

IN THE MATTER
OF
BLUE LAKE AT MARINE CREEK
APARTMENTS

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BEFORE THE
TEXAS DEPARTMENT OF
HOUSING AND
COMMUNITY AFFAIRS

AGREED FINAL ORDER*

NOW, THEREFORE, the Texas Department of Housing and Community Affairs, acting by and through its Governing Board, hereby ORDERS that:

1. Administrative penalties in the amount of \$12,000.00, as prescribed by 10 TAC §60.309, are hereby assessed against Blue Lake at Marine Creek LP. A payment of Twelve Thousand and No/100 Dollars (\$12,000.00) shall be made by cashier's check payable to the Texas Department of Housing and Community Affairs and shall be received no later than February 12, 2010.
2. The terms of this Agreed Order will be published on the TDHCA website under Board Resolutions.
3. In approving this Agreed Order, the Board specifically acknowledges and agrees that the prior instances of noncompliance made the subject hereof shall not serve as the basis for causing any affiliate of the Owner to be ineligible for or have an application terminated with respect to any funds or assistance administered by the Board.
4. Upon approval by the Board, the Chair of the Board and the Secretary of the Board are authorized to sign this order.

By signing and entering into this Agreed Final Order, Owner:

1. represents and warrants to TDHCA that they have been represented and advised by legal counsel of their choosing and is entering into this Agreed Final Order voluntarily and knowingly;
2. agrees to the terms of this Agreed Final Order, acknowledges understanding of it and agrees that they will satisfactorily comply with the mandates of this Order in a timely manner or be subject to appropriate disciplinary action by TDHCA, including the imposition of full administrative penalties as set forth herein; and
3. waives their right to any and all formal hearings, rights of appeal, and any right to judicial review of this Order and agrees that this Agreed Final order shall, upon execution by the parties, become a final and non-appealable order of TDHCA.

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**FINDINGS OF FACT, CONCLUSIONS OF LAW AND EXHIBITS A AND B HAVE BEEN INTENTIONALLY OMITTED.*

I, R. N. CROUCH [NAME], PRESIDENT OF SOLE MEMBER OF G.P. [TITLE], AS AUTHORIZED REPRESENTATIVE OF BLUE LAKE AT MARINE CREEK LP, A TEXAS LIMITED PARTNERSHIP, HAVE READ AND UNDERSTAND THE FOREGOING AGREED FINAL ORDER. I UNDERSTAND THAT BY SIGNING THIS AGREED FINAL ORDER, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WILLINGLY, AND KNOWINGLY. I UNDERSTAND THIS AGREED FINAL ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

Dated this 2nd day of February, 2010

OWNER:

BLUE LAKE AT MARINE CREEK LP, a Texas limited partnership

By: United Housing of Marine Creek, LLC, General Partner

By: United Housing Foundation, Inc., sole member of General Partner

By: /s/ RN Crouch
Name: R. Neil Crouch
Title: President

THE STATE OF TEXAS §
§
COUNTY OF TARRANT §

Before me, the undersigned notary public, on this 2nd day of February, 2010, personally appeared R. Neil Crouch [name], President of Sole Member of G.P. [title], on behalf of Blue Lake at Marine Creek LP, a Texas Limited Partnership, proved to me through personally known [description of identity card or other document] to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

(Seal)

/s/ Lisa Brown
Notary Public, State of Texas

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**FINDINGS OF FACT, CONCLUSIONS OF LAW AND EXHIBITS A AND B HAVE BEEN INTENTIONALLY OMITTED.*

Approved by a majority of the Governing Board of TDHCA on January 20, 2010.

By: /s/ Kent Conine
Name: Kent Conine
Title: Chair of the Board of TDHCA

By: /s/ Tim Irvine
Name: Tim Irvine
Title: Secretary of the Board of TDHCA

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