

DRAFT

RESOLUTION NO. R25-85

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO ACCEPT AND APPROVE THE OFFER AND SETTLEMENT STATEMENTS WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY FROM P.R. PROPERTIES, LLC IN THE AMOUNT OF \$201,638.89 PLUS CLOSING COSTS FOR PROPERTY LOCATED AT 4015 SOUTH 9 STREET AND ISLAND SUPPLY WELDING COMPANY IN THE AMOUNT OF \$207,990 PLUS CLOSING COSTS FOR PROPERTY LOCATED AT 3825 SOUTH 9 STREET, IN CONJUNCTION WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY BUYOUT PROGRAM.

WHEREAS, the Federal Emergency Management Agency (FEMA) has determined that the P.R. Properties, LLC and Island Supply Welding Company properties at 4015 and 3825 South 9 Street located in Section 36, Township 17 North, Range 1 West, Platte County, Nebraska, are eligible for purchase under the Hazard Mitigation Grant Program DR-4420-NE as administered by the Nebraska Emergency Management Agency and implemented by Platte County Emergency Management; and

WHEREAS, said properties will be deeded to the City of Columbus for use as open space in perpetuity in accordance with the FEMA program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA that the offer and settlement statements with respect to acquisition of real property from P.R. Properties, LLC in the amount of \$201,638.69 plus closing costs, for property located at 4015 South 9 Street and Island Supply Welding Company in the amount of \$207,990 plus closing costs for property located at 3825 South 9 Street in conjunction with the Federal Emergency Management Agency Buyout Program, be and hereby are accepted and approved by the City of Columbus and the mayor and city clerk are hereby authorized, directed and empowered to execute the same on behalf of the City of Columbus, Nebraska, and the city treasurer is authorized and directed to pay for said property acquisitions more particularly described in the Settlement Statements hereto as Exhibit "A" and incorporated herein by this reference.

This resolution shall repeal all resolutions or portions thereof in conflict herewith.

INTRODUCED BY COUNCIL MEMBER _____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2025.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Accountability - Dedication
Honesty - Integrity - Respect

MEMORANDUM

DATE: May 26, 2025
TO: Tara Vasicek, City Administrator
FROM: Richard J. Bogus, City Engineer
RE: FEMA Buyout of 3825 and 4015 S. 9th Street Properties

RECOMMENDATION:

I recommend approval of the authorization to obtain property acquisition and settlement statements associated with the Federal Emergency Management Agency (FEMA) Buyout Program at 3825 S. 9th Street (Island Supply Welding Company) and 4015 S. 9th Street (P.R. Properties LLC).

DISCUSSION:

The City became eligible for the FEMA Buyout program to purchase flood-prone, high-risk properties after the March 2019 flood event. The program is administered through the Nebraska Emergency Management Agency and Platte County Emergency Management. The funding split is 75 percent FEMA and 25 percent Community Development Block Grant (CDBG). Homeowners are offered pre-disaster fair-market value as determined by a certified appraiser. The program is entirely voluntary. The Nebraska Department of Transportation has purchased additional right-of-way from both of these properties.

Attached for each property are the settlement statements and attachments. The closing date for both properties are set for June 6, 2025.

The properties will be cleared and deeded to the City for use as open space, which must remain open in perpetuity.

FISCAL IMPACT:

P.R. Properties LLC in the amount of \$201,638.89 or after title charges and escrow/settlement charges the amount of \$202,602.64 and Island Supply Welding Co. in the amount of \$207,990 or after title charges and escrow/settlement charges the amount of \$208,480.25 from 2024-2025 CIP # 21-89 in the amount of \$404,000. The FEMA funding reimbursement will be through Platte County Emergency Management and CDBG through the City.

ALTERNATIVE:

None.

SIGNATURE:

By: Richard J. Bogus

Approved By: _____

Omni Title Services LLC
ALTA Universal ID: 1229123
2564 33rd Avenue
Columbus, NE 68601

File No./Escrow No.: 2401499-OTS
 Print Date & Time: May 28, 2025 1:25 pm
 Officer/Escrow Officer: Angela Miller
 Settlement Location: 2564 33rd Avenue
 Columbus, NE 68601
 Property Address: 4015 S 9th Street
 Columbus, NE 68601
 Buyer: City of Columbus
 Seller: P.R. Properties, L.L.C.
 3211 E 23rd Street, STE 200
 Columbus, NE 68601
 Lender:
 Settlement Date : June 06, 2025
 Disbursement Date : June 06, 2025

Seller		Description	Buyer	
Debit	Credit		Debit	Credit
		Financial		
	201,638.89	Sale Price of Property	201,638.89	
		Title Charges and Escrow/Settlement Charges		
12.50		CPL to Omni Title Services LLC	12.50	
125.00		Escrow Closing Fee to Omni Title Services LLC	125.00	
		Overnight Fee to Omni Title Services LLC	25.00	
330.75		Owner's Title Insurance to Omni Title Services LLC Coverage: \$201,638.89 Premium: \$661.50 Version: ALTA Owner's Policy (2021)	330.75	
		Government Recording and Transfer Charges		
		Recording Fees - Deed to Platte County Register of Deeds	16.00	
		to Platte County Register of Deeds	454.50	
		Miscellaneous		
138.77		2nd 1/2 2024 RE Taxes to Platte County		

Seller		Description	Buyer	
Debit	Credit		Debit	Credit
		Miscellaneous (continued)		
		Treasurer		
194,960.64		Payoff to SBA		
Seller			Buyer	
Debit	Credit		Debit	Credit
195,567.66	201,638.89	Subtotals	202,602.64	
		Due from Buyer		202,602.64
6,071.23		Due to Seller		
201,638.89	201,638.89	Totals	202,602.64	202,602.64

INITIAL OFFER LETTER

Date: November 15, 2024

NDOT revision: January 30, 2025

Re: Platte County Parcel Acquisitions & Demolitions Project, HMGP DR-4420-NE

Dear Aaron Ross, President, PR Properties, LLC.,

Your property located at [4015 S 9th St. Columbus NE] has been determined as eligible for purchase through FEMA's Hazard Mitigation Grant Program (HMGP) under DR-4420-NE administered by the Nebraska Emergency Management Agency (NEMA) and implemented by the Platte County EMA. This program is entirely voluntary, and you may withdraw your property from consideration at any time prior to signing a purchase agreement.

Platte County has procured an appraiser to assist with determining the ☒pre-event or ☐current value of your commercial property. In order to ensure the most equitable process based on the guidelines set forth in the FEMA Hazard Mitigation Assistance Guidance (2015), Platte County has adopted the following assumptions to determine the market value which have been applied to all properties participating in the Platte County Acquisition and Demolition project:

- ✓ Market value is defined as “the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the valuation, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at time of valuation” (Addendum to the Hazard Mitigation Assistance Guidance, FEMA, 2015, p. 22).
- ✓ The appraisal will be conducted by an appraiser in accordance with the *Uniform Standards of Professional Appraisal Practice*.
- ✓ The appraiser procured by [Platte County] will comply with relevant Nebraska laws and requirements and have the appropriate certification, qualifications, and competencies based on the type of property being appraised.
- ✓ ☒Pre-event or ☐Current market value will be offered to all eligible participants in the [Platte County] property acquisition project.
- ✓ To be eligible for pre-event market value, the property owner(s) of record must be citizens or legal residents of the United States and must have owned the property during the storm event (generally, March 2019).
- ✓ The effective valuation date for pre-event market value is [March 14, 2019].

Enclosed with this letter are four documents: 1) Statement of Voluntary Participation; 2) Statement of Determination of Compensation; 3) Duplication of Benefits Calculation Form; and 4) Notice of Appeal.

1. Statement of Voluntary Participation is the Owner's Agreement to Sell, [City of Columbus's](#) Offer to Buy, along with the Nebraska Department of Transportation's purchase of additional Right of Way along Highway 30 for this parcel. If you agree with the purchase offer listed and still want to participate in the buyout, **you must sign and return this form to the sub-applicant address listed below.**
2. The Determination of Compensation provides a breakdown of the Initial Offer presented to you by Platte County and the [City of Columbus](#).
3. The Duplication of Benefits Calculation Form provides a breakdown of proceeds you have received for the property and credits applied back (repair receipts you have provided). **Please review, sign, and return this form to the address listed below.**
4. Lastly, please complete a Notice of Appeal if you wish to appeal or contest either the appraised value of your property or the Duplication of Benefits deduction. A signed form must be returned to the address listed below within [30] days [**upon receipt or from the date of this letter**].

Please [mail, drop off] signed forms [to/at] the following address:

[Tim Hofbauer-Director](#)
[Platte County EMA](#)
[2610 14th St. Columbus NE 68601](#)

If you have any questions regarding the information contained in these documents, please contact:

[Tara Vasicek -City Administrator](#)
[City of Columbus](#)
[2424 14th St. Columbus NE 68602](#)
tara.vasicek@columbusne.us

Or:

[Mary Baker](#)
[JEO Consulting Group](#)
[2000 Q St, Suite 500](#)
[Lincoln, NE 68503](#)
mbaker@jeo.com

Or:

[Tim Hofbauer-Director](#)
[Platte County EMA](#)
[2610 14th St. Columbus NE 68601](#)
thofbauer@plattecounty.ne.gov

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
**STATEMENT OF VOLUNTARY PARTICIPATION FOR ACQUISITION OF
PROPERTY FOR PURPOSE OF OPEN SPACE**

OMB Control Number: 1660-0103
Expiration: 6/30/2024

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 1 hour per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, and submitting the form. This collection of information is voluntary. You are not required to submit to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472-3100, and Paperwork Reduction Project (1660-0103). **NOTE: Do not send your completed form to this address.**

PRIVACY ACT STATEMENT

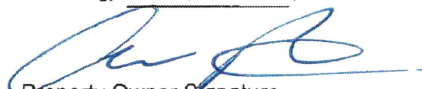
Authority: Sections 203 and 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. § 5133 and 42 U.S.C. § 5170c; § 1366 of the National Flood Insurance Act, (NFIA) as amended, 42 U.S.C. 4104c; § 1323 of the NFIA, 42 U.S.C. § 4030; and § 1361A of the NFIA, 42 U.S.C. § 4102a.

Purpose: The information is being collected for the purpose of formalizing the purchase offer valuation of a property subject to mitigation and to ensure that recipients of Hazard Mitigation Assistance funds for the acquisition and demolition of these properties understand that their participation is strictly voluntary.

Routine Uses: The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/FEMA-009 - Hazard Mitigation Disaster Public Assistance and Disaster Loan Programs System of Records System of Records Notice (79 Fed. Reg. 16,015, March 24, 2014), and upon written request, by agreement, or as required by law.

Disclosure: The disclosure of information on this form is voluntary; however, failure to provide the information requested may delay or prevent FEMA from being able to provide Hazard Mitigation Assistance for the acquisition and demolition of the structure for the purposes of mitigation. The signed voluntary participation statement will be forwarded to the State/applicant and the paper form will be contained in the grant application.

- THIS AGREEMENT is made and entered into this on (date) 11/15/2024, by and between (name of Subrecipient) Platte County, hereinafter referred to as "Subrecipient," and (property owner) Aaron Ross Sr. PR Properties LLC, hereinafter referred to as "Seller." The parties agree as follows:
1. Seller affirms that I/we own the property located at (legal address) 4015 S 9th St Columbus, NE (Parcels 710024752/710024766), hereinafter referred to as "property."
 2. Subrecipient has notified Seller that the Subrecipient may wish to purchase the referenced property, and, if Seller agrees to sell, Seller must permanently relocate from property.
 3. Subrecipient has identified that the purchase price offer valuation of the property as of (date) 05/04/2022 is 369,684.00, as determined by appropriate valuation procedures implemented by Subrecipient and based on FEMA acquisition requirements provided in 44CFR Part 80, and relevant program guidance below (e.g., *Pre-Disaster Mitigation, Hazard Mitigation Grant Program, Flood Mitigation Assistance*).
 4. Subrecipient has notified the Seller that **neither the State nor the Local Government will use its eminent domain authority to acquire the property for open-space purposes if the Seller chooses not to participate, or if negotiations fail.**
 5. Subrecipient has notified Seller that if the Seller agrees to sell the property to the Subrecipient the transaction is voluntary and the Seller is not entitled to relocation benefits provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, which are available to property owners who must sell their properties involuntarily.
 6. Subrecipient affirms that it has provided the notifications and explained the information described in the preceding paragraphs to the Seller, and property identified above is not part of an intended, planned, or designated project area where all or substantially all of the property within the area is to be acquired within specific time limits.
 7. This Agreement shall expire on (date of closing) 12/31/2024, unless Seller has voluntarily sold property to the Subrecipient by that date.


Property Owner Signature

11/15/24
Date

Property Owner Signature

Subrecipient's Authorized Agent Signature

Date
1-30-25
Date

STATEMENT OF DETERMINATION OF COMPENSATION

Address for property being acquired: ___ 4015 S 9th St Columbus, NE ___

Lat./Long. coordinates: ___ 41.409093 _ -97.375844 ___

Tax Map/Lot/Parcel No: ___ 710024766 & 710024752 ___

Legal Description: _ 36 17 1W TR IN NW NE & 36 17 1W TR 393' x 150' IN NW NE _

Name of Owner of Record: ___ PR Properties LLC., Aaron Ross ___

Name of Co-Owner of Record: _____

PSI # ___ 4 ___

Type of Residence: ☐ Single Family ☐ Multi-Family ☒ Other: ___ Commercial ___

Structure size (sq. ft.): ___ 11,120 sq ft ___

Lot size (please indicate sq. ft. or acres): ___ approx. 3.16 acres total ___

Other Improvements: ☐ Detached garage ☐ Shed ☒ Other: ___ water rights- as applicable ___

Initial Offer Calculation

1) Market Value plus additions	Project Totals	FEMA \$ SBA	FEMA \$ to parcel owner
Appraised Value (3.16 acres)	\$396,000.00		
City of Columbus (<2.95 acres) *	\$387,300.00	\$387,300.00	\$ 0.00
NDOT (.21 acres Tract 3) * Non-grant funded.	\$ 8,700.00		
NFIP Premiums credit	\$ 6,210.00	\$ 0.00	\$ 6,210.00
Supplemental payment for comparable housing (N/A)	\$0.00		
Subtotal for value (FEMA grant funded)	\$393,510.00	\$ 387,300.00	\$ 6,210.00
2) Deductions			
Local Cost Share (as applicable)	(\$0.00)		
Duplication of Benefits (FEMA OSS)	(\$200,000.00)	(\$200,000.00)	\$ 0.00
NFIP Eligible Receipt credits (OSS)	\$ 8,128.89	\$ 8,128.89	\$ 0.00
Other deductions (as applicable)	(\$0.00)		
Title Curative Items (as applicable) #	(\$ 255.00)	\$ 0.00	(\$ 255.00)
Initial Offer Total (FEMA funding) *note 1	\$201,383.89	\$ 195,428.89	\$ 5,955.00
NDOT Right of Way funding *	\$ 8,700.00	To SBA	To owner
	NDOT to owner		

**Measurements are approximate, final values will be computed with
NDOT Right-of-way personnel (both value/\$ and acres) computed at \$40,000 per
Unimproved acre in the pre-market appraisal.*

title company will do final tax computations & payouts as needed

Note 1: Except for NFIP credited items, all FEMA proceeds will go directly to SBA

for the full release of these parcels during this purchase agreement.

The estimated offer total is based on the appraised ☒pre-event ☐current market property value. If applicable, deductions may amend the total offer value dependent on any fees required to be paid to clear the title to your property, funds attributed to a Duplication of Benefits, and/or the passed through Local Cost share. You may have another appraisal completed on your property at your own expense; the appraiser must:

1. Be acceptable to the [Platte County & City of Columbus]
2. Use the same assumptions that have been outlined within the offer letter and executed contract between the procured appraisal firm and Platte County.
3. Adhere to the *Uniform Standards of Professional Appraisal Practice*; and
4. Complete the appraisal within [30 days] from the date you notify the Platte County & the City of Columbus of the appraised value appeal notice. Please refer to **Form D: Notice of Appeal** (enclosed with your offer letter) for further instructions.

Additionally, a Platte County & City of Columbus representative will conduct an inspection of your property 24 hours prior to the closing to verify that all structures and fixtures included in the appraisal remain on the property. If you wish to remove any structure or fixture that is on your property that is included in the appraisal, those items will be deducted from the purchase price of the property. All water rights will be retained by the City of Columbus as purchasing entity.

This parcel is also along the Hwy 30 corridor and as a part of the execution of this purchase agreement the parcel has been sub-divided to ensure that the Nebraska Department of Transportation, NDOT, has ample Right of Way, ROW for future highway expansion. As such the NDOT will purchase their additional portion along the south side of the parcel for future ROW construction needs. This portion of the parcel will have a separate deed from the remainder of the parcel and will not fall under the FEMA deed restriction requirements. The NDOT purchase will be completed prior to the grant program purchase of the remainder of the two parcels.

SBA contingency: All proceeds from the FEMA portion of this acquisition will be paid directly to SBA as contingent on the full release of these two parcels from the SBA lien, per the attached documentation. (Official letter/email from SBA assigned representative.)

NOTICE OF APPEAL

Instructions: You can Contest or Appeal the amount specified in the Statement of Determination of Compensation. If you believe that the amount specified in the Determination of Compensation does not adequately reflect the Fair Market Value of your property, or that your Duplication of Benefits deduction is inaccurate, and you still would like to continue negotiations, then you may appeal the determination by 1) Signing this letter in the space below and returning it to your local representative. This must be done within «30» days of the original offer package. Further action is required depending on the type of appeal you are making, which is detailed below.

- If you are appealing for property's appraised value, it is your responsibility to retain a qualified appraiser at your own expense. The appraiser must be acceptable to the «**Platte County & City of Columbus**», must use the same instructions for the basis of the appraisal, and must perform the second appraisal within a short period from the time you notify the «**Platte County & City of Columbus**» of your intent. Once the appraisal is completed, you must provide this appraisal to the «**Platte County & City of Columbus**» buyout representative. Upon receipt of the appraisal you obtain, the representative will review and either reject it or accept it and use it to modify the estimate of Fair Market Value. If it is used to modify the value, and if the modified amount is acceptable to FEMA and the State, the Agent will revise the Statement of Determination of Compensation.
- If you are appealing your Duplication of Benefits deduction, it is your responsibility to submit documentation (receipts or other evidence) that the funds were used for the intended purposes. If acceptable, then the Determination of DOB and the Voluntary Transaction Agreement will be revised.

(Check one or more of the following boxes)

☐ *I am appealing my property's Appraised Fair Market Value, as specified in the Determination of Compensation*

☐ *I am appealing my duplication of benefits determination, as specified in the Determination of Compensation*

Name (Sign)

Name (Print)

Property Address

Date

Omni Title Services LLC
ALTA Universal ID: 1229123
2564 33rd Avenue
Columbus, NE 68601

File No./Escrow No.: 2401500-OTS
 Print Date & Time: May 28, 2025 1:26 pm
 Officer/Escrow Officer: Angela Miller
 Settlement Location: 2564 33rd Avenue
 Columbus, NE 68601
 Property Address: 3825 S 9th Street
 Columbus, NE 68601
 Borrower: City of Columbus
 Seller: Island Supply Welding Co
 PO Box 580
 Grand Island, NE 68802
 Lender:
 Settlement Date : June 06, 2025
 Disbursement Date : June 06, 2025

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		Financial		
	207,990.00	Sale Price of Property	207,990.00	
		Title Charges and Escrow/Settlement Charges		
12.50		CPL to Omni Title Services LLC	12.50	
125.00		Escrow Closing Fee to Omni Title Services LLC	125.00	
336.75		Owner's Title Insurance to Omni Title Services LLC Coverage: \$207,990.00 Premium: \$673.50 Version: ALTA Owner's Policy (2021)	336.75	
		Government Recording and Transfer Charges		
		Recording Fees - Deed to Platte County Register of Deeds	16.00	

Seller			Borrower	
Debit	Credit		Debit	Credit
474.25	207,990.00	Subtotals	208,480.25	
		Due from Borrower		208,480.25
207,515.75		Due to Seller		
207,990.00	207,990.00	Totals	208,480.25	208,480.25

INITIAL OFFER LETTER

Date: June 30, 2024

Revised Jan 30, 2025 for NDOT compensation

Re: Platte County Parcel Acquisitions & Demolitions Project, HMGP DR-4420-NE

Dear Brian Weber, President, Island Supply Welding Company, Inc.,

Your property located at [3825 S 9th St. Columbus NE] has been determined as eligible for purchase through FEMA's Hazard Mitigation Grant Program (HMGP) under DR-4420-NE administered by the Nebraska Emergency Management Agency (NEMA) and implemented by the Platte County EMA. This program is entirely voluntary, and you may withdraw your property from consideration at any time prior to signing a purchase agreement.

Platte County has procured an appraiser to assist with determining the ☒pre-event or ☐current value of your commercial property. In order to ensure the most equitable process based on the guidelines set forth in the FEMA Hazard Mitigation Assistance Guidance (2015), Platte County has adopted the following assumptions to determine the market value which have been applied to all properties participating in the Platte County Acquisition and Demolition project:

- ✓ Market value is defined as "the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the valuation, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at time of valuation" (Addendum to the Hazard Mitigation Assistance Guidance, FEMA, 2015, p. 22).
- ✓ The appraisal will be conducted by an appraiser in accordance with the *Uniform Standards of Professional Appraisal Practice*.
- ✓ The appraiser procured by [Platte County] will comply with relevant Nebraska laws and requirements and have the appropriate certification, qualifications, and competencies based on the type of property being appraised.
- ✓ ☒Pre-event or ☐Current market value will be offered to all eligible participants in the [Platte County] property acquisition project.
- ✓ To be eligible for pre-event market value, the property owner(s) of record must be citizens or legal residents of the United States and must have owned the property during the storm event (generally, March 2019).
- ✓ The effective valuation date for pre-event market value is [March 14, 2019].

Enclosed with this letter are four documents: 1) Statement of Voluntary Participation; 2) Statement of Determination of Compensation; 3) Duplication of Benefits Calculation Form; and 4) Notice of Appeal.

1. Statement of Voluntary Participation is the Owner's Agreement to Sell, City of Columbus's Offer to Buy, along with the Nebraska Department of Transportation's purchase of additional Right of Way along Highway 30 for this parcel. If you agree with

the purchase offer listed and still want to participate in the buyout, **you must sign and return this form to the sub-applicant address listed below.**

2. The Determination of Compensation provides a breakdown of the Initial Offer presented to you by Platte County and the City of Columbus.
3. The Duplication of Benefits Calculation Form provides a breakdown of proceeds you have received for the property and credits applied back (repair receipts you have provided). **Please review, sign, and return this form to the address listed below.**
4. Lastly, please complete a Notice of Appeal if you wish to appeal or contest either the appraised value of your property or the Duplication of Benefits deduction. A signed form must be returned to the address listed below within [30] days [upon receipt or from the date of this letter].

Please [mail, drop off] signed forms [to/at] the following address:

Tim Hofbauer-Director
Platte County EMA
2610 14th St. Columbus NE 68601

If you have any questions regarding the information contained in these documents, please contact:

Tara Vasicek -City Administrator
City of Columbus
2424 14th St. Columbus NE 68602
tara.vasicek@columbusne.us

Or:

Mary Baker
JEO Consulting Group
2000 Q St, Suite 500
Lincoln, NE 68503
mbaker@jeo.com

Or:

Tim Hofbauer-Director
Platte County EMA
2610 14th St. Columbus NE 68601
thofbauer@plattecounty.ne.gov

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
**STATEMENT OF VOLUNTARY PARTICIPATION FOR ACQUISITION OF
PROPERTY FOR PURPOSE OF OPEN SPACE**

OMB Control Number: 1660-0103
Expiration: 6/30/2024

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 1 hour per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, and submitting the form. This collection of information is voluntary. You are not required to submit to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472-3100, and Paperwork Reduction Project (1660-0103). **NOTE: Do not send your completed form to this address.**

PRIVACY ACT STATEMENT

Authority: Sections 203 and 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. § 5133 and 42 U.S.C. § 5170c; § 1366 of the National Flood Insurance Act, (NFIA) as amended, 42 U.S.C. 4104c; § 1323 of the NFIA, 42 U.S.C. § 4030; and § 1361A of the NFIA, 42 U.S.C. § 4102a.

Purpose: The information is being collected for the purpose of formalizing the purchase offer valuation of a property subject to mitigation and to ensure that recipients of Hazard Mitigation Assistance funds for the acquisition and demolition of these properties understand that their participation is strictly voluntary.

Routine Uses: The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/FEMA-009 - Hazard Mitigation Disaster Public Assistance and Disaster Loan Programs System of Records System of Records Notice (79 Fed. Reg. 16,015, March 24, 2014), and upon written request, by agreement, or as required by law.

Disclosure: The disclosure of information on this form is voluntary; however, failure to provide the information requested may delay or prevent FEMA from being able to provide Hazard Mitigation Assistance for the acquisition and demolition of the structure for the purposes of mitigation. The signed voluntary participation statement will be forwarded to the State/applicant and the paper form will be contained in the grant application.

THIS AGREEMENT is made and entered into this on (date) 06/30/2024, by and between (name of Subrecipient) City of Columbus

, hereinafter referred to as "Subrecipient," and (property owner) Island Supply Welding Company Inc.

, hereinafter referred to as "Seller." The parties agree as follows:

1. Seller affirms that I/we own the property located at (legal address) 3825 S 9th St Columbus, NE (Parcel 710024773), hereinafter referred to as "property."
2. Subrecipient has notified Seller that the Subrecipient may wish to purchase the referenced property, and, if Seller agrees to sell, Seller must permanently relocate from property.
3. Subrecipient has identified that the purchase price offer valuation of the property as of (date) 03/14/2019 is 212,000.00, as determined by appropriate valuation procedures implemented by Subrecipient and based on FEMA acquisition requirements provided in 44CFR Part 80, and relevant program guidance below (e.g., *Pre-Disaster Mitigation, Hazard Mitigation Grant Program, Flood Mitigation Assistance*).
4. Subrecipient has notified the Seller that **neither the State nor the Local Government will use its eminent domain authority to acquire the property for open-space purposes if the Seller chooses not to participate, or if negotiations fail.**
5. Subrecipient has notified Seller that if the Seller agrees to sell the property to the Subrecipient the transaction is voluntary and the Seller is not entitled to relocation benefits provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, which are available to property owners who must sell their properties involuntarily.
6. Subrecipient affirms that it has provided the notifications and explained the information described in the preceding paragraphs to the Seller, and property identified above is not part of an intended, planned, or designated project area where all or substantially all of the property within the area is to be acquired within specific time limits.
7. This Agreement shall expire on (date of closing) 08/30/2024, unless Seller has voluntarily sold property to the Subrecipient by that date.

Island Supply Welding Co, Inc by B D Weber - President

(Property Owner Signature)
(BRIAN D WEBER)

7-19-24
Date

Property Owner Signature

[Signature]

Subrecipient's Authorized Agent Signature

103024
Date

STATEMENT OF DETERMINATION OF COMPENSATION

Address for property being acquired: ____ 3825 S 9th St Columbus, NE ____

Lat./Long. coordinates: ____ 41.409398 _ -97.374964 ____

Tax Map/Lot/Parcel No: ____ 710024773 ____

Legal Description: ____ 36 17 1W TR IN NE ____

Name of Owner of Record: ____ Island Supply Welding Company, Inc. ____

Name of Co-Owner of Record: ____

PSI # ____ 1 ____

Type of Residence: ☐ Single Family ☐ Multi-Family ☒ Other: __ Commercial ____

Structure size (sq. ft.): __ 400 sq ft ____

Lot size (please indicate sq. ft. or acres): ____ approx. 1.38 acres total ____

Other Improvements: ☐ Detached garage ☐ Shed ☒ Other: __ water rights- as applicable __

Initial Offer Calculation

1) Market Value plus additions	
Appraised Value (1.38 acres)	\$212,000.00
City of Columbus (<1.29 acres) *	\$207,990.00
NDOT (.09 acres Tract 4)* Non-grant funded.	\$ 4,010.00
NFIP Premiums credit	\$0.00
Supplemental payment for comparable housing (N/A)	\$0.00
Subtotal for value (FEMA grant funded)	\$207,990.00
2) Deductions	
Local Cost Share (as applicable)	(\$0.00)
Duplication of Benefits (as applicable)	(\$0.00)
Other deductions (as applicable)	(\$0.00)
Title Curative Items (as applicable) #	(\$155.00)
Initial Offer Total (FEMA funding) *	\$207,835.00
NDOT Right of Way funding *	\$ 4,010.00

**Measurements are approximate, final values will be computed with NDOT Right-of-way personnel (both value/\$ and acres) computed at \$40,000 per unimproved acre in the pre-market appraisal.*

title company will do final tax computations & pay outs

The estimated offer total is based on the appraised ☒pre-event ☐current market property value. If applicable, deductions may amend the total offer value dependent on any fees required to be paid to clear the title to your property, funds attributed to a Duplication of Benefits, and/or the passed through Local Cost share. You may have another appraisal completed on your property at your own expense; the appraiser must:

1. Be acceptable to the [Platte County & City of Columbus]
2. Use the same assumptions that have been outlined within the offer letter and executed contract between the procured appraisal firm and Platte County.
3. Adhere to the *Uniform Standards of Professional Appraisal Practice*; and
4. Complete the appraisal within [30 days] from the date you notify the Platte County & the City of Columbus of the appraised value appeal notice. Please refer to **Form D: Notice of Appeal** (enclosed with your offer letter) for further instructions.

Additionally, a Platte County & City of Columbus representative will conduct an inspection of your property 24 hours prior to the closing to verify that all structures and fixtures included in the appraisal remain on the property. If you wish to remove any structure or fixture that is on your property that is included in the appraisal, those items will be deducted from the purchase price of the property.

This parcel is also along the Hwy 30 corridor and as a part of the execution of this purchase agreement the parcel has been sub-divided to ensure that the Nebraska Department of Transportation, NDOT, has ample Right of Way, ROW for future highway expansion. As such the NDOT will purchase their additional portion along the south side of the parcel for future ROW construction needs. This portion of the parcel will have a separate deed from the remainder of the parcel and will not fall under the FEMA deed restriction requirements.

NOTICE OF APPEAL

Instructions: You can Contest or Appeal the amount specified in the Statement of Determination of Compensation. If you believe that the amount specified in the Determination of Compensation does not adequately reflect the Fair Market Value of your property, or that your Duplication of Benefits deduction is inaccurate, and you still would like to continue negotiations, then you may appeal the determination by 1) Signing this letter in the space below and returning it to your local representative. This must be done within «30» days of the original offer package. Further action is required depending on the type of appeal you are making, which is detailed below.

- If you are appealing for property's appraised value, it is your responsibility to retain a qualified appraiser at your own expense. The appraiser must be acceptable to the «**Platte County & City of Columbus**», must use the same instructions for the basis of the appraisal, and must perform the second appraisal within a short period from the time you notify the «**Platte County & City of Columbus**» of your intent. Once the appraisal is completed, you must provide this appraisal to the «**Platte County & City of Columbus**» buyout representative. Upon receipt of the appraisal you obtain, the representative will review and either reject it or accept it and use it to modify the estimate of Fair Market Value. If it is used to modify the value, and if the modified amount is acceptable to FEMA and the State, the Agent will revise the Statement of Determination of Compensation.
- If you are appealing your Duplication of Benefits deduction, it is your responsibility to submit documentation (receipts or other evidence) that the funds were used for the intended purposes. If acceptable, then the Determination of DOB and the Voluntary Transaction Agreement will be revised.

(Check one or more of the following boxes)

☐ *I am appealing my property's Appraised Fair Market Value, as specified in the Determination of Compensation*

☐ *I am appealing my duplication of benefits determination, as specified in the Determination of Compensation*

Name (Sign)

Name (Print)

Property Address

Date

CITY OF COLUMBUS
PURCHASE PROPERTIES 4015 & 3825 S. 9TH ST.

