

**LEXINGTON-FAYETTE INDUSTRIAL REVENUE BOND
APPLICATION FORM**

PROJECT INFORMATION: The information to be considered for preliminary approval or inducement of Industrial Revenue Bonds will include the following factors:

- #1 The need for the project within the community should be clearly demonstrated.
- #2 The need for tax advantaged bond financing of the project should be clearly demonstrated.
- #3 The effect of tax advantaged bond financing of this project on existing businesses within the community should be clearly demonstrated.
- #4 The proposed industrial development project should meet all local zoning and building code requirements.
- #5 The bonds should be a sound investment. The stronger the evidence that the bond issue is financially sound, the more likely the request will be approved.

**LEXINGTON-FAYETTE INDUSTRIAL REVENUE BOND
APPLICATION FORM**

APPLICANT/SPONSOR INFORMATION (*Proposed owners or user of the project.*)

1. Applicant's/Sponsor's Legal Name: _____
Street: _____
City/County: _____
Zip Code: _____
Telephone Number: _____
Contact Person: _____
Brief description of present business: _____

2. Business Organization: Corporation _____
 Limited Partnership _____
 Non-Profit* _____
 Sole Proprietorship _____
 Other _____

*If your organization has a non-profit status under IRC §501(c)(3), please complete Attachment A.

Date and state of incorporation, if appropriate: _____

3. Project Representatives: _____
Name, Address and Telephone Number: _____
Person in charge of project: _____
Applicant's/Sponsor's attorney: _____
Applicant's/Sponsor's investment broker: _____
Applicant's/Sponsor's accountant, CPA/Auditor: _____
Applicant's/Sponsor's regular bank(s) of business: _____
Lender for the project(s): _____
Mortgage banker: _____
Project bond counsel: _____
Project underwriter: _____
Project architect: _____

Property manager: _____

INFORMATION ON PROJECT MANAGEMENT

- 4. Is the proposed project owner, and/or applicant, and/or user, a subsidiary or direct or indirect affiliate of any other organization? **(If so, indicate name of related organization and relationship.)**

- 5. Management: List all owners, officers, directors and partners of applicant. Also, list all stockholders having 20% or more interest in applicant (complete all categories for each person). If the applicant is a publicly held corporation, please provide the latest proxy statement indicating stock ownership. **(Use separate page if necessary.)**

Name (First Middle & Last): _____
Office Held: _____
Partner: _____
Home Address (Include zip code): _____
Ownership: _____

- 6. If any of the above persons own more than 50% of the applicant, please list all other companies, partnerships, or associations in which such persons have more than 50% interest. **(Use separate page if needed.)**

- 7. Have any of the persons listed in Items 4 - 6 ever been charged with, or convicted of, any criminal offenses, other than a minor motor vehicle violation?

Yes _____ No _____ **(If yes, furnish details in a separate attachment)**

- 8. Have any of the persons listed in Items 4 - 6 been subject to any disciplinary action, past or pending, by any administrative, governmental, or regulatory body?

Yes _____ No _____ **(If yes, furnish details in a separate attachment)**

- 9. Has the applicant or management of applicant been informed of any current or ongoing investigation of the applicant with respect to possible violations of state or federal securities or anti-trust laws?

Yes _____ No _____ **(If yes, furnish details in a separate attachment)**

10. Has the applicant or any person listed in Items 4 - 6 above or any concern in which any person(s) listed in Items 4 - 6 currently or previously have an ownership interest been party to a bankruptcy, been in receivership or adjudicated as bankrupt?

Yes _____ No _____ **(If yes, furnish details in a separate attachment)**

11. Has the applicant or any person listed in Items 4 - 6 above been denied a business related license or had it suspended or revoked by any administrative, governmental, or regulatory agency?

Yes _____ No _____ **(If yes, furnish details in a separate attachment)**

12. Is the applicant or any person listed in Items 4 - 6 currently disbarred, suspended, or disqualified from contracting with any federal, state, or municipal agency?

Yes _____ No _____ **(If yes, furnish details in a separate attachment)**

13. Describe applicant's development experience, years in business, and property manager's experience.

14. List any similar projects undertaken by the applicant/sponsor in the past five years:

<u>Name</u>	<u>Location</u>	<u># Units</u>
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INFORMATION ON PROJECT:

15. Location of proposed project:

Street address: _____

16. Project Site:

(Land)

- a. Indicate approximate size, in acres or square feet, of project site:

b. Indicate in detail, the present use of the project site:

(Buildings)

c. Does the project consist of the construction or acquisition of a building or buildings?

New construction _____
Acquisition _____

Indicate the number and size of buildings in number of stories and square feet per story.

d. Does the project consist of additions and/or renovations to existing buildings?

Yes _____ No _____ **(If yes, indicate nature of expansion and/or renovation.)**

17. Site Control

a. If applicant now owns project site, indicate:

1) Date of purchase: _____

2) Purchase price: _____

3) Balance of existing mortgage: _____

4) Holder of mortgage: _____

b. If the applicant is not now the owner of the project site, does applicant have an option/contract to purchase the site and any buildings on the site?

Yes _____ No _____

If not presently owned by the applicant, identify the owner and:

- 1) Date option/contract agreement signed with owner: _____
- 2) Purchase price under option/contract: _____
- 3) Expiration date of option/contract: _____
- 4) Earnest money deposit on option/contract: _____
- 5) Other: _____

c. If the applicant is not the owner of the project site, does the applicant now lease the site or any buildings on the site? Yes _____ No _____ **(If yes, provide copy of lease.)**

d. Is there a relationship legally or by virtue of common control between the applicant or proposed user of the project and the seller of the project?

Yes _____ No _____ **(If yes, describe this relationship using an attachment if necessary.)**

18. Zoning and Infrastructure

a. Do proposed uses of project comply with all governmental zoning and subdivision regulations? Yes _____ No _____ **(If no, explain action to be taken to comply.)**

b. Is adequate capacity and/or accessibility for utilities, sewerage, and drainage available to site?

Yes _____ No _____ Describe any special needs.

19. Has construction work on this project begun?

Yes _____ No _____ **(If yes, complete the following):**

- | | | | | |
|----|------------------------|-----------|----------|------------------|
| a. | Site clearance | Yes _____ | No _____ | % complete _____ |
| b. | Foundations | Yes _____ | No _____ | % complete _____ |
| c. | Footings | Yes _____ | No _____ | % complete _____ |
| d. | Steel | Yes _____ | No _____ | % complete _____ |
| e. | Masonry work | Yes _____ | No _____ | % complete _____ |
| f. | Other (describe below) | Yes _____ | No _____ | % complete _____ |

Status of building permit: _____

Status of other permits: _____

20. Project completion date: _____

21. Project occupancy date: 20% _____ 50% _____ 80% _____

INFORMATION ON PROJECT COSTS

22. State the costs reasonably necessary for the completion of the proposed project including any utilities, access roads, or appurtenant facilities, using the following categories:

a.	<u>Description of Cost</u>	<u>Total Project Amount</u>
	Land (Purchase) or	\$ _____
	Land & Buildings (Purchase)	_____
	Buildings (Construction)	_____
	Buildings (Renovations)	_____
	Equipment, machinery	_____
	Utilities, roads, and	_____
	appurtenant facilities	_____
	Engineering and/or	_____
	architectural fees	_____
	Legal fees	_____
	Financial Advisors Fees	_____
	Financing charges	_____
	Other (Specify)	_____
	Fees to issuing political	_____
	subdivision or agency	_____
	Total Project Cost	\$ _____
b.	Appraised value	\$ _____
c.	Equity contribution, if any	\$ _____
d.	Incentive funding, if any (state or federal)	\$ _____
e.	Bond financing requested:	
	Construction financing	\$ _____
	Permanent financing	\$ _____ Maturity _____ Years

23. Credit Enhancement: _____

- 24. Have any of the above expenditures already been made by the applicant? (Provide detail)
Yes _____ No _____
- 25. Describe why tax exempt financing is essential for this project.
- 26. Have any of the above expenditures been incurred but not paid by the applicant?
Yes _____ No _____ **(If yes, indicate particulars on an attached sheet)**
- 27. Refinancing: Will any of the funds to be borrowed from the Lexington-Fayette Urban County Government be used to repay or refinance an existing mortgage or outstanding loan?
Yes _____ No _____ **(If yes, provide details on an attached sheet)**

LOCAL IMPACT

- 28. Has the Lexington-Fayette Urban County Government issued bonds on behalf of your company? Yes _____ No _____
- 29. Does your company have existing operations and employees in Lexington-Fayette County? Yes _____ No _____
- 30. Will the project include closing any of the applicant's current operations in Lexington-Fayette County?
Yes _____ No _____
- 31. Will the project include reducing the applicant's current employment?
Yes _____ No _____

32. Describe the impact of the project on the provision of public utilities and services to the project site, including the current availability of services and the need for additional services.

33. Local Benefit: Describe the project's impact on existing license fees, occupational license fees and property tax revenues and other tax revenues to the Urban County Government and other tax revenues.

34. Does this bond issue anticipate the use of the eminent domain power by the Urban County Government? Yes _____ No _____
If yes, please explain:

EMPLOYMENT IMPACT

35. Current number of employees working for applicant _____

36. Current number of employees working for applicant that are Women

37. Current number of employees working for applicant that are minorities

38. Nature and number of jobs to be created by this loan:
Skilled _____ Semi Skilled _____ Unskilled _____ Total _____

39. Number of new jobs available to women _____

40. Number of new jobs available to minorities _____

41. The Central Kentucky Jobs Center offers training programs, referral services, and technical assistance in the development of training programs. Are you willing to use these services and/or technical assistance?
Yes _____ No _____

If no, please explain:

42. Are there any equal employment opportunity charges pending against your company?
Yes _____ No _____

If yes, please explain:

43. Describe in specific, verifiable terms the Applicant's plan to address affirmative action, the hiring of local (Fayette County) labor, and the hiring of the unemployed in both construction and permanent jobs for the project:

ECONOMIC IMPACT

44. List all businesses in the Lexington-Fayette County area that provide the same services or products as the proposed project:

45. Provide evidence that there is a sufficient market to support the project without negatively impacting existing businesses:

CONVENTIONAL FINANCING

46. Is non-tax free conventional financing available? Yes _____ No _____

47. If yes, specify: Interest Rate: _____ Years: _____

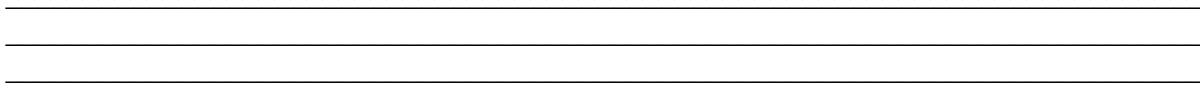
Reasons for not using conventional financing:

ENVIRONMENTAL IMPACT

48. Describe the environmental impact of the construction and operation of the proposed project:

49. Are there any environmental regulations charges pending against your company?
Yes _____ No _____

If yes, please explain:



IN WITNESS WHEREOF, the undersigned being duly authorized so to do, have signed this application.

(Corporation)

Corporate Name

Attest:

By: _____
Secretary

By: _____
President

(Partnership)

Name

Witness:

By: _____
General Partner

(Individual)

Business Name

Witness:

By: _____

In addition to the Industrial Revenue Bond Application Form, the following ADDITIONAL INFORMATION must be submitted:

- The letter of inducement, addressed to the Mayor, describing the project, estimating the benefits to the community, and describing the impact of the project on public services.**
- Site plan including existing land use information (zoning, net and gross acreage, etc.).
- Management plan.
- Marketing plan.
- A letter from an underwriter, bond purchaser or a credit enhancer is needed which indicates that the bond is satisfactory subject to further review.
- Underwriter's or private purchaser' letter of intent to buy bonds.
- Evidence of any guarantee provided to bond purchasers.
- Project description and Time Schedule.
- Sources and uses of fund.
- Ten-Year Pro Forma.
- Organization documents.
- Appraisal of the project(s).
- An independent audit and certified financial statement or reviewed financial statement of the applicant(s) for the most current complete year, prepared and certified by an independent certified public accounting firm; audited statements prepared by an independent certified public accounting firm for the last three complete years are preferred, and may be requested by the Review Committee or the Urban County Council.
- A letter from the proposed purchaser of the bonds, confirming its intent to purchase the issue and giving evidence of the purchaser's financial ability to purchase the bonds; the financial statements of the purchaser(s) for the last three complete years, either audited or prepared by an independent certified public accountant, may be requested by the Review Committee or the Urban County Council.
- Letters from at least two (2) institutional lenders stating whether or not conventional financing is available, and if available, upon what terms, including interest rates and other relevant data. The letters should also state the terms and conditions under which the lender evaluated the proposed project.

ATTACHMENT A

TO BE COMPLETED BY 501(c)(3) NON-PROFIT ORGANIZATIONS

1. Describe the activities in IRC §501 (c) (3) for under which your organization qualifies for tax exemption:

2. Will the bond proceeds be used for the charitable activities for which your organization's §501(c)(3) status was granted? Explain.

3. Does the organization currently have other projects financed by §501(c)(3) bonds?

_____ Yes _____ No

4. Will the organization own 100% of the property(ies) to be financed by bond proceeds?

_____ Yes _____ No

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