other rule for determining whether the party shall be liable for a claim loss, the division shall apply the following standards:

(1) In the event that a claim loss occurs for which the division may seek recovery from the party under subparagraph 9.8(2)“c”(1), the division may demand reimbursement from the party if the party was grossly negligent in preparing the abstract. Gross negligence includes the failure to make a search or the use of inadequate search procedures. Gross negligence under the preceding sentence includes but is not limited to failure to search certain indices, failure to search all names of parties with an interest in the real estate, or failure to search in all public offices required by the division search procedures or procedures used by prudent title searchers if the division has not established specific search procedures. In making its determination whether to seek recovery, the division may consider the complexity of the public record, the reliance of the party upon division-approved search procedures, the training and experience of the person who made the error, and the existence or nonexistence of previous search errors by the party.

(2) In the event that a claim loss occurs for which the division may seek recovery from a party under subparagraph 9.8(2)“c”(2), the division may demand reimbursement from that party if the party relied upon sources of abstracts or other title information that had not been approved by the division at the time of the reliance.

(3) In the event that a claim loss occurs for which the division may seek recovery from the party under subparagraph 9.8(2)“c”(3), the division may demand reimbursement from the party if the party negligently examined the title information used in making a title determination, failed to raise an appropriate exception, waived an exception, or endorsed a commitment or certificate.

1. The division may make full review of local county abstracting standards and bar title rules

as a guide to determine whether the party has failed to meet the standard of skill and competence of an abstractor who prepares an abstract or an attorney who examines titles in the community where the claim arose.

2. The division may also consider whether the party followed the Code of Iowa, these rules, manuals, or any other written instructions given by the division in examining the title.

3. In addition, the division may seek input from other parties in the community in which the claim arose as to the standard of care of an abstractor who prepares an abstract or of an attorney who examines titles in that community.

(4) In the event that a claim loss occurs for which the division may seek recovery from the party under subparagraph 9.8(2)“c”(4), the division may demand reimbursement from the party if the party negligently prepared or reviewed an abstract, title opinion, commitment or certificate.

(5) In the event that a claim loss occurs for which the division may seek recovery from the party under subparagraph 9.8(2)“c”(5), the division may demand reimbursement from the party if the issuance of the abstract, title opinion, commitment or certificate constituted fraud, concealment or dishonesty, or if the issuance of the abstract, title opinion, commitment or certificate was based upon an underwriting decision on an unusual risk that was made without contacting the division for approval.

(6) In the event that a claim loss occurs for which the division may seek recovery from the party under subparagraph 9.8(2)“c”(6), the division may demand reimbursement from the party if the party failed to follow the Code of Iowa, these rules, manuals, or any other written instructions given by the division with respect to the matter causing the claim loss.

(7) In the event the division seeks reimbursement from a party, the division shall state the basis of the reimbursement.

e. The division board may establish levels of authority, including dollar amounts, for the division for the settlement of claims made against the division.

265—9.9(16) Mortgage release certificate. Pursuant to Iowa Code section 16.92, the division is charged with the administration of a program to release, after proper notification, paid-off mortgages from real estate titles in Iowa by executing and filing with the county recorder a mortgage release certificate.

9.9(1) Application. The division shall provide a mortgage release application at the office of the division and on the division's Web site. The following may submit an application for a mortgage release certificate:

a. A person authorized to regularly lend moneys to be secured by a mortgage on real property in Iowa.

b. A licensed real estate broker.

c. A licensed attorney.

d. A participating abstractor.

e. A licensed closing agent.

9.9(2) Application fee. An applicant may be required to pay a fee to apply for a mortgage release certificate. The fee shall be set by the division.

9.9(3) Maximum principal amount of mortgage. The division board may set a maximum principal amount for mortgages that may be released by a mortgage release certificate.

9.9(4) Authority to sign certificate. A mortgage release certificate shall be executed by the division director or designee of the division director.

265—9.10(16) Rules of construction. In this chapter, the following rules of construction shall be observed:

1. The word “shall” means mandatory and not permissive and the word “may” means permissive and not mandatory.

2. Nothing contained in this chapter shall be construed to require a participating attorney to disclose privileged information of a client to the division or to any other person.

3. Any rule that provides a specific remedy or sanction for violation of the rule shall not be construed as limiting the ability of the division to pursue and enforce other remedies or sanctions under this chapter, or otherwise against a participant or other person responsible or liable, either separately, concurrently, cumulatively, or in any combination, at the sole discretion of the division.

4. The failure of the division to enforce a right or remedy under this chapter, a statute, or common law shall not be construed as a waiver of such right or remedy either in the specific instance or in any other instance.

265—9.11(16) Seal. The division shall have a corporate seal that may be altered by the division from time to time.

These rules are intended to implement Iowa Code sections 16.2A, 16.4C, 16.5, 16.90 to 16.94, 17A.3, 17A.9, 17A.10, and 535.8(10), ~~2007 Iowa Code Supplement sections 16.1, 16.2, 16.3, 16.5, 16.40, and 16.91, and Iowa Code section 16.93 as amended by 2008 Iowa Acts, Senate File 2117.~~

Respectfully submitted,

David D. Jamison, Executive Director
By Authority of the Board of the Iowa Finance Authority

Date

City of Des Moines Franchise Fee Litigation
C/O RUST CONSULTING, INC.
P.O. BOX 2217
FARIBAULT, MN 55021-1617

IMPORTANT LEGAL MATERIALS



23824 - 1/3 : 95293
C7JKE7

T78/P320***AUTO**5-DIGIT 50312

IOWA FINANCE AUTHORITY
2015 GRAND AVE STE 200
DES MOINES IA 50312-4903



November 30, 2015

NOTICE OF CLASS ACTION AND REFUND CLAIM PROCESS

You have been identified as a potential class member who may be entitled to a refund in the case captioned *Lisa Kragnes v. City of Des Moines*. A judgment has been entered against the City of Des Moines by the Iowa District Court for Polk County, Equity No. 49273, recovering the amount illegally charged by the City of Des Moines, Iowa to gas and electric utility users in the City of Des Moines from September 1, 2004 through May 26, 2009. The Court has determined the refund amount, costs, attorney fees, and expenses and the method of allocation among class members and of distribution of the refunds among and to the class members.

This class action did not allow for opt outs. You are bound by the judgment of the Court for the period of time assessment of gas and electric franchise fees from July 27, 1999 to the date of May 26, 2009. However, if you were the account holder you are entitled to claim a refund of the excess gas and/or electric franchise fees that were imposed upon your account by the City of Des Moines provided you file your claim on or before **April 28, 2016**. Your estimated refund for the accounts/properties identified on the enclosed claim form, after reduction for court-approved attorney fees and other expenses is \$4,316.20. You may obtain your refund by completing and returning the enclosed claim form in the manner set forth on the form or by completing the required information on the claim page at the website, www.desmoinesfranchisefeerefund.com. Regardless of the method you choose, claims need to be submitted no later than **April 28, 2016**. If you do not submit a claim by **April 28, 2016**, any refund amount you could claim will be disposed of by future court order, which will be entered without further notice to you and may not provide for you to receive the refund money.

After the conclusion of the claims process, the Court shall determine what amount of the funds available for payment of the judgment cannot be distributed to members of the class individually because they could not be identified or located or because they did not claim or prove the right to money apportioned to them. The Court, after a hearing, shall distribute that amount, in whole or in part, to one or more states as unclaimed property or to the defendant City of Des Moines, Iowa.

You may want to assure all, or part, of your refund is provided to the City and avoid the money going to the State of Iowa or some other state as unclaimed property. In order to do so, please mark Yes or place an "X" or a checkmark on the claim form on the line provided for a Request for Refund. When you receive your money, you can, but are not required to, remit the portion of the money you desire to donate to the City by sending it to the City Treasurer at 400 Robert Ray Drive, Des Moines, Iowa 50309.

The City, by Resolution, on July 8, 2015, has committed that any *Kragnes v. City of Des Moines* unclaimed or declined refunds received by the City "shall be utilized solely and exclusively to payment and redemption of the judgment bonds and to retire the additional 2.5 percent Franchise Fee at the earliest possible date."

You may want to consult with your tax advisor concerning tax consequences or benefits associated with your refund or any disposition you make of the refund.

The attached claim form contains information concerning the identified account in "Covered Property Information." If you held multiple accounts you may receive multiple notices and claim forms for other accounts for which you have been identified as the account holder. If you believe, within seven (7) days of your receipt of this communication, that you have not received a claim form for an account for which you believe you paid a gas or electric franchise fee to the City of Des Moines during the period of this class, you should visit www.desmoinesfranchisefeerefund.com. If you still have any questions or need more information after visiting the website, call the Administrator toll-free at 1-877-906-1591 or write or email for information at the address below:

Administrator
City of Des Moines Franchise Fee Litigation
P.O. Box 2217
Faribault, MN 55021-1617
Email: info@desmoinesfranchisefeerefund.com

12-02-15 09:47

FOR OFFICIAL USE ONLY

01



Owner Address:

IOWA FINANCE AUTHORITY
2015 GRAND AVE STE 200

Covered Property Information:

Service Address: See Attached
Number of Accounts: 32
Estimated Amount of Refund: \$4,316.20

CLAIMANT ID NUMBER: 0000734233

If the pre-printed information to the left is not correct or if there is no pre-printed information, please check the box and complete the information below:

Name: _____

Address: _____

City: _____

State: _____ Zip Code: _____

CLAIM FORM

DES MOINES FRANCHISE FEE LITIGATION

Please print (or type) clearly in blue or black ink. If you meet the eligibility requirements and wish to make a claim for a refund, you must complete a Claim Form and confirm and verify, under penalty of perjury, that the "Covered Property Information" above is accurate and that you are the individual identified above associated with gas or electric utilities at that Property. This Claim Form must be postmarked no later than **April 28, 2016**. If you believe the "Covered Property Information" is not correct, or have questions, or wish to file a claim online you may visit www.desmoinesfranchisefeerefund.com. If you still have questions, you can call 1-877-906-1591.

CHOOSE ONLY ONE REFUND OPTION - I. Request for Refund OR II. Declination of Refund

I. **Request for Refund.** If you want to receive your refund money to which you are entitled in this case, please mark YES or place an X or a checkmark on the following line and sign, date, and return this claim form as otherwise instructed herein.

I/we hereby request to receive a refund of the amount of net refund of gas and/or electric franchise fees which I/we am entitled to receive in this claims process for the period of time 9/1/2004 through to 5/26/2009.

II. **Declination of Refund.** If you decline to receive the money to which you are entitled in this case, please mark YES or place an X or a checkmark on the following line and sign, date, and return this claim form as otherwise instructed.

I/we have the estimate of our refund and hereby decline to receive a refund of the amount of net refund of gas and/or electric franchise fees which I/we am otherwise entitled to receive in this claims process for the period of time 9/1/2004 to 5/26/2009.

Sign and Date Your Claim Form. You must sign the Claim Form under penalty of perjury. Thus, make sure it is truthful. Claims will be verified against the data obtained in the court process. False claims will be subject to prosecution. In the event a refund is issued, Refund Payments will be issued on checks made payable to the person(s) or entity which held the account as identified in the "Covered Property Information". You are further reminded that the false endorsement of such a check carries with it additional penalties under State and Federal Law.

I/we hereby certify under penalty of perjury (1) the above and foregoing is true and correct;(2) I am or we are legally entitled to act for the Account Holder who paid franchise fees as to the property(ies) identified in the "Covered Property Information" identified above; and (3) I/we agree that the refund amount set forth above is true and correct.

Account Holder Signature

Account Holder Signature

Print Name

Date

Print Name

Date

Mail Your Claim Form. This claim form is postage prepaid and must be postmarked on or before **April 28, 2016**, to:

Administrator
City of Des Moines Franchise Fee Litigation
P.O. Box 2217
Faribault, MN 55021-1617



0000734233

Account Number	Covered Property Address	Estimated Amount of Refund
5523024030	2847 INDIANOLA AVE HOUSE	147.80
1775035031	2015 GRAND AVE	3,505.32
0120158016	1700 MONDAMIN AVE	2.14
1953002202	2847 INDIANOLA AVE APT 2	9.61
1890002130	2847 INDIANOLA AVE APT 1	16.27
1974002258	2847 INDIANOLA AVE APT 3	3.77
2016002195	2847 INDIANOLA AVE APT 5	8.72
1995002194	2847 INDIANOLA AVE APT 4	11.16
2037002110	2847 INDIANOLA AVE APT 6	1.52
2121002088	2847 INDIANOLA AVE APT 10	3.96
2058002166	2847 INDIANOLA AVE APT 7	6.45
2079002174	2847 INDIANOLA AVE APT 8	17.07
2100002070	2847 INDIANOLA AVE APT 9	10.88
4227159017	1801 LINCOLN AVE	2.14
2226002169	2847 INDIANOLA AVE APT 14	0.42
2205002058	2847 INDIANOLA AVE APT 13	7.60
2247002074	2847 INDIANOLA AVE APT 15	21.21
2142002151	2847 INDIANOLA AVE APT 11	3.17
2331002090	2847 INDIANOLA AVE APT 21	4.45
2352002228	2847 INDIANOLA AVE APT 22	11.19
2268002075	2847 INDIANOLA AVE APT 16	2.24
2373002140	2847 INDIANOLA AVE APT 23	12.37
2457002220	2847 INDIANOLA AVE APT 27	8.84
2394002093	2847 INDIANOLA AVE APT 24	6.48
2478002142	2847 INDIANOLA AVE APT 28	10.04
2541002150	2847 INDIANOLA AVE APT 31	4.43
2625002182	2847 INDIANOLA AVE APT 17	9.78
2583002114	2847 INDIANOLA AVE APT 33	3.83
2646002262	2847 INDIANOLA AVE APT 18	4.31
2604002215	2847 INDIANOLA AVE APT 34	11.11
4846023045	2015 GRAND AVE DO NOT USE/NO METERS	438.76
1242137037	1121 FOREST AVE	9.16



To: Iowa Finance Authority Board
From: Ashley Jared
Date: March 3, 2016
Re: March Communications Report

IOWA TITLE GUARANTY: 2016 Spring Settlement Conference

The Iowa Title Guaranty Spring Settlement Conference will be held April 26 at Prairie Meadows. More information is available at TitleGuarantyEvents.com.

SINGLE-FAMILY: Lender Recognition Luncheon

Single-Family will be holding a lender recognition luncheon on March 10 at Prairie Meadows. Please let me know if you're interested in attending.

MEDIA RELATIONS

March 1: [Beginning Farmer and Military Veteran Workshop Series Announced](#)

Feb. 24: [Eight Iowa Communities Awarded \\$23.5 Million in State Revolving Fund Loans to Advance Water Quality Efforts](#)

Feb. 9: [Iowa Finance Authority Announces New Round of Workforce Rental Housing Funds for Iowa Cities and Counties](#)

UPCOMING EVENTS

March

- 8: Beginning Farmer and Military Veteran Workshop, Emmetsburg
- 10: Beginning Farmer and Military Veteran Workshop, Ankeny
- 10: IFA Lender Luncheon Prairie Meadows Altoona
- 12: Financial Capability Network: Financial Fitness Day, Des Moines
- 12: Beginning Farmer Workshop, Creston
- 14: ISU From The Ground Up Seminar, Urbandale
- 16: Community Savings Bank Ag Seminar, Garnavillo
- 16: Beginning Farmer Workshop, Coggon
- 17: Manchester Chamber Annual Ag Day, Manchester
- 20: Iowa Ag Bankers Conference, Ames
- 24: Coldwell Realty Spring Rally Prairie Meadows Altoona
- 29: Habitat for Humanity of Iowa Building Hope Conference Johnston
- 29: ISU Extension Beginning Farm Workshop, Cherokee
- 29: ISU Extension Beginning Farmer Workshop, Storm Lake
- 31: Beginning Farmer and Military Veteran Workshop, Ottumwa

April

- 6: Iowa Mortgage Association Conference, Coralville
- 8: Beginning Farmer and Military Veteran Workshop, Mason City
- 12: Beginning Farmer and Military Veteran Workshop, Cedar Rapids
- 14: Beginning Farmer and Military Veteran Workshop, Creston
- 15: Beginning Farmer and Military Veteran Workshop, Carroll
- 17: FFA Leadership Conference Iowa State University Ames
- 26: 2016 ITG Spring Conference Prairie Meadows Altoona
- 26: FDIC Conference Des Moines
- 27: IBA Marketing Conference Marriott West Des Moines
- 28: 2016 Iowa SMART Economic Development Conference, Des Moines



West Liberty awarded water loan through state fund

February 27, 2016 - The Muscatine Journal

...that assist with the first-phase of project expenses. **The Iowa Finance Authority** and the Iowa Department of Natural Resources jointly administer...

Actions now could catapult Iowa to forefront of water quality solution

February 25, 2016 - Iowa Soybean Association

...fund, but the loans go to private entities, said Lori Beary, **Iowa Finance Authority** Program Coordinator on the state revolving loan fund. It has...

Hubbard one of eight cities to receive funding

February 25, 2016 - Times-Citizen

...that assist with the first-phase of project expenses. **The Iowa Finance Authority** and the Iowa Department of Natural Resources jointly administer...

Water quality projects will receive low-cost loans - Business Record

February 24, 2016 - Business Record

...\$23.5 million in State Revolving Fund loans for water-quality projects, **the Iowa Finance Authority** said in a release. The loans will provide a low-cost...

Free farmers' market workshop

February 23, 2016 - Osceola Sentinel Tribune

...directory for local growers. Steve Ferguson, program specialist from **Iowa Finance Authority** will talk about the Beginner Farm Loan and Tax Credit...

IFC officials respond to rumors cited by senatorial candidate

February 19, 2016 - Fort Madison Daily Democrat

...States. Krause opposed to use of IFA funds Krause said Thursday that he opposed **the Iowa Finance Authority's** use of \$1.2 of federal flood recovery...

House committee moves to protect Road Use Tax Fund as Iowa gas tax decreases

February 19, 2016 - Waterloo-Cedar Falls Courier

...\$10 million will be used to create an Iowa Tanks Fund in **the Iowa Finance Authority** to fund future underground storage tank site clean-up operations.

Branstad renews call for water funding plan at soybean research conference

February 17, 2016 - Iowa Soybean Association

...Department of Agriculture and point source water quality activities through **the Iowa Finance Authority** and Iowa Department of Natural Resources.

Home Base Iowa Initiative Moving Ahead with Local Contacts

February 16, 2016 - Emmetsburg News

...\$5,000 for down payment or closing costs on a home through **the Iowa Finance Authority** Military Homeownership Assistance Program. The state also...

Safety Watch: Farming safely, profitably -- are you a good risk?

February 14, 2016 - Missouri Farmer Today

...conference, I posed that question to Steve Ferguson of the **Iowa Agricultural Development Division**, which offers a number of loan programs for...

Council supports two affordable housing projects

February 12, 2016 - Iowa Park Leader

...and authorized submission of two applications for 2016 competitive **housing tax credits** through the Texas Department of Housing and Community...

Application period begins March 1 for state rental housing incentives - Business Record

February 10, 2016 - Business Record

...March 1 for state rental housing incentives - Business Record **The Iowa Finance Authority** will begin accepting applications for the Workforce...

Livestock Provides Opportunities for Beginning Farmers

February 10, 2016 - Noods

...Ferguson, Program Specialist with the Iowa Ag Development Division of **the Iowa Finance Authority**, and Brian Gossling, Farm Loan Program Director...

Financial package proposed for historic rehab in downtown Des Moines - Business Record

February 08, 2016 - Business Record

...historic tax credits and \$275,000 in state of Iowa Workforce **Housing tax credits**, which provides a refund of sales taxes paid during construction...

Hubbell lofts project could receive \$1.3 million in incentives - Business Record

February 08, 2016 - Business Record

...Hubbell's application for \$540,595 in state of Iowa Workforce **Housing tax credits** for the final phase of an apartment community at 915 and 919...



To: IFA Board of Directors
From: Tammy Nebola, Iowa Ag Program Specialist
Lori Beary, Community Development Director
Date: February 29, 2016
Re: Iowa Agricultural Division Beginning Farmer Loan Program

Agenda

Iowa Agricultural Development Division

Authorizing Resolutions

AG 16-004 John P. and Melinda S. Skow

This is a resolution authorizing the issuance of \$160,000 for John P. and Melinda S. Skow. The bond will be used: To purchase approximately 40 acres of agricultural land in Humboldt County. The lender is Bank Iowa in Humboldt.

- **Need Board action on Resolution AG 16-004B**

AG 16-005 Scott C. and Chelsey A. Danielson

This is a resolution authorizing the issuance of \$85,000 for Scott C. and Chelsey A. Danielson. The bond will be used: To purchase an undivided 1/2 interest in approximately 30 acres of agricultural land in Webster County. The lender is Northwest Bank in Fort Dodge.

- **Need Board action on Resolution AG 16-005B**

AG 16-006 Travis L. and Jamie D. Miller

This is a resolution authorizing the issuance of \$520,000 for Travis L. and Jamie D. Miller. The bond will be used: To purchase approximately 154 acres of agricultural land in Boone County. The lender is U.S. Bank, N.A. in Boone.

- **Need Board action on Resolution AG 16-006B**

AG 16-007-I Chad A. and Kristal A. Rave

This is a resolution authorizing the issuance of \$287,400 for Chad A. and Kristal A. Rave. The bond will be used: To purchase approximately 80 acres of agricultural land, house and out-buildings in Delaware County. The lender is Leo L. and Mary C. Trumm in Manchester.

- **Need Board action on Resolution AG 16-007-IB**

AG 16-009 Lucas R. and Lindsay Dinkla

This is a resolution authorizing the issuance of \$420,000 for Lucas R. and Lindsay Dinkla. The bond will be used: To purchase approximately 155 acres of agricultural land in Adair County. The lender is U.S. Bank, N.A. in Boone.

Need Board action on Resolution AG 16-009B

AG 16-010 Matthew R. and Jennifer M. Ries

This is a resolution authorizing the issuance of \$520,000 for Matthew R. and Jennifer M. Ries. The bond will be used: To purchase approximately 138 acres of agricultural land in Linn County. The lender is Community Savings Bank in Edgewood.

- **Need Board action on Resolution AG 16-010B**

AG 16-011 Aaron P. Benson

This is a resolution authorizing the issuance of \$345,275 for Aaron P. Benson. The bond will be used: To purchase approximately 72.35 acres of agricultural land in Winnebago County. The lender is Clear Lake Bank and Trust Company in Clear Lake.

- **Need Board action on Resolution AG 16-011B**

**RESOLUTION
AG 16-004B**

A Resolution authorizing the issuance and sale of an Agricultural Development Revenue Bond to finance the acquisition of a Project by a Beginning Farmer; the execution of a Financing Agreement providing the terms and sale of such Bond and for the repayment of the loan of the proceeds of such bond; and related matters.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (together, the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, the Authority has received and has approved an Application from the Beginning Farmer identified on Exhibit A hereto (the “Beginning Farmer”) to issue its Agricultural Development Revenue Bond (the “Bond”) in the principal amount identified on Exhibit A hereto (the “Principal Amount”) to finance the acquisition of the Project identified on Exhibit A hereto (the “Project”); and

WHEREAS, it is necessary and advisable that provisions be made for the issuance of the Bond in the Principal Amount as authorized and permitted by the Act to finance the cost of the Project to that amount; and

WHEREAS, the Authority will loan the proceeds of the Bond to the Beginning Farmer pursuant to the provisions of a Financing Agreement among the Authority, the Bond Purchaser identified in Exhibit A hereto (the “Lender”) and the Beginning Farmer (the “Agreement”), the obligation of which will be evidenced by a Promissory Note the repayment of which will be sufficient to pay the principal of, redemption premium, if any, and interest on the Bond as and when the same shall be due and payable; and

WHEREAS, the Bond will be sold to the Lender pursuant to and secured as provided by the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Iowa Finance Authority as follows:

Section 1. The Project Consistent with the Act. It is hereby determined that the Project, as described in the representations and certifications of the Beginning Farmer in the Application to the Authority and in the Agreement qualifies under the Act for financing with the proceeds of the Bond, and further, it is found and determined that the financing of the Project will promote those public purposes outlined in the Act.

Section 2. Authorization of the Bond. In order to finance the cost of the Project, the Bond shall be and the same is hereby authorized, determined and ordered to be issued in the Principal Amount. The Bond shall be issued as a single Bond in fully registered form, transferable only in accordance with its terms, and shall be dated, shall be executed, shall be in such form, shall be payable, shall have such prepayment provisions, shall bear interest at such rates, and shall be subject to such other terms and conditions as are set forth in the Agreement and the Bond. However, if so requested

by the Beginning Farmer and the Lender, the Chairman or Vice Chairman is hereby empowered to adjust the Principal Amount of the Bond and any of the other terms and conditions as set forth therein or in the Agreement, to an amount or in such manner as is mutually acceptable to the Lender and the Beginning Farmer, provided that the principal amount of the Bond after adjustment is never more than the Principal Amount. In the event such adjustments are made, they shall be set forth in the Agreement. The Bond and the interest thereon do not and shall never constitute an indebtedness of or a charge either against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit, or against the general credit or general fund of the Authority, but are limited obligations of the Authority payable solely from revenues and other amounts derived from the Agreement and the Project and shall be secured by an assignment of the Agreement and the revenues derived therefrom to the Lender. Forms of the Bond and the Agreement are before this meeting and are by this reference incorporated in this Bond Resolution, and the Secretary is hereby directed to insert them into the minutes of the Authority and to keep them on file.

Section 3. Agreement; Sale of the Bond. In order to provide for the loan of the proceeds of the Bond to the Beginning Farmer to finance the Project and the payment by the Beginning Farmer of amounts sufficient to pay the principal of, premium, if any, and interest on the Bond, and in order to provide for the sale of the Bond to the Lender and the conditions with respect to the delivery thereof, the Executive Director shall execute in the name and on behalf of the Authority the Agreement in substantially the form submitted to the Authority, which is hereby approved in all respects. However, the Executive Director is empowered to amend the Agreement prior to the execution thereof to conform the same to any adjustments of the Principal Amount or other provisions of the Bond as authorized in Section 2 hereof. The sale of the Bond to the Lender is hereby approved and the Chairman or Vice Chairman and Secretary of the Authority are hereby authorized and directed to execute and deliver the Bond to the Lender. Payment by the Lender of the purchase price, namely the Principal Amount, or such lesser amount as determined by the Chairman or Vice Chairman pursuant to Section 2 hereof, in immediately available funds in accordance with the Agreement shall constitute payment in full for the Bond. The Lender shall immediately deposit such purchase price to the account or credit of the Beginning Farmer in accordance with the Agreement to effect the making of the loan of the proceeds of sale of the Bond to the Beginning Farmer pursuant to the Agreement.

Section 4. Repayment of Loan. The Agreement requires the Beginning Farmer in each year to pay amounts as loan payments sufficient to pay the principal of, redemption premium, if any, and interest on the Bond when and as due and the payment of such amounts by the Beginning Farmer to the Lender pursuant to the Agreement is hereby authorized, approved, and confirmed.

Section 5. Filing of Agreement. The Executive Director is authorized and directed to file a copy of this resolution and the Agreement with the Iowa Secretary of State pursuant to Sections 16.26(7) and 175.17(7) of the Act to evidence the pledge of or grant of a security interest, in the revenues to be received under, and all of the Authority's interests in the Agreement, by the Authority to the Lender.

Section 6. Miscellaneous. The Chairman, Vice Chairman, and/or Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bond and the execution and delivery of the Agreement, and to carry out the intent and purposes of this resolution, including the preamble hereto.

Section 7. Severability. The provisions of this resolution are hereby declared to be separable, and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.

Section 8. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number: AG 16-004**
- 2. Beginning Farmer: John P. and Melinda S. Skow
2376 Ohio Ave
Humboldt, IA 50548-8800**
- 3. Bond Purchaser: Bank Iowa
506 Sumner Ave, PO Box 37
Humboldt, IA 50548-1759**
- 4. Principal Amount: \$160,000**
- 5. Initial Approval Date: 3/9/2016**
- 6. Public Hearing Date: 2/24/2016**
- 7. Bond Resolution Date: 3/9/2016**
- 8. Project: To purchase approximately 40 acres of agricultural land**

**RESOLUTION
AG 16-005B**

A Resolution authorizing the issuance and sale of an Agricultural Development Revenue Bond to finance the acquisition of a Project by a Beginning Farmer; the execution of a Financing Agreement providing the terms and sale of such Bond and for the repayment of the loan of the proceeds of such bond; and related matters.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (together, the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, the Authority has received and has approved an Application from the Beginning Farmer identified on Exhibit A hereto (the “Beginning Farmer”) to issue its Agricultural Development Revenue Bond (the “Bond”) in the principal amount identified on Exhibit A hereto (the “Principal Amount”) to finance the acquisition of the Project identified on Exhibit A hereto (the “Project”); and

WHEREAS, it is necessary and advisable that provisions be made for the issuance of the Bond in the Principal Amount as authorized and permitted by the Act to finance the cost of the Project to that amount; and

WHEREAS, the Authority will loan the proceeds of the Bond to the Beginning Farmer pursuant to the provisions of a Financing Agreement among the Authority, the Bond Purchaser identified in Exhibit A hereto (the “Lender”) and the Beginning Farmer (the “Agreement”), the obligation of which will be evidenced by a Promissory Note the repayment of which will be sufficient to pay the principal of, redemption premium, if any, and interest on the Bond as and when the same shall be due and payable; and

WHEREAS, the Bond will be sold to the Lender pursuant to and secured as provided by the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Iowa Finance Authority as follows:

Section 1. The Project Consistent with the Act. It is hereby determined that the Project, as described in the representations and certifications of the Beginning Farmer in the Application to the Authority and in the Agreement qualifies under the Act for financing with the proceeds of the Bond, and further, it is found and determined that the financing of the Project will promote those public purposes outlined in the Act.

Section 2. Authorization of the Bond. In order to finance the cost of the Project, the Bond shall be and the same is hereby authorized, determined and ordered to be issued in the Principal Amount. The Bond shall be issued as a single Bond in fully registered form, transferable only in accordance with its terms, and shall be dated, shall be executed, shall be in such form, shall be payable, shall have such prepayment provisions, shall bear interest at such rates, and shall be subject to such

other terms and conditions as are set forth in the Agreement and the Bond. However, if so requested by the Beginning Farmer and the Lender, the Chairman or Vice Chairman is hereby empowered to adjust the Principal Amount of the Bond and any of the other terms and conditions as set forth therein or in the Agreement, to an amount or in such manner as is mutually acceptable to the Lender and the Beginning Farmer, provided that the principal amount of the Bond after adjustment is never more than the Principal Amount. In the event such adjustments are made, they shall be set forth in the Agreement. The Bond and the interest thereon do not and shall never constitute an indebtedness of or a charge either against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit, or against the general credit or general fund of the Authority, but are limited obligations of the Authority payable solely from revenues and other amounts derived from the Agreement and the Project and shall be secured by an assignment of the Agreement and the revenues derived therefrom to the Lender. Forms of the Bond and the Agreement are before this meeting and are by this reference incorporated in this Bond Resolution, and the Secretary is hereby directed to insert them into the minutes of the Authority and to keep them on file.

Section 3. Agreement; Sale of the Bond. In order to provide for the loan of the proceeds of the Bond to the Beginning Farmer to finance the Project and the payment by the Beginning Farmer of amounts sufficient to pay the principal of, premium, if any, and interest on the Bond, and in order to provide for the sale of the Bond to the Lender and the conditions with respect to the delivery thereof, the Executive Director shall execute in the name and on behalf of the Authority the Agreement in substantially the form submitted to the Authority, which is hereby approved in all respects. However, the Executive Director is empowered to amend the Agreement prior to the execution thereof to conform the same to any adjustments of the Principal Amount or other provisions of the Bond as authorized in Section 2 hereof. The sale of the Bond to the Lender is hereby approved and the Chairman or Vice Chairman and Secretary of the Authority are hereby authorized and directed to execute and deliver the Bond to the Lender. Payment by the Lender of the purchase price, namely the Principal Amount, or such lesser amount as determined by the Chairman or Vice Chairman pursuant to Section 2 hereof, in immediately available funds in accordance with the Agreement shall constitute payment in full for the Bond. The Lender shall immediately deposit such purchase price to the account or credit of the Beginning Farmer in accordance with the Agreement to effect the making of the loan of the proceeds of sale of the Bond to the Beginning Farmer pursuant to the Agreement.

Section 4. Repayment of Loan. The Agreement requires the Beginning Farmer in each year to pay amounts as loan payments sufficient to pay the principal of, redemption premium, if any, and interest on the Bond when and as due and the payment of such amounts by the Beginning Farmer to the Lender pursuant to the Agreement is hereby authorized, approved, and confirmed.

Section 5. Filing of Agreement. The Executive Director is authorized and directed to file a copy of this resolution and the Agreement with the Iowa Secretary of State pursuant to Sections 16.26(7) and 175.17(7) of the Act to evidence the pledge of or grant of a security interest, in the revenues to be received under, and all of the Authority's interests in the Agreement, by the Authority to the Lender.

Section 6. Miscellaneous. The Chairman, Vice Chairman, and/or Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bond and the execution and delivery of

the Agreement, and to carry out the intent and purposes of this resolution, including the preamble hereto.

Section 7. Severability. The provisions of this resolution are hereby declared to be separable, and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.

Section 8. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-005
- 2. Beginning Farmer:** Scott C. and Chelsey A. Danielson
701 Hunter St
Callender, IA 50523
- 3. Bond Purchaser:** Northwest Bank
10 N 29th St, PO Box 977
Fort Dodge, IA 50501
- 4. Principal Amount:** \$85,000
- 5. Initial Approval Date:** 3/9/2016
- 6. Public Hearing Date:** 2/24/2016
- 7. Bond Resolution Date:** 3/9/2016
- 8. Project:** To purchase an undivided 1/2 interest in approximately
30 acres of agricultural land

**RESOLUTION
AG 16-006B**

A Resolution authorizing the issuance and sale of an Agricultural Development Revenue Bond to finance the acquisition of a Project by a Beginning Farmer; the execution of a Financing Agreement providing the terms and sale of such Bond and for the repayment of the loan of the proceeds of such bond; and related matters.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (together, the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, the Authority has received and has approved an Application from the Beginning Farmer identified on Exhibit A hereto (the “Beginning Farmer”) to issue its Agricultural Development Revenue Bond (the “Bond”) in the principal amount identified on Exhibit A hereto (the “Principal Amount”) to finance the acquisition of the Project identified on Exhibit A hereto (the “Project”); and

WHEREAS, it is necessary and advisable that provisions be made for the issuance of the Bond in the Principal Amount as authorized and permitted by the Act to finance the cost of the Project to that amount; and

WHEREAS, the Authority will loan the proceeds of the Bond to the Beginning Farmer pursuant to the provisions of a Financing Agreement among the Authority, the Bond Purchaser identified in Exhibit A hereto (the “Lender”) and the Beginning Farmer (the “Agreement”), the obligation of which will be evidenced by a Promissory Note the repayment of which will be sufficient to pay the principal of, redemption premium, if any, and interest on the Bond as and when the same shall be due and payable; and

WHEREAS, the Bond will be sold to the Lender pursuant to and secured as provided by the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Iowa Finance Authority as follows:

Section 1. The Project Consistent with the Act. It is hereby determined that the Project, as described in the representations and certifications of the Beginning Farmer in the Application to the Authority and in the Agreement qualifies under the Act for financing with the proceeds of the Bond, and further, it is found and determined that the financing of the Project will promote those public purposes outlined in the Act.

Section 2. Authorization of the Bond. In order to finance the cost of the Project, the Bond shall be and the same is hereby authorized, determined and ordered to be issued in the Principal Amount. The Bond shall be issued as a single Bond in fully registered form, transferable only in accordance with its terms, and shall be dated, shall be executed, shall be in such form, shall be payable, shall have such prepayment provisions, shall bear interest at such rates, and shall be subject to such

other terms and conditions as are set forth in the Agreement and the Bond. However, if so requested by the Beginning Farmer and the Lender, the Chairman or Vice Chairman is hereby empowered to adjust the Principal Amount of the Bond and any of the other terms and conditions as set forth therein or in the Agreement, to an amount or in such manner as is mutually acceptable to the Lender and the Beginning Farmer, provided that the principal amount of the Bond after adjustment is never more than the Principal Amount. In the event such adjustments are made, they shall be set forth in the Agreement. The Bond and the interest thereon do not and shall never constitute an indebtedness of or a charge either against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit, or against the general credit or general fund of the Authority, but are limited obligations of the Authority payable solely from revenues and other amounts derived from the Agreement and the Project and shall be secured by an assignment of the Agreement and the revenues derived therefrom to the Lender. Forms of the Bond and the Agreement are before this meeting and are by this reference incorporated in this Bond Resolution, and the Secretary is hereby directed to insert them into the minutes of the Authority and to keep them on file.

Section 3. Agreement; Sale of the Bond. In order to provide for the loan of the proceeds of the Bond to the Beginning Farmer to finance the Project and the payment by the Beginning Farmer of amounts sufficient to pay the principal of, premium, if any, and interest on the Bond, and in order to provide for the sale of the Bond to the Lender and the conditions with respect to the delivery thereof, the Executive Director shall execute in the name and on behalf of the Authority the Agreement in substantially the form submitted to the Authority, which is hereby approved in all respects. However, the Executive Director is empowered to amend the Agreement prior to the execution thereof to conform the same to any adjustments of the Principal Amount or other provisions of the Bond as authorized in Section 2 hereof. The sale of the Bond to the Lender is hereby approved and the Chairman or Vice Chairman and Secretary of the Authority are hereby authorized and directed to execute and deliver the Bond to the Lender. Payment by the Lender of the purchase price, namely the Principal Amount, or such lesser amount as determined by the Chairman or Vice Chairman pursuant to Section 2 hereof, in immediately available funds in accordance with the Agreement shall constitute payment in full for the Bond. The Lender shall immediately deposit such purchase price to the account or credit of the Beginning Farmer in accordance with the Agreement to effect the making of the loan of the proceeds of sale of the Bond to the Beginning Farmer pursuant to the Agreement.

Section 4. Repayment of Loan. The Agreement requires the Beginning Farmer in each year to pay amounts as loan payments sufficient to pay the principal of, redemption premium, if any, and interest on the Bond when and as due and the payment of such amounts by the Beginning Farmer to the Lender pursuant to the Agreement is hereby authorized, approved, and confirmed.

Section 5. Filing of Agreement. The Executive Director is authorized and directed to file a copy of this resolution and the Agreement with the Iowa Secretary of State pursuant to Sections 16.26(7) and 175.17(7) of the Act to evidence the pledge of or grant of a security interest, in the revenues to be received under, and all of the Authority's interests in the Agreement, by the Authority to the Lender.

Section 6. Miscellaneous. The Chairman, Vice Chairman, and/or Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bond and the execution and delivery of

the Agreement, and to carry out the intent and purposes of this resolution, including the preamble hereto.

Section 7. Severability. The provisions of this resolution are hereby declared to be separable, and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.

Section 8. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-006
- 2. Beginning Farmer:** Travis L. and Jamie D. Miller
3203 SE 22nd St
Ankeny, IA 50021-9598
- 3. Bond Purchaser:** U.S. Bank, N.A.
724 Story St, PO Box 518
Boone, IA 50036-0518
- 4. Principal Amount:** \$520,000
- 5. Initial Approval Date:** 3/9/2016
- 6. Public Hearing Date:** 2/24/2016
- 7. Bond Resolution Date:** 3/9/2016
- 8. Project:** To purchase approximately 154 ares of agricultural land

**RESOLUTION
AG 16-009B**

A Resolution authorizing the issuance and sale of an Agricultural Development Revenue Bond to finance the acquisition of a Project by a Beginning Farmer; the execution of a Financing Agreement providing the terms and sale of such Bond and for the repayment of the loan of the proceeds of such bond; and related matters.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (together, the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, the Authority has received and has approved an Application from the Beginning Farmer identified on Exhibit A hereto (the “Beginning Farmer”) to issue its Agricultural Development Revenue Bond (the “Bond”) in the principal amount identified on Exhibit A hereto (the “Principal Amount”) to finance the acquisition of the Project identified on Exhibit A hereto (the “Project”); and

WHEREAS, it is necessary and advisable that provisions be made for the issuance of the Bond in the Principal Amount as authorized and permitted by the Act to finance the cost of the Project to that amount; and

WHEREAS, the Authority will loan the proceeds of the Bond to the Beginning Farmer pursuant to the provisions of a Financing Agreement among the Authority, the Bond Purchaser identified in Exhibit A hereto (the “Lender”) and the Beginning Farmer (the “Agreement”), the obligation of which will be evidenced by a Promissory Note the repayment of which will be sufficient to pay the principal of, redemption premium, if any, and interest on the Bond as and when the same shall be due and payable; and

WHEREAS, the Bond will be sold to the Lender pursuant to and secured as provided by the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Iowa Finance Authority as follows:

Section 1. The Project Consistent with the Act. It is hereby determined that the Project, as described in the representations and certifications of the Beginning Farmer in the Application to the Authority and in the Agreement qualifies under the Act for financing with the proceeds of the Bond, and further, it is found and determined that the financing of the Project will promote those public purposes outlined in the Act.

Section 2. Authorization of the Bond. In order to finance the cost of the Project, the Bond shall be and the same is hereby authorized, determined and ordered to be issued in the Principal Amount. The Bond shall be issued as a single Bond in fully registered form, transferable only in accordance with its terms, and shall be dated, shall be executed, shall be in such form, shall be payable, shall have such prepayment provisions, shall bear interest at such rates, and shall be subject to such

other terms and conditions as are set forth in the Agreement and the Bond. However, if so requested by the Beginning Farmer and the Lender, the Chairman or Vice Chairman is hereby empowered to adjust the Principal Amount of the Bond and any of the other terms and conditions as set forth therein or in the Agreement, to an amount or in such manner as is mutually acceptable to the Lender and the Beginning Farmer, provided that the principal amount of the Bond after adjustment is never more than the Principal Amount. In the event such adjustments are made, they shall be set forth in the Agreement. The Bond and the interest thereon do not and shall never constitute an indebtedness of or a charge either against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit, or against the general credit or general fund of the Authority, but are limited obligations of the Authority payable solely from revenues and other amounts derived from the Agreement and the Project and shall be secured by an assignment of the Agreement and the revenues derived therefrom to the Lender. Forms of the Bond and the Agreement are before this meeting and are by this reference incorporated in this Bond Resolution, and the Secretary is hereby directed to insert them into the minutes of the Authority and to keep them on file.

Section 3. Agreement; Sale of the Bond. In order to provide for the loan of the proceeds of the Bond to the Beginning Farmer to finance the Project and the payment by the Beginning Farmer of amounts sufficient to pay the principal of, premium, if any, and interest on the Bond, and in order to provide for the sale of the Bond to the Lender and the conditions with respect to the delivery thereof, the Executive Director shall execute in the name and on behalf of the Authority the Agreement in substantially the form submitted to the Authority, which is hereby approved in all respects. However, the Executive Director is empowered to amend the Agreement prior to the execution thereof to conform the same to any adjustments of the Principal Amount or other provisions of the Bond as authorized in Section 2 hereof. The sale of the Bond to the Lender is hereby approved and the Chairman or Vice Chairman and Secretary of the Authority are hereby authorized and directed to execute and deliver the Bond to the Lender. Payment by the Lender of the purchase price, namely the Principal Amount, or such lesser amount as determined by the Chairman or Vice Chairman pursuant to Section 2 hereof, in immediately available funds in accordance with the Agreement shall constitute payment in full for the Bond. The Lender shall immediately deposit such purchase price to the account or credit of the Beginning Farmer in accordance with the Agreement to effect the making of the loan of the proceeds of sale of the Bond to the Beginning Farmer pursuant to the Agreement.

Section 4. Repayment of Loan. The Agreement requires the Beginning Farmer in each year to pay amounts as loan payments sufficient to pay the principal of, redemption premium, if any, and interest on the Bond when and as due and the payment of such amounts by the Beginning Farmer to the Lender pursuant to the Agreement is hereby authorized, approved, and confirmed.

Section 5. Filing of Agreement. The Executive Director is authorized and directed to file a copy of this resolution and the Agreement with the Iowa Secretary of State pursuant to Sections 16.26(7) and 175.17(7) of the Act to evidence the pledge of or grant of a security interest, in the revenues to be received under, and all of the Authority's interests in the Agreement, by the Authority to the Lender.

Section 6. Miscellaneous. The Chairman, Vice Chairman, and/or Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bond and the execution and delivery of

the Agreement, and to carry out the intent and purposes of this resolution, including the preamble hereto.

Section 7. Severability. The provisions of this resolution are hereby declared to be separable, and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.

Section 8. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number: AG 16-009**
- 2. Beginning Farmer: Lucas R. and Lindsay Dinkla
13418 310th St
Redfield, IA 50233-6109**
- 3. Bond Purchaser: U.S. Bank, N.A.
724 Story St, PO Box 518
Boone, IA 50036-0518**
- 4. Principal Amount: \$420,000**
- 5. Initial Approval Date: 3/9/2016**
- 6. Public Hearing Date: 2/24/2016**
- 7. Bond Resolution Date: 3/9/2016**
- 8. Project: To purchase approximately 155 acres of agricultural
land**

**RESOLUTION
AG 16-010B**

A Resolution authorizing the issuance and sale of an Agricultural Development Revenue Bond to finance the acquisition of a Project by a Beginning Farmer; the execution of a Financing Agreement providing the terms and sale of such Bond and for the repayment of the loan of the proceeds of such bond; and related matters.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (together, the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, the Authority has received and has approved an Application from the Beginning Farmer identified on Exhibit A hereto (the “Beginning Farmer”) to issue its Agricultural Development Revenue Bond (the “Bond”) in the principal amount identified on Exhibit A hereto (the “Principal Amount”) to finance the acquisition of the Project identified on Exhibit A hereto (the “Project”); and

WHEREAS, it is necessary and advisable that provisions be made for the issuance of the Bond in the Principal Amount as authorized and permitted by the Act to finance the cost of the Project to that amount; and

WHEREAS, the Authority will loan the proceeds of the Bond to the Beginning Farmer pursuant to the provisions of a Financing Agreement among the Authority, the Bond Purchaser identified in Exhibit A hereto (the “Lender”) and the Beginning Farmer (the “Agreement”), the obligation of which will be evidenced by a Promissory Note the repayment of which will be sufficient to pay the principal of, redemption premium, if any, and interest on the Bond as and when the same shall be due and payable; and

WHEREAS, the Bond will be sold to the Lender pursuant to and secured as provided by the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Iowa Finance Authority as follows:

Section 1. The Project Consistent with the Act. It is hereby determined that the Project, as described in the representations and certifications of the Beginning Farmer in the Application to the Authority and in the Agreement qualifies under the Act for financing with the proceeds of the Bond, and further, it is found and determined that the financing of the Project will promote those public purposes outlined in the Act.

Section 2. Authorization of the Bond. In order to finance the cost of the Project, the Bond shall be and the same is hereby authorized, determined and ordered to be issued in the Principal Amount. The Bond shall be issued as a single Bond in fully registered form, transferable only in accordance with its terms, and shall be dated, shall be executed, shall be in such form, shall be payable, shall have such prepayment provisions, shall bear interest at such rates, and shall be subject to such

other terms and conditions as are set forth in the Agreement and the Bond. However, if so requested by the Beginning Farmer and the Lender, the Chairman or Vice Chairman is hereby empowered to adjust the Principal Amount of the Bond and any of the other terms and conditions as set forth therein or in the Agreement, to an amount or in such manner as is mutually acceptable to the Lender and the Beginning Farmer, provided that the principal amount of the Bond after adjustment is never more than the Principal Amount. In the event such adjustments are made, they shall be set forth in the Agreement. The Bond and the interest thereon do not and shall never constitute an indebtedness of or a charge either against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit, or against the general credit or general fund of the Authority, but are limited obligations of the Authority payable solely from revenues and other amounts derived from the Agreement and the Project and shall be secured by an assignment of the Agreement and the revenues derived therefrom to the Lender. Forms of the Bond and the Agreement are before this meeting and are by this reference incorporated in this Bond Resolution, and the Secretary is hereby directed to insert them into the minutes of the Authority and to keep them on file.

Section 3. Agreement; Sale of the Bond. In order to provide for the loan of the proceeds of the Bond to the Beginning Farmer to finance the Project and the payment by the Beginning Farmer of amounts sufficient to pay the principal of, premium, if any, and interest on the Bond, and in order to provide for the sale of the Bond to the Lender and the conditions with respect to the delivery thereof, the Executive Director shall execute in the name and on behalf of the Authority the Agreement in substantially the form submitted to the Authority, which is hereby approved in all respects. However, the Executive Director is empowered to amend the Agreement prior to the execution thereof to conform the same to any adjustments of the Principal Amount or other provisions of the Bond as authorized in Section 2 hereof. The sale of the Bond to the Lender is hereby approved and the Chairman or Vice Chairman and Secretary of the Authority are hereby authorized and directed to execute and deliver the Bond to the Lender. Payment by the Lender of the purchase price, namely the Principal Amount, or such lesser amount as determined by the Chairman or Vice Chairman pursuant to Section 2 hereof, in immediately available funds in accordance with the Agreement shall constitute payment in full for the Bond. The Lender shall immediately deposit such purchase price to the account or credit of the Beginning Farmer in accordance with the Agreement to effect the making of the loan of the proceeds of sale of the Bond to the Beginning Farmer pursuant to the Agreement.

Section 4. Repayment of Loan. The Agreement requires the Beginning Farmer in each year to pay amounts as loan payments sufficient to pay the principal of, redemption premium, if any, and interest on the Bond when and as due and the payment of such amounts by the Beginning Farmer to the Lender pursuant to the Agreement is hereby authorized, approved, and confirmed.

Section 5. Filing of Agreement. The Executive Director is authorized and directed to file a copy of this resolution and the Agreement with the Iowa Secretary of State pursuant to Sections 16.26(7) and 175.17(7) of the Act to evidence the pledge of or grant of a security interest, in the revenues to be received under, and all of the Authority's interests in the Agreement, by the Authority to the Lender.

Section 6. Miscellaneous. The Chairman, Vice Chairman, and/or Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bond and the execution and delivery of

the Agreement, and to carry out the intent and purposes of this resolution, including the preamble hereto.

Section 7. Severability. The provisions of this resolution are hereby declared to be separable, and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.

Section 8. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-010
- 2. Beginning Farmer:** Matthew R. and Jennifer M. Ries
3292 140th Ave
Ryan, IA 52330
- 3. Bond Purchaser:** Community Savings Bank
101 E Union, PO Box 77
Edgewood, IA 52042-0077
- 4. Principal Amount:** \$520,000
- 5. Initial Approval Date:** 3/9/2016
- 6. Public Hearing Date:** 2/24/2016
- 7. Bond Resolution Date:** 3/9/2016
- 8. Project:** To purchase approximately 138 acres of agricultural land

**RESOLUTION
AG 16-011B**

A Resolution authorizing the issuance and sale of an Agricultural Development Revenue Bond to finance the acquisition of a Project by a Beginning Farmer; the execution of a Financing Agreement providing the terms and sale of such Bond and for the repayment of the loan of the proceeds of such bond; and related matters.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (together, the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, the Authority has received and has approved an Application from the Beginning Farmer identified on Exhibit A hereto (the “Beginning Farmer”) to issue its Agricultural Development Revenue Bond (the “Bond”) in the principal amount identified on Exhibit A hereto (the “Principal Amount”) to finance the acquisition of the Project identified on Exhibit A hereto (the “Project”); and

WHEREAS, it is necessary and advisable that provisions be made for the issuance of the Bond in the Principal Amount as authorized and permitted by the Act to finance the cost of the Project to that amount; and

WHEREAS, the Authority will loan the proceeds of the Bond to the Beginning Farmer pursuant to the provisions of a Financing Agreement among the Authority, the Bond Purchaser identified in Exhibit A hereto (the “Lender”) and the Beginning Farmer (the “Agreement”), the obligation of which will be evidenced by a Promissory Note the repayment of which will be sufficient to pay the principal of, redemption premium, if any, and interest on the Bond as and when the same shall be due and payable; and

WHEREAS, the Bond will be sold to the Lender pursuant to and secured as provided by the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Iowa Finance Authority as follows:

Section 1. The Project Consistent with the Act. It is hereby determined that the Project, as described in the representations and certifications of the Beginning Farmer in the Application to the Authority and in the Agreement qualifies under the Act for financing with the proceeds of the Bond, and further, it is found and determined that the financing of the Project will promote those public purposes outlined in the Act.

Section 2. Authorization of the Bond. In order to finance the cost of the Project, the Bond shall be and the same is hereby authorized, determined and ordered to be issued in the Principal Amount. The Bond shall be issued as a single Bond in fully registered form, transferable only in accordance with its terms, and shall be dated, shall be executed, shall be in such form, shall be payable, shall have such prepayment provisions, shall bear interest at such rates, and shall be subject to such

other terms and conditions as are set forth in the Agreement and the Bond. However, if so requested by the Beginning Farmer and the Lender, the Chairman or Vice Chairman is hereby empowered to adjust the Principal Amount of the Bond and any of the other terms and conditions as set forth therein or in the Agreement, to an amount or in such manner as is mutually acceptable to the Lender and the Beginning Farmer, provided that the principal amount of the Bond after adjustment is never more than the Principal Amount. In the event such adjustments are made, they shall be set forth in the Agreement. The Bond and the interest thereon do not and shall never constitute an indebtedness of or a charge either against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit, or against the general credit or general fund of the Authority, but are limited obligations of the Authority payable solely from revenues and other amounts derived from the Agreement and the Project and shall be secured by an assignment of the Agreement and the revenues derived therefrom to the Lender. Forms of the Bond and the Agreement are before this meeting and are by this reference incorporated in this Bond Resolution, and the Secretary is hereby directed to insert them into the minutes of the Authority and to keep them on file.

Section 3. Agreement; Sale of the Bond. In order to provide for the loan of the proceeds of the Bond to the Beginning Farmer to finance the Project and the payment by the Beginning Farmer of amounts sufficient to pay the principal of, premium, if any, and interest on the Bond, and in order to provide for the sale of the Bond to the Lender and the conditions with respect to the delivery thereof, the Executive Director shall execute in the name and on behalf of the Authority the Agreement in substantially the form submitted to the Authority, which is hereby approved in all respects. However, the Executive Director is empowered to amend the Agreement prior to the execution thereof to conform the same to any adjustments of the Principal Amount or other provisions of the Bond as authorized in Section 2 hereof. The sale of the Bond to the Lender is hereby approved and the Chairman or Vice Chairman and Secretary of the Authority are hereby authorized and directed to execute and deliver the Bond to the Lender. Payment by the Lender of the purchase price, namely the Principal Amount, or such lesser amount as determined by the Chairman or Vice Chairman pursuant to Section 2 hereof, in immediately available funds in accordance with the Agreement shall constitute payment in full for the Bond. The Lender shall immediately deposit such purchase price to the account or credit of the Beginning Farmer in accordance with the Agreement to effect the making of the loan of the proceeds of sale of the Bond to the Beginning Farmer pursuant to the Agreement.

Section 4. Repayment of Loan. The Agreement requires the Beginning Farmer in each year to pay amounts as loan payments sufficient to pay the principal of, redemption premium, if any, and interest on the Bond when and as due and the payment of such amounts by the Beginning Farmer to the Lender pursuant to the Agreement is hereby authorized, approved, and confirmed.

Section 5. Filing of Agreement. The Executive Director is authorized and directed to file a copy of this resolution and the Agreement with the Iowa Secretary of State pursuant to Sections 16.26(7) and 175.17(7) of the Act to evidence the pledge of or grant of a security interest, in the revenues to be received under, and all of the Authority's interests in the Agreement, by the Authority to the Lender.

Section 6. Miscellaneous. The Chairman, Vice Chairman, and/or Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bond and the execution and delivery of

the Agreement, and to carry out the intent and purposes of this resolution, including the preamble hereto.

Section 7. Severability. The provisions of this resolution are hereby declared to be separable, and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.

Section 8. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number:** AG 16-011
- 2. Beginning Farmer:** Aaron P. Benson
5614 310th St
Clear Lake, IA 50428-8739
- 3. Bond Purchaser:** Clear Lake Bank and Trust Company
322 Main Ave, PO Box 8
Clear Lake, IA 50428-0008
- 4. Principal Amount:** \$345,275
- 5. Initial Approval Date:** 3/9/2016
- 6. Public Hearing Date:** 2/24/2016
- 7. Bond Resolution Date:** 3/9/2016
- 8. Project:** To purchase approximately 72.35 acres of agricultural land

**RESOLUTION
AG 16-007-IB**

A Resolution authorizing the issuance and delivery of an Agricultural Development Revenue Bond to finance the acquisition of a Project by a Beginning Farmer; the execution of a Contract providing the terms of the sale of the Project; the execution of a Guarantee, Assignment and Assumption Agreement relating thereto; and related matters.

WHEREAS, the Iowa Finance Authority (the “Authority”) is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa (together, the “Act”) to issue its negotiable bonds and notes for the purpose of financing in whole or in part the acquisition by construction or purchase of Agricultural Land, Agricultural Improvements, or Depreciable Agricultural Property by a Beginning Farmer; and

WHEREAS, the Authority has received and has approved an Application from the Beginning Farmer identified on Exhibit A hereto (the “Beginning Farmer”) to issue its Agricultural Development Revenue Bond (the “Bond”) in the principal amount identified on Exhibit A hereto (the “Principal Amount”) to assist the Beginning Farmer in the acquisition from the Seller identified on Exhibit A hereto (the “Seller”) of the Project identified on Exhibit A hereto (the “Project”); and

WHEREAS, in order to assist the Beginning Farmer in the acquisition of the Project, it is proposed that the Authority enter into a Contract (the “Contract”) with the Seller setting forth terms and conditions agreeable to the Seller, the Authority and the Beginning Farmer including terms providing for interest on the unpaid principal balance at a rate lower than those available in the conventional farm credit market, and the Authority has agreed to issue the Bond to evidence its payment obligations under the Contract; and

WHEREAS, the Beginning Farmer and the Seller have finalized terms for the acquisition of the Project by the Beginning Farmer and purchase price of the Project in periodic payments over the term of the Contract; and

WHEREAS, the Seller, the Authority and the Beginning Farmer will enter into a Guarantee, Assignment and Assumption Agreement (the “Guarantee”) providing, among other things, for the assignment by the Authority of all its rights, title and interest in and to the Project and the Contract to the Beginning Farmer, the assumption of the obligations of the Authority under the Contract by the Beginning Farmer and the unconditional guarantee by the Beginning Farmer of the payment of the principal of, premium, if any, and interest on the Bond and other amounts due and payable under the Contract and the Guarantee, and

WHEREAS, it is necessary and advisable that provisions be made for the issuance and delivery of the Bond as authorized and permitted by the Act;

NOW, THEREFORE, BE IT RESOLVED by the Iowa Finance Authority, as follows:

Section 1. The Project Consistent with the Act. It is hereby determined that the Project, as described in the representations and certifications of the Beginning Farmer in the Application to the Authority relating thereto and in the Contract and the Guarantee, qualifies under the Act for financing

by the Authority through the issuance of the Bond, and further, it is found and determined that the financing of the Project will promote those public purposes outlined in the Act.

Section 2. Authorization of the Contract and the Bond. For the purpose of assisting the Beginning Farmer to acquire the Project, the Contract is hereby approved and the Executive Director of the Authority is authorized and directed to execute and deliver the Contract. In order to evidence the obligations of the Authority under the Contract, the Bond shall be and the same is authorized, determined and ordered to be issued in the Principal Amount. The Bond may be issued as a single Bond in the total amount authorized. The Bond shall be in fully registered form, transferable only in accordance with its terms, and shall be dated, shall be executed, shall be payable, shall have such prepayment provisions, shall bear interest at such rates, and shall be subject to such other terms and conditions as are set forth therein. However, if so requested by the Beginning Farmer and the Seller, the Chairman or Vice Chairman is hereby empowered to adjust the Principal Amount of the Bond and any of the other terms and conditions as set forth therein or in the Contract, to an amount or in such manner as is mutually acceptable to the Seller and the Beginning Farmer, provided that the principal amount of the Bond after adjustment is never more than the Principal Amount. The Bond and the interest thereon and the Contract do not and shall never constitute an indebtedness of or a charge either against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit, or against the general credit or general fund of the Authority, but are limited obligations of the Authority payable solely from the payments and other amounts derived from the Guarantee and the Project and shall be secured by the Guarantee. Forms of the Contract, the Bond, and the Guarantee are before this meeting and are by this reference incorporated in this Bond Resolution, and the Secretary is hereby directed to insert them into the minutes of the Authority and to keep them on file.

Section 3. Delivery of the Bond. The delivery of the Bond to the Seller to evidence the obligations of the Authority under the Contract is approved and the Chairman or Vice Chairman and Secretary of the Authority are authorized and directed to execute and deliver the Bond to the Seller. Execution of the Contract by the Seller and delivery thereof by the Seller to the Authority shall constitute payment in full for the Bond by the Seller.

Section 4. Payment of the Contract and Bond; the Guarantee. By the terms of the Guarantee, the Beginning Farmer is required to make payments (the "Contract Payments") under the Contract sufficient to pay the unpaid balance thereof and accrued interest thereon. The Contract Payments are sufficient to pay the principal of and interest on the Bond when and as due.

The Guarantee is approved and the Executive Director is directed to execute the same in the name and on behalf of the Authority and to deliver the same to the Seller and the Beginning Farmer.

Section 5. Filing of Resolution and Guarantee. The Executive Director is authorized and directed to file a copy of this resolution and the Guarantee with the Iowa Secretary of State pursuant to Sections 16.26(7) and 175.17(7) of the Act to evidence the pledge of or grant of a security interest, in the revenues to be received under the Contract, by the Authority to the Seller, and the assignment of all of the Authority's rights in the Contract, by the Authority to the Beginning Farmer.

Section 6. Forfeiture; Acceleration of Principal and Interest. If the Contract is forfeited in accordance with its terms, the obligations of the Authority under the Bond shall cease and the Bond

shall be canceled. If the payment of the unpaid principal under the Contract is accelerated in accordance with the terms of the Contract, the Seller may declare the entire outstanding principal amount of the Bond and the interest accrued thereon immediately due and payable and such principal and interest shall thereupon become immediately due and payable.

Section 7. Satisfaction and Discharge. When all amounts now or hereafter payable under the Bond, the Contract, the Guarantee and this Resolution have been paid in full (or provision for their payment shall have been made to the mutual satisfaction of the Beginning Farmer, the Seller and the Authority) all rights and obligations of the Beginning Farmer the Authority and the Seller under the Guarantee, the Contract, the Bond and this Resolution shall terminate and such instruments shall cease to be of further effect and the Seller shall cancel the Bond and deliver it to the Authority, cancel the Contract and deliver it to the Beginning Farmer and the Seller and the Beginning Farmer and the Authority shall execute and deliver all appropriate instruments evidencing and acknowledging the satisfaction of such documents as may be required.

Section 8. Registration. The Bond shall be fully registered as to principal and interest in the name of the Seller or its registered assigns on the books of the Authority kept by the Secretary and such registration shall be noted on the Bond in accordance with its terms.

Section 9. Miscellaneous. The Chairman, Vice Chairman, and/or Secretary are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bond and the execution and delivery of the Guarantee and to carry out the intent and purposes of this resolution, including the preamble hereto.

Section 10. Severability. The provisions of this resolution are hereby declared to be separable, and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions.

Section 11. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict.

Section 12. Effective Date. This resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

(Seal)

David D. Jamison, Secretary

EXHIBIT A

- 1. Project Number: AG 16-007-I**
- 2. Beginning Farmer: Chad A. and Kristal A. Rave
1630 190th Ave
Manchester, IA 52057-8785**
- 3. Bond Purchaser: Leo L. and Mary C. Trumm
1442 190th Ave
Manchester, IA 52057-8728**
- 4. Principal Amount: \$287,400**
- 5. Initial Approval Date: 3/9/2016**
- 6. Public Hearing Date: 2/24/2016**
- 7. Bond Resolution Date: 3/9/2016**
- 8. Project: To purchase approximately 80 acres of agricultural land,
house and out-buildings**



To: IFA Board of Directors
From: Lori Beary, Community Development Director
Date: 2/29/16
Re: Economic Development and Water Quality

Economic Development Bond Program

ED Loan #15-17, Drake West Village Project

This is a resolution authorizing the issuance of an amount not to exceed \$40,000,000 of Iowa Finance Authority Student Housing Revenue Refunding Bonds for the Drake West Village in Des Moines. The bonds will be used to refund 2007 bonds issued for the construction of a 457-bed student housing facility at Drake University. NCCD – Drake Properties, LLC (the Borrower) is a 501 c(3) non-profit corporation. The inducement resolution was adopted on January 6, 2016 for 35,000,000. This resolution also increases that original amount. The public hearing will be held on March 9, 2016.

- **Need Board action on Resolution ED 15-17B**

ED Loan #364, Village Court Associates Project

This is an amending resolution regarding \$8,000,000 of Iowa Finance Authority Small Business Development Multi-Family Housing Revenue Bonds issued in 1985 for the Village Court Associates Project. The bonds are being purchased from the original owner by Clayton Holdings, LLC so there will be an amended and restated trust indenture and an amended and restated loan agreement. This resolution allows for these amended documents.

- **Need Board action on Resolution ED 364K**

RESOLUTION
ED 15-17B

Authorizing the Issuance of not to exceed \$40,000,000
Iowa Finance Authority Student Housing Revenue Refunding Bonds and Notes
(Drake West Village Project), in one or more series

Resolution authorizing the issuance of not to exceed \$40,000,000 Iowa Finance Authority Student Housing Revenue Refunding Bonds and Notes (Drake West Village Project), in one or more series for the purpose of making a loan to assist the borrower in the acquisition of a facility through the refinancing of certain outstanding bonds of the Authority; authorizing the execution and delivery of certain financing documents pertaining to the refinance of the outstanding bonds; authorizing an assignment of certain financing documents for further securing the payment of the bonds; authorizing the sale of the bonds; authorizing the appointment of a trustee; and related matters.

WHEREAS, the Iowa Finance Authority, a public instrumentality and agency of the State of Iowa duly organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Authority") is authorized and empowered by Chapter 16 of the Code of Iowa (the "Act") to issue revenue bonds to be used to pay the cost of defraying the cost of acquiring, constructing, improving and equipping certain projects described in the Act including facilities for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under section 501(a) of the Code and to pay the cost of refunding any bonds or notes, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the date of redemption of the outstanding bonds or notes; and

WHEREAS, the Authority has been requested by NCCD – Drake Properties LLC (the "Borrower"), successor in interest to CHF-Des Moines, L.L.C. ("CHF") through amendment to the Application (defined herein) to issue not to exceed \$40,000,000 Iowa Finance Authority Student Housing Revenue Refunding Bonds and Notes (Drake West Village Project), in one or more series, a portion of such bonds the interest on which may be exempt from federal income tax of the owners thereof and a portion of such bonds the interest on which may be subject to federal income tax of the owners thereof (collectively, the "Bonds") for the purpose of loaning the proceeds thereof to the Borrower to refund the outstanding principal amount and accrued interest on the Authority's \$36,335,000 Variable Rate Demand Student Housing Revenue Bonds (CHF-Des Moines, L.L.C. Project) Series 2007A (the "Prior Bonds"), to fund one or more debt service reserve funds, and to pay for certain costs of issuance of the Bonds, which Prior Bonds were issued for the purpose of financing the construction, equipping and installation of certain student housing facilities and certain related retail and parking facilities in support thereof (the "Drake West Village Project") on land located at 1250 31st Street, 1315 31st Street and 1325 31st Street, Des Moines, Iowa, adjacent to the campus of and owned by Drake University ("Drake"); and

WHEREAS, CHF leased, pursuant to a Ground Lease Agreement dated as of May 1, 2007 (the "Original Ground Lease") between CHF and Drake, the land on which the Drake West Village Project was constructed; and

WHEREAS, pursuant to the Original Ground Lease, Drake and CHF have agreed to allow the Borrower to assume the leasehold estate created under the Original Ground Lease from CHF and to further acquire the Drake West Village Project pursuant to an Assignment and Assumption of Ground Lease and Agreement (the "Assignment") among Drake, CHF and the Borrower; and

WHEREAS, at the time of the execution and delivery of the Assignment, Drake and the Borrower plan to enter into an Amended and Restated Ground Lease Agreement (the "Ground Lease") pursuant to which the Borrower intends to lease the land on which the Drake West Village Project is situated from Drake; and

WHEREAS, in connection with the Assignment, CHF and the Borrower have requested the Application (defined herein) be amended to replace CHF with the Borrower and to issue the Bonds in order that the Borrower will acquire from CHF the Drake West Village Project through the refunding of a portion or all of the Prior Bonds and/or an exchange of a portion of the Prior Bonds for a portion of the Bonds, to fund one or more debt service reserve funds and to pay costs of issuance of the Bonds (collectively, the "Refunding"); and

WHEREAS, the Authority on the 6th day of January, 2016 has heretofore approved an application, attached hereto as Exhibit A (the "Application"), of the Borrower requesting the approval of the Refunding in the principal amount of not to exceed \$35,000,000; and

WHEREAS, the Borrower anticipates that it will incur additional costs in completing the Refunding; and

WHEREAS, the Borrower is requesting the Authority to amend the Application and its resolution approving the Application to issue the Bonds to increase the maximum principal amount of the Bonds to an amount not to exceed \$40,000,000; and

WHEREAS, pursuant to published notice of intention (a copy of which notice is attached hereto as Exhibit B) the Authority has conducted a public hearing on the 9th day of March, 2016 at 8:30 a.m. on a proposal to issue the Bonds in an amount not to exceed \$40,000,000 to finance the Refunding and to pay certain costs of issuance of the Bonds as required by Section 147 of the Internal Revenue Code of 1986, as amended (the "Code") and this Board has deemed it to be in the best interests of the Authority that the Bonds be issued as proposed; and

WHEREAS, it is necessary and advisable that provisions be made for the issuance of Bonds in the aggregate principal amount of not to exceed \$40,000,000 as authorized and permitted by the Act to finance the Refunding, one or more debt service reserve funds and the costs incurred in connection with the foregoing; and

WHEREAS, the Bonds are to be issued pursuant to the provisions of one or more Trust Indentures (collectively, the "Indenture") between the Authority and Regions Bank or another trustee selected by the Borrower and approved by the Executive Director (the "Trustee"); and

WHEREAS, the Authority will loan the proceeds of the Bonds to the Borrower pursuant to the provisions of one or more Loan Agreements or Loan and Pledge Agreements (collectively, the "Loan Agreement") between the Authority and the Borrower; and

WHEREAS, the Borrower has arranged for the sale of a portion of the Bonds to RBC Capital Markets, LLC (the "Underwriter") pursuant to one or more agreements among the Borrower, the Authority and the Underwriter (collectively, the "Bond Purchase Agreement"); and

WHEREAS, the Borrower has arranged for the sale of a portion of the Bonds to Preston Hollow Capital, LLC (the "Purchaser") pursuant to a Private Placement Agreement (the "Placement Agreement") among the Authority, the Borrower, the Purchaser, and RBC Capital Markets, LLC (in such capacity, the "Placement Agent"); and

WHEREAS, the Authority will enter into one or more agreements (collectively, the "Tax Agreement") among the Authority, the Borrower and the Trustee sufficient to satisfy the criteria under Sections 103 and 148 of the Code and the regulations promulgated thereunder.

NOW, THEREFORE, Be It Resolved by the Board of the Authority, as follows:

Section 1. Qualified Project. It is hereby determined that the financing of the Refunding and the payment of costs related thereto, all as described in the initial approved application, Exhibit A, as modified by the changes described in the revised sources and uses of funds, Exhibit C, qualifies under the Act for financing with the proceeds of the Bonds and will promote those public purposes outlined in the Act.

Section 2. Costs. The Authority shall proceed with the sale and issuance of the Bonds and the Authority shall defray all or a portion of the cost of the Refunding, funding one or more debt service reserve funds and certain costs of issuance of the Bonds by issuing the Bonds and loaning the proceeds of the sale of the Bonds to the Borrower.

Section 3. Public Hearing. At the public hearing conducted by the Authority in accordance with the provisions of Section 147(f) of the Code, pursuant to published notice, all persons who appeared were given an opportunity to express their views for or against the proposal to issue the Bonds and the Authority has determined to proceed with the necessary proceedings relating to the issuance of the Bonds.

Section 4. Trustee. Regions Bank or another trustee selected by the Borrower and approved by the Executive Director is hereby appointed Trustee under the Indenture and the form and content of the Indenture, the provisions of which are incorporated herein by reference, and the assignment of the Authority's rights and interest in and to the Loan Agreement (with certain exceptions as stated in the Indenture), be and the same hereby are in all respects

authorized, approved and confirmed, and the Executive Director is authorized, empowered and directed to execute, seal and deliver the Indenture for and on behalf of the Authority to the Trustee for the security of the Bonds and the interest thereon, including necessary counterparts in substantially the form and content now before this meeting but with such changes, modifications, additions and deletions therein as shall be approved by counsel to the Authority, and that from and after the execution and delivery of the Indenture, the Executive Director is authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Indenture as executed.

Section 5. Bonds Authorized. In order to finance the Refunding, fund one or more debt service reserve funds and pay certain costs of issuance of the Bonds, the Bonds shall be and the same are hereby authorized and ordered to be issued by the Authority pursuant to the Indenture in substantially the form as has been presented to and considered at this meeting and containing substantially the terms and provisions set forth therein, the Bonds actually issued to be in a principal amount not exceeding \$40,000,000 and to bear interest at rates as determined by the Borrower and the Underwriter which rates shall result in an aggregate net interest cost not to exceed 10.00% per annum on or prior to the date of issuance and delivery of such Bonds, and the execution and delivery thereof by the Chairperson and Secretary shall constitute approval thereof by the Authority. The Chairperson and Secretary are hereby authorized and directed to approve such principal amount and interest rates for the Bonds, within the foregoing limits, by and on behalf of the Authority, and to execute, seal and deliver the Bonds to the Trustee for authentication.

Section 6. Loan Agreement. The Authority shall loan the proceeds of the Bonds to the Borrower pursuant to the Loan Agreement and the form and content of the Loan Agreement, the provisions of which are incorporated herein by reference, be authorized, approved and confirmed. The Executive Director is authorized and directed to execute, seal and deliver the Loan Agreement, but with such changes, modifications, additions or deletions therein as shall be approved by counsel to the Authority and that from and after the execution and delivery of the Loan Agreement, the Executive Director is hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Loan Agreement as executed.

Section 7. Purchase of Bonds. The sale of a portion of the Bonds to the Underwriter subject to the terms and conditions set forth in the Bond Purchase Agreement, is authorized, approved and confirmed, and that the form and content of the Bond Purchase Agreement is authorized, approved and confirmed, and the sale of a portion of the Bonds to the Purchaser subject to the terms and conditions set forth in the Placement Agreement is authorized, approved and confirmed. The Executive Director is authorized and directed to execute and deliver the Bond Purchase Agreement and the Placement Agreement in substantially the forms before this meeting, in all respects, but with appropriate insertions and revisions to reflect marketing of the Bonds and revisions approved by Counsel to the Authority.

Section 8. Tax Agreement. The Authority and the Borrower shall set forth certain representations and certifications with respect to the Bonds as required by the Code in the Tax Agreement, the form and content of the Tax Agreement, the provisions of which are incorporated

herein by reference, are hereby authorized, approved and confirmed. The Executive Director is hereby authorized and directed to execute, seal and deliver the Tax Agreement but with such changes, modifications, additions or deletions therein as shall be approved by counsel to the Authority.

Section 9. Execution of Documents. The Executive Director and the Chairperson are authorized to execute and deliver for and on behalf of the Authority any and all additional agreements, certificates, documents, opinions or other papers and perform all other acts (including without limitation the filing of any financing statements or any other documents to create and maintain a security interest on the properties and revenues pledged or assigned under the Loan Agreement, and the execution of all closing documents as may be required by Bond Counsel and approved by Counsel to the Authority, and the acceptance of any documentation evidencing indemnification of the Authority by Borrower in connection with the transactions contemplated hereby) as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 10. Use of Official Statement. The use by the Underwriter and the Placement Agent of one or more offering documents used to market the Bonds (collectively, the "Official Statement"), in connection with the sale or exchange of the Bonds is hereby authorized and approved, subject to approval by Counsel to the Authority; provided such authorization and approval shall not be deemed to include authorization and approval of information contained in such Official Statement other than information describing the Authority and its litigation, and only as the same relates to the Authority, but nothing contained in this Resolution shall be construed as prohibiting or limiting the Underwriter or the Placement Agent, as applicable, and the Borrower from including such information as they reasonably deem appropriate. The Official Statement as of its date will be, by approval thereof by the Executive Director, deemed final by the Authority within the meaning of Rule 15c2-12(b)(1) of the Securities and Exchange Commission and the Executive Director is authorized to execute and deliver such certificates as required to indicated such approval and to comply with SEC Rule 15c2-12 in connection with the offer, sale and issuance of the Bonds.

Section 11. Payments Under the Loan Agreement. The Loan Agreement requires the Borrower in each year to pay amounts as loan payments sufficient to pay the principal of, premium, if any, and interest on the Bonds when and as due, and the payment of such amounts by the Borrower to the Trustee pursuant to the Loan Agreement is hereby authorized, approved and confirmed.

Section 12. Limited Obligations. The Bonds shall be limited obligations of the Authority, payable solely out of the loan payments required to be paid by the Borrower pursuant to and in accordance with provisions of the Loan Agreement and as provided in the Indenture, and are secured pursuant to and in accordance with provisions of the Loan Agreement. The Bonds and interest thereon shall never constitute an indebtedness of the Authority, within the meaning of any state constitutional provision or statutory limitation, and shall not give rise to a pecuniary liability of, or claim against, the Authority or a charge against its general credit or general fund.

Section 13. Severability. The provisions of this Resolution are declared to be separable, and if any section, phrase or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

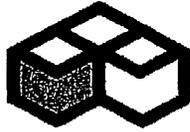
Section 14. Repealer. All resolutions, parts of resolutions or prior actions of the Authority in conflict herewith are hereby repealed to the extent of such conflict and this Resolution shall become effective immediately upon adoption.

Passed and approved this 9th day of March, 2016.

David D. Jamison, Secretary

(Seal)

Exhibit A



IOWA FINANCE
AUTHORITY

David D. Jamison, Executive Director
2015 Grand Avenue
Des Moines, Iowa 50312
(515) 725-4900 - (800) 432-7230

FOR IFA USE ONLY
Project No. ED 15-17
Application Received 12/23/15
Application Fee Received?
Volume Cap? Yes No
Amount of Request \$ 35,000,000

Application forms can be obtained from the Authority's website at www.IowaFinanceAuthority.gov

ECONOMIC DEVELOPMENT BOND APPLICATION

Part A - Borrower Information

1. Project Name: Drake West Village
2. Contact Person/Title: William B. Givhan, General Counsel
Company: Collegiate Housing Foundation, sole member of CHF-Des Moines, L.L.C., owner of project
Address; 409 Johnson Avenue,
City, State, Zip; Fairhope, Alabama, 36532
Telephone: 251-928-9340 E-mail; willgivhan@collegiatehousing.org
5. Principals: (If a partnership, list partners; if a corporation, list officers/directors and state of incorporation; if a nursing facility, list directors and principal staff.) Attach separate list if necessary.
Leeman H. Covey - President and Chairman of the Board
William B. Givhan - General Counsel and COO
Janet Brown - Vice President of Administration
John Hicks - Vice Chairman and member of Board of Directors
John Brooks Slaughter - Treasurer and member of Board of Directors
Jack Edwards - Secretary and member of Board of Directors
Robert A Shearer - Member of Board of Directors
Tom Daly - Member of Board of Directors
6. If Borrower is a nonprofit corporation, provide copy of IRS determination letter or date of application for determination letter and state purpose: see attached
7. Is the Borrower currently qualified to transact business within the State of Iowa? Yes No
8. If project is a Nursing Facility, is state certificate of need required: Yes No (N/A)
If yes, attach copy.

9. Total current FTE's of Borrower: 6

Number of permanent FTE's created by the project: 0 New FTEs

Part B - Project Information

1. This Project qualifies for financing pursuant to the Economic Development Loan Program as land, buildings or improvements suitable for use as one of the following facilities (Check one):

- 501 c (3) entity:
 - Private college or university
 - Housing facility for elderly or disabled persons
 - Museum or library facility
 - Voluntary nonprofit hospital, clinic or health care facility as defined in Section 135c.1 (6) of the Iowa Code. Specify: _____
 - Other 501c (3) entity (please specify) _____
- Manufacturing facility
- Agricultural processing facility
- Multi-family housing
- Solid Waste facility

3. Amount of Loan Request: \$ 35,000,000
Amount to be used for refunding: \$ 35,000,000

4. Address/Location of Project
Street/City/State 1315 31st Street, Des Moines, Iowa
County Polk

5. General Project Description:
457-bed Student Housing Facility on the Drake University campus for students of Drake University and certain other local institutions. The project is comprised of two buildings, totaling 236,000 square feet (including 9,000 square feet of retail).

Part B - Project Information continued

6. Does the Borrower expect to use bond proceeds to reimburse capital expenditures already made?
 No
 Yes, in the amount of \$_____ (There are IRS limitations on eligible reimbursable costs.)

7. Parties related to the Project:

- a. Principal User will be: Students of Drake University
- b. Seller (if any) of the Project: N/A
- c. Purchaser (if any) or Owner or Lessee of the Project: N/A
- d. Relationship of Project Seller and Purchaser, if any: N/A

8. Sources and Uses of Project Funds (Sum of Sources and Uses must match):

Sources:	Amount	Uses:	Amount
Bond Par	\$34,341,000	Refunding of Series 2007 Bonds	\$34,560,000
Other funds	4,462,000	Costs of Issuance	749,000
		Deposit to DSRF	1,795,000
		Deposits to Operating Funds and Reserves	1,699,000
Total	\$ 38,803,000	Total	\$38,803,000

9. Type of Bond Sale Public Sale Private Placement

NOTE: The issue includes both senior lien bonds sold in a public offering and subordinate notes placed privately.

Part C - Professionals Participating in the Financing

Applications must have either Bond Counsel or Underwriter/Financial Institution identified

1. Bond Counsel: (an attorney hired by the borrower to ensure the bonds can be issued on a tax-exempt basis)

Name: John H. Bunz
Firm Name: Ahlers & Cooney, P.C.
Address: 100 Court Avenue, Suite 600
City/State/Zip Code: Des Moines, Iowa 50309
Telephone: 515-246-0336 E-mail: jbunz@ahlerslaw.com

2. Counsel to the Borrower:

Name: Preston Bolt
Firm Name: Hand Arendall LLC
Address: P.O. Box 123
City/State/Zip Code: Mobile, Alabama 36601
Telephone: 251 694-6292 E-mail: pbolt@handarendall.com

3. Underwriter or Financial Institution purchasing the bonds:

Name: Michael Baird
Firm Name: RBC Capital Markets, LLC
Address: 100 Light Street, Suite 2410
Baltimore, Maryland 21202
Telephone: (410) 625-6103 E-mail: michael.baird@rbccm.com

4. Counsel to the Underwriter:

Name: John L. Petr
Firm Name: Kutak Rock
Address: 1650 Farnam Street
The Omaha Building
Omaha, Nebraska 68102-2186
Telephone: (402) 231-8786 E-mail: John.Petr@KutakRock.com

5. Trustee: (if needed)

Name: Jeff Carlson
Firm Name: Wells Fargo Bank, N.A.
Address: 625 Marquette, Avenue, 11th Floor
City/State/Zip Code: Minneapolis, Minnesota 55479
Telephone: 612 667-4802 E-mail: Jeffrey.K.Carlson@wellsfargo.com

PART D - Fees and Charges

1. A non-refundable application fee must accompany this form at the time of submission to the Authority. For applications up to \$10 million, the application fee is \$1,000. For applications over \$10 million, the application fee is \$2,500. The application fee is subtracted from the Issuer's fee at closing.

Applications will expire if the bonds are not issued within 18 months.

Submit application to the Authority at the following address:

Lori Beary
Community Development Director
Iowa Finance Authority
2015 Grand Avenue
Des Moines, IA 50312

2. An Issuer's fee will be due at the time of closing. The fee is 10 basis points for the first \$10 million and declines after that. Please contact Lori Beary at 515-725-4965 or lori.beary@iowa.gov for more information.
3. Borrower is required to pay the fees and expenses of Dorsey & Whitney, who serve as Issuer's Counsel. Bond documents should be sent to David Claypool (claypool.david@dorsey.com) or David Grossklaus (Grossklaus.David@dorsey.com) at Dorsey & Whitney and the Authority's Community Development Director (lori.beary@iowa.gov).

Dated this 23rd day of December, 2014⁵

Borrower: CHF-Des Moines, L.L.C.

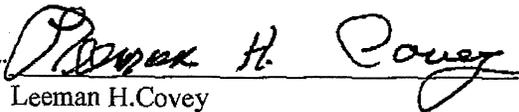
By: 
Leeman H. Covey
Title: President, Collegiate Housing Foundation acting
as sole member thereof

Exhibit D

Internal Revenue Service

Department of the Treasury

Washington, DC 20224

Collegiate Housing Foundation
c/o G. Porter Brock
3000 First National Bank Building
P.O. Box 123
Mobile, AL 36602

Contact Person:

L.E. Kawecki

Telephone Number:

(202) 622-7305

In Reference to:

CP:E:EO:T:5

Date:

SEP 24 1997

Employer Identification Number: 63-1173425
Key District: Southeast
Accounting Period Ending: December 31
Foundation Status Classification: 509(a)(2)
Advance Ruling Period Begins: June 19, 1996
Advance Ruling Period Ends: December 31, 2000
Form 990 Required: Yes

Dear Applicant:

Based on the information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in the section(s) indicated above.

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins and ends on the dates indicated above.

Within 90 days after the end of your advance ruling period, you must submit to your key district office information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, if you are

Collegiate Housing Foundation

classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Donors (including private foundations) may rely on the advance ruling that you are not a private foundation until 90 days after your advance ruling period ends. If you submit the required information within the 90 days, donors may continue to rely on the advance ruling until we make a final determination of your foundation status. However, if notice that you will no longer be treated as the type of organization indicated above is published in the Internal Revenue Bulletin, donors may not rely on this advance ruling after the date of such publication. Also, donors (other than private foundations) may not rely on the classification indicated above if they were in part responsible for, or were aware of, the act that resulted in your loss of that classification, or if they acquired knowledge that the Internal Revenue Service had given notice that you would be removed from that classification. Private foundations may rely on the classification as long as you were not directly or indirectly controlled by them or by disqualified persons with respect to them. However, private foundations may not rely on the classification indicated above if they acquired knowledge that the Internal Revenue Service had given notice that you would be removed from that classification.

If your sources of support, or your purposes, character, or method of operation change, please let your key district know so that office can consider the effect of the change on your exempt status. In the case of an amendment to your organizational document or bylaws, please send a copy of the amended document or bylaws to your key district. Also, you should inform your key district office of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act.

Because you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction,

Collegiate Housing Foundation

that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fund-raising events may not necessarily qualify as fully deductible contributions, depending on the circumstances. If your organization conducts fund-raising events such as benefit dinners, shows, membership drives, etc., where something of value is received in return for payments, you are required to provide a written disclosure statement informing the donor of the fair market value of the specific items or services being provided. To do this you should, in advance of the event, determine the fair market value of the benefit received and state it in your fund-raising materials such as solicitations, tickets, and receipts in such a way that the donor can determine how much is deductible and how much is not. Your disclosure statement should be made, at the latest, at the time payment is received. Subject to certain exceptions, your disclosure responsibility applies to any fund-raising circumstance where each complete payment, including the contribution portion, exceeds \$75. In addition, donors must have written substantiation from the charity for any charitable contribution of \$250 or more. For further details regarding these substantiation and disclosure requirements, see the enclosed copy of Publication 1771. For additional guidance in this area, see Publication 1391, Deductibility of Payments Made to Organizations Conducting Fund-Raising Events, which is available at many IRS offices or by calling 1-800-TAX-FORM (1-800-829-3676).

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt from Income Tax. If "Yes" is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. If your gross receipts each year are not normally more than \$25,000, we ask that you establish that you are not required to file Form 990 by completing Part I of that Form for your first year. Thereafter, you will not be required to file a return until your gross receipts exceed the \$25,000 minimum. For guidance in determining if your gross receipts are "normally" not more than the \$25,000 limit, see the instructions for the Form 990. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. The

Collegiate Housing Foundation

maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, any supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$20 per day for each day there is a failure to comply (up to a maximum of \$10,000 in the case of an annual return).

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

We are informing your key district office of this ruling. Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any immediate questions about this ruling, please contact the person whose name and telephone number are shown in the heading of this letter. For other matters,

Collegiate Housing Foundation

including questions concerning reporting requirements, please
contact your key district office.

Sincerely,

Garland A Carter

Garland A. Carter
Chief, Exempt Organizations
Technical Branch 5

Enclosures:
Form 872-C
Pub. 1771

EXHIBIT B

Notification of Hearing as Published

A copy of the publisher's proof of publication will be available at the meeting. The following is a copy of the notice itself.

Notice of Hearing on Iowa Finance Authority Economic Development Loan Program Bonds

A public hearing will be held on the 9th day of March, 2016, at the Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa, at 8:30 a.m. on the proposal for the Iowa Finance Authority (the "Authority") to issue its Student Housing Revenue Refunding Bonds (Drake West Village Project at Drake University) in an aggregate principal amount not to exceed \$40,000,000 (the "Bonds") and to loan the proceeds thereof to NCCD – Drake Properties LLC or an affiliate thereof (the "Borrower") for the purpose of acquiring, through the refunding of the Authority's Variable Rate Demand Student Housing Revenue Bonds (CHF-Des Moines, L.L.C. Project), Series 2007A (the "Prior Bonds"), certain student housing facilities for eligible tenants and certain related retail and parking facilities in support thereof located at 1250 31st Street, 1315 31st Street and 1325 31st Street, Des Moines, Polk County, Iowa. The Project and the facilities acquired with the proceeds of the Bonds will be owned and operated by the Borrower.

The Bonds, when issued, will be limited obligations of the Authority and will not constitute a general obligation or indebtedness of the State of Iowa or any political subdivision thereof, including the Authority, nor will they be payable in any amount by taxation, but the Bonds will be payable solely and only from amounts received from the Borrower named above under a Loan Agreement between the Authority and the Borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the Bonds as and when they shall become due.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Bonds for the purpose of financing the Project, and all written comments previously filed with the Authority at its offices at 2015 Grand Avenue, Des Moines, Iowa 50312, will be considered.

David D. Jamison
Executive Director
Iowa Finance Authority

EXHIBIT C

Any Amendment to Initial Application and Final Source and Uses of Funds

Amending Comments:

Due to the assignment of the leasehold estate on which the Drake West Village Project is located to NCCD-Drake Properties, LLC, the proposed Borrower is now NCCD-Drake Properties, LLC.

Revised Estimated Sources and Uses of Funds

Sources:

Bond Proceeds or Exchange of Bonds for Prior Bonds	\$40,000,000
Series 2007 Prior Debt Service Reserve Fund	2,458,396
Series 2007 Renewal and Replacement Fund	102,521
Series 2007 Operating Reserve Fund	906,748
Series 2007 Revenue Funds	370,719
Series 2007 Reimbursement Account	<u>566,332</u>
	<u>\$44,404,715</u>

Uses:

Refunding Prior Bonds and Renewal and Replacement Fund	\$39,870,000
Debt Service Reserve Funds	2,225,000
Operating Reserve Fund	906,748
Issuance Costs	<u>1,402,967</u>
	<u>\$44,404,715</u>

**AMENDING RESOLUTION
ED-364K**

Resolution authorizing the execution of an Amended and Restated Indenture of Trust and an Amended and Restated Loan Agreement relating to the Authority's Small Business Development Multi-Family Housing Revenue Bonds (Village Court Associates Project), Series 1985A

WHEREAS, the Iowa Finance Authority (the "Authority") is a public instrumentality and agency of the State of Iowa established and empowered by the provisions of Chapter 16 of the Code of Iowa, as amended (the "Act"), to issue its revenue bonds to be used to defray the cost of acquiring, constructing, improving and equipping multifamily housing projects described in the Act; and

WHEREAS, the Authority has heretofore authorized and issued its Small Business Development Multi-Family Housing Revenue Bonds (Village Court Associates Project), Series 1985A in the aggregate principal amount of \$8,000,000 (the "Series 1985A Bonds") pursuant to an Indenture of Trust dated as of November 1, 1985 (the "Original Series 1985A Indenture") between the Authority and Merchants Bank, as trustee (the "Original Trustee"); and

WHEREAS, the Authority has heretofore authorized and issued its Small Business Development Multi-Family Housing Revenue Bonds (Village Court Associates Project), Series 1985B in the aggregate principal amount of \$15,000,000 (the "Series 1985B Bonds" and, together with the Series 1985A Bonds, the "Bonds") pursuant to an Indenture of Trust dated as of November 1, 1985 (the "Original Series 1985B Indenture") between the Authority and Original Trustee; and

WHEREAS, the proceeds of the Series 1985A Bonds were loaned to Village Court Associates (the "Original Borrower") pursuant to a Loan Agreement dated as of November 1, 1985 (the "Original Loan Series 1985A Agreement") between the Authority and the Borrower; and

WHEREAS, the proceeds of the Series 1985B Bonds were loaned to the Original Borrower pursuant to a Loan Agreement dated as of November 1, 1985 (the "Original Series 1985B Loan Agreement") between the Authority and the Original Borrower; and

WHEREAS, pursuant to Resolution No. 364D, the Authority previously entered into an Amended and Restated Indenture of Trust dated as of October 1, 2000 (the "Amended Series 1985A Indenture") between the Authority and BNY Trust Company of Missouri, as successor trustee, and a First Amendment to Loan Agreement dated as of October 1, 2000 (the "First Amendment to Series 1985A Loan Agreement") between the Authority and the Original Borrower, in each case with respect to the Series 1985A Bonds; and

WHEREAS, pursuant to Resolution No. 462D, the Authority previously entered into an Amended and Restated Indenture of Trust dated as of October 1, 2000 (the "Amended Series 1985B Indenture") between the Authority and BNY Trust Company of Missouri, as successor trustee, and a First Amendment to Loan Agreement dated as of October 1, 2000 (the "First

Amendment to Series 1985B Loan Agreement”) between the Authority and the Original Borrower, in each case with respect to the Series 1985B Bonds; and

WHEREAS, pursuant to Resolution No. 364E, the Authority previously entered into (i) a First Amendment to Amended and Restated Indenture of Trust dated as of June 1, 2008 (the “First Amendment to Amended Series 1985A Indenture”) between the Issuer and Bankers Trust Company, N.A., n/k/a Bankers Trust Company, as successor Trustee (the “Trustee”), and (ii) a Second Amendment to Loan Agreement dated as of June 1, 2008 (the “Second Amendment to Series 1985A Loan Agreement”) between the Authority and the Original Borrower with respect to the Series 1985A Bonds; and

WHEREAS, pursuant to Resolution No. 462E, the Authority previously entered into (i) a First Amendment to Amended and Restated Indenture of Trust dated as of June 1, 2008 (the “First Amendment to Amended Series 1985B Indenture”) between the Issuer and the Trustee as successor trustee, and (ii) a Second Amendment to Loan Agreement dated as of June 1, 2008 (the “Second Amendment to Series 1985B Loan Agreement”) between the Authority and the Original Borrower with respect to the Series 1985B Bonds; and

WHEREAS, pursuant to Resolution No. ED-365F and ED-462F, the Authority previously entered into (i) an Amended and Restated Indenture of Trust dated as of December 1, 2011 (the “2011 Indenture”) between the Issuer and the Trustee, and (ii) the Amended and Restated Loan Agreement dated as of December 1, 2011 (the “2011 Loan Agreement”) between the Issuer and the Original Borrower pursuant to which the Authority reissued the Series 1985A Bonds and the Series 1985B Bonds as a single series of Bonds (the “Series 1985 Bonds”); and

WHEREAS, pursuant to Resolution No. ED-365G and ED-462G, the Authority entered into an Assignment, Assumption and Omnibus Amendment Agreement dated as of May 15, 2013 (the “Sierra Pointe Assignment Agreement”) among the Original Borrower, Sierra Pointe, LLC (“Sierra Pointe”) as the new borrower, the Trustee and the Authority, and consented to by Wells Fargo Bank, National Association, as lender (the “Original Purchaser”); and

WHEREAS, pursuant to Resolution No. ED-365H and ED-462H, the Authority reissued the Series 1985 Bonds as two separate series, with one series designated the Iowa Finance Authority Small Business Development Multi-Family Housing Revenue Bonds (Village Court Associates Project) Series 1985A (the “Restated Series 1985A Bonds”) and the other series designated as the Iowa Finance Authority Small Business Development Multi-Family Housing Revenue Bonds (Village Court Associates Project) Series 1985B (the “Restated Series 1985B Bonds”), and

WHEREAS, in conjunction with the issuance of the Restated Series 1985A Bonds, the Authority entered into an Amended and Restated Indenture of Trust dated as of November 1, 2013 (the “2013 Series 1985A Indenture”) between the Authority and the Trustee, and an Amended and Restated Loan Agreement dated as of November 1, 2013 (the “2013 Series 1985A Loan Agreement”) between the Authority and Sierra Pointe; and

WHEREAS, in conjunction with the issuance of the Restated Series 1985B Bonds, the Authority entered into an Amended and Restated Indenture of Trust dated as of November 1,

2013 (the “2013 Series 1985B Indenture”) between the Authority and the Trustee, and an Amended and Restated Loan Agreement dated as of November 1, 2013 (the “2013 Series 1985B Loan Agreement”) between the Authority and Sonoma Building, LLC (“Sonoma”), the new borrower for the Series 1985B Bonds; and

WHEREAS, simultaneously with the reissuance of the Series 1985A Bonds and the Series 1985B Bonds, the Authority entered into an Assignment and Assumption Agreement dated as of November 1, 2013 (the “Sonoma Building Assignment Agreement”) among Sierra Pointe, Sonoma Building, LLC, the Trustee and the Authority, and consented to by the Original Purchaser, pursuant to which Sierra Pointe transferred all of its rights, duties, and obligations with respect to the Series 1985B Bonds to Sonoma, and Sonoma agreed to assume such rights, duties and obligations as set forth in the Sonoma Building Assignment Agreement; and

WHEREAS, pursuant to Resolution No. ED-365I and ED-462I, the Authority entered into (a) the First Supplement to Amended and Restated Indenture of Trust dated April 7, 2014 (the “First Supplement to 2013 Series 1985A Indenture”), supplementing and amending the 2013 Series 1985A Indenture, and (b) the First Supplement to Amended and Restated Indenture of Trust dated April 7, 2014 (the “First Supplement to 2013 Series 1985B Indenture”), supplementing and amending the 2013 Series 1985B Indenture, in each case to adjust the manner in which the LIBOR Index (as defined in the 2013 Series 1985A Indenture) is calculated; and

WHEREAS, pursuant to Resolution No. ED-364J and ED-462J, the Authority entered into the Assignment, Assumption and Omnibus Amendment Agreement dated as of October 15, 2015 (the “2015 Assignment Agreement”) among Sierra Pointe, Residences at 62W, LLC (the “New Borrower”), the Trustee and the Authority, and consented to by the Original Purchaser, whereby Sierra Pointe assigned its rights under the Assumed Bond Documents (as defined therein) to the New Borrower and the New Borrower assumed the obligations of Sierra Pointe under the Assumed Bond Documents and to make certain amendments to the Assumed Bond Documents as more fully set forth therein; and

WHEREAS, in connection with the purchase of the Series 1985A Bonds by Clayton Holdings, LLC (the “2016 Purchaser”) from the Original Purchaser, the New Borrower has requested the Authority to enter into an Amended and Restated Indenture of Trust (the “2016 Amended and Restated Series 1985A Indenture”) between the Authority and the Trustee, whereby the Restated Series 1985A Bonds are being reissued and an Amended and Restated Loan Agreement (the “2016 Amended and Restated Series 1985A Loan Agreement”) between the Authority and the New Borrower; and

NOW, THEREFORE, be it resolved by the Iowa Finance Authority, as follows:

Section 1. The 2016 Amended and Restated Indenture and the 2016 Amended and Restated Loan Agreement are hereby approved in substantially the forms submitted to the Board with such variations therein as may be made at the time of execution thereof as approved by the Executive Director and counsel to the Authority, and the Executive Director is hereby authorized and directed to execute, seal and deliver the 2016 Amended and Restated Indenture and the 2016 Amended and Restated Loan Agreement in the name and on behalf of the Authority.

Section 2. The officers, Executive Director and Counsel to the Authority are hereby authorized and directed to take such further actions as may be necessary to effectuate the intent and purpose of this Resolution, including but not limited to, accepting, acknowledging, and consenting to revisions or amendments to, or restatements of, any other documents relating to the Restated Series 1985A Bonds, including but not limited to the execution and delivery of replacement bonds in order to effectuate the purpose of this Resolution.

Section 3. The Executive Director and/or the Chairperson are authorized to execute and deliver for and on behalf of the Authority any and all agreements, certificates, documents or other papers and perform all other acts and the execution of all closing documents, including any required tax forms necessary to maintain the tax exemption on the Restated Series 1985A Bonds, as may be approved by counsel to the Authority, and the acceptance of any documentation evidencing indemnification of the Authority by the New Borrower in connection with the transaction contemplated hereby as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 4. The Restated Series 1985A Bonds shall remain limited obligations payable solely out of the revenues derived from the debt obligation, collateral, or other security furnished by or on behalf of Borrower pursuant to the 2016 Amended and Restated Series 1985A Indenture, and the 2016 Amended and Restated Series 1985A Loan Agreement, and the principal and interest thereof shall not constitute an indebtedness of or charge against the State of Iowa or any subdivision thereof, including the Authority, within the meaning of any constitutional or statutory debt limit or give rise to pecuniary liability of the State of Iowa or the Authority or charge against its general credit or general funds.

Section 5. All resolutions, parts of resolutions and prior actions of the Authority in conflict herewith, are hereby repealed to the extent of such conflict and this Resolution shall become effective immediately upon its adoption.

Passed and approved on this 9th day of March, 2016.

David D. Jamison, Secretary

RESOLUTION
ITG 16-03

WHEREAS, Iowa Title Guaranty (“ITG”), in accordance with the statutory directives set forth in Chapter 16 of the Code of Iowa, as amended, operates a program to offer guaranties of real property titles to facilitate mortgage lenders’ participation in the secondary market and to add to the integrity of the land-title transfer system in the state of Iowa; and

WHEREAS, ITG generates revenue by the sale of ITG Certificates, the revenues of which are deposited in the ITG Fund held by the treasurer of state with all interest generated from the ITG Fund being deposited in the housing trust fund; and

WHEREAS, section 16.91(1) of the Iowa Code provides that “if the authority board in consultation with the ITG board determines that there are surplus funds in the ITG fund after providing for adequate reserves and operating expenses of ITG, the surplus funds shall be transferred to the housing assistance fund created pursuant to section 16.40.”; and

WHEREAS, the ITG Board has determined that there are surplus funds in the ITG Fund in the amount of \$350,000 and it is recommending to the Iowa Finance Authority Board that it would be appropriate to transfer the surplus funds to the Housing Assistance Fund pursuant to Iowa Code section 16.91(1).

NOW, THEREFORE, BE IT RESOLVED that the ITG Board adopts and recommends that the surplus funds in the ITG Fund, in the amount of \$350,000, be transferred to the Housing Assistance Fund created pursuant to Iowa Code section 16.40.

PASSED AND APPROVED this 8th day of March, 2016.

Pat Schneider, Iowa Title Guaranty Board Chair

Tara Lawrence, Iowa Title Guaranty Board Secretary

(Seal)

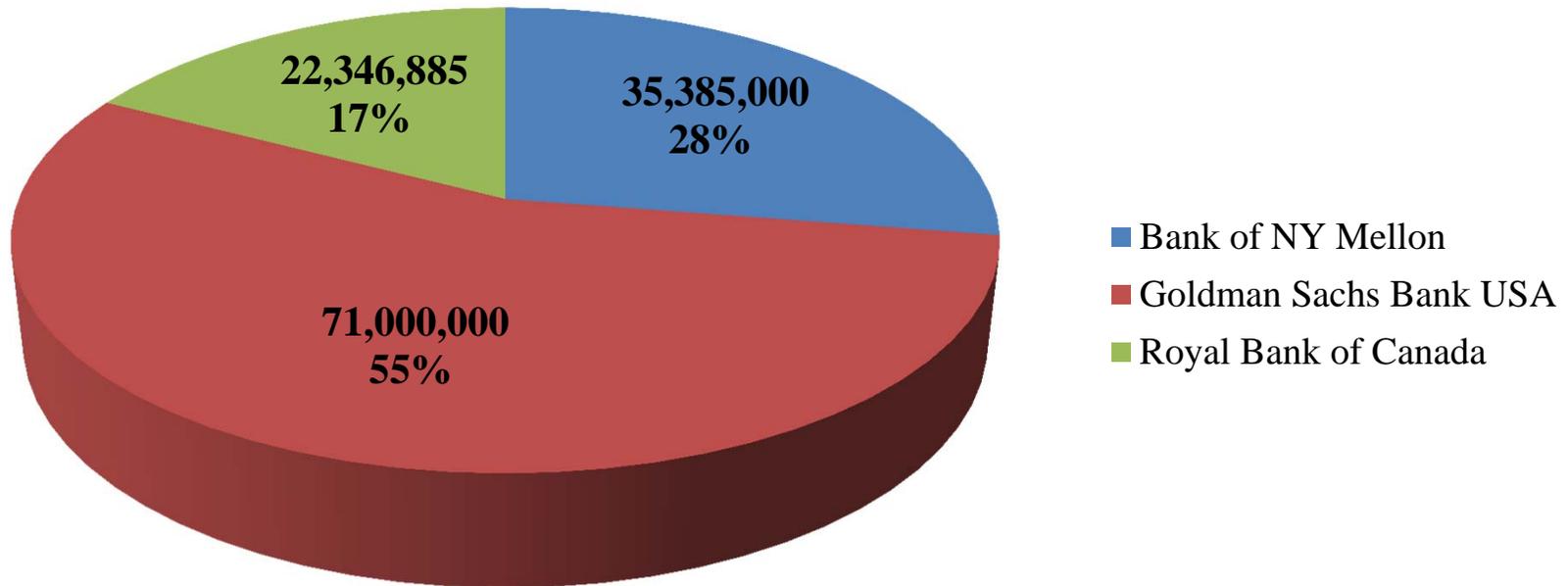
Iowa Finance Authority

Derivative and Liquidity Summary

As of 1/31/16

Derivative Counterparty Exposure

\$128.7 Million



Iowa Finance Authority Derivative Summary

as of 1/29/2016

Single Family 1991 Indenture

Bond Series	Bond Type	Swap Counterparty	Counter Party Rating*	Derivative Type	Bonds Outstanding	Notional Outstanding Amount	Over (Under) Hedged	Swap Rate Paid by IFA	Rate Received by IFA (12/31/15)	Spread	Swap Market Value	Weighted Average Remaining Life (years) **	Remaining Term of swap notional (years)	Maturity Date
De-allocated (2005E)	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap	-	7,060,000	7,060,000	3.817%	0.528%	-3.290%	(172,214)	0.9	19.9	1/1/2036
De-allocated (2008B)	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap	-	6,345,000	6,345,000	4.470%	0.070%	-4.400%	(72,134)	0.4	22.9	1/1/2039
De-allocated (2007C) (taxable)	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap	-	10,190,000	10,190,000	5.289%	0.428%	-4.862%	(1,699,221)	2.5	9.4	7/1/2025
De-allocated (2007C) (taxable)		Goldman Sachs Bank USA	A2/A/A	Floating-to-Floating Basis swap***		10,190,000		0.015%	0.683%	0.668%	99,223	2.5	9.4	7/1/2025
2007 Series G (taxable) + 2007 Series G (taxable)	VRDN	Bank of NY Mellon	Aa2/AA-/AA-	Fixed-to-Floating Swap	7,840,000	6,135,000	(1,705,000)	5.493%	0.428%	-5.066%	(392,574)	1.0	2.9	1/1/2019
2007 Series G (taxable)		Bank of NY Mellon	Aa2/AA-/AA-	Floating-to-Floating Basis swap***		6,135,000		0.015%	0.634%	0.619%	33,773	1.0	2.9	1/1/2019
De-allocated (2007M) (taxable)	VRDN	Bank of NY Mellon	Aa2/AA-/AA-	Fixed-to-Floating Swap	-	6,215,000	6,215,000	4.373%	0.428%	-3.946%	(463,585)	1.7	5.4	7/1/2021
2008 Series C (taxable) + 2008 Series G (taxable) +	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap	9,495,000	7,450,000	(2,045,000)	3.880%	0.428%	-3.453%	(438,048)	2.2	9.9	1/1/2026
2008 Series G (taxable) +	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap	5,195,000	3,980,000	(1,215,000)	4.173%	0.428%	-3.746%	(173,155)	0.9	2.4	7/1/2018
2015 Series B	VRDN	Bank of NY Mellon	Aa2/AA-/AA-	Fixed-to-Floating Swap	40,000,000	470,000		4.140%	0.110%	-4.030%	(49,590)	0.4	20.4	7/1/2036
	VRDN	Bank of NY Mellon	Aa2/AA-/AA-	Fixed-to-Floating Swap		1,210,000		3.843%	0.110%	-3.733%	(79,494)	0.4	20.4	7/1/2036
	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap		8,215,000		3.766%	0.528%	-3.239%	(788,775)	2.0	19.9	1/1/2036
	VRDN	Bank of NY Mellon	Aa2/AA-/AA-	Fixed-to-Floating Swap		1,140,000		4.632%	0.110%	-4.522%	(167,099)	1.0	20.4	7/1/2036
	VRDN	Bank of NY Mellon	Aa2/AA-/AA-	Fixed-to-Floating Swap		4,780,000		4.364%	0.070%	-4.294%	(355,976)	1.9	22.9	1/1/2039
	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap		14,020,000		4.529%	0.090%	-4.439%	(1,015,229)	1.4	22.9	1/1/2039
	VRDN	Royal Bank of Canada	Aa3/AA-/AA	Fixed-to-Floating Swap		-		2.518%	0.286%	-2.232%	(1,160,534)	2.2	29.9	1/1/2046
2015 Series B Total					40,000,000	29,835,000	(10,165,000)				(3,616,698)			
1991 Indenture Total					62,530,000	93,535,000	14,680,000				(6,894,634)			

Multifamily 2005 Indenture

Bond Series	Bond Type	Swap Counterparty	Counter Party Rating*	Derivative Type	Bonds Outstanding	Notional Outstanding Amount	Over (Under) Hedged	Swap or Cap Rate		Spread	Swap Market Value	Weighted Average Remaining Life (years) **	Remaining Term of swap notional (years)	Maturity Date
Multifamily 2007 A	VRDN	Royal Bank of Canada	Aa3/AA-/AA	SIFMA Interest Rate Cap	11,305,000	11,450,000	145,000	3%			-	2.4	2.4	7/1/2018
Multifamily 2007 B	VRDN	Bank of NY Mellon	Aa2/AA-/AA-	SIFMA Interest Rate Cap	8,285,000	9,300,000	1,015,000	4.5%; 5%; 5.5%			21,830	7.9	7.9	1/1/2024
Multifamily 2008 A	VRDN	Goldman Sachs Bank USA	A2/A/A	Fixed-to-Floating Swap	3,550,000	3,550,000	-	3.971%	0.090%	-3.881%	(753,842)	7.9	8.3	6/1/2024
Multifamily Private Placement Sub-Series B-1	LIBOR Floater + 1.12%	Royal Bank of Canada	Aa3/AA-/AA	LIBOR Interest Rate Cap	10,896,885	10,896,885	-	6%			-	1.0	2.4	7/1/2018
2005 Indenture Total					34,036,885	35,196,885	1,160,000				(732,011)			

+ Bonds that will be completely refunded on 4/1/16 by the 2016 C Bonds

* Ratings are Moody's / S&P / Fitch

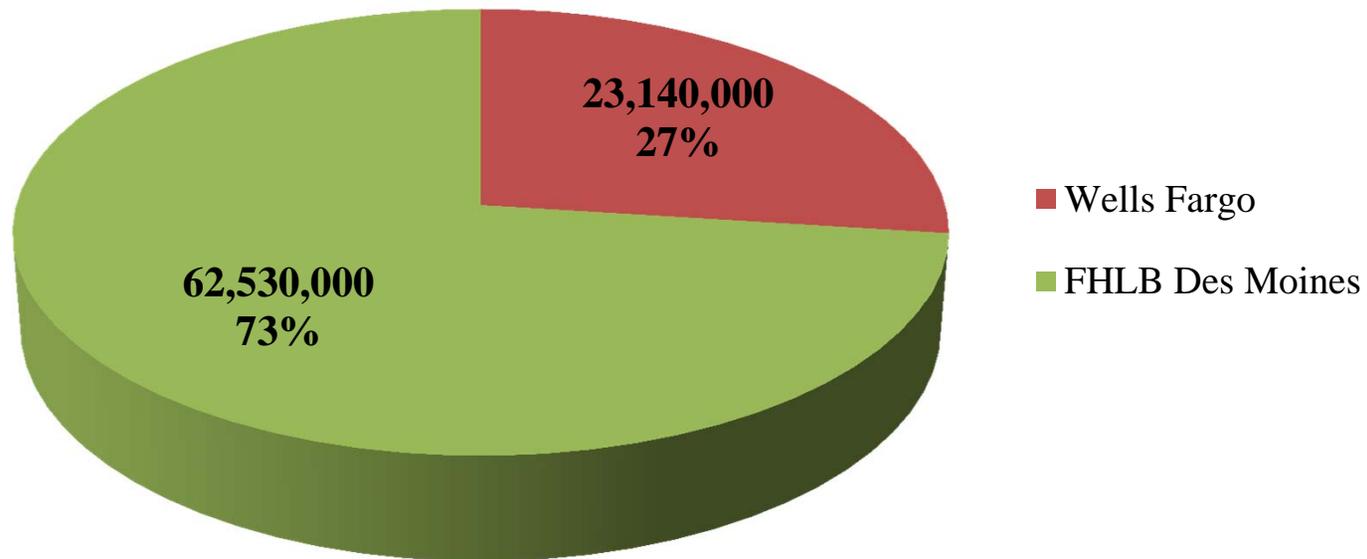
** Based on exercising the full par termination options of the swap as of 2/1/16

*** Basis swaps which are layered to match the amortization of the Fixed-to-Floating swaps.

IFA receives 1 month LIBOR plus a spread from the counterparty on the basis swaps. In exchange for tax risk taken, IFA pays 147% of SIFMA to the counterparty

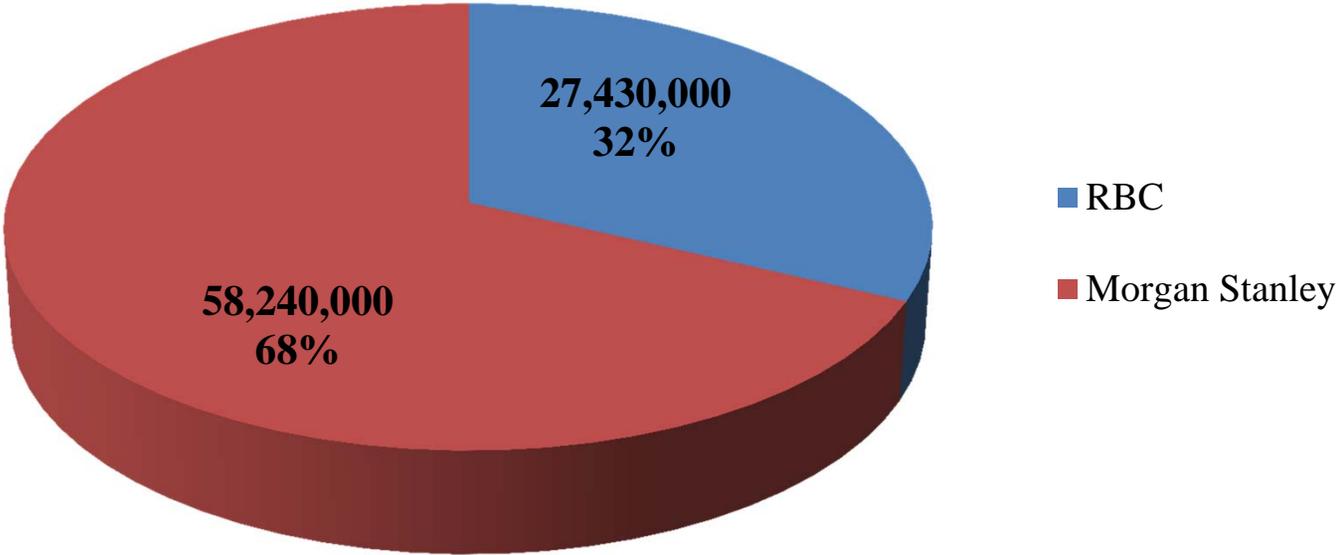
Liquidity Counterparty Exposure

\$85.7 Million



Remarketing Counterparty Exposure

\$85.7 Million



Liquidity Provider Summary

Associated Bonds	Original	6/30/14 Balance	6/30/2015	1/31/2016	Liquidity Provider	Expiration Date	Remaining Term (years)	Annual Fee
<u>Single Family</u>								
2004 Series B	15,000,000	11,425,000	10,735,000	0	Federal Home Loan Bank - Des Moines	12/30/2015	N/A	0.25%
2004 Series D	17,000,000	8,040,000	0	0	Federal Home Loan Bank - Des Moines	12/30/2015	N/A	0.25%
2004 Series G	20,000,000	9,830,000	6,555,000	0	State Street Bank & Trust Co.	1/15/2018	N/A	0.70%
2005 Series C	24,000,000	4,315,000	1,650,000	0	State Street Bank & Trust Co.	1/15/2018	N/A	0.70%
2005 Series E	24,000,000	9,660,000	8,130,000	0	State Street Bank & Trust Co.	1/15/2018	N/A	0.70%
2005 Series H	24,000,000	8,185,000	4,080,000	0	State Street Bank & Trust Co.	1/15/2018	N/A	0.70%
2006 Series C	12,000,000	10,985,000	8,640,000	0	State Street Bank & Trust Co.	1/15/2018	N/A	0.70%
2006 Series F	12,000,000	3,210,000	2,275,000	0	State Street Bank & Trust Co.	1/15/2018	N/A	0.70%
2007 Series C	35,000,000	14,490,000	12,690,000	0	Federal Home Loan Bank - Des Moines	4/9/2016	N/A	0.25%
2007 Series G	33,000,000	12,775,000	8,155,000	7,840,000 *	Federal Home Loan Bank - Des Moines	4/17/2017	1.2	0.25% **
2007 Series M	25,450,000	11,215,000	8,655,000	0	Federal Home Loan Bank - Des Moines	4/9/2016	N/A	0.30%
2007 Series N	14,550,000	4,085,000	4,085,000	0	Federal Home Loan Bank - Des Moines	4/9/2016	N/A	0.25%
2008 Series B	28,070,000	6,345,000	5,990,000	0	Federal Home Loan Bank - Des Moines	4/17/2017	N/A	0.32%
2008 Series C	29,465,000	12,770,000	9,905,000	9,495,000 *	Federal Home Loan Bank - Des Moines	4/17/2017	1.2	0.27% **
2008 Series F	17,330,000	16,705,000	13,285,000	0	Federal Home Loan Bank - Des Moines	10/1/2015	N/A	0.25%
2008 Series G	22,500,000	9,110,000	6,390,000	5,195,000 *	Federal Home Loan Bank - Des Moines	4/17/2017	1.2	0.25% **
2015 Series B	40,000,000	0	0	40,000,000	Federal Home Loan Bank - Des Moines	9/28/2017	1.7	0.27% **
	353,365,000	153,145,000	111,220,000	62,530,000				
<u>Multifamily</u>								
2007 Series AB	22,000,000	20,445,000	22,000,000	19,590,000	Wells Fargo Bank, NA	11/1/2016	0.8	0.70%
2008 Series A	3,750,000	3,650,000	3,750,000	3,550,000	Wells Fargo Bank, NA	11/1/2016	0.8	0.70%
	25,750,000	24,095,000	25,750,000	23,140,000				
Total	379,115,000	177,240,000	136,970,000	85,670,000				

* These bond series will be refunded by the 2016ABC bonds which close 3/30/16

** Annual fee was lowered by 0.05% with the AAA Indenture upgrade by S&P (reflects current rate)

Liquidity Exposure

	6/30/2014	6/30/2015	1/31/2016	Counterparty Credit Rating
State Street Bank	46,185,000	31,330,000	0	Aa3/AA-
Wells Fargo	24,095,000	25,750,000	23,140,000	Aa3/AA-
FHLB Des Moines	106,960,000	79,890,000	62,530,000	Aaa/AA+
	177,240,000	136,970,000	85,670,000	
<u>Remarketing Exposure</u>				
RBC	72,270,000	50,900,000	27,430,000	Aa3/AA-
Morgan Stanley	104,970,000	86,070,000	58,240,000	Baa2/A-
	177,240,000	136,970,000	85,670,000	



To: Board of Directors of the Iowa Finance Authority
 From: Tim Morlan & Derek Folden
 Date: March 9, 2016
 Re: Multifamily Loan Program Review

Production Status

Loans in Process:

<u>Project</u>	<u>Loan Program</u>	<u>Target Closing</u>	<u>Amount</u>	<u>Loan Type</u>
Centerville Senior Lofts, Centerville	Senior Living	3-18-2016	\$600,000	C/P
Keokuk Senior Lofts, Keokuk	Senior Living	3-31-2016	\$700,000	C/P
Southridge Senior Lofts, Des Moines	Senior Living	3-11-2016	\$350,000	C/P
Forest City	Workforce	4-1-2016	\$751,000	C/P
Chariton	Workforce	4-1-2016	\$600,000	C/P

Applications in Process:

<u>Project</u>	<u>Loan Program</u>	<u>Amount</u>	<u>Loan Type</u>
None			