

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



October 4, 2016

► REQUIRES IMMEDIATE ACTION ◀

Municipal Flood Control
Grant# MFC-71201-16
Grant Amount: \$349,790.00

Paula Vandehey, Dir. of Public Works
City of Appleton
100 N Appleton St
Appleton, WI 54911-4704

Dear Ms. Vandehey:

Congratulations! On behalf of the Governor, we are pleased to forward to you a grant agreement for financial assistance for the following project: *Northland Ave Detention Pond*

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.

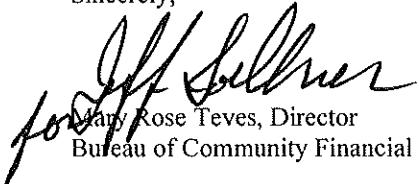
Please review the agreement and return the original signed by the authorized official **within 30 days of this letter's date** to Jeff Soellner at the Bureau of Community Financial Assistance, 101 S Webster St, Madison, WI 53707. The second copy is for your file. Funds will be encumbered when the signed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

Grant Award Time Period: October 4, 2016 through October 4, 2018. 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: Michele Staff - WT/3
Project Manager – Mike Wegner – Brown & Caldwell

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	TYPE OF ACTION	TYPE OF AGREEMENT
X Municipal Flood Control	X Grant Award Grant Amendment	Local Assistance Grant and/or X Development Grant

PART 1. GRANT ADMINISTRATION DATA			
Grant Number MFC-71201-16	Grant Award Start Date October 4, 2016	Grant Amendment Number	Grant Amendment Date
Project Name Northland Ave Detention Pond			Total Grant Amt. \$349,790.00
Grantee (city, village, town, metropolitan sewerage district) City Of Appleton			
Grantee Authorized Contact (Name and Title) Paula Vandehey, Director Of Public Works			
Street address 100 N Appleton St		Grant Period Start Date October 4, 2016 End Date October 4, 2018	
City, State, Zip Code Appleton, WI 54911-4704			
Grantee Authorized Contact Information Contact Phone: (920)832-6474 Contact E-mail: PAULA.VANDEHEY@APPLETON.ORG Contact Fax Number: (920)832-6489		DNR Region Northeast Region	

PART 2. ELIGIBLE PROJECT STATE COST- SHARE			
➤ Construction of detention/retention structures:	Original Award	Amendment Amount	Amended Total
	\$349,790.00		
	TOTAL COST:	\$349,790.00	

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

The City of Appleton will be constructing a detention pond located at 1850 Northland Ave on property that was acquired by the City of Appleton in the Town of Grand Chute. The project will consist of a pond that will disturb about 3.4 acres. Additionally an inlet and outlet sewer will be constructed under and to the south of Northland Ave. the total disturbance area for the project is about 4.8 acres. All of the details of the project are stated in the 2016 application.

- DNR State Cost Share at 50% for the Following Eligible Cost:
- * Construction of a flood control detention pond
 - * Engineering or planning fees for the construction of the pond

Maintain an updated Emergency Action Plan and an Inspection, Operation & Maintenance Plan. All permits are needed prior to start of construction.

CONDITIONS: MFC-71201-16, Northland Ave Detention Pond, City Of Appleton

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

for Jeff Sellner 10/4/16

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

Signature of Authorized Representative (Date)