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2014 DEC 15 AM 11:16

Grant Amount:

FROM CITY ENGINEER			
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Dear Mr. Polenski:

The agreement to the above referenced grant award is attached. It is your responsibility to assure that all permits required are obtained prior to proceeding with this project. If your grant award is for acquisition and removal of structures, see the suggested "Deed Restriction Format" for providing proof of the permanent open space requirement on the grant web site listed below. The attached documents detail the cost eligible for payment reimbursement and the conditions of this award.

Please review the agreement and return the original signed by the authorized official **within 30 days of this letter's date** to Jeff Soellner at the Bureau of Community Financial Assistance, 101 S Webster St, Madison, WI 53707. The second copy is for your file. Funds will be encumbered when the signed agreement is returned. Please read the items checked below. They apply to your project and grant award.

☒ Grant Award Time Period: December 12, 2014 through December 12, 2016. All project activities must occur within this time period to be eligible costs for reimbursement.

Additional forms, program guide, property acquisition guidance, and ch. NR 199, Wis. Adm. Code may be down-loaded from the following grant web site for your assistance throughout this project: <http://dnr.wi.gov/aid/munfloodcontrol.html>

Please contact Jeff Soellner, Grant Manager, at 608-267-7152, e-mail: jeffrey.soellner@wisconsin.gov regarding questions related to this grant project other than permit requirements.

Sincerely,

Mary Rose Teves, Director
Bureau of Community Financial Assistance

Enclosure(s)

C: Gary Heinrichs - WT/2
Dave Fowler - MMSD

State of Wisconsin
Department of Natural Resources
Bureau of Community Financial Assistance
Attention Jeff Soellner, PO Box 7921 - CF/2
Madison, Wisconsin 53707-7921

MUNICIPAL FLOOD CONTROL GRANT PROGRAM
GRANT AWARD and AMENDMENT DOCUMENT

Note: This document is authorized by s. 281.665, Wis. Stats., and ch. NR 199, Wis. Adm. Code. Acceptance of this document is mandatory. Failure to return this signed document to the Department of Natural Resources will result in the denial of grant funds. The information contained on this document will be used for reimbursement eligibility for the Municipal Flood Control Grant Program.

TYPE OF PROJECT
X Municipal Flood Control

TYPE OF ACTION
X Grant Award
Grant Amendment

TYPE OF AGREEMENT
Local Assistance Grant and/or
X Acquisition and Development

DNR COPY

PART 1. GRANT ADMINISTRATION DATA

Grant Number MFC-40251-14	Grant Award Start Date December 12, 2014	Grant Amendment Number	Grant Amendment Date
Project Name Oak Creek Flood Management			Total Grant Amt. \$320,250.00
Grantee (city, village, town, metropolitan sewerage district) City Of Milwaukee - Dpw			
Grantee Authorized Contact (Name and Title) Jeffrey S Polenski, City Engineer			
Street address 841 N Broadway		Grant Period Start Date December 12, 2014 End Date December 12, 2016	
City, State, Zip Code Milwaukee, WI 53202			
Grantee Authorized Contact Information Contact Phone: (414)286-2462 Contact E-mail: Contact Fax Number: (414)286-5994		DNR Region Southeast Region	

PART 2. ELIGIBLE PROJECT STATE COST- SHARE

	Original Award	Amendment Amount	Amended Total
	\$320,250.00		\$320,250.00
	\$320,250.00		\$320,250.00
➤ Property Acquisition and Removal of Structures:			
TOTAL COST:			

PART 3. SCOPE OF GRANT

SCOPE: The purpose of this Municipal Flood Control Grant is to provide funding for and authorize cost-share reimbursement by the Department for the following project scope

This property is located next to the North Branch of Oak Creek and will be acquired by the City of Milwaukee, structures removed, and deed restricted as permanent open space to provide additional flood storage for flood events. The property value as stated in the appraisal was accepted by the appraisal reviewer.

The property located in Milwaukee at:
980 West College Ave.


Eligible state cost share is allowed at 70% for the following cost applied for in the application:

- * DNR determined fair market value of property when the DNR Real Estate review is completed and value determined.
- *Cost of appraisal reports*Displaced person relocation payments
- *Title evidence
- * Recording fees of the title and deed restriction in the county register of deeds office.
- * Environmental inspections
- *Structure removal cost.

1. This award is subject to the provisions of section 281.665, Wis. Stats., and chapter NR 199, Wis. Adm. Code.
2. All eligible expenditures shall be completed in accordance with the grant award specifications. The grant specifications may not be changed without advance approval from the DNR grant program manager. An alteration in funding for this grant award may be granted with a grant amendment from the DNR grant manager only and depends on funding available and maximum funding allowed by section 281.665, Wis. Stats.
3. Grantee shall immediately notify the DNR grant manager of any change in the status or purpose of the grant.
4. The project shall be completed in accordance with chapter NR 199, Wis. Adm. Code.
5. The project shall be in compliance with chapter NR 199, Wis. Adm. Code and section 281.665, Wis. Stats., before any payment is made.
6. The grantee shall obtain all permits or approvals required by law to complete the project.
7. Appraisers for acquisition shall be State of Wisconsin Licensed and Certified "Residential Appraisers" or "General Appraisers" and meet all applicable state laws and rules for appraisers. Acquisitions with fair market value of more than \$200,000 require 2 appraisal reports with DNR supplemental requirements.
8. Grantee shall acquire and manage property acquired in accordance with all applicable state, local and federal laws, rules and regulations.
9. Grantee shall provide a plan to the DNR grant manager for approval for long term management of the acquisition property prior to final payment.
10. Grantee shall prohibit using the property as security for any debt unless the department previously approves the incurring of the debt.
11. Grantee shall prohibit closing the purchased property to the public except where the department has determined that closure is necessary to protect wild animals, plants or other natural features.
12. Grantee shall provide the department access to land acquired with a Municipal Flood Control Grant to monitor compliance or carry out any management activity necessary to ensure the public's rights and safety.
13. Amendments to this award shall be in writing and agreed to and signed by both the grantee and the Department of Natural Resources, Bureau of Community Financial Assistance DNR grant program manager for the Director.
14. Grantee may sell or transfer the property to a third party other than a creditor of the grant recipient with the prior written approval of the department. All restrictions shall remain with the property and subsequent owners.
15. Grantee shall record acquisition property together with the grant agreement and the required deed restriction in the office of the register of deeds of each county in which the property is located.
16. Grantee violation of essential provision of the grant agreement, interest in or title of the acquired property shall vest in the state, without necessity of reentry.
17. Grantee shall retain all documentation related to this project for four years following the completion of the project. The grantee must provide all grant documentation to the department upon request.
18. Grantee shall abide by any special conditions required by this grant agreement.
19. Grantee understands:
 - Funds awarded are for the specific cost as indicated within the grant application and project description.
 - State funds may NOT be used as local match for this grant project.
 - Duplication of cost through other funding sources is considered fraud.
 - The project as defined in the grant application and project description is eligible for a one time grant award.
 - The grantee is not eligible for additional grant awards for the same project during future rounds of grant applications.
 - NO funds may be awarded to acquire property through the "Power of Eminent Domain" and if the grantee should need to pursue the acquisition of property identified in this grant agreement that the awarded funds will not be paid by the department.
 - Only the eligible cost as defined within chapter NR 199, Wis. Adm. Code and identified in this grant award may be reimbursed to the grantee under this award with the required proof of payment of the eligible cost.

FOR THE SECRETARY

By

 12-12-14
Mary Rose Teves, Director (Date)
Bureau of Community Financial Assistance

Signature of Authorized Representative (Date)