



City of Falls City, Nebraska Downtown Revitalization

Phase III Program Guidelines

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I. Program Overview

Statement of Purpose:

To improve downtown buildings by restoring, renovating, replacing or reconstructing above ground facades, commercial code compliance repairs, structural repairs/alterations and exterior building repairs. These improvements will be in accordance with historic preservation guidelines to achieve five (5) significant goals and are part of an overall strategy to attract consumers and new businesses, as well as to support existing businesses. These five (5) goals are:

1. Improve the economic potential of individual buildings and the Downtown area
2. Strengthen property values and reduce or eliminate vacancies in the Downtown area
3. Improve the blighted condition and appearance of buildings in the Downtown area
4. Enhance the environmental and historical quality of the Downtown area
5. Encourage pride in the Downtown area

Funding Mechanism

A Downtown Revitalization (DTR) Program is administered by the City of Falls City and funded by the Community Development Block Grant (CDBG) Downtown Revitalization Program.

Grant Details

- Available to property owners within the designated Business Districts as identified in Attachment A
- Eligible improvements include the rehabilitation of buildings and addressing safety and code violations
- The Mayor of the city of Falls City shall appoint a Downtown Revitalization Committee (DTR Committee) consisting of a seven member ad-hoc committee serving 3-year terms at the discretion of the City Council.
- Application deadline will be determined by the DTR Committee. If surplus funds remain after the first application cycle, additional cycles will be determined by the DTR Committee
- Requires a minimum 25% match from each participant
- Requested amounts and designs will be reviewed by the DTR Committee
- The DTR Committee will make project funding recommendations to the Falls City City Council, with the City Council making awards
- Work must be completed and invoices submitted prior to the contract end date which is yet to be determined

II. Application Guidelines

The purpose of this program is to assist in the creation of a cohesive, cost-effective and vibrant downtown business district and if applicable to restore, improve or create historic architectural features to facades of buildings within downtown Falls City as identified within the DTR Plan.

Eligible Applicants

This program is available to property owners, business owners and tenants within the designated area in the Falls City Business District, as identified and defined by the 2009 Blight and Substandard Study Area 1 (Attachment A) and redesignated in 2020. Attestation of U.S. Citizenship will be required if the applicant is an individual or a sole proprietor.

Eligible Improvements

Eligible improvements include structural and code compliance repairs and building facade rehabilitation. Eligible improvements include but are not limited to:

- Brick/masonry repair or restoration
- New or replacement of awnings and signs
- Exterior wall repairs, including the repair, restorative installation of decorative details and other design features
- Building mounted facade lighting
- Entryway, door and window repairs and replacements
- Miscellaneous facade improvements
- Facade code violation eradication
 - Repairs of building code compliance issues identified in an inspection conducted by the City of Falls City
- Roof and gutter replacements (on a case by case basis)
- Americans with Disability Act (ADA) improvements
- Painting is eligible for exterior facade improvements in combination with above activities or permanent signage for restoration and historic preservation that are fixed to the structure

Ineligible Improvements

- Residential
- Interior Improvements
- Roof and gutter replacement maintenance or repairs
- Some code issues will not be covered (this is on a case by case basis)
- Painting as a sole activity

III. Program Guidelines

1. A minimum 25% match is required by each participant.
1. Projects shall be located in the designated downtown business district. A copy of the designated map is attached hereto as Attachment A.
2. Request amounts and designs will be reviewed by the DTR Committee. The DTR Committee will make project funding recommendations for final approval by the Falls City City Council. Priorities shall be given on a first-come, first-serve basis.
3. Each application will be considered solely on its merits, without regard to age (provided the applicant is of age as prescribed by law), color, creed, marital status, national origin, political party affiliation, race or gender of the applicant(s).
4. \$25,000 of the total awarded grant funds shall be reserved for administrative costs and \$10,000 for construction management.
5. \$165,000 shall be set aside for forgivable loans in the amount greater than \$1,000 but no greater than \$50,000 for eligible applicants and eligible improvements.
6. The DTR program funds will be reimbursed to the applicant for eligible project costs and will become a five (5) year forgivable loan. This is done to ensure that the improvements will remain in place.
7. The five (5) year forgivable loan can be transferred by the property owner at the time of a sale to the purchaser if approved by the Falls City City Council.
8. For each forgivable loan, the applicant will be required to sign a Promissory Note and the property owner will be required to sign a Deed of Trust.
9. Improvements must remain intact for a minimum period of five (5) years from the date of completion. Changes to funded improvements prior to five (5) years may trigger repayment.
10. Where practical, building facades shall be restored to historic standards. If it is deemed not practical by the DTR Committee then a similar architectural design shall be used.
11. If a building does not have a historic significant architectural design, feature or designation, an application may still be submitted.
12. No work for which funding is sought shall begin until authorized by the CDBG Administrator.

13. To qualify for funding, an application with appropriate conceptual plans and other documents must be submitted to the City Clerk at 2307 Barad Street, Falls City, NE 68355.
14. The work proposed by the applicant requires at least two (2) bids from outside sources to verify that costs are within reasonable parameters. The DTR Committee may waive this requirement in special circumstances.
15. All projects must comply with City of Falls City Building Codes as currently adopted by the City as well as relevant Nebraska Statutes, Rules and Regulations.
16. Contractors are required to comply with Davis-Bacon Wage Wage Determination and E-Verify requirements. Applicants should notify contractors of this when securing bids.
17. Applicants are responsible for any architectural fees, preparing design specifications, any engineering and any other costs.
18. Attestation of U.S. Citizenship form is required if the applicant is an individual or sole proprietor.
19. Projects are subject to a Tier II environmental review and approval from the State Historic Preservation Office (SHPO) in compliance with Section 106 standards.
20. All amendments to the program guidelines shall be approved by the Falls City - City Council with prior approval or recommendation of the Nebraska Department of Economic Development.

IV. Design Guidelines

For the benefit of the entire City of Falls City, this program encourages the improvement of facades and buildings in the downtown business district, so as to accentuate economic opportunities and the historic elements of the district through the restoration, renovation, replacement or reconstruction of facades, as defined:

Facade shall mean the exterior of a building exposed to public view from the building's exterior. This will typically include a visual impact with items such as awnings, windows and signage.

Restoration is the preferred treatment for building facades and improvements. Restoration is most applicable to buildings where there has been very little change to the building facade over time. This results in the return of the facade to its original appearance through the use of authentic materials and colors and the replication of missing or deteriorated components.

Renovation results in improvements which do not attempt to return the building to its original appearance. Improvements made should be sensitive to historic details and materials and should respect any original character that is remaining.

Replacement of facades is appropriate when the majority of the original facade is missing or has been significantly altered so as to make restoration or renovation impractical. Facade designs should select materials, dimensions and architectural details that are similar or compatible to surrounding buildings such as facade height, window size and spacing, materials and colors. It should be noted that in some cases the current facade alteration may be considered historic in their own right, even if the current look is not original. Projects that intend to replace any aspects of the facade or exterior structure are encouraged to consult with SHPO before application to identify potential project challenges.

Reconstruction takes place when the building and its features no longer exist. With reconstruction, facade designs are created through new construction to replicate, mimic, resemble or accentuate historic period details.

Interior work for residential or commercial purposes often follows a similar definition to the above. In terms of work being done inside a building, work typically allows great variation from the historical design and looks to accommodate modern needs and code.

The DTR Committee may adopt design guidelines to provide additional guidance to applicants.

SHPO encourages applicants to contact their office before final project plans are made. Early contact with their office can help identify potential project delays and clarify what may be considered appropriate or inappropriate work for grant projects. SHPO may be reached at 402-471-4787.

V. Project Design and Document Approval

1. Pre-applications will be reviewed by the DTR Committee. Those projects that the DTR Committee requires additional information about will be asked to submit sketches and a description of the intended use of the funds, which may be amended.
 - a. **Note:** Sketches and description of the planned improvements need only be conceptual but must show enough detail so the DTR Committee can make comments and recommendations.
2. The DTR Committee will conduct a preliminary review of all applications.
3. Applications receiving preliminary approval by the DTR Committee will be forwarded to the CDBG Administrator for Tier II environmental reviews.

4. If the applicant wishes to participate in the program, the applicant will arrange for preparation of construction drawings and price quotations and provide a copy for the review.
5. The DTR Committee will review the formal application and make a recommendation to the City Council.
6. The City Council will award funding if approved.
7. The CDBG Administrator will meet with the applicant and contractors to review and complete paperwork and legal documents at a preconstruction meeting.
8. After formal approval and completion of all necessary documents, the CDBG Administrator will issue a Notice to Proceed to the applicant.
9. After receiving the Notice to Proceed, the project will begin according to approved design. Any changes must be reviewed by the DTR Committee, SHPO, undergo further Tier II environmental review and be approved by the City Council.
10. The applicant must ensure that the selected contractor is aware of Davis-Bacon Wage Requirements prior to final selection of the contractor.
11. The contractor must be E-Verified and the applicant must be registered on the System for Award Management (SAM) prior to signing the contract between the applicant and contractor.
12. The contractor must work with the CDBG Administrator and adhere to funding rules and regulations.
13. The applicant must submit invoices and corresponding canceled checks to the City.
14. At the project completion, the CDBG Administrator will conduct a final review to ensure that the project has been completed as proposed.
15. The CDBG Administrator will prepare the grant drawdown documents.
16. The City of Falls City will distribute grant funds as a forgivable loan to the applicant upon receipt from the Nebraska Department of Economic Development.
17. The DTR Committee will review facade and building improvements annually for a period of five (5) years to ensure that the approved designs remain intact.

VI. Application Review Process

All applications submitted will be sent to Southeast Nebraska Development District (SEND), to ensure prospective projects comply with federal, state and local program guidelines. The City Attorney will confirm property ownership (verified by written confirmation from the Richardson County Register of Deeds under a deed search), property taxes are paid and current, property hazard insurance is paid and current, existing liens on property and confirm zoning compliance. Only applications which meet CDBG requirements and whose ownership is confirmed by the attorney will be scored by the DTR Committee as described below.

Applications which have been reviewed and scored will be referred to the City Council for award at the subsequent City Council meeting. Any additional materials requested from the business owner in order to determine eligibility and compliance must be provided prior to referring the project to the Falls City - City Council for award of funds. Application review and scoring will occur on a rolling basis and the Council will continue to issue awards until CDBG funds are fully allocated.

VII. Scoring Criteria

Scoring criteria will include project eligibility, application completeness, conformance with priority improvements and non-priority improvements, conformance with Design Guidelines and clear and complete project summary and/or drawings. Each application will be considered solely on its merits, without regard to age, color, creed, marital status, national origin, political party affiliation, race or gender of the applicant(s).

Formal Notification of Selection and Non-Selection

In conjunction with SEND, the City will notify applicants in writing of either approval or rejection upon determination by the City Council. After formal approval and completion of all necessary documents, the CDBG Administrator will issue a Notice to Proceed to the applicant.

VIII. Supporting Data

Application Documentation Checklist

The following information shall be submitted with the application:

Facade:

- Provide a drawing of propose changes
- Submit two (2) detailed written estimates from contractors of your choosing
- Submit color photos of existing facade on all exposed sides
- Timeline for the proposed improvements

Paint (only applicable with other improvements):

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- Provide samples of the colors chosen
- Indicate which color will be used as primary and which colors will be used for accents
- Indicate where each color will be used
- Submit two (2) detailed written estimates from contractors of your choosing
- Submit color photos of area to be painted on all exposed sides
- Timeline for the proposed improvements

Windows:

- Provide details on windows to be replaced
- Provide details on replacement windows
- Submit two (2) detailed written estimates from contractors of your choice
- Submit color photos of existing facade on all exposed sides
- Timeline for the proposed improvements

Roof:

- Provide details on the type of roof being replaced
- Provide details on the roofing materials that will be used
- Submit two (2) detailed written estimates from contractors of your choice
- Submit color photos of roof from street level (if visible) and damaged area requiring replacement
- Timeline for the proposed improvements

Sidewalk:

- Provide details on the sidewalk to be replaced
- Submit two (2) detailed written estimates from contractors of your choice
- Submit color photo of all existing sidewalks
- Timeline for the proposed improvements.

Structural/Exterior Building Repairs or Alterations:

- Provide details of the components to be repaired or replaced
- Note where these components are located
- Provide details on the condition of the existing components
- Submit two (2) detailed written estimates from contractors of your choice
- Submit color photos of the components being worked on all exposed sides
- Timeline for the proposed improvements

All:

- Submit signed Hold Harmless Agreement
- If applying as an individual or sole proprietor, submit a signed Attestation of U.S. Citizenship
- If applying as a business owner or tenant, provide written authorization from the property owner for the improvements
- Submit a copy of City building permit, if applicable

Conflict of Interest

No member of the governing body of the City of Falls City and no other official, employee or agent of those organizations who exercises policy, decision-making functions or responsibilities in connection with the planning and implementation of this program shall:

- Be directly or indirectly eligible for this Program;
- Accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreement;
- Obtain a financial interest or benefit from a Program activity;
- Have an interest in any contract, subcontractor agreement for themselves or for persons with business or family ties.

Grievance Procedure

Complaints concerning the Downtown Revitalization Program shall be in writing and addressed to the DTR Committee. A written response will be made within 15 working days. If the project is not satisfied, complaints may be filed with the City Council. The City Council shall meet, as soon as practicable, to review all factors in the complaint for a determination and solution.

Compliance Policies

The applicant shall be required to sign a Certification of Assurances, a sample of which is attached (Attachment C) to comply with the requirements of this plan and (as applicable) shall comply with:

1. The Civil Rights Act of 1964 (PL 88-352) and Title VII of the Civil Rights Act of 1968 (PO 90-284);
2. Housing and Community Development Act of 1974, as amended;
3. Age Discrimination Act of 1975;
4. Section 504 of the Rehabilitation Act of 1973;
5. Davis-Bacon Act, as amended (40 U.S.C 276a-276a-5), where applicable under Section 110 of the Housing and Community Development Act of 1974 as amended;
6. Fair Labor Standards Act of 1938, as amended, (29 U.S.C., 102 et, seq);
7. Preservation of Historical and Archaeological Data Act of 1974 (PL, 93-291);
8. National Historic Preservation Act of 1966, Section 106 (PL 89-665);

9. National Environmental Policy Act of 1969;
10. Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1979, Title II and Title III;
11. Nebraska Community Development Law, Section 18-2101 to 18-2144, Revised Statutes of Nebraska, 1943

The City and the CDBG Administrator, Southeast Nebraska Development District (SENDD), shall comply with the following requirements (as applicable):

1. U.S. Office of Management and Budget Circular A-87, “Cost Principles for State and Local Governments”;
2. U.S. Office of Management and Budget Circular A-102, “Uniform Administrative Requirements for Grants-in-Aid to States and Local Governments”;
3. Acquisition of Property for Publicly Financed Projects, Sections 76-1201 to 76-1213, Nebraska Statutes Revised, 1943, as amended;
4. Community Development Law, Sections 18-2101 to 18-2144, Nebraska Statutes Revised, 1943, as amended;
5. Public Meetings Law, Sections 18-1401 to 18-1407, Nebraska Statutes Revised, 1943, as amended;
6. The Hatch Act of 1938, as amended;
7. Certification of Assurances (**Appendix B**); and

It is expressly understood that all applicable local, state and federal laws, rules, regulations and any other requirements applicable to this Downtown Revitalization Program are hereby incorporated by reference and hereinafter apply to all applicable parties to the extent provided by law.

IX. Abbreviations and Definitions of Terms

CDBG – Community Development Block Grant – A federal program that provides funding for community and economic development projects to encourage additional federal, state and private resources. Communities receiving CDBG funds use those grants to provide safe and sanitary housing, a suitable living environment and expanded economic opportunities. The Nebraska Department of Economic Development (DED) administers the CDBG program for most of the state. Due to population size, some cities in Nebraska are the administrators of the CDBG program in their communities. DED receives federal funds for CDBG from the U.S.

Department of Housing and Urban Development (HUD) on an annual basis. Communities can apply to use those funds for the planning and construction of projects that:

- Benefit low and moderate income persons
- Prevent or eliminate slum and blight conditions
- Solve catastrophic health and safety threats

Davis-Bacon Wage Determination – A wage determination is the listing of wage rates and fringe benefit rates for each classification of laborers and mechanics which the Administrator of the Wage and Hour Division of the U.S. Department of Labor has determined to be prevailing in a given area for a particular type of construction (e.g., building, heavy, highway or residential).

The Wage and Hour Division issues two types of wage determinations: general determinations, also known as area determinations and project determinations. The term wage determination is defined as including not only the original decision but any subsequent decisions modifying, superseding, correcting or otherwise changing the rates and scope of the original decision.

In accordance with the provisions of 29 CFR Part 1 and Part 5, the wage rates and fringe benefits in the applicable Davis-Bacon wage determination shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

DED – Department of Economic Development – is the U.S. State of Nebraska agency responsible for economic development in the state. Created by the Nebraska State Legislature in 1967, the department's emphasis is growing and diversifying the state's economic base by fostering new investment and commercial spending throughout the state.

DTR – Downtown Revitalization

E-Verify – E-Verify is a web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States. E-Verify employers verify the identity and employment eligibility of newly hired employees by electronically matching information provided by employees on the Form I-9, Employment Eligibility Verification, against records available to the Social Security Administration (SSA) and the Department of Homeland Security (DHS).

E-Verify is a voluntary program. However, employers with federal contracts or subcontracts that contain the Federal Acquisition Regulation (FAR) E-Verify clause are required to enroll in E-Verify as a condition of federal contracting. Employers may also be required to participate in E-Verify if their states have legislation mandating the use of E-Verify, such as a condition of business licensing. Finally, in some instances employers may be required to participate in E-Verify as a result of a legal ruling.

E-Verify, which is available in all 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands and Commonwealth of Northern Mariana Islands, is currently the best means available to electronically confirm employment eligibility.

Facade – shall mean the exterior wall of a building exposed to public view from the building’s exterior. This will typically include a visual impact with items such as awnings, windows and signage.

Restoration – is the preferred treatment for building facades and improvements. Restoration is most applicable to buildings where there has been very little change to the building over time. This results in the return of the building to its original appearance through the use of authentic materials and replication of missing or deteriorated components.

Replacement – appropriate improvements when the majority of the original façade or building is missing or has been significantly altered so as to make restoration or renovation impractical. Designs should select materials, dimensions and architectural details that are similar or compatible to surrounding buildings such as height, size and spacing, materials and colors.

SAM – System for Award Management – the System for Award Management (SAM) is an official website of the U.S. government. There is no cost to use SAM. You can use this site at not cost to:

- Register to do business with the U.S. government
- Update or renew your entity registration
- Check status of an entity registration
- Search for entity registration and exclusion records

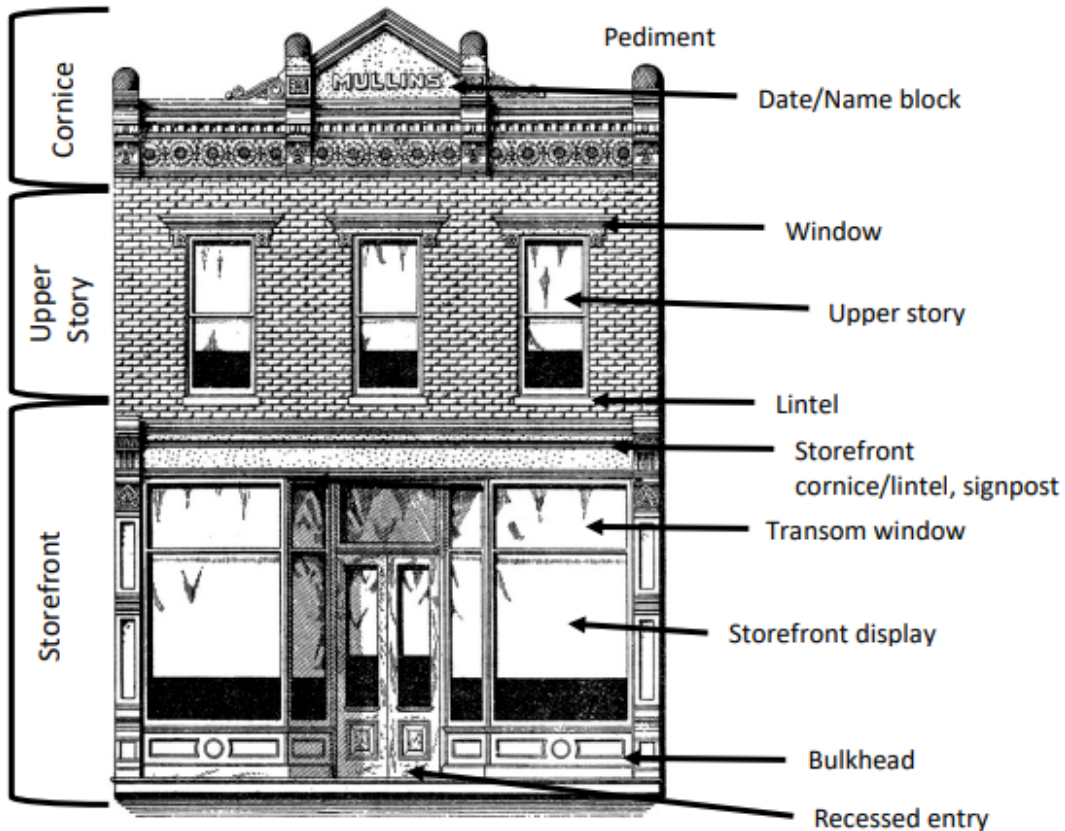
SEND – Southeast Nebraska Development District – is a voluntary association of counties and municipalities formed under the Nebraska Interlocal Cooperation Act to identify common problems, their solutions and to provide continuing support for efficient and effective government among its members. Website: www.sendd.org

SEND Membership includes the Counties (and their participating communities) of: Fillmore, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Polk, Richardson, Saline, Saunders, Seward, Thayer and York.

SHPO – State Historic Preservation Office

Tier II Environmental Review – is the examination of a project relative to the National Environmental Policy Act of 1969 (NEPA) and its related laws. NEPA was established to ensure environmental protection for government funded projects.

X. Commercial Building Design Features and Definitions



Bulkhead – Located between sidewalk and storefront window, the bulkhead raises the display area for better viewing and provides a base that can withstand pedestrian traffic for the storefront windows. Bulkheads were often constructed of wood. Because bulkheads are vulnerable to weather and damage, many have been replaced with more durable materials like tile, stone and brick.

Cornice – The cornice tops the main facade of a building. This feature is typically made of decorative formed metal or patterns of brick, sometimes terra cotta or stone in larger commercial buildings in urban areas.

Date/Name Block – The date block and sometimes a name block can be found within the design of the cornice or below the cornice on the upper part of the facade. It contains the date the building was built and/or name of the original building owner(s).

Facade – The main or front exterior face(s) of a building.

Lintel – Horizontal piece located at the bottom of a window, door or other opening.

Sign Panel – Located above the storefront, this space for signage was traditionally defined with a brick frame.

Storefront Cornice/Lintel – Not as elaborate as the cornice atop the building, it's used to cap the top of the storefront opening. Also serves as a structural element carrying the weight of the upper facade wall.

Storefront Display Windows – Originally used to bring natural light into the building, they provide an excellent opportunity for product and merchandise displays.

Transom Windows – Window area directly above display windows. Filter light back into narrow traditional commercial buildings, illuminating the interior.

Window Hood/Lintel – Decorative piece located at the top of a window, door or other opening.

CITY OF FALLS CITY, NEBRASKA

RESOLUTION NO. _____

Whereas, Falls City Economic Development and Growth Enterprise, Inc. commissioned a Blight and Substandard Determination Study with several addendums,

Whereas, the City of Falls City, Nebraska, City Council held public hearings and took action to declare areas of the City of Falls City as blighted and substandard on October 16, 2009, October 17, 2011, September 10, 2012 and May 18, 2020 as described in the attached map (Attachment A),

Whereas, the City of Falls City, Nebraska had some significant improvements and investments in these areas it is not enough to fully eliminate blight and substandard conditions as outlined in the Community Development law,

Whereas the City of Falls City, Nebraska, City Council believes these areas still meet the criteria set forth in Nebraska Community Development Law and is now re-designating the same areas as blighted and substandard;

Now, therefore, be it resolved:

The Mayor and City Council of the City of Falls City, Nebraska hereby re-designate these area as blighted and substandard.

Passed and approved on this 16 of November, 2020.



Chairman



City Clerk

ATTACHMENT A

Redevelopment Areas of the City of Falls City:

Area #1

- Strauss Addition
- East/West Plaza Additions
- Merz Wilhelm Addition
- Bared Addition
- Moorehead Stebbins Addition – Blocks 3 & 4
- Miles Addition – West half of Block 1
- Crook Towle Addition – Block 8
- Steele Addition
 - o Blocks 1-4 (properties fronting on or adjacent Twenty-First Street only)
 - o West half of Blocks 5, 12, 21 & 28
 - o East half of Blocks 6, 11 & 27
 - o All of Blocks 22-24
- Morgan Place
 - o Blocks 5 & 6
 - o Eastview Apartments (building fronting on Twenty-First Street only)
- Burton Huber Addition
- Midland Villa Addition (Care Center)
- Original Town
 - o Blocks 25-28, 37-43, 57-60, 69-72, 90-92, 100-103, 122-124, 133-134, 155-156, 165-166, 187-188, 197-198, 217-220 & 229-232
 - o West half of Block 5
 - o East half of Blocks 6, 167, 186 & 199
 - o Blocks 97-99 & 125-128 (properties fronting on or adjacent Fourteenth Street only)
- Vacant land bordered to the east by Highway 73, to the south by the Falls City Corporate Limits and to the north by Original Town Blocks 230-232
- Weaver Addition – North half of Blocks 1-4
- Kreifels Addition – Lots 6 & 8
- Schlereth Addition – Block 1
- Clarke Whitten Additon
- Tracts of land within the Industrial Park and railroad corridor, in southeast Falls City
- All other vacant land within the identified area

Area #2

- Lots 1 & 2 of a Replat of Nelson Merz Subdivision to the City of Falls City, Richardson County, Nebraska, located in NE1/4 of Section 3, Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska
- A tract of land located in the SE1/4 of Section 15, Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska, more particularly described as follows: Referring to

the Southeast corner of Section 15, Township 1 North, Range 16 East of the 6th P.M., thence N 89°42'03"W (assumed bearing) a distance of 660.00 feet; thence North a distance of 872.61 feet; thence N 89°42'03"W a distance 392.00 feet to the point of beginning, thence continuing N 89°42'03"W a distance of 214.84 feet to a point on the Easterly R.O.W. line of Nebraska State Highway 73; thence Northwesterly on a 3,779.71 foot radius curve to the right a distance of 760.71 feet; thence N 09°35'34"W a distance of 314.15 feet to a point on the Southerly R.O.W. line of the C. B. & Q. and Missouri Pacific Railroads; thence S 61°58'12"E along said R.O.W. line a distance of 806.50 feet; thence south a distance of 392.29 feet; thence S 72°47'57"W a distance of 232.40 feet; thence S 17°12'03"E a distance of 186 feet to the point of beginning, EXCEPT any portions thereof heretofore deeded to the State of Nebraska for highway purposes.

- Beginning a point in the West line of Fulton Street, 1188.5 feet South and 33 feet West of the Northeast corner of the SE1/4 of Section 15, Township 1 North, Range 16, said point being in the South margin of the C.B. & Q. Railroad right-of-way and 150 feet distant, measured at right angles from the center line of the original main line of the C. B. & Q. Railroad and using the East line of the SE1/4 of Section 15, Township 1 North, Range 16 as the true North and South direction; thence North 74°47' West parallel with the original main line of the C. B. & Q. Railroad, a distance of 288 feet; thence South 27°53' West at right angles to the main line of the Missouri Pacific Railroad, a distance of 58.5 feet to the North line of the Missouri Pacific right-of-way; thence running South 62°07' East, parallel with the main line of the Missouri Pacific Railroad, a distance of 345.1 feet to a point of 33 feet West of the East line of the SE1/4; thence 194.1 feet North of the center line of the main line of the Missouri Pacific Railroad; thence North 136.5 feet to place of beginning, located in the E1/2 E1/2 SE1/4 of Section 15, Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska
- Part of the Southeast quarter of Section 15, Township 1 North, Range 16 east of the 6th P.M., Richardson County, Nebraska, more particularly described as follows:
- Tract No. 1 commencing at the Southeast corner of the Southeast ¼ of Section 15, Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska, thence North 89 degrees 43' 37" West 660.02 feet along the South line of said Southeast ¼ to the true point of beginning, thence continuing North 89 degrees 43' 37" West 111.20 feet along said South line to the East right of way line of U.S. Highway 73, thence North 29 degrees 56' 47" West 839.44 feet along said right of way line to the PC of the curve to the right, thence following said curve to the right having a radius of 3,779.71 feet and an arc length of 166.30 feet and a chord bearing North 27 degrees 25' 32" West 166.29 feet, thence South 89 degrees 43' 37" East 383.04 feet, thence South 51 degrees 07' 03" East 226.13 feet to an existing fence corner post, thence north 72 degrees 58' 03" East 49.96 feet along an existing fence line, thence at an assumed bearing of South 00 degrees 00' 00" East 746.36 feet along a line parallel to the East line of said Southeast ¼ to the point and place of beginning
- Tract No. 2 commencing at the Southeast corner of the Southeast ¼ of Section 15, Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska, thence North 89 degrees 43' 37" West 660.02 feet along the South line of said Southeast 1/4, thence North 00 degrees 00' 00" East 746.36 feet along a line parallel to the East line of said Southeast ¼ to a point on an existing fence line, thence north 72 degrees 58' 03" East 237.03 feet along said fence line to a corner post; thence North 16 degrees 33' 06" West 566.69 feet along said fence line to the South right of way line of the Missouri-

Pacific Railroad; thence south 61 degrees 58' 25" East 673.84 feet along said right of way line to the East line of said Southeast ¼; thence at an assumed bearing of South 00 degrees 00' 00" East 1,045.53 feet along said East line to the point and place of beginning

- Tract No. 3 commencing at the Southeast Corner of the Southeast One-Quarter (SE1/4) of Section 15, Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska; thence North 89 degrees 43' 37" West (assumed bearing), 660.02 feet along the South line of said SE1/4; thence North 00 degrees 00' 00" East, 746.36 feet to the true point of beginning, said point being on an existing fence line; thence South 72 degrees 58' 03" West along said fence line, 49.96 feet to a corner post; thence North 51 degrees 07' 03" West, 226.13 feet; thence North 89 degrees 43' 37" West 168.14 feet; thence North 17 degrees 12' 03" West, 186.19 feet; thence North 72 degrees 47' 57" East, 232.40 feet; thence North 00 degrees 00' 00" East, 392.41 feet to intersect the Southerly right-of-way line of the Missouri-Pacific Railroad; thence South 61 degrees 58' 25" East, 328.73 feet along said Southerly right-of-way; thence South 16 degrees 33' 06" East, 566.69 feet along an existing fence line to a corner post; thence South 72 degrees 58' 03" West, 237.03 feet along said fence line to the point and place of beginning
- Tract 3-A commencing at the Southeast corner of the Southeast Quarter of Section 15, Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska; thence North 89 degrees 43' 37" West (assumed bearing), 660.02 feet along the South line of said Southeast Quarter; thence North 00 degrees 00' 00" East, 746.36 feet to a point on an existing fence line; thence South 72 degrees 58' 03" West along said fence line, 49.96 feet to a corner post; thence North 51 degrees 07' 03" West 226.13 feet to the true point of beginning; thence North 59 degrees 43' 37" West 168.14 feet; thence North 17 degrees 12' 03" West, 186.19 feet; thence North 72 degrees 47' 57" East 64.78 feet; thence South 16 degrees 51' 13" East 93.65 feet; thence South 51 degrees 07' 03" East, 172.36 feet to the point and place of beginning
- Tract 3-B commencing at the Southeast corner of the Southeast Quarter of Section 15 Township 1 North, Range 16 East of the 6th P.M., Richardson County, Nebraska; thence North 89 degrees 43' 37" West (assumed bearing), 660.02 feet along the South line of said Southeast Quarter; thence north 00 degrees 00' 00" East, 746.36 feet to a point on an existing fence line; thence south 72 degrees 58' 03" West along said fence line, 49.96 feet to a corner post, thence North 51 degrees 07' 03" West, 226.13 feet; thence North 89 degrees 43' 37" West 168.14 feet; thence North 17 degrees 12' 03" West, 189.19 feet, thence North 72 degrees 47' 57" East, 232.40 feet; thence North 00 degrees 00' 00" East, 3.00 feet to the true point of beginning; thence continuing North 00 degrees 00' 00" East, 389.41 feet to intersect the Southerly right-of-way of the Missouri-Pacific Railroad; thence South 61 degrees 58' 25" East, 8.51 feet along said southerly right-of-way; thence South 00 degrees 00' 00" East, 193.72 feet; thence South 15 degrees 51' 15" East, 180.76 feet; thence South 72 degrees 37' 26" West, 59.62 feet to the point and place of beginning

Area #3

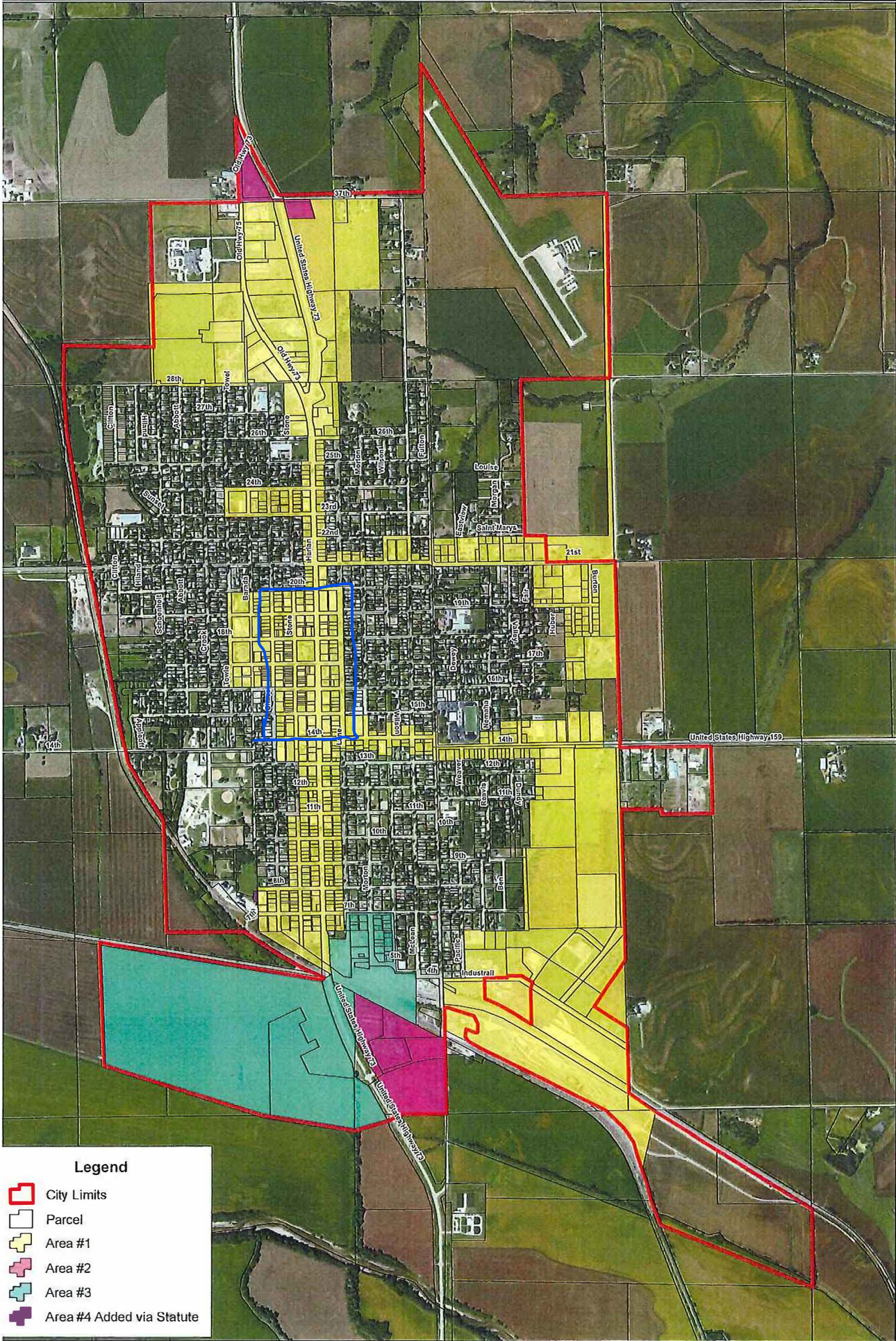
- Point of beginning is the intersection of the centerlines of E. 7th Street and Lane Street; thence Easterly along said centerline of E. 7th Street to the intersection of the centerline of E. 7th Street and Wilson Street; thence Southerly along said centerline of Wilson

Street to the intersection of the centerlines of Wilson Street and E. 4th Street; thence, Easterly along said centerline of E. 4th Street to the intersection of the centerlines of E. 4th Street and McLean Street; thence Southerly along the centerline of McLean Street and the extension of said centerline of McLean Street to the intersection of said centerline extension of McLean Street and the Southernly right-of-way line of the Union Pacific Railroad mainline; thence Northwesterly along said Southerly right-of-way line to the intersection of said right-of-way line and the East line of the W1/2 of the SE1/4 Section 15, Township 1N, Range 16 East of the 6th P.M., Richardson County, Nebraska; thence Southerly along said East line of the W1/2 of the SE1/4 of Section 15 to the intersection of said line with the South right-of-way line of US Highway 73; thence Easterly along a line 226.41 feet S 69°14'19" E; thence Southeasterly along a line 551.83 feet S 33°11'42" E; thence Southerly along a line 26.00 feet S 22°06'56" E; thence Southwesterly along a line 512.43 feet S 72°19'55" W; thence Northwesterly along a line 1344.45 feet N 82 °45'39" W; thence 2380.40 feet N 74°44'49" W; thence along a line 1764.54 feet N 04°13'38" W; thence along a line (South right-of-way line of BNSF Railroad) 2329.59 feet S 82°25'27" E; thence extending said line to the intersection of said line with the centerline of US Highway 73; thence Northwesterly along said centerline to the extension of the South block line of Block 229 Original Town; thence Easterly along the South block line of said Block 229 to the intersection of the extension of said South block line and the centerline of Lane Street; thence Northerly along said centerline of Lane Street to the point of beginning

Area #4

- Lot 3, TZ Addition, Falls City, Richardson County, Nebraska and Lot 1C, Chelsea Addition, Falls City Richardson County, Nebraska

 = Project Area

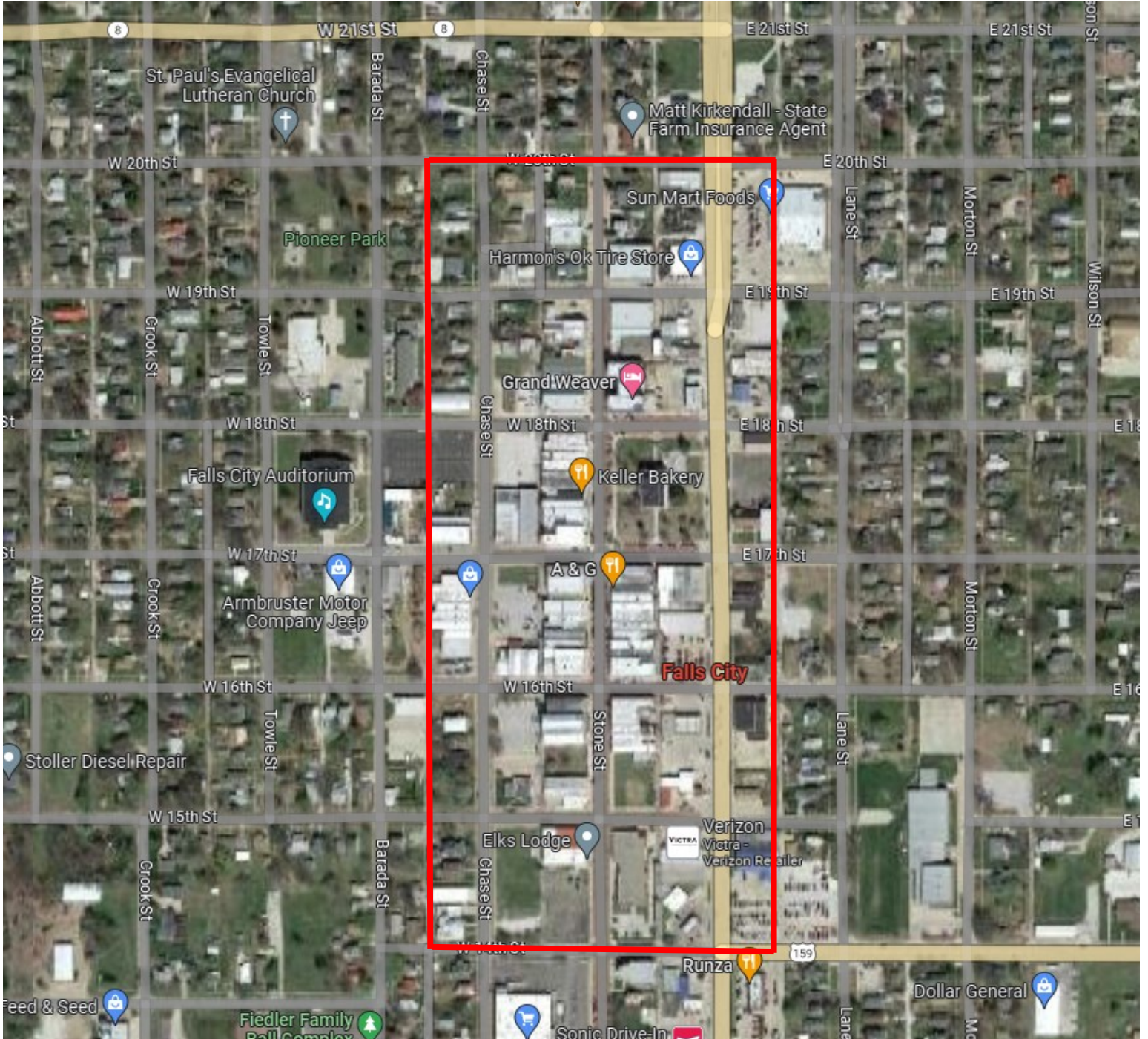


Source: World Imagery (Clarity), ESRI
Parcel data, GIS Workshop

Redevelopment Areas Falls City, Nebraska



Falls City DTR Phase III Project Area Boundaries





DOWNTOWN REVITALIZATION (DTR) APPLICATION

PART I: APPLICANT INFORMATION

Applicant Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Email Address: _____ Phone: (_____) _____ - _____

Legal Name of Business or Entity*: _____

**Name used to register business with the State of Nebraska*

Business Address: _____ City: _____ State: _____ Zip: _____

PART II: PROJECT INFORMATION

Eligible Property Address: _____

Total Square Footage: _____ Commercial Square Footage: _____

Residential Square Footage: _____ Other: _____

PART III: OWNERSHIP INFORMATION

OWN LEASE

IF LEASE

Name of Property Owner: _____

Email Address: _____ Phone: (_____) _____ - _____

Beginning Date of Lease: _____ Termination Date of Lease: _____

Note: A copy of the applicant's current lease and a letter from the property owner authorizing the application and rehabilitation activities must be submitted with the Application Form.

PART IV: ELIGIBLE ACTIVITIES

Proposed project activities (please mark all that apply):

- Preparation of Structural Engineering
- Preparation of Architectural Plans
- Preparation of Engineering Specifications
- Building Code Compliance
- Removal of Nonconforming Items/Materials
- Sign/Awning Repair or Replacement
- Brick/Exterior Repair or Restoration
- Window/Door Repair or Replacement
- Other Facade Improvements (please explain)
- Other Improvements (please explain)

Explanation:

PART V: FINANCIAL

Estimated total project cost: \$ _____

Revitalization Grant Funds* (up to 75% of Total Project Costs): _____

Matching Funds provided (at least 25 % of Total Project Costs): _____

*Revitalization funds provided by the Nebraska Department of Economic Development Community Development Block Grant (CDBG) Program.

Sources of Matching Funds (please mark all that apply):

- Cash on hand in checking, savings, or other
- Bank loan
- Private loan or gift
- Other (please explain) _____

PART VI: AGREEMENT & SIGNATURE

Certification of Assurances

To the best of my knowledge and belief, as a condition of obtaining assistance through the Falls City DTR Program, the applicant will, if assistance is approved, comply with all Federal and State requirements and code, including the following:

- A. The Civil Rights Act of 1964 (PL 88-352) and Title VII of the Civil Rights Act of 1968 (PO 90- 284);
- B. Housing and Community Development Act of 1974, as amended;
- C. Age Discrimination Act of 1975;
- D. Section 504 of the Rehabilitation Act of 1973;
- E. Davis Bacon Act, as amended (40 U.S.C 276a-276a-5), where applicable under Section 110 of the Housing and Community Development Act of 1974 as amended;
- F. Fair Labor Standards Act of 1938, as amended, (29 U.S.C., 102 et, seq);
- G. Preservation of Historical and Archaeological Data Act of 1974 (PL, 93-291);
- H. National Historic Preservation Act of 1966, Section 106 (PL 89-665);
- I. National Environmental Policy Act of 1969;
- J. Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1979, Title II and Title III;
- K. Nebraska Community Development Law, Section 18-2101 to 18-2144, Revised Statutes of Nebraska, 1943.

THE UNDERSIGNED, in applying for financial assistance from the City of Falls City Downtown Revitalization Program:

- 1) Agrees that prior to receiving an award, he or she shall comply with all federal, state, and local laws to the extent that such are applicable;
- 2) Attests that he or she is currently in good standing with the City or will return to good standing before any release of funds; and,
- 3) Acknowledges and agrees to enter into or execute any additional documents required by the City, the Nebraska Department of Economic Development, or the United States Department of Housing and Urban Development.

Address: _____ City: _____ State: _____ Zip: _____

Signature: _____

Printed Name and Title: _____

Date: _____

Release and Hold Harmless Agreement

Release executed on this _____ day of _____, _____.

By (Property Owner) _____ and

(Business Owner if applicable) _____, of

(Street Address) _____, City of Falls City, State of Nebraska, referred to as Releaser(s).

- In consideration of being granted monies for restoration, modifications, or other physical changes to property located at the above address, the Releaser(s), understands that they are solely responsible for providing their own contractors, paying their contractors, to assure that those contractors are fully insured and (where required) licensed, and have obtained all necessary permits in accordance with all pertinent regulations.
- The Releaser(s) waives, releases, discharges, and agrees to indemnify the City of Falls City (or entities under the City’s umbrella) for loss or damage, and claims or damages therefore, on account of any work that has been performed in accordance with City or State guidelines.
- Releaser(s) agree that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of Nebraska and that if any portion of the agreement is held invalid, it is agreed that the balance, shall; notwithstanding, continue in full legal force and effect
- Releaser(s)’s obligation and duties hereunder shall in no manner be limited or restricted by maintaining any insurance coverage related to the above referenced event.
- This release contains the entire agreement between the parties to this agreement and the terms of this release are contractual and not a mere recital.

Signature of Property Owner: _____

Printed Name and Title: _____

Date: _____

If Applicable:

Signature of Business Owner: _____

Printed Name and Title: _____

Date: _____

Application Documentation Checklist

Applicants need to complete all of the items below in order for their application to be considered:

- Project contains activities from the list of eligible improvements (page 2)
- Have financing available to pay for 100% of the cost up front (i.e. traditional financing) and can commit to paying at least 25% in match
- Project is located in the designated area
- At least two (2) bids from contractors are included
- Contractors were made aware of Davis-Bacon wage requirements prior to completing the estimate
- Architectural or engineering costs are covered
- The State Historic Preservation Office (SHPO) has been consulted regarding project details prior to submission and historical requirements are understood
- Photos showing all relevant projects are included
- Preliminary design sketches and work descriptions are included
- If code is included, a building inspection report is signed off and included
- All sections of the application have been completed to the best of your knowledge

Applicants need to complete “All” and any relevant section(s) below in order for their application to be considered:

All:

- Signed Hold Harmless Agreement
- If applying as an individual or sole proprietor, signed Attestation of U.S. Citizenship
- If applying as a business owner or tenant, provide written authorization from the property owner for the improvements
- Copy of City building permit, if applicable
- Timeline for proposed improvements
- Description of proposed improvements
- Justification for improvements

Facade:

- Drawing of proposed changes
- Two (2) detailed written estimates from contractors of your choosing
- Color photos of existing facade on all exposed sides

Paint (not a stand alone eligible improvement):

- Samples of the colors chosen
- Indicate which color will be used as primary and which colors will be used for accents
- Indicate where each color will be used
- Two (2) detailed written estimates from contractors of your choosing
- Detailed color photos of area to be painted on all exposed sides

Windows:

- Details on windows to be replaced, including configurations, materials, and colors
- Provide details on replacement windows, including configurations, materials, and colors
- Two (2) detailed written estimates from contractors of your choice
- Color photos of existing facade on all exposed sides

Sidewalk:

- Details on the sidewalk to be replaced
- Details on if the existing sidewalk is hollow
- Two (2) detailed written estimates from contractors of your choice
- Submit color photo of the existing sidewalk

Roof:

- Details on the type of roof being replaced
- Details on the roofing materials that will be used
- Two (2) detailed written estimates from contractors of your choice
- Color photos of roof from street level (if visible) and damaged area requiring replacement

Structural/Exterior Building Repairs or Alterations:

- Details of the components to be repaired or replaced
- Note where these components are located
- Details on the condition of the existing components
- Two (2) detailed written estimates from contractors of your choice
- Color photos of the components being worked on all exposed sides