

City of Amsterdam Downtown Improvement Fund Program Guidelines for Applicants

General Information

In the 2019 Downtown Revitalization Initiative (DRI) the City of Amsterdam was awarded funding, provided on behalf of Homes and Community Renewal (HCR) and the Housing Trust Fund Corporation (HTFC) of New York State, to establish a Downtown Improvement Fund (DIF).

Purpose

The Downtown Improvement Fund will establish a matching grant fund for interior and exterior building improvements within the DRI boundary to stimulate property upgrades and investments. The grant program will promote projects that include mixed-uses, create jobs, adhere to the newly adopted Form Based Code, and advance community revitalization goals.

The DIF has been developed to provide resources to stimulate investment and economic development through projects that align with the greater DRI Strategic Plan. This flexible funding mechanism enables property and business owners to make major renovations, restorations, and improvements to existing retail and commercial properties Downtown. It strives to improve the cohesive appearance and vitality of downtown through façade and signage improvements. Ultimately, a population of people downtown will help foster the revitalization of downtown through increased spending that will come from increased visitation around downtown businesses.

All assistance provided by the DIF will be in the form of reimbursable grants.

Target Area

All properties eligible for DIF funding must be located within the defined DRI boundary.



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Project Goals

- Improvements to the existing downtown environment
- Increasing the spending and visitation at downtown businesses
- Support business stabilization, growth, and public awareness
- Promote Amsterdam's downtown as a business, arts, and tourism district

Public Outreach

To ensure the success of the DIF, the City of Amsterdam will conduct outreach to the public, in order to make property and business owners aware of the availability of financial assistance including:

Program informational materials that describe the funds available, program requirements, and eligible activities. These materials will be distributed to property and business owners in the DRI boundary and will be made available at City Hall and on the City's website.

Press releases and announcements that advertise the program via local newspapers, community organizations, websites, and social media.

Instructions on how to apply for assistance and required application forms will be available at City Hall, 61 Church Street, Amsterdam and on the City's website, www.amsterdamny.gov.

At least one public informational meeting, held at a location within the City of Amsterdam, to present information and answer questions.

Instruction and Applications

Instructions and Applications for the DIF will be available in hard-copy format at City Hall, 61 Church Street, Amsterdam. Digital versions will be posted online on the City website. Materials will also be disbursed during public informational meetings. The Community & Economic Development department will be available during normal business hours to field questions and assist interested applicants.

Eligibility

The City of Amsterdam will offer funding assistance to eligible projects that enhance and strengthen the vibrancy of the Downtown Revitalization Initiative area both physically, socially, and economically.

Eligible Applicants

Eligible applicants include owners of commercial buildings and/or businesses within the DRI boundary. All applicants must be non-delinquent in City tax or utility payments to qualify for

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funding. The property to benefit from funding must be free from outstanding codes violations with the City of Amsterdam and the Montgomery County Health Department, or demonstrate in the application that the property will be in compliance by the end of the project.

Applicants who are eligible to apply for DIF funds may be:

- Individuals
- For-profit entities
- Organizations incorporated under the NYS Not-For-Profit Corporation Law
- Social Organizations and Community Clubs (must be open to the public and not just members in order to be eligible to apply)

Eligible Projects

All project activities that are eligible for DIF assistance must be located within the DRI boundary and must conform to program Design Guidelines and all City of Amsterdam guidelines and regulations.

Applicants may request funding assistance for building renovation activities for building improvements including designs, studies, environmental review, and State Historic Preservation Office (SHPO) review, permits, and approval. Building renovations can also include façade improvements and signage. Eligible activities also include handicap accessibility improvements, and renovations to address energy efficiency and green-building measures. Costs incurred for work on buildings that eventually prove infeasible and do not receive other investments will not be reimbursed with DIF funds. Therefore, reimbursements for soft costs may not be requested as part of a partial reimbursement prior to project completion.

Soft Costs:

- Eligible soft costs include Architecture, Engineering, and Environmental Testing expenses.
- Soft costs require matching funds, and in-kind match is not eligible.
- Soft costs incurred for work on buildings that eventually prove infeasible and do not receive other investments will not be reimbursed with DRI funds. Therefore, reimbursements for soft costs may not be requested as part of a partial payment prior to project completion.

All appropriate permits and approvals, site-specific environmental review, and SHPO review, as required for work on all building projects, must be complete for eligible activities prior to the start of a building renovation project.

Ineligible Projects

Ineligible projects for funding by the DIF include but are not limited to:

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- Acquisition costs (can be used as match if documentation of bank appraisal and actual payments, not mortgage or loan, are reviewed and deemed acceptable);
- New construction (including in-fill buildings) without a building renovation component;
- Demolition of an entire structure;
- Improvements to structures owned by religious or private membership-based organizations;
- Improvements to municipally owned and municipally operated buildings;
- Furnishings, appliances, electronics, tools, disposable supplies, business equipment, and non-permanent fixtures;
- Purchase of sales inventory;
- Projects that are inconsistent with the objectives and priorities of the City of Amsterdam's DRI Strategic Investment Plan.

Funds may not be used for site work or ancillary activities on a property including but not limited to: septic systems/laterals, grading, parking lots, sidewalks, patios, decks, garages, sheds, landscaping, fences, free standing signs, general maintenance or repairs.

Financing Structure

Program Funds Overview

The City of Amsterdam will make grants available for eligible projects. Grant funds will be awarded based on project alignment with the goals of the DRI Strategic Investment Plan (available on New York State's website at

https://www.ny.gov/sites/ny.gov/files/atoms/files/Amsterdam_DRI_Plan.pdf), funding needs, and the City's underwriting criteria. A Participant Grant Agreement will be executed between the City of Amsterdam and the Recipient that includes the terms, period and conditions.

The Strategic Investment Plan lists the DRI goals as follows:

Goal: Waterfront Redevelopment: Redevelop the Mohawk River and Chuctanunda Creek as assets and leverage existing historic and cultural resources.

- Strategy: Capitalize on the Mohawk River as an asset, leveraging the history, geography and culture of the City.
- Strategy: Connect all the trail systems, north and south of the river to create a continuous experience.
- Strategy: Establish thoughtful and direct links to the waterfront to fully profit from assets and create meaningful pedestrian experiences.

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Goal: Vibrant Placemaking: Enhance public spaces for arts, cultural, and recreational activities that serve the local community, and draw in visitors from around the region and create a strong sense of place.

- Strategy: Establish Main Street and Bridge Street as the primary corridors that define the character and identity of Amsterdam.
- Strategy: Create places that excite people and reinforce a sense of pride and progress.
- Strategy: Create a cohesive and unified character and brand for downtown Amsterdam.

Goal: Year-Round Access: Develop key components including transportation, housing, recreation, education, employment, and community facilities to work as one.

- Strategy: Leverage the geographic beauty of Amsterdam’s waterfront to establish a large event space, creating a unique regional destination.
- Strategy: Increase activities and visitation to the downtown by expanding community programming and establishing unique neighborhood anchors that attract locals and regional visitors.
- Strategy: Develop resources to encourage the growth and incubation of new skills and businesses looking to grow in Amsterdam.
- Strategy: Create necessary access to existing and future assets.

Goal: Diverse Mixed-use Core: Create an environment that attracts and fosters economic opportunity for a diverse population and provides a sustainable and diverse range of housing and other uses in the downtown core.

- Strategy: Develop housing diversity by providing a mix of residential dwelling types and sizes that respond to changing housing needs and evolving population trends.
- Strategy: Encourage mixed-use buildings with active local scale retail on the ground floors and housing on upper stories to diversify uses in downtown.
- Strategy: Create distinct destinations that will introduce new activity, attract visitors and extend the amount of time people spend downtown.

Grant funds will be available on a reimbursement basis, in the amounts shown below:

| <u>Project Cost</u> | <u>Grant Amount</u> | <u>Owner’s Equity</u> |
|----------------------------|----------------------------|------------------------------|
| Up to \$50,000 | 50% | 50%* |

* The required equity funds can be provided through cash or proof of paid invoices for building improvements and eligible business purchases that were made within the past 24 months of the date of the executed contract with the City.

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Costs incurred prior to the effective date of the grant agreement are not eligible for reimbursement and not eligible as a match.

The City of Amsterdam may award up to \$50,000 in DRI grant funds, per building, not to exceed 50% of the total building renovation project cost. Building renovation funds may be used to renovate facades, storefronts, and commercial interiors.

If utilizing proof of building or business purchases for match, the following could be acceptable:

- Building Renovations
- Business Equipment (commercial ovens, Point of Sales System, etc....)
- HVAC and plumbing system improvements

Business supplies such as paper, pens, computers, advertising, marketing, etc. are not eligible to use as match.

Match requirements must be realized on a building-by-building basis.

In-kind match is not eligible.

Proof of the paid invoices must be accompanied by at least 2 written quotes for the building improvement or equipment purchase which would demonstrate reasonableness of cost. For building improvements, the paid invoices must be on company letterhead along with proof of purchase either a paid receipt, cleared check copy, or an account statement which shows the withdrawal. Business supplies and operating costs are not an eligible match.

Providing cash equity will yield a larger total project cost, and expedite the administrative review process.

Property owners are responsible for the total cost of the project. Grants will reimburse property owners at the conclusion of the project after all costs are paid. Proof of available financing through cash in bank, secured loan commitments, and/or project lines of credit is required.

Underwriting Criteria for Financing

The City will ensure that applicants and activities that are eligible for the DIF meet the following underwriting criteria:

- Project costs are reasonable (confirm estimates provided from credible source);
- All sources of project financing are committed (letters of commitment);
- The project development team has relevant experience and capacity to complete the project in a timely manner;
- The applicant's City of Amsterdam taxes and fees (taxes, water, sewer, other) are current;

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- No outstanding code violations on any owned properties within the City of Amsterdam for the applicant and property owner, if property owner is different from the applicant.

To ensure that projects meet these underwriting criteria, the following items must be submitted for all applicants for DIF:

- Proof of adequate insurance on the property, with the City listed as additional insured;
- For Tenants completing leasehold improvements, written consent for the proposed project from the property owner;
- Sources and uses budget.

Regulatory Requirements and Repayment Provisions

The applicant will agree to abide by the terms and conditions set forth in the DIF documents.

The applicant will comply with the program Conflict of Interest Policy

The projects will comply with the 5-year regulatory terms and conditions:

| | |
|-----------------------|--------------------|
| Months 0-12: | 100% repayment due |
| Months 13-24: | 80% repayment due |
| Months 25-36: | 60% repayment due |
| Months 37-48: | 40% repayment due |
| Months 49-60: | 20% repayment due |
| Months 60 and beyond: | 0% repayment due |

Regulatory term requires property owners to maintain the property and improvements for the regulatory period. The regulatory period also requires that property and/or business owners own/operate the property or business for the duration of the regulatory period. Repayment of grant funds would be required if projects fall out of compliance with the regulatory terms. The regulatory terms and conditions cannot be transferred during the term.

All projects, upon completion, must fully comply with City of Amsterdam's Zoning Code.

Payment Process

The DIF program operates fully as a reimbursement program and the owner is responsible for paying for all agreed upon improvements and/or renovation expenses. Payment of program grant funds will be made only upon satisfactory completion of the items in the approved scope of work as determined by the City of Amsterdam. Reimbursement of paid invoices will be made by check payable to the grantee.

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The City of Amsterdam Director of Community and Economic Development will review and approve payment requests prior to the submission to New York State. Payments of program funds will be made to grantees or vendors after the City submits the draw requests to and receives funds from the State.

To substantiate work costs, grantees must provide written contracts, bank documents, copies of invoices for materials and labor, cancelled checks, lien releases, and any other documents deemed necessary by the City or required by HTFC to maintain effective internal controls. Cash payments will not be reimbursed.

The City will complete a final inspection of the work prior to paying the reimbursement to the grantee. Completed work must comply with program and City design guidelines, and all applicable building codes and standards.

Application Review and Selection

The City of Amsterdam will use the following project selection criteria and project review and selection process. This process will be used consistently throughout the term of the DRI Grant/Loan program.

City prepared applications for funding will be available January 18, 2023. Applications must be submitted and deemed complete by the City of Amsterdam prior to 3pm on February 16, 2023 to be eligible for funding.

There will be an initial round of request for applications. If there are remaining funds after the initial round, a second round, and so on, will take place until the remaining funds are exhausted or the state contract is expired, whichever comes first.

The DIF applications and instructions will be available at City Hall and on the City's website. The applications will outline program requirements and selection priorities and request all information necessary to fully review each project for eligibility.

The Department of Community & Economic Development staff will review the submitted application for completeness and recommendation to the project selection committee. For incomplete applications, applicants will be notified of application deficiencies and will have the opportunity to address them, within ten (10) business days of notification.

Applications deemed complete will be submitted to the Project Selection Committee (PSC) for review, selection and determination of grant amounts.

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Project Selection Committee (PSC)

The PSC will consist of members of the local municipality with relevant experience with small businesses, downtown development, and building renovations. The PSC shall exist and operate until the DIF funds are extinguished. The members shall include at least one (1) representative from the following departments totaling at least five (5) members; Code Enforcement, Engineering, and Community & Economic Development.

The PSC will review complete applications for eligibility and will rank them for priority items and feasibility based on the criteria listed below; upon selection by the PSC, the application & supporting documentation will be submitted to HTFC for review and approval.

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Project Selection and Review Criteria

Projects will be scored based on the following criteria:

Weights were developed to follow the priorities outlined in the DRI strategic investment plan. The questions that are weighted will have the most significant impact on the Downtown Target Area.

| Scoring Categories | Poor (1) | Good (2) | Excellent (3) | Weighted Score |
|--|-------------|-------------|------------------|-------------------|
| Priority Locations – Weighted x2.5 Project is located within the high priority blocks of the downtown | | | | |
| Shovel Ready – Weighted x2 Applicants have a design and/or detailed scope of the project. Applicants have engaged a professional engineer or architect to help in the design and scope of work. | | | | |
| Economic Contribution (New) – Weighted x2 Project will facilitate new/relocated business development | | | | |
| Downtown Vibrancy – Weighted x2 Project will generate increased economic activity and increase foot traffic/visitor enjoyment | | | | |
| Strategic Investment Plan Goal – Weighted x2 Project will address the goals listed within the DRI Plan | | | | |
| Synergies Project will grow downtown tourism potential and attract outside visitors. Project has potential to develop partnerships with other downtown businesses | | | | |
| Economic Contribution (Existing) Project will facilitate business retention and/or expansion | | | | |
| Rehabilitation Potential Project will rehabilitate the physical appearance of a building façade to conform to the design guidelines | | | | |
| Prominent/Historic Structure Rehabilitation Project will rehabilitate and/or restore the physical appearance of a prominent/historic building façade, especially a structure suffering from blight or deterioration. | | | | |
| Funding Leverage Project will utilize alternative funding such as other grants, in addition to DIF request and private capital, into the proposed project. | | | | |
| Matching Funds Applicant can show they can meet the required 50% match to fully complete the project. I.e.: bank loan, home equity loan, working capital, and capital improvements within the last three (3) years. | | | | |
| Funding Need Applicants can demonstrate the need for funds | | | | |
| Total Score: | | | | |

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Funding Determination

The City will advise applicants on the disposition of an application within 30 business days of approval from HTFC. The City will notify applicants through written letters of the PSC determination, including, if successful, the grant amount and terms. The applicant will have 30 days to execute the Participant Grant Agreement (see below) with the City.

Approved Project Commitment Fee

If a project is awarded funding, the applicant must submit a commitment fee to hold the place within the funding group. The commitment fee shall be a one (1) time fee of \$1,000 (one thousand dollars) that is non-refundable. The commitment fee shall be used to begin the environmental review process.

Any commitment fees which are not utilized for the environmental reviews will contribute to a downtown marketing fund to support business development.

Participant Grant Agreement

The grantee will enter into a Participant Grant Agreement with the City of Amsterdam that includes program requirements, funding amounts and terms, and the contract period. The agreement will outline the roles and responsibilities for both the City and the grantee and will specify the following:

- Agreed upon scope of work;
- Projected amount of financial assistance awarded;
- Estimated project timeline;
- Regulatory term or repayment provisions (repayment only, NO transfer of liens, property maintenance declaration on file);
- Requirement to sign a photo release form permitting the City of Amsterdam and HTFC to use photographs of the assisted business or property;
- Requirement to engage a contractor and begin activities within 30 days of formal approval by the City of Amsterdam;
- Reimbursement structure and timing;
- The City of Amsterdam has the right to inspect work at any time;
- Completion of the project within six (6) months of contract execution with the City.

The City of Amsterdam may terminate the award and cancel the contract should the work or purchases be inconsistent with the program rules outlines, agreed upon scope of work or project design, stated timeline or if insurance is not maintained by the participating contractor.

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Project Development

Environmental Review

Prior to the commitment or expenditure of program funds, the environmental effects of each activity will be assessed in accordance with the State Environmental Quality Review Act (SEQR). The City of Amsterdam will submit all required environmental review paperwork per the requirements outlined in the HTFC Environmental Compliance Handbook. No work can begin until New York State approves the Environmental Review. Applicant assumes the responsibility of the fees associated with the Environmental Review process.

Scope of Work

Once a project application has been formally approved for a DRI Downtown Improvement Fund award, the City will meet with the property owner to develop the formal project scope of work and explain program requirements related to design guidelines, environmental review and hazards, and energy efficiency.

A formal written scope of work or description of the use of funds is required. The scope of work for a participating renovation project **MUST** address the following items:

- Immediate health and safety concerns;
- The correction of existing code violations;
- Environmental hazards;
- Installation of energy conservation measures;
- Accessibility for persons with disabilities;
- Consistency with program design guidelines, and any other local program design guidelines;
- Preservation of historical elements of the building.

Both the City and the property owner will sign off on the formal scope of work.

Procurement

The City will solicit qualified firms to be included on a list of available architectural and construction firms who are interested in the program. This list will be made available to the program applicants in order to assist applicants who might not have the knowledge or skills to design and scope the proposed projects. This list will also identify the NYS registered Minority/Women-Owned Business (MWBEs) who are interested in providing services for the program.

The contractor selection process will be consistent with the developed procurement policy and conflict of interest policy addressed herein.

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There is a **30% utilization goal** for MWBEs for each project.

The list is for information only and interested applicants would need to contract with the firms directly for their services.

The architectural and scoping services could be used for matching funds or qualify to be included as part of the project if at least 2 quotes are collected and costs are deemed reasonable by the City of Amsterdam.

A minimum of two (2) bids or proposals must be obtained for all renovation, administration or professional service activities. The City will review these to establish the reasonableness of project costs. The written scope of work (see above) must be the basis for the bids. All bidders must have equal access to relevant information, including information on the property itself. The bids must be submitted directly to the City by the contractor. The City will advise the property owner of the acceptability of the bids/proposed cost. If the property owner chooses other than the lowest bidder reimbursement will be based on the amount of the lowest bid.

Conflicts of Interest

Perceived or actual conflicts of interest may arise when certain individuals have access to inside information regarding the award of a contract or property assistance. A contractor cannot receive DRI funds for work done on property that he or she owns, or a property that is owned by an immediate family member. Prior to commencing a project where there is a possible conflict of interest, the City will review the eligible work items with HTFC staff.

EEO & MWBE Requirements for All Projects

The City of Amsterdam will comply with Articles 15-A and 17-B of the New York State Executive Law. These requirements include equal employment opportunities for minority group members and women (“EEO”), and contracting opportunities for certified minority and women-owned business enterprises (“MWBEs”) and Service-Disabled Veteran-Owned Businesses (“SDVOBs”). DRI Community’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be part of these requirements. Please visit NYS Empire State Development’s Division of Minority & Women Business Development website for a directory of certified Minority and Women-Owned Businesses. <http://www.esd.ny.gov/MWBE.html>

The City of Amsterdam will submit a Contractor Bid Solicitation Plan with the grant agreement. This Plan will identify a minimum of four certified MWBE firms that will be included in the bid solicitation process. Once the contractor/vendor selection process is complete, the City of Amsterdam will report to HTFC on the use of certified MWBE firms.

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Construction Management/Quality Control

The City of Amsterdam retains the right to inspect or audit work in progress at any point. The City will perform periodic inspections of renovation activities to monitor adherence with program rules, environmental hazard compliance, and general project progress. A final inspection or review of project activities will be conducted for each participating project.

Conflict of Interest

At a minimum:

It is required that no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by DIF funding if a real or apparent conflict of interest would be involved.

Such a conflict would arise when any of the following parties has a financial or other interest in the project selected for an award:

An employee, officer, or agent;

Any member of an employee's, officer's, or agent's immediate family (spouse, son, daughter, stepson, stepdaughter, father, mother, stepfather, stepmother, brother, sister, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law or daughter-in-law);

An employee's, agent's, or officer's partner; or

An organization which employs or is about to employ any of those in the preceding section.

It is required that employees, agents, and officers of the program neither solicit nor accept gratuities, favors, or anything of value from contractors, or parties to sub-agreements. However, awardees and other subrecipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. Disciplinary actions will be applied for any violations of such standards by employees, agents, or officers of the program.

The general standard is that no employee, agent, or officer, who exercises decision-making responsibility with respect to the program is allowed to obtain a financial interest in or benefit from the program activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds of the activities. Specific provisions include that:

This requirement applies to any person who is an employee, agent, consultant, officer, or elected official of the grantee, a designated public agency, or a subrecipient, and to their immediate family members, and business partner(s).

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The requirement applies for such persons during their tenure and for a period of 1 year after leaving the grantee or subrecipient organization.

Upon written request, exceptions may be granted by HCR on a case-by-case basis, after consideration of the cumulative effect of various factors, and only with full disclosure of the potential conflict, and a legal opinion of the grantee's attorney that there would be no violation of state or local laws in granting the exception. Exceptions cannot be made retroactively.

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Property Maintenance Declaration Form

Program funds granted by City of Amsterdam, of 61 Church Street, Amsterdam, NY 12010 to:

OWNER(S): Company Name, LLC.

PROPERTY ADDRESS:

Amsterdam, NY 12010

SECTION/BLOCK/LOT:

AMOUNT OF GRANT ASSISTANCE: \$

UNIT ASSISTED: Business

DESCRIPTION OF ASSISTED IMPROVEMENTS: Renovations to...

This Declaration is made and executed this day of _____, 2023.

WHEREAS, the undersigned is/are the owner(s) (“Owner”) of the premises described above (“Premises”); and

WHEREAS, the Owner acknowledges that the Premises have been improved with Downtown Revitalization Initiative Funding Assistance provided by the NYS Homes and Community Renewal under the City of Amsterdam Downtown Improvement Fund Program (“Program”);

NOW, THEREFORE, the Owner hereby declares that for a period of five (5) years (“Regulatory Period”), commencing as of the date hereof and terminating, MM/DD/YYYY, (“Termination Date”), the Premises shall at all times be maintained in good operating order and condition, and all necessary repairs, renewals, replacements, additions and improvements shall, from time to time, be promptly made. Furthermore, during the Regulatory Period, the Owner hereby declares the Premises shall not be sold, moved, demolished or materially altered without the prior written consent of City of Amsterdam.

This Declaration is expressly subject and subordinate to any mortgage given by the Owner for the purpose of construction or permanent financing of the Premises, whether or not such mortgage is recorded prior to the date of this Declaration.

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All the grants, covenants, terms, provisions and conditions contained herein shall run with the land, binding all subsequent owners, encumbrances and tenants of the Premises. In the event the Owner shall breach any such grant, covenant, term, provision or condition, the Owner must return the Grant Assistance to City of Amsterdam. Repayment will be calculated in accordance with the following schedule:

- The projects will comply with the 5-year regulatory terms and conditions

| | |
|-----------------------|---------------------|
| Months 0-12: | 100% repayment due. |
| Months 13-24: | 80% repayment due. |
| Months 25-36: | 60% repayment due. |
| Months 37-48: | 40% repayment due. |
| Months 49-60: | 20% repayment due. |
| Months 60 and beyond: | 0% repayment due. |

This Declaration shall be recorded in the Office of the Clerk of the County in which the Premises are located, and shall automatically lapse on the Termination Date.

IN WITNESS WHEREOF, this instrument has been signed the day and year set forth above.

OWNER(S):

MAILING ADDRESS:

_____, Amsterdam, NY 12010

City of Amsterdam:

By: _____

Name: Michael Cinquanti

Title: Mayor, City of Amsterdam

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STATE OF NEW YORK)

COUNTY OF _____) ss.:

On the _____ day of _____, in the year _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

STATE OF NEW YORK)

COUNTY OF _____) ss.:

On the _____ day of _____, in the year _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC