APPLICATION FOR FINANCIAL ASSISTANCE

Oneida County Local Development Corporation
584 Phoenix Drive
Rome, New York 13441-1405
(315) 338-0393 telephone
(315) 338-5694 fax

Shawna M. Papale, Executive Director

A non-refundable application fee of $1,500.00 must be submitted at the time of application, of which a credit of $1,000 will be applied upon closing.

Please submit the original application and one hard copy AND submit all documents electronically to spapale@mvedge.org.

All applications must be submitted 10 days prior to meeting.

Name of Applicant ___________________________ Number (to be provided by the agency) ___________________________
Note to Applicant:

The information requested by this form is necessary to determine the eligibility of your project for Oneida County Local Development Corporation (the "LDC") benefits. Please answer all questions, inserting “none” or “not applicable” where appropriate. If you are providing an estimate, please indicate by inserting “est” after the figure. Attach additional sheets if more space is needed for a response than is provided.

Return the original application and one hardcopy AND one full set of documents electronically to spapale@mvedge.org with a check in the amount of $500.00 made payable to: Oneida County Local Development Corporation, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director.

All information contained in this application will be treated confidentially, to the extent permitted by law. Be advised that any action brought before the LDC is public information. All agenda’s for the LDC are issued prior to full agency meetings and posted in public domain.

A project financed through the LDC involves the preparation and execution of significant legal documents. Please consult with an attorney before signing any documents in connection with the proposed project.
Part I: Applicant Information

Note: In responding to the following questions, please keep in mind that the Applicant will be party to all of the documents and is the individual or entity which will receive the actual financial assistance from the LDC.

Applicant

1(a) Applicant’s Legal Name: ________________________________

1(b) Principal Address: __________________________________________
________________________________________
________________________________________
________________________________________

1(c) Telephone/Facsimile Numbers: ________________________________
________________________________________
________________________________________

1(d) Email Address: ____________________________________________

1(e) Federal Identification Number: ________________________________

1(f) Contact Person: ____________________________________________

1(g) Is the Applicant a [ ] Corporation:

   If yes, Public [ ] Private [ ]

   If public, on which exchange is it listed?
   ______________________________

[ ] Subchapter S
[ ] Sole Proprietorship
[ ] General Partnership
[ ] Limited Partnership
[ ] Limited Liability Corporation/Partnership
[ ] DISC
[ ] Other (specify)__________________________

1(h) State of Organization (if applicable) ____________________________
Applicant’s Stockholders, Directors and Officers (or Partners)

2(a) Provide the following information with respect to parties with 15% or more in equity holdings:

<table>
<thead>
<tr>
<th>Name</th>
<th>Home Address</th>
<th>Percentage of Ownership</th>
</tr>
</thead>
</table>

2(b) Is the Applicant, or any of the individuals listed in 2(a) above, related directly or indirectly to any other entity by more than 50% common ownership? If so, indicate name of such entity and the relationship.

2(c) Is the Applicant affiliated with any other entity, directly or indirectly, other than as listed in the response to 2(a) above? If yes, please indicate name and relationship of such other entity and the address thereof:
Applicant’s Counsel and Accountant

3(a) Applicant’s Attorney

Name/Title: ________________________________________________
Firm: ________________________________________________
Address: ________________________________________________
Telephone/Fax: ________________________________________________

3(b) Applicant’s Account

Name/Title: ________________________________________________
Firm: ________________________________________________
Address: ________________________________________________
Telephone/Fax: ________________________________________________

Business Description

4(a) Describe the nature of your business and principal products and/or services. Attach additional sheets if necessary.
Part II:  Project Information

5(a) Explain your project in detail. This description should include explanation of all activities which will occur due to this project. Attach additional sheets if necessary.

Reasons for Project

6(a) Please explain in detail why you want to undertake this project.

6(b) Why are you requesting the involvement of the LDC in your project?
6(c) How will the Applicant’s plans be affected if LDC approval is not granted?

6(d) Is the proposed project reasonably necessary to discourage the Applicant from removing such other plant or facility to a location outside the State of New York?  
[   ] Yes [   ] No If yes, please explain briefly.

Is the proposed project reasonably necessary to preserve the competitive position of the Applicant in its respective industry? [   ] Yes [   ] No If yes, please explain briefly.

6(e) Will financing by the LDC result in the removal or abandonment of a plant or other facility of the applicant or any related entity presently located in another area of New York State? [   ] Yes [   ] No If yes, please explain briefly the reason for the move.

6(f) Has the Applicant or any related entity previously secured financial assistance in Oneida County (whether through the LDC, the Oneida County Industrial Development Agency, the Empire State Development Corporation, or any other entity)? [   ] Yes [   ] No If yes, please explain (indicate date of benefit, location of facility and outstanding balance).

6(g) Has the Applicant or any related entity secured financial assistance for this project anywhere within the United States within the last 90 days or does the Applicant or any related entity anticipate receiving financial assistance within the next 90 days? [   ] Yes [   ] No If yes, please explain.
6(h) Check all categories best describing the type of project:
[ ] Manufacturing
[ ] Industrial Assembly or Service
[ ] Research and Development
[ ] Warehousing
[ ] Commercial or Recreational
[ ] Pollution Control (specify) ______________________________
[ ] Other (specify) ______________________________

6(i) Check all categories best describing the scope of the project:
[ ] Acquisition of land
[ ] Acquisition of existing building
[ ] Renovations to existing building
[ ] Construction of addition to existing building
[ ] Demolition of existing building
[ ] Construction of a new building
[ ] Acquisition of machinery and/or equipment
[ ] Installation of machinery and/or equipment
[ ] Other (specify)

6(j) Please provide the estimated value of the issuance by the LDC of Tax Exempt Bonds.

<table>
<thead>
<tr>
<th>Assistance</th>
<th>Estimated Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issuance by the LDC of Tax Exempt Bonds</td>
<td>$________________</td>
</tr>
</tbody>
</table>

Part III: Facility Information

Facility (Physical Information) If multiple locations please provide information on all.

7(a) Street Address of Facility:

_______________________________________________

7(b) City, Town and/or Village:

_______________________________________________

(Note: It is important that you list all incorporated municipalities in which the facility lies. This information will be used in scheduling a public hearing as required by statute.)

7(c) School District:

_______________________________________________

7(d) Tax Account Number(s):

_______________________ _______________________

_______________________ _______________________

Attached copies of the most recent real property tax bills. Include copies for all taxing jurisdiction for the site/facility that LDC assistance is being sought.

7(e) For what purpose was the facility site most recently used (i.e., light manufacturing, heavy manufacturing, assembly, etc.)?

7(f) Zoning Classification of location of the project:

7(g) Please describe in detail the facility to be acquired, constructed or renovated (including number of buildings, square footage, number of floors, type of construction,) and attach plot plans, photos or renderings, if available. Please be as specific as possible.
7(h) Has construction or renovation commenced? [  ] Yes [  ] No

If yes, please describe the work in detail, including the date of commencement.

If no, indicate the estimated dates of commencement and completion:

Construction commencement: __________________________

Construction completion: __________________________

7(i) Will the construction or operation of the facility or any activity which will occur at the site require any local ordinance or variance to be obtained or require a permit or prior approval of any state or federal agency or body (other than normal occupancy and/or construction permits)?

[  ] Yes [  ] No

If yes, please describe.

7(j) Will the project have a significant effect on the environment? [  ] Yes [  ] No

Important: please attach Environmental Assessment Form to this Application.

7(k) What is the useful life of the facility? ________ years
Facility (Legal Information)

8(a)  With respect to the present owner of the facility, please give the following information:
(Note: the present owner is not necessarily the user of the facility, but that party which holds legal title to the facility.)

Legal Name:  __________________________________________________
Address:  __________________________________________________
Telephone:  __________________________________________________
Balance of Mortgage:  __________________________________________
Holder of Mortgage:  ____________________________________________

If the Applicant is not the present owner of the facility, please attach any written agreements and contracts concerning the acquisition of the real property and/or equipment.

8(b)  Is there a legal relationship, directly or indirectly, by virtue of common control or through related persons, between the Applicant and the present owner of the facility?
[ ] Yes  [ ] No. If yes, please explain.

8(c)  Will a related real estate holding company, partnership or other entity, be involved in the ownership structure of the transaction?
[ ] Yes  [ ] No. If yes, please explain.

8(d)  Will the title owner of the facility/property also be the user of the facility?
[ ] Yes  [ ] No. If no, please explain.

8(e)  Is the Applicant currently a tenant in the facility?  [ ] Yes  [ ] No
8(f) Are you planning to use the entire proposed facility? [ ] Yes [ ] No
If no, please give the following information with respect to tenant(s) which will remain in the facility after the completion of the project:

<table>
<thead>
<tr>
<th>Name of Tenant</th>
<th>Floors Occupied</th>
<th>Square Feet Occupied</th>
<th>Nature of Business</th>
</tr>
</thead>
</table>

8(g) Are any of the tenants related to the owner of the facility? [ ] Yes [ ] No
If yes, please explain.

8(h) Will there be any other users other than the applicant to the LDC be utilizing the facility? [ ] Yes [ ] No
If yes, please explain. Provide detail of the contractual arrangement including any financial exchange for the use of the site or property.

**Equipment**

9(a) List the principal items or categories of equipment to be acquired as part of the project. (As soon as one is available but prior to final authorizing resolution, please submit a detailed inventory of said equipment.)

9(b) Please provide a brief description of any equipment which has already been purchased or ordered, attach all invoices and purchase orders, list amounts paid and dates of expected delivery. Attach a sheet if needed.

9(c) What is the useful life of the equipment? _____ years
Part IV: Employment Information

10(a) Estimate how many construction and permanent jobs will be created or retained as a result of this project.

Construction Jobs ______________

Permanent Jobs to be created by Project at Applicant’s facility __________

Permanent Jobs to be retained by Project at Applicant’s facility ____________

10(b) What is the applicant entity’s current level of employment in Oneida County at the time of application.

At location to be assisted with the requested LDC benefits __________

Other locations in Oneida County ____________
Part V: Estimated Project Cost and Financing

11(a) List the costs necessary for the construction, acquisition or renovation of the facility. Do not include working capital needs, moving expenses, work in progress, stock in trade, Applicant’s debt repayment, real estate broker fees or your legal fees.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition of Land</td>
<td></td>
</tr>
<tr>
<td>Acquisition of Building(s)</td>
<td></td>
</tr>
<tr>
<td>Renovation Costs</td>
<td></td>
</tr>
<tr>
<td>New Construction of Buildings</td>
<td></td>
</tr>
<tr>
<td>Machinery and Equipment (other than furniture costs)</td>
<td></td>
</tr>
<tr>
<td>Fixtures Installation Costs</td>
<td></td>
</tr>
<tr>
<td>Fees (other than your own broker and legal fees)</td>
<td></td>
</tr>
<tr>
<td>Legal Fees</td>
<td></td>
</tr>
<tr>
<td>Architectural/Engineering</td>
<td></td>
</tr>
<tr>
<td>Interest on Interim Financing</td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
</tr>
<tr>
<td><strong>LDC Fee</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Commitment Fee</strong></td>
<td>$1,000.00</td>
</tr>
<tr>
<td><strong>Total Project Cost</strong></td>
<td></td>
</tr>
</tbody>
</table>

1 See Attached Fee Schedule for LDC Fee amount to be placed on this line

11(b) What amount of the Total Project Cost is the Applicant requesting financing by the LDC?

________________________________________
Financial Information

12(a) Has the Applicant contacted any bank, financial/lending institution or private investor with respect to the financing of the proposed project?
   [   ] Yes [   ] No

   If yes, please provide details.

12(b) Has the Applicant received a commitment letter for said financing? [   ] Yes [   ] No

   If yes, please submit a copy of said commitment letter along with this Application.

12(c) Please complete the Cost/Benefit Analysis form and attach to this Application.
REPRESENTATIONS AND CERTIFICATION
BY APPLICANT

The undersigned requests that this Application be submitted for review to the Oneida County Local Development Corporation’s Board of Directors.

Approval of the Application can be granted solely by this LDC’s Board of Directors. The undersigned acknowledges that Applicant shall be responsible for all costs incurred by the LDC and its counsel in connection with the attendant negotiations whether or not the transaction is carried to a successful conclusion.

The Applicant further understands and agrees with the LDC as follows:

2. **Annual Employment Reports.** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the LDC, the Applicant agrees to file, or cause to be filed, with the LDC, on an annual basis, reports regarding the number of people employed at the project site as well as tax benefits received with the action of the LDC.

2. **Absence of Conflict of Interest.** The Applicant has received from the LDC a list of the members, officers and employees of the LDC. No member, officer, or employee of the LDC has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein after described:

3. **Hold Harmless.** Applicant hereby releases Oneida County Local Development Corporation and the members, officers, servants, agents and employees thereof (the “LDC”) from, agrees that the LDC shall not be liable for and agrees to indemnify, defend and hold the LDC harmless from and against any and all liability arising from or expense incurred by (A) the LDC’s examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the LDC, (B) the LDC’s acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the LDC with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys’ fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the LDC or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the LDC, its agents or assigns, all costs incurred by the LDC in the processing of the Application, including attorneys’ fees, if any.

4. The applicant acknowledges that the LDC has disclosed that the actions and activities of the LDC are subject to the Public Authorities Accountability Act signed into law January 13, 2006 as Chapter 766 of the 2005 Laws of the State of New York.
The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the LDC will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

________________________________________
(Applicant)

By: _____________________________________

Name: ___________________________________

Title: ________________________________

Date: ________________________________

If the application has been completed by or in part by other than the person signing this application for the applicant please indicate who and in what capacity:

By: ___________________________________

Name: __________________________________

Title: ________________________________

Date: ________________________________

Return the original and one copy plus a full electronic copy (email to spapale@mvedge.org) of the application with a check in the amount of $500.00 made payable to: Oneida County Local Development Corporation, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director.
LDC Fee Schedule

Commitment Fee: $1,000 – due following the initial inducement but prior to scheduling of the public hearing; this amount is non-refundable if the applicant fails to close on the project before the LDC. Upon closing with the LDC this amount is applied to the closing fees due to the LDC.

Bond Fees: ½ of 1% of total bond amount

Other fees:
For an LDC project which requires follow up action – a 1/8 of one percent of the total reissuance, redemption, new or revised mortgage, refinancing, spreading agreement or other transaction requiring action of the LDC shall be 1/8 of one percent of total project amount for a minimum payment to the LDC of $500.

Bond Counsel/ LDC Counsel Fees:
Set by Bond Counsel based upon the nature and complexity of the transaction. Counsel will quote fee.

Annual Fee:
For the term in which the property remains in the LDC’s name, an annual lease payment is due in the amount of $500. This amount is due on the anniversary date of the first date of the month in which the LDC documents we executed. For annual fees not paid and delinquent, a late charge of $50 per month will be levied until such time the fee plus late charges are paid. This fee covers the annual cost associated with the reporting and audit required of the LDC by NYS.