

AGREEMENT BETWEEN APPLICANT (CITY OF BRANSON, MISSOURI) AND SUB-APPLICANT (DHTC DEVELOPMENT, LLC)

This Agreement, made and entered into this _____ day of _____, 20____, by and between City of Branson, Missouri, hereinafter called the "Applicant," and DHTC Development, LLC, hereinafter called the "Sub-Applicant."

Whereas, the Applicant is applying for a Community Development Block Grant from the State of Missouri, and it is the Applicant's desire to relinquish certain responsibilities as allowed by the program and the State statutes;

Whereas, the Sub-Applicant will benefit from the grant proceeds and finds it in the best interest of both parties to assume these responsibilities; and

Now, therefore, the parties hereto agree as follows:

1. The Sub-Applicant shall assume all grant responsibilities listed with the exception of #2 below, which both parties understand cannot be assumed by the Sub-Applicant.
2. In addition to the above, the Applicant agrees to retain all financial responsibilities of the grant program, with the understanding that all invoices (financial indebtedness) must be paid through the Applicant's established method.
3. Responsibilities not listed on the attached CDBG-DR Multifamily Housing Development Agreement, but which the Sub-Applicant agrees to carry out on behalf of the Applicant, are as follows:

Sub Applicant shall impose on any contractors and subcontractors the obligations under this agreement and the CDBG-DR Multifamily Housing Development Agreement, specifically or by reference, so that such obligations will be binding upon each of Sub Applicant's contractors and subcontractors. CDBG funds may not be provided to excluded or disqualified persons. Sub Applicant shall maintain oversight of all activities under this agreement CDBG-DR Multifamily Housing Development Agreement and shall ensure that for any procured contractor agreement, its contractors and subcontractors perform according to the terms and conditions of the procured contracts or agreements, and the terms and conditions of this agreement and the CDBG-DR Multifamily Housing Development Agreement.

4. The Applicant also acknowledges, as part of this Agreement, that liability for the grant is wholly within its realm and the Sub-Applicant hereby assumes responsibility to see that all terms listed herein are met, with the above exceptions. This Agreement shall be valid until successful project completion and grant closeout.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year indicated above.

City of Branson, Missouri

Larry D. Milton,
Mayor

Date

Attest:

Hillary Briand,
City Clerk

Date

Approved as to form by:

Holly Dodge,
City Attorney

Date

DEVELOPER:

DHTC Development, LLC

Debra Hart,
Authorized Member

Date