

STATE OF GEORGIA  
COUNTY OF LOWNDES

STATE OF GEORGIA COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19  
PANDEMIC RECOVERY (CDBG-CV) SUBROGATION AND ASSIGNMENT AGREEMENT

**THIS SUBROGATION AND ASSIGNMENT AGREEMENT** (“Agreement”) is made and entered into on this 9<sup>th</sup> day of November, 2021, by and between **the Board of Commissioners of Lowndes County on behalf of Lowndes County**, whose address is 327 N Ashley Street, Valdosta, GA 31601 (“Recipient”) and **Second Harvest of South Georgia, Inc.**, whose address is 1411 Harbin Circle, Valdosta, GA 31601 (the “Food Bank”).

**WHEREAS**, Community Development Block Grant COVID-19 Pandemic Recovery (“CDBG-CV”) Program (“Program”) funds are provided to prevent, prepare for, or respond to the COVID-19 Pandemic; and

**WHEREAS**, CDBG-CV funds awards to the Recipient shall be administered by the **Valdosta-Lowndes County Industrial Authority** pursuant to an Intergovernmental Agreement between the Recipient and the **Valdosta-Lowndes County Industrial Authority**, dated November 9, 2021; and

**WHEREAS**, the Recipient has selected the Food Bank to receive an award in the amount of **Eighteen Million Dollars (\$18,000,000)** to be administered by the **Valdosta-Lowndes County Industrial Authority** pursuant to a Memorandum of Agreement between the Food Bank and the **Valdosta-Lowndes County Industrial Authority**; and

**WHEREAS**, the Food Bank has been awarded Program funds to perform rehabilitation or construction activities for the facility located at 1411 Harbin Circle, Valdosta, GA 31601; and

**WHEREAS**, the Food Bank, subject to the provisions herein shall assign to the Georgia Department of Community Affairs (“DCA”), on behalf of the state of Georgia, to the extent of the grant proceeds awarded or to be awarded to the Food Bank under the Program, any claims, future rights to reimbursement, and all payments hereafter received or to be received by the Food Bank for the same purpose of the CDBG-CV funds; and

**WHEREAS**, the grant proceeds referred to above may be derived from insurance, Federal Emergency Management Agency or the Small Business Association or any other source, and whether such amounts are a duplication of benefits (“DOB”), shall be referred to herein as “Proceeds,” and any Proceeds that are a DOB shall be referred to herein as “DOB Proceeds.”; and

**WHEREAS**, all DOB Proceeds shall be detailed on the Duplication of Benefits Affidavit submitted by the Food Bank to the Recipient; and