

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

APPLICATION FOR REVENUE BOND FINANCING

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from County of Cattaraugus Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY
3 East Washington Street
P.O. Box 1749
Ellicottville, New York 14731
Attention: Chairman

This application by applicant respectfully states:

APPLICANT: _____

APPLICANT'S STREET ADDRESS: _____

CITY: _____ STATE: _____ PHONE NO.: _____

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: _____

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: _____

NAME OF ATTORNEY: _____

ATTORNEY'S STREET ADDRESS: _____

CITY: _____ STATE: _____ PHONE NO.: _____

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return an original executed application and two (2) additional copies of this application to the Agency at the address indicated on the first page of this application, along with any support documentation, i.e. maps of proposed project, renderings of proposed buildings, etc.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form (Form IDA-2) concerning the Project which is the subject of this application. Please provide an original environmental assessment form and two (2) additional copies of the environmental assessment form.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and duplication. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred by the Agency in connection with this application and the Project contemplated herein. The costs incurred by the Agency, including the Agency’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
9. An application filing fee of One Thousand Dollars (\$1,000) is payable upon the submission of this application to the Agency. This application filing fee is non-refundable. For projects seeking refinancing (if the Agency is the issuer of the prior debt being refunded), the application filing fee is reduced to Two Hundred Fifty Dollars (\$250), and is also non-refundable. A check or money order made payable to the Agency must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FILING FEE.**
10. The Agency has established a project fee for each project in which the Agency participates. **UNLESS THE AGENCY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AGENCY.**
11. Following any required public hearing with respect to the Project, the Agency will consider whether to adopt a resolution (an “inducement resolution”) offering to issue revenue bonds with respect to the Project and to grant any other Financial Assistance in the form of abatements of state and local taxes with respect to the Project. If any funds are expended prior to the passage by the Agency of an inducement resolution with respect to the Project, such funds might not be eligible for reimbursement from the proceeds of any revenue bonds issued by the Agency with respect to the Project and might not be eligible for abatements of state and local taxes that constitute part of the other Financial Assistance sought as part of this application.
12. If the Agency adopts an inducement resolution with respect to the Project, such inducement resolution will not be effective for a period longer than two (2) years from the date of adoption of such inducement resolution.

**County of Cattaraugus Industrial Development Agency
Industrial Development Revenue Bond Agency Fees**

NEW MANUFACTURING PROJECTS *(that meet the criteria under Section 144(a)(12)(c) of the IRS Code)*

- a. A new project application fee of \$1,000 (*non-refundable*) plus a \$750 non-refundable agency/bond counsel fee.
- b. 1% administrative fee on total project.

NEW CIVIC FACILITY PROJECTS: *(and other non-manufacturing projects that meet the criteria for issuing of tax-exempt bonds)*

- a. A new project application fee of \$1,000 (*non-refundable*) plus a \$750 non-refundable agency/bond counsel fee.
- b. 1% administrative fee on additional amounts above \$10,000,000 for each transaction.
- c. These are one time only fees paid at the time of transaction closing. There are no CCIDA annual administrative fees.

REFINANCING:

Refinancing any project already financed through the CCIDA will require a CCIDA administrative application fee of \$250 plus $\frac{1}{4}$ of 1% or \$500 minimum of refinanced amount, except in the case of refinancing that will require new project documents. In that case the “new project” fees will apply.

SECOND MORTGAGES:

- a. \$250.00 application fee (non-refundable)
 - b. Fixed Asset Mortgage = $\frac{7}{8}$ of 1% of total financed dollar amount
 - c. Equity Asset Mortgage = $\frac{1}{4}$ of 1% of total financed dollar amount
- Note:** the minimum 2nd mortgage fee is \$500 plus the application fee.

OTHER:

Any additional CCIDA project involvement will require a \$250 application fee plus a \$500 minimum service fee (includes any trustee/bank work).

SEQR:

In addition, if the CCIDA is involved in the SEQR Process, a 1/8 of 1% fee will be charged on all IDA financed bond transaction where CCIDA is the lead or involved agency. The fee will be a minimum of \$500 on all CCIDA projects where the CCIDA determines the benefit is under \$750,000 and a \$1,000 minimum where CCIDA determines the benefit is above \$750,000 level if the transaction does not close, or proceeds through another financing route, the applicant is still responsible for this additional payment to the CCIDA. This fee does not include new projects.

OUT-OF-POCKET EXPENSES:

If closing is in Western New York, application fee covers all of out-of-pocket expenses of CCIDA. If closing is outside of Western New York, or project involves visiting sites outside of Western New York, applicant is responsible for paying such out-of-pocket expenses. In addition, induced companies are responsible for CCIDA soft costs including CCIDA attorney, bond counsel, etc., and to pay those costs along with the CCIDA administrative fee at the bond (project financing closing.)

FOR AGENCY USE ONLY

| | | |
|-----|---|-------------|
| 1. | Project Number | _____ |
| 2. | Date application received by the Agency | _____, 20__ |
| 3. | Date application referred to attorney for review | _____, 20__ |
| 4. | Date copy of application mailed to members | _____, 20__ |
| 5. | Date notice of Agency initial meeting on application posted | _____, 20__ |
| 6. | Date notice of Agency initial meeting on application mailed | _____, 20__ |
| 7. | Date of Agency initial meeting on application | _____, 20__ |
| 8. | Date notice of Agency public hearing on application posted | _____, 20__ |
| 9. | Date notice of Agency public hearing on application mailed | _____, 20__ |
| 10. | Date notice of Agency public hearing on application published | _____, 20__ |
| 11. | Date of Agency public hearing on application | _____, 20__ |
| 12. | Date notice of Agency second meeting on application posted | _____, 20__ |
| 13. | Date notice of Agency second meeting on application mailed | _____, 20__ |
| 14. | Date of Agency second meeting on application | _____, 20__ |
| 15. | Date Agency conditionally approved application | _____, 20__ |
| 16. | Date Environmental Assessment Form ("EAF") received | _____, 20__ |
| 17. | Date Agency completed environmental review | _____, 20__ |
| 18. | Date of final approval of application | _____, 20__ |

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of the Company:

1. Company Name: _____
Present Address: _____
Zip Code: _____
Employer's ID No.: _____

2. If the Company differs from the Applicant, give details of relationship:

3. Indicate type of business organization of Company:

- a. Corporation. If so, indicate type of corporation? _____ ;
Formed in what State? _____ ; Date incorporated: _____ ;
Authorized to do business in New York? Yes__ ; No__ .
- b. Partnership. If so, indicate type of partnership _____ ;
Formed in what State? _____ ; Date formed: _____ ;
Number of general partners _____ ; Number of limited partners _____ .
- c. Limited liability company. If so, indicate type of entity: _____ ;
Formed in what State? _____ ; Date formed: _____ ;
Number of general members: _____ ; Number of limited members: _____ .
- d. Sole proprietorship.
- e. Other: If so, indicate type of entity: _____ .

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)?
Yes__ ; No__ . If yes, indicate name of related organization(s) and relationship:

B. Management of the Company:

1. List all owners, officers, directors, members and/or partners (complete all columns for each person):

| Name (first, middle, last) And Home Address | Position Held | Other Principal Business Affiliations |
|--|------------------|--|
| | | |

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes___, No___.
3. Has any person listed above, or any concern with whom such person has been connected, ever been convicted of a criminal offense (other than a minor traffic violation)? Yes___, No___.
4. Has any person listed above, or any concern with whom such person has been connected, ever been in receivership or been adjudicated a bankrupt? Yes___; No___.
5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal owners of the Company:

1. Is the Company publicly held? Yes___; No___. If yes, please list exchanges where the Company's stock is traded:
2. If no, list all stockholders having a 5% or more interest in the Company:

| Name | Address | Percentage Of Holding |
|------|---------|-----------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

D. Company's principal bank(s):

b. Are the existing buildings in operation? Yes___; No___. If yes, describe present use of the existing buildings:

c. Are the existing buildings abandoned? Yes___; No___. About to be abandoned? Yes___; No___. If yes, describe:

d. Will existing building(s) be renovated? Yes___; No___. If yes, please provide a brief narrative description and sketch, if available:

3. Utility service to the Project site:

Water- If Municipal, indicate name of system: _____

If Other, describe: _____

Sewer- If Municipal, indicate name of system: _____

If Other, describe: _____

Electric- If Utility, indicate name of system: _____

If Other, describe: _____

Heat - If Utility, indicate name of system: _____

If Other, describe: _____

4. Present legal owner of the Project site:

a. If the Company owns the Project site, indicate date of purchase: _____, 20__, purchase price: \$_____.

b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes___; No___. If yes, indicate date option signed with the owner: _____, 20__; and the date the option expires: _____, 20__.

- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes___; No___. If yes, describe:

5. To the best of your knowledge, are there any environmental concerns respecting the Project site or any structures thereon? Yes___; No___. If yes, please explain:

6. a. Zoning District in which the Project site is located: _____.
- b. Are there any variances or special permits affecting the Project site? Yes___; No___. If yes, list on a separate attachment and attach copies of all such variances or special permits.

D. Description of Proposed New Construction (if real estate is part of the Project):

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes___; No___. If yes, indicate number and size of new buildings along with a rendering or a sketch:

2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes___; No___. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

E. Method of Construction after Agency Approval (if real estate is part of the Project):

1. If the Agency approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Agency upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Agency, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Agency for purposes of undertaking the Project? Yes___; No__.

2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes__; No__.

F. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the “Equipment”)? Yes__; No__. If yes, describe the Equipment:

2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes__; No__. If yes, please provide detail:

3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

G. Project Use:

1. What are the principal products to be produced at the Project?

2. What are the principal activities to be conducted at the Project?

3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes__; No__. If yes, please provide detail:

4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the Project? ____%.

5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

a. Will the Project be operated by a not-for-profit corporation? Yes___; No___.
If yes, please explain:

b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes___; No___. If yes, please explain:

c. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes___; No___. If yes, please explain:

d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes___; No___. If yes, please provide detail:

e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes___; No___. If yes, please explain:

6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes___; No___. If yes, please explain:

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes___; No___. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company or another Project Occupant located in the State of New York? Yes___; No___. If yes, please provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes___; No___. If yes, please provide detail:

- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes___; No___. If yes, please provide detail:

H. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes___; No___. If yes, please discuss in detail the approximate stage of such acquisition:

2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes___; No___. If yes, please discuss in detail the approximate stage of such acquisition:

3. If the Project involves the construction or reconstruction of any building or other improvement, has construction work on any such building or improvement begun? Yes___; No___. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

III. INFORMATION CONCERNING ANTICIPATED TRANSFERS OF INTERESTS IN THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE, SUBLEASE OR OTHERWISE TRANSFER ANY PORTION OF THE PROJECT).

A. **Intent to Lease or Sublease .** Does the Company intend to lease or sublease any portion of the Project? Yes___; No___. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee name: _____
Present Address: _____
City: _____ State: _____ Zip: _____
Employer's ID No.: _____
Sublessee is: ___ Corporation; ___ Partnership; ___ Sole Proprietorship; ___ Other;
(If Other, please describe: _____)
Relationship to Company: _____
Percentage of the Project to be leased or subleased: _____
Use of Project intended by Sublessee: _____
Date of lease or sublease to Sublessee: _____
Term of lease or sublease to Sublessee: _____
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes___; No___. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(G)(4) through (6) with respect to such sublessee.

2. Sublessee name: _____
Present Address: _____
City: _____ State: _____ Zip: _____
Employer's ID No.: _____
Sublessee is: ___ Corporation; ___ Partnership; ___ Sole Proprietorship; ___ Other;
(If Other, please describe: _____)
Relationship to Company: _____
Percentage of the Project to be leased or subleased: _____
Use of Project intended by Sublessee: _____
Date of lease or sublease to Sublessee: _____
Term of lease or sublease to Sublessee: _____
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes___; No___. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(G)(4) through (6) with respect to such sublessee.

3. Sublessee name: _____
 Present Address: _____
 City: _____ State: _____ Zip: _____
 Employer's ID No.: _____
 Sublessee is: ___ Corporation; ___ Partnership; ___ Sole Proprietorship; ___ Other;
 (If Other, please describe: _____)
 Relationship to Company: _____
 Percentage of the Project to be leased or subleased: _____
 Use of Project intended by Sublessee: _____
 Date of lease or sublease to Sublessee: _____
 Term of lease or sublease to Sublessee: _____
 Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes___; No___. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(G)(4) through (6) with respect to such sublessee.

B. Portion Under Existing Leases. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? _____%.

C. Intent to Otherwise Transfer . Does the Company intend to otherwise transfer any portion of the Project? Yes___; No___. If yes, please complete the following for each proposed transferee:

1. Transferee name: _____
 Present Address: _____
 City: _____ State: _____ Zip: _____
 Employer's ID No.: _____
 Transferee is: ___ Corporation; ___ Partnership; ___ Sole Proprietorship; ___ Other;
 (If Other, please describe: _____)
 Relationship to Company: _____
 Percentage of the Project to be otherwise transferred: _____
 Use of Project intended by Transferee: _____
 Date of anticipated transfer to Transferee: _____

IV. ESTIMATED PROJECT BENEFITS.

A. Number of Positions. Indicate below the number of “full time equivalent” employees presently employed at the Project site and the number that will be employed at the Project site at end of the first and second years after the Project has been completed (Do not include construction workers). For purposes hereof, “full time equivalent” means 1820 hours per year. (For example, if one employee works 1,000 hours in a year and another employee works 820 hours in that same year, there would be one “full time equivalent” position for that year.)

| Type Of Employment | | | | |
|------------------------------|-----------------------------------|-----------------------------|---------------------|---------------|
| | Professional Or Managerial | Unskilled Or Skilled | Semi-Skilled | Totals |
| Present Full Time | | | | |
| Present Part Time | | | | |
| Present Seasonal | | | | |
| First Year Full Time | | | | |
| First Year Part Time | | | | |
| First Year Seasonal | | | | |
| Second Year Full Time | | | | |
| Second Year Part Time | | | | |
| Second Year Seasonal | | | | |

B. Estimated Wage Impact. Please answer the questions below to assist the Agency in estimating the impact of the wages paid and to be paid at the Project site on the local economy:

1. What is your estimated current yearly payroll at the Project site (do not include construction workers)? \$_____.
2. What do you estimate that you presently pay to New York State in payroll taxes with respect to jobs at the Project site (based upon taxes before the Project was undertaken) (do not include construction workers)? \$_____.
3. What is the present estimated average wage/salary plus fringe benefit total for each full-time equivalent position at the Project site (based upon such amounts paid before the Project was undertaken) (do not include construction workers)? \$_____.
4. What do you estimated that your yearly payroll will be at the Project site one year after completion of the Project (do not include construction workers)? \$_____.

5. What do you estimate that you will pay to New York State in payroll taxes with respect to jobs at the Project site one year after completion of the Project (do not include construction workers)? \$_____.
6. What do you estimate the estimated average wage/salary plus fringe benefit total for each full-time equivalent position at the Project site will be one year after completion of the Project (do not include construction workers)? \$_____.
7. If applicable, what are the estimated yearly aggregate average wage/salary plus fringe benefit total to be lost as a result of the Project? \$_____.
8. Estimated number of construction jobs to be created with respect to the Project: _____ jobs.
9. Estimated New York State payroll taxes on construction jobs to be created with respect to the Project: \$_____.

NOTE: ALL JOB OPENINGS ARE REQUIRED TO BE FILED WITH THE NEW YORK STATE DEPARTMENT OF LABOR AND THE CATTARAUGUS COUNTY JOB TRAINING ACT PARTNERSHIP.

C. Project Monetary Benefits. Please answer the questions below to assist the Agency in estimating the other positive monetary impacts that the Project may have on the local economy:

1. Please attach the most recent tax bill(s) for each parcel of property which is expected to be a part of the Project site. Have you attached such bills? Yes___; No___. If no, please explain:

NOTE: THE POLICY OF THE AGENCY IS TO DECLINE TO ABATE EXISTING REAL PROPERTY TAXES WITH RESPECT TO THE PROJECT SITE. ANY REQUEST TO ABATE SUCH EXISTING REAL PROPERTY TAXES WOULD REQUIRE A DEVIATION FROM THE AGENCY'S EXISTING UNIFORM TAX EXEMPTION POLICY.

2. What is the estimated full cost of any real property improvements proposed to be undertaken as part of the Project? \$_____.
3. What is the present estimated annual amount of goods and services purchased relating to the operation of the Project (excluding employee wages)? \$_____.
4. Approximately how much sales tax do you presently pay to the State of New York (including both the state share and the local share)? \$_____.

5. What is the estimated annual amount of goods and services expected purchased relating to the operation of the Project (excluding employee wages) following completion of the Project? \$_____.
6. Approximately how much sales tax do you expect to pay to the State of New York (including both the state share and the local share) following completion of the Project? \$_____.
7. As a result of the Project, will there be any other public benefit to the State of New York, Cattaraugus County and/or any local government in New York State? Yes___; No___.
If yes, please explain:

8. If the answer to question IV.C.7. is yes, will any of the public benefit be a monetary benefit? Yes___; No__. If yes, what is the estimated monetary benefit to the State of New York, Cattaraugus County and/or any local government in New York State? \$_____.

V. FINANCIAL ASSISTANCE REQUESTED FROM THE AGENCY.

A. Financing.

1. Is the applicant requesting that the Agency issue bonds to assist in financing the Project? Yes___; No___. If yes, indicate:_____
- a. Amount of loan requested: _____ Dollars; and
- b. Maturity requested: _____ Years.

NOTE: THE POLICY OF THE AGENCY IS TO INDUCE FOR FIVE TO TEN PERCENT ABOVE THE AMOUNT OF THE LOAN REQUESTED. THIS WILL NOT ALTER THE AGENCY'S ADMINISTRATIVE FEE WITH RESPECT TO THE PROJECT, WHICH FEE IS NORMALLY PAID AT CLOSING, BECAUSE SUCH FEE IS BASED ON THE ACTUAL BOND AMOUNT ISSUED AND OTHER FINANCIAL ASSISTANCE ACTUALLY UTILIZED, AS MEASURED BY THE AGENCY.

2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes___; No__.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
 - a. retail food and beverage services? Yes___; No__
 - b. automobile sales or service? Yes___; No__
 - c. recreation or entertainment? Yes___; No__
 - d. golf course? Yes___; No__
 - e. country club? Yes___; No__
 - f. massage parlor? Yes___; No__
 - g. tennis club? Yes___; No__
 - h. skating facility (including roller skating, skateboard and ice skating)? Yes___; No__
 - i. racquet sports facility (including handball and racquetball court):Yes___; No__
 - j. hot tub facility? Yes___; No__
 - k. suntan facility? Yes___; No__
 - l. racetrack? Yes___; No__
 - m. airplane? Yes___; No__
 - n. skybox or private luxury box? Yes___; No__
 - o. health club facility? Yes___; No__
 - p. gambling? Yes___; No__
 - q. sale of alcoholic beverages for consumption off premises? Yes___; No__
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Abatements.

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency? Yes___; No___. If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes___; No___.
2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes___; No___. If yes, what is the approximate amount of financing to be secured by mortgages? \$_____.
3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of NYS Sales Tax or Compensating Use Tax? Yes___; No___. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the NYS Sales and Compensating Use Taxes? \$_____. (Please note that manufacturing equipment used for the production of a product is generally exempt from sales and use taxes.)
4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
 - a. NYS Sales and Compensating Use Taxes: \$_____.
 - b. Mortgage Recording Taxes: \$_____.
 - c. Real Property Tax Exemptions: \$_____.
 - d. Other (please specify): _____ \$ _____
_____ \$ _____
5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax-exemption Policy? Yes___; No___. If yes, please explain how the request of the applicant differs from the Agency's Uniform Tax-Exemption Policy:

VI. ESTIMATED PROJECT COSTS.

A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

| Description of Cost | Amount |
|---|-----------------|
| Land | \$ _____ |
| Buildings | \$ _____ |
| Machinery and equipment costs | \$ _____ |
| Utilities, roads and appurtenant costs | \$ _____ |
| Architects and engineering fees | \$ _____ |
| Costs of Bond issue (legal, financial and printing) | \$ _____ |
| Construction loan fees and interest (if applicable) | \$ _____ |
| Other (specify) | |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| TOTAL PROJECT COSTS | \$ _____ |

B. Project Costs Expended to Date. Have any of the above expenditures already been made by the applicant? Yes___; No___. If yes, indicate particulars:

C. Other Loans. In addition to the bonds described in item V.A.1 above, is there any other funding (loans or grants) anticipated to be sought by the applicant for the Project (either from private lenders or from governmental agencies)? Yes___; No___. If yes, complete the following:

1. Identity of Private Lender(s): _____
2. Identity of Government Agency: _____
3. Role of governmental agency (i.e., guarantee program, loan program, etc.): _____

4. Description of Other Funding: Please complete the table below to assist the Agency in understanding such other funding:

| Lender/Agency | Amount | Type of Funding | Lien Position | Term | Other |
|---------------|--------|-----------------|---------------|------|-------|
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C. Other Project Participants. Please indicate below the professionals that will assist the applicant and its lenders with respect to the Project (if applicable):

1. Construction loan bank (and banking officer): _____
2. Permanent loan bank (and banking officer): _____
3. Letter of credit: _____
4. Bank counsel: _____
5. Investment banker: _____
6. Investment banker counsel: _____
7. Trustee: _____
8. Trustee counsel: _____
9. Project architect: _____
10. Project engineer: _____
11. Project accountant: _____
12. Other project consultants (indicate role relating to the Project):

13. Other project counsel (indicate client and role relating to the Project):

- VII. REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Agency as follows:
- A. Job Listings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the administrative entity (collectively with the DOL, the “JTPA Entities”) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (“JTPA”) in which the Project is located.
 - B. First Consideration for Employment.** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
 - C. Annual Sales Tax Filings.** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant. The applicant agrees to furnish a copy of each such annual report to the Agency.
 - D. Annual Employment Reports.** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

E. Absence of Conflicts of Interest. The applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

(Applicant)

BY: _____

NOTE: THE APPLICANT MUST COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 24 THROUGH 26 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE BEFORE A NOTARY PUBLIC THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 27.

VERIFICATION

(If Applicant is a Corporation)

STATE OF)
)SS.:
COUNTY OF)

_____ deposes and says that he is the
(Name of officer of applicant)
_____ of _____
(Office Held) *(Corporation Name)*

(the "Company"), the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

(officer of applicant)

Sworn to before me this ____
day of _____, 20__.

Notary Public

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD
HARMLESS AGREEMENT APPEARING ON PAGE 27 IS SIGNED BY THE APPLICANT AND
ACKNOWLEDGED BY THE APPLICANT BEFORE A NOTARY PUBLIC.

VERIFICATION

(If applicant is partnership or limited liability company)

STATE OF)
)SS.:
COUNTY OF)

_____ deposes and says that he is one of the members of
(Name of Individual)

the firm of _____ the partnership named in the attached
(Entity Name)

application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of said entity and from the books and papers of said entity.

(member of applicant)

Sworn to before me this ____
day of _____, 20__.

Notary Public

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD
HARMLESS AGREEMENT APPEARING ON PAGE 27 IS SIGNED BY THE APPLICANT AND
ACKNOWLEDGED BY THE APPLICANT BEFORE A NOTARY PUBLIC.

VERIFICATION

(If applicant is sole proprietor)

STATE OF)
)SS.:
COUNTY OF)

_____ deposes and says that he has read the foregoing
(Name of Individual)
application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.

Sworn to before me this ____
day of _____, 20__.

Notary Public

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD
HARMLESS AGREEMENT APPEARING ON PAGE 27 IS SIGNED BY THE APPLICANT AND
ACKNOWLEDGED BY THE APPLICANT BEFORE A NOTARY PUBLIC.

HOLD HARMLESS AGREEMENT

Applicant hereby releases County of Cattaraugus Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached application (the "Application"), regardless of whether or not the Application or the Project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction, reconstruction, installation and/or financing of the Project described therein and (C) any further action taken by the Agency 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 Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested or otherwise fail to reach final agreement with respect to the Project, then, and in such event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

By: _____

Sworn to before me this ____
day of _____, 20__.

Notary Public