

Land Acquisition Policy

WIFA Policy #: III.14

Purpose:

Establish policy for financial assistance for land acquisition as permissible under federal statutes.

Policy:

The Board of Directors is legally authorized to provide financial assistance loans from the CWSRF and DWSRF for land acquisition projects pursuant to:

CWSRF: 33 USC § 1292(2)(A) states that eligible projects include "...acquisition of the land that will be an integral part of the treatment process (including land used for the storage of treated wastewater in land treatment systems prior to land application) or will be used for ultimate disposal of residues resulting from such treatment and acquisition of other land, and interests in land, that are necessary for construction."

DWSRF: 42 USC § 300J-(12)(a)(2) states that "The funds shall not be used for the acquisition of real property or interests therein, unless the acquisition is integral to a project authorized by this paragraph and the purchase is from a willing seller."

If the Board of Directors receives an application to finance a land-only acquisition, eligible borrowers will be charged WIFA's standard tax-exempt interest rate with a flat 10-basis point interest rate subsidy.

Additionally, any change in use of property financed with tax-exempt proceeds, must be approved by the Executive Director and may, in order to preserve the Authority's tax-exempt borrowing status, result in the immediate acceleration of the loan at the Executive Director's discretion.

The Board may approve an additional interest rate subsidy or exemption to this policy at any regular Board meeting.

Responsibility: Executive Director

Statutory Reference: A.R.S. § 49-1203, et seq.; 33 USC §1292(2)(A); 42 USC §300J-(12)(a)(2)


Rule Reference: N/A

Original Issue Date: April 19, 2006

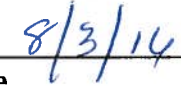
Previous Amendment Date(s): December 15, 2010

Most Recent Amendment Date: August 3, 2016 (*Replaces All Previous Versions*)

Approval:



Executive Director



Date