Flood Application Affidavit (Category 2, 3, and 4 – planning, acquisition, and design)

THE STATE OF TEXAS	Ş
COUNTY OF	§
APPLICANT	Ş

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared _______as the Authorized Representative of the _______, who being

by me duly sworn, upon oath says that:

- in accordance with 31 Texas Administrative Code § 363.408(b)(2)(A), the ______ (city, county, district, authority) has acted cooperatively with the following political subdivisions to address flood control needs in the area in which the eligible political subdivisions are located:
- in accordance with 31 Texas Administrative Code § 363.408(b)(2)(B), all eligible political subdivisions substantially affected by the proposed flood project have participated in the process of developing the proposed flood project; and
- in accordance with 31 Texas Administrative Code § 363.408(b)(2)(C), the eligible political subdivisions, separately or in cooperation, have held public meetings to accept comment on proposed flood projects from interested parties.

Official Representative

Title:

SWORN TO AND SUBSCRIBED BEFORE ME, by_____,

on this______, 20____,

(NOTARY'S SEAL)

Notary Public, State of Texas

Application Filing and Authorized Representative Resolution

А	RESOLUT	TION	by	the											(of	the
									requesting	ng	financial	assistar	ice from	the	Texas	Wa	ater
De	velopment	Board;	aut	horizing	the	filing	of	an	application	for	assistan	ce; and	making	certai	n find	ings	in
cor	nnection the	erewith.															

BE IT RESOLVED BY THE _____ OF THE _____:

<u>SECTION 1</u>: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$_______ to provide for the costs of _______.

<u>SECTION 2</u>: That ______ be and is hereby designated the authorized representative of the ______ for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

<u>SECTION 3</u>: That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the ______ before any hearing held by the Texas Water

Development Board on such application, to wit:

Financial Advisor:					
Engineer:					
Bond Counsel:					
PASSED AND APPROV	ED this the	day of		20	
	<i>ED</i> , this the	duy 01		, 20	
ATTEST:			By:		
ATTL51.			Dy		
(\mathbf{C}, \mathbf{I})					
(Seal)					

THE STATE OF TEXAS	§
COUNTY OF	§
APPLICANT	8

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared ______ as the Authorized Representative of the _____, who being by me duly sworn, upon oath says that:

2. The information submitted in the application is true and correct according to my best knowledge and belief.

3. The __________ (authority, city, county, corporation, district) has no pending, threatened, or outstanding judgments, orders, fines, penalties, taxes, assessment or other enforcement or compliance issue of any kind or nature by the Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Comptroller, Texas Secretary of State, or any other federal, state or local government, except for the following (if no such outstanding compliance issues, write in "none").

4. The ______ (authority, city, county, corporation, district) warrants

compliance with the representations made in the application in the event that the TWDB provides the financial assistance; and

5. the _______ (authority, city, county, corporation, district) will comply with all applicable federal laws, rules, and regulations as well as the laws of this state and the rules and regulations of the TWDB.

Official Representative

Title: _____

SWORN TO AND SUBSCRIBED BEFORE ME, by _____,

on this _____, 20____,

(NOTARY'S SEAL)

Notary Public, State of Texas

Application Resolution - Certificate of Secretary

THE STATE O	F TEXAS		ş		
COUNTY OF			§		
APPLICANT			ş		
			0		
I, the u	ndersigned, Secret	ary of the			Texas,
DO HEREBY C	CERTIFY as follow	vs:			
1.	That on the	day of	, 20	, a regular/s	special meeting of the
			was held; the c	luly constituted	l members of the
			being as foll		
all of whom we	re present at the m	eeting, except th	e following:		
Among other bu	siness considered	at the meeting, t	he attached resolution en	ititled:	
"A RE	ESOLUTION by th	ne	of the		requesting
					he filing of an application
	for financia	l participation; a	nd making certain findin	gs in connectio	on therewith."
was introduced a	and submitted to th	1e		for passage ar	ad adoption After
			nd upon a motion made b		-
			, the resolution	n was passed ar	nd adopted by the
		_ by the followin	ig vote:		
	voted "For"	-	voted "Against"		abstained
all as shown in t	the official minute	s of the	for	this meeting.	
2. of the			1.1	-	file in the official records on
					y office, advance notice of
		0 0			; and that the
-		-			blic and written notice of
-			of the Texas Government	-	in advance of the meeting
	Pro (1510115				
		-	my name and affixed the		
the		,	this the day of		, 20

Secretary

STATE OF TEXAS	§
	§
COUNTY OF	8

SITE CERTIFICATE

Before me, the undersigned notary, on this day personally appeared

______, a person whose identity is known to me or who has presented to me a satisfactory proof of identity. After I administered an oath, this person swore to the following:

(1) My name is______. I am over 18 years of age and I am of sound mind, and capable of swearing to the facts contained in this Site Certificate. The facts stated in this certificate are within my personal knowledge and are true and correct.

(2) I am an authorized representative of ______, an entity that has filed an application for financial assistance with the Texas Water Development Board for a (water) (wastewater) project.

Please complete only those sections that apply to your project:

LEGAL CERTIFICATION – LEASE/CONTRACT

I certify that:

(Legal Name of Applicant, i.e., City, District, etc.)

has executed a written lease or other contractual agreement to use the property needed for this (water)(wastewater) project that extends through ______(date), the life of the Texas Water Development Board loan or grant that will be used to finance this project, either in whole or in part. A copy of this lease or agreement is attached hereto.

LEGAL CERTIFICATION – PROPERTY EASEMENT

I certify that: _____

(Legal Name of Applicant, i.e., City, District, etc.)

has executed an express easement to use the property needed for this (water) (wastewater) project that extends through the life of the Texas Water Development Board loan or grant that will be used to finance this project, either in whole or in part. The express easement to use the property needed for this (water) (wastewater) project extends through ______ (date). A copy of the express easement agreement is attached hereto.

LEGAL CERTIFICATION – OWNERSHIP INTEREST

I certify that_____

(Legal Name of Applicant, e.g. City, District, etc.)

□Option A: has acquired the necessary real property interest, as evidenced by fee simple purchase, deed, fully executed earnest money contracts, or completion of eminent domain proceedings; that such acquisition will guarantee access and egress; and such interest will contain the necessary easements, rights of way, or unrestricted use as is required for the project being financed by the Texas Water Development Board. The legal description is referenced below.

 \Box Option B: is in the process of acquiring the necessary real property interest, as evidenced by earnest money contracts, contracts for sale, firm option agreements to purchase the subject property, or the initiation of eminent domain procedures; that such acquisition will guarantee access and egress; and such interest will contain the necessary easements, rights of way, or unrestricted use as is required for the project being financed by the Texas Water Development Board. The legal description is referenced below. The anticipated date of acquisition is:

The property has been/will be acquired with the use of eminent domain	n: 🗆 True	□False
Location and Description of Property Interests acquired for Project:		
Any deeds or other instruments required to be recorded to protect the t	itle(s) held by Legal Name o	
have been recorded or filed for the record in the County deed records of	or other requir	ed location

have been recorded or filed for the record in the County deed records or other required location. The following documents are attached hereto:

Description of documents that were used or will be used to acquire the property:

EXECUTED this	day of	, 20	
	-		
		(Signature)	
		(Print Name)	
		(Title)	
		(1100)	
Sworn to and subscribed h	aafara ma hu	on this	dav
of	.20	on this	uay
••			
		(Notary Public in and for the S	State of Texas)
			fuic of Texas)

[SEAL]

Flood Application Affidavit (Category 2, 3, and 4 – construction)

THE STATE OF TEXAS	§
COUNTY OF	§
APPLICANT	§

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared ______as the Authorized Representative of the ______, who being

by me duly sworn, upon oath says that:

- in accordance with 31 Texas Administrative Code § 363.408(b)(2)(A), the ______ (city, county, district, authority) has acted cooperatively with the following political subdivisions to address flood control needs in the area in which the eligible political subdivisions are located:
- in accordance with 31 Texas Administrative Code § 363.408(b)(2)(B), all eligible political subdivisions substantially affected by the proposed flood project have participated in the process of developing the proposed flood project;
- in accordance with 31 Texas Administrative Code § 363.408(b)(2)(C), the eligible political subdivisions, separately or in cooperation, have held public meetings to accept comment on proposed flood projects from interested parties; and
- 4. in accordance with 31 Texas Administrative Code § 363.408(b)(2)(D), the technical requirements for the proposed flood project have been completed and compared against any other potential flood projects in the same area.

Official Representative

Title:

SWORN TO AND SUBSCRIBED BEFORE ME, by_____

on this______, 20____.

(NOTARY'S SEAL)

Notary Public, State of Texas