



### **Community Garden - FEMA Lot Guidelines/ Restrictions**

A "FEMA Lot" is defined as a property that was purchased by the City of Brookhaven, as part of a flood mitigation grant program administered by the Federal Emergency Management Agency (FEMA). As such, certain restrictions are placed on the use of property. All plans relating to a FEMA lot will require approval on a case-by-case basis by the local FEMA administrator, prior to any construction. The property is to be used in a way to maintain open space in perpetuity in order to protect and preserve natural floodplain values.

#### **ACCORDING TO FEMA'S TERMS AND CONDITIONS IN REGARD TO THE PROPERTIES:**

- The Property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping; and other uses consistent with FEMA guidance for open space acquisition.
- No new structures or improvements shall be erected on the Property other than a public facility that is open on all sides that is compatible with open space and conserves the natural function of the floodplain.
- FEMA shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms.

#### **AS SUCH:**

1. We acknowledge that this land may have flooded in the past and that it may do so in the future;
2. No structure, walkway or other alteration, permanent or temporary, will be constructed or erected on the lot without the prior knowledge and written permission of the City of Brookhaven and the Federal Emergency Management Agency;
3. Parking, repair work or other similar use of the land is strictly prohibited;
4. No fence which would prohibit 24 hour access by the City of Brookhaven will be permitted;
5. The land shall not be used for any commercial purpose. Occasional fund raising events may be permitted with the prior approval of the City of Brookhaven; and
6. Upon expiration or termination of the contract, the property shall be restored back to its original state.
7. We will submit a plan for use of the property prior to any construction or cultivation, knowing that the property-use must be approved by the local FEMA administrator.

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(Name of Organization)

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(Authorized Representative of Organization, Print) (Position/ Title)

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(Authorized Representative of Organization, Signature) (Date)

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(This section to be used by City of Brookhaven only)

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Date: \_\_\_\_\_