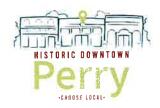


### Downtown Development Authority of the City of Perry Monday, August 25, 2025 5:00pm

808 Carroll Street, Perry City Hall, Downtown Perry Economic Development Conference Room AGENDA

- Call To Order
- 2. Invocation
- 3. Citizens with Input
- 4. Guests/Speakers
  - a. Alicia Hartley, Downtown Manager Welcome Park funding request
- 5. Old Business
  - a. Review proposed changes to table of uses
- 6. New Business
  - a. Approve minutes of July 28, 2025, meeting
  - b. Approve July 2025 Financials
  - c. Natural Gas Grant Application Fuego Fresco
  - d. General Discussion Northside Drive and Meeting Street
- 7. Staff Update
- 8. Member Items
- 9. Other
- 10. Chairman Items
- 11. Adjourn



To: Perry Downtown Development Authority

From: Perry Main Street Advisory Board

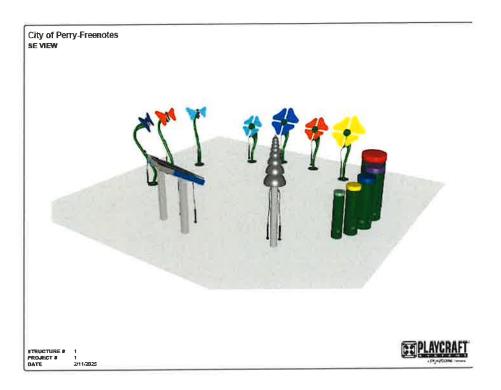
RE: Funding Request Support for Placemaking Project

**Date:** August 8, 2025

At the August 7, 2025, Main Street Advisory Board meeting, the board concurred to move forward in pursuing the most recent placemaking project, the installation of flower musical instruments at Welcome Park. These musical instruments in Welcome Park would activate an otherwise unactive park area in Historic Downtown Perry. The purpose of this project is to revitalize public spaces by creating a vibrant, functional, and community-focused environment. Welcome Park is a space that was identified by the Placemaking Team that needs attention and activation.

The Main Street Advisory Board is requesting match funding from the Downtown Development Authority of \$4,103 to support this project. As Welcome Park was originally a project of the Downtown Development Authority, this would be a great way to continue investment and bring into this past project into the present. Below are the details of the project including the rendering of the flower instruments (disregard the other instruments and other fixtures in the rendering), a budget of the materials, and the proposed location for installation in Welcome Park. The current lead time on these fixtures is 8 weeks.

Flower Turquoise In-Ground	\$1,552	
Flower Indigo In-Ground	\$1,676	
Flower Orange In-Ground	\$1,552	
Flower Yellow In-Ground	\$1,676	
Fright	\$1,750	
TOTAL	\$8,206	





	\$2	۵۸a	Kav: "P" = Permitte	rmitte		Tal.	ole 4-1	1.1: Ta	able o	Table 4-1.1: Table of Uses	Table 4-1.1: Table of Uses	11 = 0	r o b	a ti	g							
Use Category	Use Type									Z	Zoning Districts	istricts			3							Additional
V					Residential	ntial						2	Nonresidential	ential				For	Form Based Code	og pa	le 2	Regulations (Sections)
		аАЯ	ВŢ	RZ	ЕЯ	нтя	RM1	RM2	нмя	10	CI	ZO	ສ	רכ	TW	ZM	ดอ	UMI	MUC	UMN	гвя	
Residential Uses					H									I								
Household	Single Family dwelling, detached	а	Ь	Ь	۵	, iii	۵		<u>а</u>	Ъ		Ь		Ь					S	Ь	۵	
Living	Single Family dwelling, attached		P 4	p 4	Р 4	۵		W		lb.		P 4	4					Ь	Ь	۵	۵	4-3.1(A)
	Two Family dwelling						Ь	Ь		۵		Ь		Ь				Ч	Ь	Ь	Ь	
	Multi-family dwelling < 7 units						۵	۵		۵	۵	А	4	۵				۵	۵	۵	۵	
	Multi-family dwelling > 6 units							S			S	S	S					۵	S	S	100	
	Manufactured home	۵							Ь													
	Manufactured home park			100		-C11		W	۵	V.			8 2		18							4-3.1(B)
	Manufactured home subdivision						0 = 2		۵	7												
	Dwelling in a commercial building			110						Ь	Ф	Ъ	4	Ь	Ь	Ь		Ь	d	Ь		4-3.1(C)
Group Living	Family personal care home	Ь	Ь	Ь	Ь	1 8	Ь	Ši,	۵	Ь		Д		Ь					Ь	Ь	Ь	
	Boarding house										Ь	P 1			JE.							
	All other uses					) III	S	S		а	Δ.	Ь					Ь	Д	d			4-4.3(D)
Accessory Use	Residential Business	s	S	S	S	s	s	S	S	<b>a</b>	Ь	Ь	۵	4				Ь	Ь	Ь	S	4-4.3(D)
Public and Institutional Uses	tutional Uses							•														
Community Service	All Uses	S	S	S	S		S	N	S	<b>a</b>	۵	4	Δ.	4			Δ.	۵	Ь	۵	S	
Day Care	Child learning center (19+ persons)	s					S	S	S	<b>a</b>		Д		ricul.				۵	Ь	۵		
	Group daycare home (7-18 persons)	s					S	S	S	Ь		Ь		Ь			11 8	Ь	Ь	а.		
	Preschool	S					S	S	S	<u> </u>	Δ.	۵	Δ.	S			4	۵	Ь	۵		
Education	Business school									S	۵	۵	۵	ŒU )			۵	۵				
	College or university			700						Ь		Р	S				۵	۵	۵	۵		
	School, public or private	S	S	S	S		S	S	S	Ь	-	Р				, .	۵	۵	۵	۵		
	Trade school											а.			<u>-</u>	۵.	۵	a.	۵	۵		
Government	Detention facility										T	150		.50			۵					
	Emergency response facility									۵	9 27	<u>а</u>	-101		_	۵	۵	۵				
	Maintenance, storage, and distribution facility			1019		4,8		15		ļļu				11/10	Δ.	Δ.	۵		18			
	Police substation					Ya					ī	4	<u>-</u>	<u>-</u>	4	Δ.	4	۵	۵			
	Post office	-								۵		4		8	U		۵.					

January 1, 2018; revised through 6-17/2025

Use Category	Use Type									Zoni	Zoning Districts	ricts									_	Additional
					Residential	ntial						Non	Nonresidential	tial				Form	Based Code	Code 2		Regulations (Sections)
		аАЯ	ВТ	RZ	εя	нтя	RM1	RM2	ОІ		cz	ZO	ຄ	гс	τM	ZM	en	UMI	MUC	UMN	F8R	
Health Care	Hospital					Į,			_		Ь		7									
	Medical facility other than hospital							/C 11	Ь		Ь	Ь	Ь	Ь			-	Ь	Ь	Ь		
Institutions	Religious institution	S	Ś	S	S	9-01	S	S	S		а	Ь	а	s			100	_	<b>d</b>	Ь	S	
	Congregate personal care home								Ь			Ь							Ь			
	Alternative/post incarceration facility			Į,							S					0	Ь		3	10		
	Rehabilitation facility								W.	80	۵	P 1					Ь	Ь				
	All other uses								_		۵	۵	10				711	۵	Ь	77 ()		
Parks and Open Space	Cemetery, columbarium, mausoleum	S							4		Ь	Ч	۵		i Liğ	7. ES	<u>a</u>	<u> </u>	<b>a</b>			4-3.2(A)
	Community Garden	۵	s	S	S	S	S	S	S	1501	۵	٦	S	۵	Ь		۵	۵	Ъ	Ь	Ь	
	Golf course	s	S						N.		Ь				G.		Ь	Ь	Ь		80	
	Park	۵	Ь	Ъ	Ь	Ь	Ь	Ь	ЬР		Ь	Ь	Ь	Ь	į		Ь	Ь	Ь	Ь	Ь	
Transportation	Airport/heliport/landing strip			l vx gg												Ь	Ь		i,	III		
Terminals	All other uses					111	11	8 11		erito	Ь				۵	Ь		Ъ	J. T.			
Utilities	Communication tower, freestanding	S		n ii					S		а	S			۵	<u>a</u>	4	۵.	¥ 1	- 5		4-3.2(B)
	Communication tower on existing structure			Í				-	۵.		۵	۵	۵	۵	۵	а.	۵	а.	۵	а.		4-3.2(B)
	Utility, major	S	S	S	S	S	S	S	S		Ь				Д	Ь	Ь	۵.	۵	Ь	S	
	Utility, minor	S	S	S	S	S	S	S	S		Ь	۵	19		Ь	Ь	4	а	۵	Ь	S	
Commercial Uses	es	3																				
Eating	Brewpub										4	۵	۵					۵	۵	۵	B	
Establishments	Drive-in restaurant										Ъ											
	Restaurant with drive-through window					i y					a.	۵					1	۵	۵	S		
	Restaurant with indoor and outdoor seating and/or food service areas										Ь	Ъ	Ь	S	7			<u> </u>	۵	۵		
	Restaurant with indoor seating only							27	S		Ь	Ь	Д	S				_	۵	۵	=7	
	Restaurant with no seating										Ь	Ь	А					_	۵	۵		
Offices	All uses									е.	а	۵	۵	S			_	_	۵	۵		
Outdoor Entertainment	All uses										۵	S 1	S					۵.	۵		o Al	
Parking,	Parking lot									Ь	Ь	Ь	Ь				۵		۵	S		
Commercial	Parking structure					116.4				S	م	Ь	Ь				Ь	۵.	a.	S		

Use Iype							-	Zoning Districts	ST					-				<b>₹</b>	Additional Regulations
		Re	Residential	tial				2	onres	Nonresidential	ial				Form Based Code	Sased	Code 2		(Sections)
	R1 R1	ZA	ЕЯ	нтя	RMZ	HMA	10	CJ	CS	ຍ	27	TM	ZM	กอ	UMI	DUM	NMU		
Animal shelter and adoption service		i i										Ь	_	۵					
Automobile parts store	=1				Š, L			Ь	<u>а</u>	Ş	75-				<u>a</u>	В	۵		
Bank, financial institution, ATM					93		S	Ь	_	۵	S				Д	Ь	4		
		117						_	_	۵					_	۵	۵		
Barber shop, beauty shop		13					۵	а	_	_	<u> </u>				a	а	а		
Casino or gambling establishment					- 0			Ь											4-3.3(C)
							Ь		Ь	۵				i s	_	Ь			
Convenience store				VII)	FIRS		100	а	_						_	Ь	S		4-3.3(A)
Convention and exhibition facility								Ь		S		Q.		۵	Ь				
S								Ь	Ь	Ь		(0.5)			Ь	Ь	Ь		
Farmers' market						7 .3		Ь		Д	S		ZGI)		Ь	Д.	S		
								Ь		50		<u>a</u>	(2)	1.03					
		7.7	150		11	N. F		Д				2	File			10,7	1/1	-	
Funeral home, mortuary		a .			77		۵	E V	_	7,1			(10)		۵	а	<u>a</u>		
								Ъ	_					- 31	<u>а</u>	4	Ь	47.	
Health club, spa							۵	۵	а.	۵					_	Д	Ь		
Indoor entertainment facility, general				min		rica (	S	۵	Ь	S			0.01	18 4	_	۵.	Ь		
Kennel, pet boarding			31					Ь						۵	Ь	Ь			
Landscape nursery								Ь				Ь					1 -	100	
								Ь	IT.					2)	_	_			
Photography, art, dance studio or gallery	0 35						۵		_	_	S				_	۵	PS		
Personal services, all other		W.					S	۵	<u>17</u>	E.	S 3	les.			ъз	рз	БЗ		
Pet grooming, indoor only	elen)			THE REAL PROPERTY.	- 2		S		_	S		e di	DOT [1]			۵	<u> </u>		
Prefabricated building display and sales								۵				۵			_	S			
Retails sales and services, all other		N-		34			Ē,	۵	P1	E E	S 3	Ь	а		Ъз	БЭ	ЪЗ	1,0	
Retail tenant exceeding 35,000 square feet							, The	۵	S			23	1 2		_	_			6-6.2
Sexually oriented business								۵		lay i		<u>a</u>	_	IS I				70	4-3.3(E)
Shopping center exceeding 50,000 square feet				of a				۵	_						_	а	10		6-6.2
Tattoo and body piercing establishment								۵											
1.4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 -									,									i i e	

Use Category	Use Type									Zoning Districts	strict									<u> </u>	Additional
				Re	Residential	ie i					Non	Nonresidential	ıtial				Form Based Code	3ased	Code 2		Regulations (Sections)
		аАЯ	ГЫ	ZA	ЕЯ	нтя тмя	SMA	ВМН	Ю	CI	ZO	ຄ	27	TW	ZM	ne	NWI	MUC	NMN FBR		
Self-Service Storage	All Uses										S	1		۵	<u>a</u>	- 8	<u>a</u>	275			6-6.2
Vehicle Sales and	Automobile rental									۵	p 1			۵		8	<u>-</u>	S			4-3.3(F)
Services	Automobile sales			N.	i ii		30			Ь	P 1	The Ri		Ь			Ь	S			4-3.3(F)
	Automobile repair									Δ.	S 1			Ь			Д.	S		4-	4-3.3(A & F)
	Automobile service									۵	p 1						Ь	Ь	S	4-	4-3.3(A & F)
	Automobile wash and detailing									4	P 1						<u> </u>	S	S		
	Boat/ recreational vehicle rental &sales	1 4			OL II	-	-,			٥				۵			<u> </u>	S		1 900	
	Taxicab service									۵		ki i			а			U.T		100	
	Tire sales and installation								3	Ь	p 1			Ь				۵	Ь	ь	
	Towing service							/ 1						۵	_						
	Truck and trailer rental and sales				- 3	n)				۵				_	1	TE	_	S			
Visitor	Campground			21						S		ā								mei	
Accommodations	Hotel or motel	8				8			S	Ь	۵	Ь					_	а	S		
	Recreational vehicle park					6 19			ğ	S						W					4-3.3(D)
	Short-term rental unit	S	S	S	S	SS	S	S	Ь	<u> </u>	۵	۵		īX.			<u>а</u>	4	<u>а</u>	S	4-3,5
Service and Industrial Uses	ial Uses																				
Agricultural	Farm winery	s				1				S	S 1			۵	_				S	S	
Operations	Riding stable/academy	۵				-			-2	S	p 1			_	_						4-3.4(A)
	All other uses	۵	S	S	S			S		S	S 1			۵.	_			F		i de	4-3.4(A)
Industrial Services	Contractor's office with on-site storage/fabrication					. 3			S	۵.				۵	۵		_	۵	S		
	Data Center	0 0 0		11 13			C S	100		- 2					S						
	Truckstop or travel plaza								P	<u>a</u>	100	1		۵	۵						
	All other uses				×					Φ.				۵	۵						
Manufacturing	Artisan production establishment								S	Δ.		S		۵	_		_				
and Production	Brewery, distillery										_	S		۵				H			
	Heavy manufacturing					1 1			2						۵						
	Light manufacturing, general				U,II	1.0	11			_	-30			۵	_	10	_				
Mining Operations	All uses														S						

Use Category	Use Type									Zon	Zoning Districts	stricts										Additional
				Ä	Residential	tial						No.	Nonresidential	ntial				For	n Base	Form Based Code <sup>2</sup>	le 2	Regulations (Sections)
		BAЯ	ВJ	ZA	ЕЯ	нтя	RMI	SMA	ВМН	10	τɔ	C5	ຄ	Э٦	TM	ZM	en	UMI	SUM	NMN	ЯВЭ	
Research and	R & D with outdoor storage							501							۵	۵						6-3.7(A)
Development	R & D with no outdoor storage									Ь		ط			Ь	Ь			۵	Ъ		
Testing Laboratory	Testing Lab with outdoor storage			Ty.						191					۵	۵						6-3.7(A)
	Testing Lab with no outdoor storage			2-3					_	Р	l.	Ь			Ь	Ь	l y		Ь	Ъ		
Warehouse and	Outdoor storage lot										Ь				Ь	Ь		Ь	S			6-3.7(A)
Freight Movement	Truck or freight terminal										Ь				Ь	Ь		Ъ				
	Warehouse										V E				Ь	Ь						
Waste Services	Junk yard							1 0					ľ			S						6-3.7(A)
	Recycling drop-off center										1				۵	۵	۵					
	Waste disposal or treatment operation							19							S	S	۵					
Wholesale Sales	All uses														۵	۵		۵				

1—These uses are not permitted in the Downtown Development Overlay District. For "Personal services, all other" and "Retail sales and services, all other", the limitation applies only to massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments.

2 - Uses in the Form Based Code districts are subject to standards of the Form Based Code in Appendix A of this chapter.

3 - Massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments are not permitted.

4 - Townhouses are permitted only within the Downtown Development Overlay District within these base zoning districts.

### Downtown Development Authority of the City of Perry Minutes - July 28, 2025

1. Call To Order: Chairman George called the meeting to order at 5:00pm.

Roll: Chairman George; Directors Cossart, Forrester, Mosley, Rhodes, Tuggle, and Way were present.

Staff: Holly Wharton – Economic Development Director, Joe Duffy – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk

Mr. Duffy, the new Community Development Director, introduced himself and the board welcomed him.

- 2. Invocation was given by Director Rhodes
- 3. Citizens with Input None
- 4. Guests/Speakers None
- 5. Old Business None
- 6. New Business
  - a. Review Table of Uses for C-3, Central Business District

Ms. Wharton advised the City Manager requested the board review the current allowable uses in the C-3 district with the intent of the review considering where development is now, will be and if there are possible changes needed. The board reviewed each of the use categories and use types and recommended the following for change: 1). Special exception for college/university, 2). Transportation terminals – heliport and all other uses – suggested a breakdown; look toward future with EV20L use, 3). Outdoor entertainment and clarify definition, 4). Convention and Exhibition facility by special exception, 5). Grocery store – define by square footage, allow a neighborhood market. On conclusion of discussion Ms. Wharton advised staff will work on possible amendment and bring back for further discussion.

b. Adoption of FY 2026 budget

Director Forrester motioned to approve as presented; Director Cossart seconded; all in favor and was unanimously approved.

c. Approve minutes of June 23, 2025, meeting

Director Mosley motioned to approve as submitted; Director Rhodes seconded; all in favor and was unanimously approved.

d. Approve June 2025 Financials

Director Cossart motioned to approve as submitted; Director Tuggle seconded; all in favor and was unanimously approved.

- 7. Staff Update- Ms. Wharton advised of the upcoming GDOT road work for the traffic pattern shift at Macon Rd/Commerce St/Swift St. Main Street initiating new programs key to downtown for new and/or expanding businesses, creation of a downtown welcome guide. Awarded Flint Energies mural grant for the Perry Players building. At the upcoming Main Street training will present the Northside Drive small area plan.
- 8. Member Items Director Cossart advised the sidewalk sale will be August 16th.
- 9. Other None
- 10. Chairman Items requested for the September meeting to bring ideas for development of the property adjacent to the events center. Reminder façade grants and revolving loan funds are available.
- 11. Executive Session —Chairman George requested a motion to enter executive session for the discussion of real estate at 6:03pm. Director Mosley motioned to enter executive session for the purpose of real estate; Director Forrester seconded and all approved.
  - Chairman George requested a motion to close executive session and reconvene the regular meeting at 6:14pm. Director Cossart motioned to close executive session and reconvene the regular meeting; Director Forrester seconded, and executive session was closed.
- 12. Adjourn: there being no further business to come before the board the meeting was adjourned at 6:15pm.

Stolland

# Downtown Development Authority Balance Sheet July 31, 2025

	General Fund		Capital jects Fund	Go	Total overnmental Funds
Assets Cash & Cash Equivalents Interest Receivable Loan Receivable	76,078.94	\$	<b>≅</b> ≈	\$	76,078.94 - -
Due from Other Funds			**		
Total Assets	76,078.94	\$	•	\$	76,078.94
Liabilities and Fund Balances Liabilities Accounts Payable Due to City of Perry Due to Other Funds Total Liabilities	- -	\$	· · · · · · · · · · · · · · · · · · ·	\$	- - - -
Fund Balances NonSpendable Loan Reveivable	: <del>=</del> :			\$	<b>S</b>
Reserved for MSAB Façade Grant	900.00	×	-		900.00
Revolving Loan	20,000.00		<u>\$</u>		20,000.00 55,178.95
Unreserved Total Fund Balances	55,178.95 76,078.94	\$		\$	76,078.94
Total Fullu Dalalices	10,010.04			•	
Total Liabilities and Fund Balances	76,078.94	\$		\$	76,078.94

Total Expense	*********	9 9 9 10 9 8 8 8 9 9 11 11 11 11	46.75	(46.75)	516.00	516.00	
<u>Jun-26</u>	i e		1	9			76,078.94 76,078.94
May-26						. .	76,078.94 76,078.94
Apr-26	1			:063			76,078.94 76,078.94
<u>Mar-26</u>	, Î		1			1.	76,078.94 76,078.94
Feb-26				(*c		. .	76,078.94 76,078.94
<u>Jan-26</u>	ĺ		• .			. .	76,078.94 76,078.94
Dec-25	-Î-			( <b>9</b> 1)		. .	76,078.94 76,078.94
Nov-25	i e			<u>.</u>		. .	76,078.94 76,078.94
Oct-25	į.		6.00	s.	59 - 0	.].	76,078.94 76,078.94
Sep-25	ĺ			- S	9.1		76,078.94 76,078.94
Aug-25	v s			8	9 <del>-</del> 3		76,078.94 76,078.94
<u>Jul-25</u>			46.75	(46.75)	516.00	516.00	75,609.69 76,078 94
Revenues	Donation  Donation - BOOST  Rent  Main Street Advisory Board  Reimbursement from CVB & Chamber Sale of Asset  Revolving Loan Repayment-Principal  Revolving Loan Repayment-Interest  Miscellaneous  Investment Income  Total Revenues	Expenditures Professional Services - Audit Professional Services - Other Contract Labor Telephone Main St Restricted Account Postage & Freight Advertising Promotions - Other Fradulent Activity BOOST Dues and Fees Meetings Training General Supplies & Materials	Official/Administrative DDA Revolving Loan Façade Grant Downtown Feasibility Study Street Signs Natural Gas Incentive Program Electricity - Commerce Street Light Water & Sewer Services Total Expenditures	Excess (deficiency)	Other Financing Sources Transfer In - City of Perry (Monthly Allocation) Transfer In - City of Perry (Incentive Program) Transfer In - Hotel/Motel		Fund Balance - Beginning Fund Balance - Ending

### **Operating Account Summary**

<u>Date</u>	Activity Description	Amount
	Balance as of 6/30/2025	75,609.69
7/1/2025	Beginning Balance	75,609.69
7/3/2025	GA Power Commerce Street lights	(46.75)
7/7/2025	July Allocation from City	516.00

\*Balance as of 7/31/2025 76,078.94 \*operating & boost balance



Application	#
ADDIICAUOH	#

## Application for Natural Gas Reimbursement Contact Downtown Manager Alicia Hartley at (478) 988-2730 or Alicia.hartley@perry-ga.gov

	<b>Applicant</b>	Owner	Inforr	nation
--	------------------	-------	--------	--------

*Indicates Required Field	
Applicant	Property Owner
*Name Norma Thomas	Lee Wingate
*Title Owner/Manager	0
*Address 1009 Northside dr. York GA	
*Phone 478-954-4354	
*Email fuegofresco DI a Gmail.com	
Property Inform	nation
*Street Address 1009 North Side dr. Pe	rry GA 31069
*Tax Map #(s)	* /
Request	
New Building Addition Alteration	Demolition Relocation
*Please describe the proposed modification:	
New building	
Instruction	ns
Application reviewed and approved by the Downtown Devi	elopment Authority, property must be located in
downtown district, zoned and licensed for a restaurant.	
2. Eligible incentives include natural gas fueled commercial h	ot water heaters, stove, range, oven, grill, and
dishwasher or combination thereof.	
3. Appliance shall be installed for a new site or upgrade of ex	tisting site.
4. Attach support documentation to include copies of invoice	s for purchase/delivery of appliance(s) and plumbers'
installation cost.	
<ol><li>Site must be inspected and approved by the City.</li></ol>	
6. Establish a City service account for the site. City will provi	de at no cost, if necessary, a natural gas meter.
7. Reimbursement will be fifty (50) percent of the documente	d cost of paid receipts to the applicant only.
8. Application shall become void if a utility permit is not issue	d within one year of approval of application.
9. Failure to open establishment or closure within a year's tin	ne of payment, applicant must refund full amount to the
Downtown Development Authority.	
10. Reimbursement will be released when Certificate of Occup	pancy is issued.
*Applicant Noma Thomas	*Date 8~15~2 <i>5</i>
*Property Owner/Authorized Agent ( ) /	*Date
Moura / My	8-15-25



### STATE OF GEORGIA COUNTY OF HOUSTON

This Agreement ("Agreement") made this 15 day of Alanist, 2025, by and between the Downtown Development Authority of the City of Perry (herein "Authority") and Fuego Fresco Mexican Restaurant LLC (herein "Company").

#### WITNESSETH:

WHEREAS, the Authority desires to increase and improve the number of restaurants in the downtown district of the City of Perry; and

WHEREAS, the Authority has created an economic development incentive program to encourage restaurant development in the downtown district; and

WHEREAS, said program will reimburse a company operating a restaurant in the downtown district up to fifty percent (50%) of the total purchase and installation costs of certain commercial natural gas fueled appliances; and

WHEREAS, Company desires to participate in the natural gas incentive program.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Authority and Company agree as follows:

- 1. The Company's property, as identified in its Natural Gas Incentive Program Reimbursement Application, a copy of which is attached hereto as Exhibit "A," is located in the downtown district and is currently zoned and licensed for a restaurant.
- 2. The Company has allowed, or will allow, the property to be inspected by the City of Perry; the site must also be approved by the City of Perry.
- 3. The Company has established a City services utility account.
- 4. The Authority has agreed to issue a reimbursement payment to the Company in the amount of \_\_\_\_\_dollars (\$\_\_\_\_\_) ("reimbursement payment") as part of its natural gas incentives program.
- 5. The reimbursement payment will be issued by the Authority once a Certificate of Occupancy has been issued for the site, with payment being made directly to the applicant listed on the Natural Gas Incentive Program Reimbursement Application.

- 6. Should the Company fail to become operational and open for business within twelve (12) months of receipt of the reimbursement payment, or fail to remain operational and open for business for a period of twelve (12) months after receipt of the reimbursement payment, Company hereby agrees to refund the full amount received as the reimbursement payment to the Authority. Any refund due to the Authority shall be paid in full on the date that is one (1) year from the Applicant's receipt of the original reimbursement payment.
- 7. This Agreement constitutes the entire agreement of the parties hereto.

 $Bv^*$ 

IN WITNESS WHEREOF, the parties have duly executed this Agreement on the day and year first written above.

### DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF PERRY

3	(Printed Name) (Title)
COMPANY - Fuego	Fresco Mexican Restaurant
By: Morra & Thomas Owner I manage	(Printed Name) (Title)

[SEAL]

### EXIHIBIT A

Company's Natural Gas Incentive Program Reimbursement Application