



## LOW INCOME HOUSING TAX CREDITS HOUSING PERFORMANCE AGREEMENT

This Agreement is made and entered into on the \_\_\_\_\_ of \_\_\_\_\_,  
20\_\_ by and between \_\_\_\_\_, a Kansas \_\_\_\_\_,  
hereinafter "the Developer", and the Unified Government of Wyandotte County, Kansas City,  
Kansas (UG), hereinafter "the Holder", and together hereinafter referred to as "the parties".

WITTNETH:

**Scope of Work.** The Developer hereby agrees to perform all development of the Low Income Housing Tax Credits (LIHTC) housing project in accordance with the Developer's application submitted to the Holder, the Local Review Criteria points awarded by the Local Review Committee and all stipulations and contingencies approved by the Unified Government Full Commission.

For the purpose of this agreement, the \_\_\_\_\_ of \_\_\_\_\_ will  
take place at \_\_\_\_\_ Kansas City, Kansas \_\_\_\_\_  
herein referred to as "the jobsite".

**Deposit for Assurance.** The Developer will deliver a check (deposit for assurance for performance) in the amount of \$\_\_\_\_\_ and made payable to the order of the UG Treasurer for the performance of said development. Developer acknowledges the check will be held by the Holder until all requirements, stipulations and contingencies are satisfied by the UG at the completion of the project. The Developer acknowledges the deposit will be reimbursed unless the Developer fails to comply with the performance of the LIHTC housing development at the job site as set forth by the Developer's application, the Local Review Committee and all requirements, stipulations and contingencies approved by the Unified Government Full Commission. The Developer further acknowledges an immediate forfeiture of the assurance deposit for performance if compliance is not maintained throughout and until the completion of the development.

**Whole Agreement.** This agreement represents the whole agreement between the parties; and no other oral or written agreements not incorporated hereto are valid.

**Enforcement.** All provision of this agreement shall be governed and enforced under application laws of the State of Kansas.

IN WITNESS WHEREOF the parties hereby execute this document on the date first above written.

**Developers/Applicant Company Name**

**Unified Government of WYCO/KCK**

BY: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

BY: \_\_\_\_\_  
Douglas G. Bach  
County Administrator



**LOW INCOME HOUSING TAX CREDITS  
HOUSING PERFORMANCE AGREEMENT**

ACKNOWLEDGMENTS

STATE OF KANSAS                    )  
  ) SS.  
COUNTY OF WYANDOTTE         )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me the undersigned a notary public in and for the County and State aforesaid came Douglas G. Bach, County Administrator of Unified Government of Wyandotte County, City of Kansas City, Kansas, who is personally known to me to be such officer, the within instrument of writing on behalf of said organization, and such person duly acknowledged the execution of the same to be the act and deed of such organization.

IN TESTOMY WHEREOF, I have hereunto set my hand, and affixed my official seal the day and year last above mentioned.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF \_\_\_\_\_ )  
  ) SS.  
COUNTY OF \_\_\_\_\_ )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me the undersigned a notary public in and for the County and State aforesaid came \_\_\_\_\_, of \_\_\_\_\_, who is personally known to me to be such officer, the within instrument of writing on behalf of said organization, and such person duly acknowledged the execution of the same to be the act and deed of such organization.

IN TESTOMY WHEREOF, I have hereunto set my hand, and affixed my official seal the day and year last above mentioned.

\_\_\_\_\_  
NOTARY PUBLIC