



**APPLICATION FOR A RESOLUTION OF INDUCEMENT
FROM THE
INDUSTRIAL DEVELOPMENT AUTHORITY OF THE
CITY OF NEWPORT NEWS, VIRGINIA (NNIDA)
TO ENDORSE THE ISSUANCE OF
TAX-EXEMPT DEVELOPMENT REVENUE BONDS**

NAME OF APPLICANT

DATE SUBMITTED

\$ _____
BOND AMOUNT

INDUSTRIAL DEVELOPMENT AUTHORITY
OF THE CITY OF NEWPORT NEWS, VIRGINIA
APPLICATION STATEMENT

GENERAL INFORMATION

The information requested in this application is necessary to process a request for assistance. Fill in all the blanks, using "NONE" or "NOT APPLICABLE" where necessary. If more space is needed to answer any specific question, use a separate sheet. Return **ONE ORIGINAL AND THIRTEEN (13) *COMPLETE COPIES** of this application to the Industrial Development Authority of the City of Newport News, Virginia, 2400 Washington Avenue, Newport News, Virginia 23607.

When the NNIDA uses its Revenue Bond powers, it is acting as an agent of the Commonwealth and therefore has a public purpose to uphold. In completing this application, the Applicant should bear in mind that the Revenue Bonds issued by this Authority must be "*for the benefit of the inhabitants of the Commonwealth, for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity*" and "*which cause the reduction of costs to residents of the Commonwealth.*"

If you have any questions, call the Authority office at (804) 247-8428.

* See Section VII and VIII for details.

I. PROJECT APPLICANT

Proposed owner of the project must fill out this Application. (If Project Tenant/Occupant is different from Owner/Applicant, check here . Each Tenant/Occupant must also complete a User Application.

Date Submitted: _____

A. Legal name of Applicant and Tax Identification Number:

Address, location and phone number of principal office:

- D. 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.
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- E. Have any of the above parties, within the last five years, been a party defendant in litigation involving laws governing hours of labor, minimum wage standards, discrimination in wages, or child labor? Yes No

If yes, furnish details in a separate attachment.

- F. Have any of the persons listed in Section I-C or I-D ever been charged with, or convicted of, any criminal offenses, other than a minor motor vehicle violation? Yes No

- G. Is Applicant or any persons listed in I-C or I-D now a plaintiff or defendant in any civil or criminal litigation? Yes No

If yes, furnish details in a separate attachment.

- H. Has Applicant or any of the persons listed in Section I-C or I-D 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.

- I. Has the Applicant or any of the persons listed in Section I-C or I-D been, or are they now subject to, any order resulting from any criminal, civil, or administration, governmental, or regulatory agency? Yes No

If yes, furnish details in a separate attachment.

- J. Have any of the persons listed in Section I-C or I-D been denied any license by any administrative, governmental, or regulatory agency on the grounds of moral turpitude? Yes No

If yes, furnish details in a separate attachment.

K. Has the Applicant or any of the persons listed in Section I-C or I-D been informed of any current ongoing investigation of the Applicant with respect to possible violations of state or federal securities or antitrust laws? Yes No
If yes, furnish details in a separate attachment.

L. Has the Applicant or any persons listed in Section I-C or I-D above or any concern with which any person(s) listed in Section I-C or I-D been connected with a bankruptcy, been in receivership, or adjudicated as bankrupt? Yes No

If yes, furnish details in a separate attachment.

M. Has the Applicant or any persons listed in Section I-C or I-D 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.

N. Has the Applicant or any persons listed in Section I-C or I-D above been debarred, suspended, or disqualified from contracting with any federal, state, or municipal agency? Yes No

If yes, furnish details in a separate attachment.

II. PROJECT REPRESENTATIVES
(Name, address and phone number)

Applicant's Bond Counsel: _____

Applicant's Attorney: _____

Applicant's Accountant: _____

Applicant's Regular Bank(s) of Business: _____

II. PROJECT REPRESENTATIVES (continued)
(Name, address and phone number)

Probable Lender(s)/L.C. for this Project: _____

Project Architect: _____

Project Engineer: _____

Project Contractor: _____

Project Manager: _____

III. PROJECT SUMMARY

_____ Project Name

Summary: Please provide as fully and precisely as possible a narrative description of the project including the principal uses by the project occupant:

NOTE: ***If the project is purchase of equipment only, please complete Sections A and E only.*** If project includes acquisition of land, complete all Sections.

A. Location of Proposed Project:

Street Address: _____

B. Project Site (Land)

1. Indicate approximate size in acres or square feet of project site.

2. Are there buildings now on the project site? Yes No

3. Indicate in detail the present use of the project site:

4. Indicate the present owner of project site:

5. If Applicant now owns project site, indicate:

a. Date of purchase _____

b. Purchase price _____

c. Balance of existing mortgage _____

d. Holder of mortgage _____

6. If the Applicant is not the owner of the project site, does Applicant have an option to purchase the site and any buildings on the site? Yes No

If yes, please indicate:

a. Date option agreement signed with owner _____

b. Purchase price under option _____

c. Expiration date of option _____

d. Earnest money deposit on option \$ _____

7. Has Applicant entered into a contract to purchase the project site?
 Yes No

If yes, please furnish copy.

8. 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

9. 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 in a separate attachment.

C. Buildings

1. Does the project involve acquisition of any existing building or buildings?
 Yes No

If yes, indicate number and size of buildings in number of stories and square feet per story.

2. Does the project consist of the construction of a new building or buildings?
 Yes No

If yes, indicate the number and size of buildings in number of stories and square feet per story.

3. Does the project consist of additions and/or renovations to existing buildings?
 Yes No

If yes, indicate nature of expansion and/or renovation.

4. Zoning and Infrastructure

- a. Do proposed uses of the project comply with all governmental zoning and subdivision regulations? Yes No

If no, explain action to be taken to comply.

- b. Is adequate capacity for utilities, sewerage, and drainage available to the site? Yes No

Describe any special needs

D. Construction Status

Has construction work on this project begun? Yes No

If yes, complete the following:

- | | | | | |
|----|------------------------|--|------------|-------|
| a. | Site clearance | <input type="checkbox"/> Yes <input type="checkbox"/> No | % Complete | _____ |
| b. | Foundations | <input type="checkbox"/> Yes <input type="checkbox"/> No | % Complete | _____ |
| c. | Footings | <input type="checkbox"/> Yes <input type="checkbox"/> No | % Complete | _____ |
| d. | Steel | <input type="checkbox"/> Yes <input type="checkbox"/> No | % Complete | _____ |
| e. | Masonry work | <input type="checkbox"/> Yes <input type="checkbox"/> No | % Complete | _____ |
| f. | Other (describe below) | <input type="checkbox"/> Yes <input type="checkbox"/> No | % Complete | _____ |

E. Equipment

1. Describe in detail the principal uses by the project occupant of the machinery or equipment to be acquired. Please respond to this item as fully and precisely as possible. Attach separate sheet if needed.

2. Has any of the above equipment been ordered? Yes No

If yes, please indicate:

- | | | |
|----|---------------|-------|
| a. | Date ordered | _____ |
| b. | Prices | _____ |
| c. | Date received | _____ |

IV. PROJECT COST

A. State the total costs reasonably necessary for the completion of the proposed project together with any machinery and equipment to be acquired in connection with the project. Also include any utilities, access roads, or appurtenant facilities, using the following categories:

Description of Cost	Total Project Amount
Land (Purchase) <u>or</u>	_____
Land and buildings (Purchase)	_____
Buildings (Construction)	_____
Buildings (Renovations)	_____
Equipment, machinery	_____
Utilities, roads and appurtenant facil.	_____
Engineering and/or architectural fees	_____
Legal fees	_____
Financial charges	_____
Other (Specify)	_____
*Fee to NNIDA	_____
 TOTAL PROJECT COST	 _____
 Distribution of Cost	 _____
 Equity Contribution, if any	 _____
Other Financing Source	_____
Revenue Bond Financing	_____
Maturity _____ years	

* See Article IV, Section 4.2 of Manual

B. Have any of the above expenditures already been made by the Applicant?
 Yes No

If yes, indicate details on separate attachment.

C. Have any of the above expenditures been incurred but not paid by the Applicant?
 Yes No

If yes, indicate details on separate attachment.

D. Please indicate whether any of the bond proceeds will be used to include working capital, moving expenses, new materials, work in process or stock in trade, and if so, the amount and nature thereof.

- E. Refinancing: Will any of the funds to be borrowed through the NNIDA be used to repay or refinance an existing mortgage or outstanding loan?

If yes, provide details on separate attachment.

V. CAPITAL EXPENDITURES

- A. Please indicate the amount of funds spent on this project by Applicant or project user during the past three years and indicate the purpose of such expenditures on a separate sheet.

- B. Expenditures in the given political subdivision:

If the amount of financing requested exceeds \$1,000,000 and this is not an Exempt Facility or 501(c)(3) project, please indicate in Item #2 below the total amounts expended by the applicant, firms related to Applicant or project user (if different from Applicant) to acquire land, buildings, machinery and equipment in the given political subdivision for the past three years whether or not such expenditures were related in this particular project.

(check one)

1. This application is for \$1,000,000 (or is for an Exempt or 501(c)(3) Facility). (Skip Item #2 and #3 if you check here.)

2. This application is for more than \$1,000,000 in assistance. Here is a summary of Applicant's and User's capital expenditures in the given political subdivision for the past three years:

- | | | |
|----|--|----------|
| a. | Land | \$ _____ |
| b. | Building | \$ _____ |
| c. | Machinery | \$ _____ |
| d. | Equipment | \$ _____ |
| e. | Provide more detailed description of expenditures below: | |

3. Does the Applicant, project user, and/or individuals who will own 50% or more of this project own additional fixed assets in the given political subdivision?

Yes No

If yes, please complete the following for each user (use separate sheet if necessary).

<u>Item</u>	<u>Date of Acquisition</u>	<u>Cost</u>
a. Land	_____	\$ _____
b. Building	_____	\$ _____
c. Machinery	_____	\$ _____
d. Equipment	_____	\$ _____

C. (a) Tax-Exempt Financing

State the face amount and outstanding principle balance of all tax-exempt financing previously arranged by or for the benefit of the Applicant or project at this time:

Face Amount \$ _____ Balance \$ _____

(b) Do you have other applications for industrial revenue bonds pending in other localities? Yes No

If yes, name locality.

VI. ANTICIPATED BENEFIT TO THE COMMUNITY

A. Indicate facts, which would support the IDA determining that the project would:

1. Tend to maintain or provide gainful employment opportunities within and for the people of Newport News.

2. Aid, assist and encourage the economic development or redevelopment of Newport News:

3. Maintain, diversity, or expand employment promoting enterprises within Newport News:
4. If a 501(c)(3) Facility, indicate how the project will reduce the costs to the residents of the Commonwealth and promote their health and welfare.

B. Number of new, *full-time jobs to be created by project: _____

C. Number of existing *full-time jobs to be maintained by project: _____

Total # Jobs (B + C): _____

* Aggregate part-time/seasonal jobs to full-time equivalence.

D. Employment Impact

Indicate below the number of people presently employed at the site of the project and number that will be employed at the site at the end of the first and second years after the project has been completed. (DO NOT INCLUDE CONSTRUCTION WORKERS.)

Type of Employment	On Site at Present (or transferring to site)	First Year	Second Year
	Full-Time	Full-Time	Full-Time
Professional, Managerial, Technical			
Skilled, Semi-skilled			
Unskilled			
TOTALS			

E. Describe in detail how the number of new jobs is determined:

F. Explain how the average annual salary is derived:

G. Construction Equipment

Please estimate the number of construction workers to be employed during the construction or renovation of the project.

_____ Construction jobs

H. State other potential economic, social or non-monetary benefits, which will accrue to the citizens of Newport News and the Commonwealth of Virginia.

I. Explain how financial assistance from NNIDA will induce Applicant to locate or remain in Newport News:

FISCAL IMPACT STATEMENT
FOR PROPOSED REVENUE BOND FINANCING

Date _____

To the Industrial Development Authority of the City of Newport News, Virginia:

Applicant: _____

Facility: _____

1. Maximum amount of financing sought _____
2. Estimated increase of taxable value of the real property over existing value due to this project _____
3. Estimated increase in real property tax per year using present tax rates due to this project _____
4. *Estimated increase in personal property tax per year using present tax rates due to this project _____
5. **Estimated increase in machinery and tool tax per year using present tax rates due to this project _____
6. Estimated dollar value per year of goods and services that will be purchased locally _____
7. Estimated number of new employees on year-round basis _____
8. Average annual salary for new employees _____

If one or more of the above questions do not apply to the facility, indicate by writing N/A (not applicable) on the appropriate line.

The information contained in this Statement is based solely on facts and estimates provided by the Applicant, and the Authority has made no independent investigation with respect thereto

CHAIRMAN,
INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE CITY OF NEWPORT NEWS, VIRGINIA

* Personal property includes all business equipment used in business that is not inventory
** Applicable to manufacturers only.

VII. REQUIRED INFORMATION AND ATTACHMENTS

NOTE: THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE UNLESS THE FOLLOWING ITEMS ARE SUBMITTED WITH THE SIGNED APPLICATION FORM. ALSO, EACH APPLICATION PACKAGE (ONE ORIGINAL PLUS 13 COPIES) SHOULD BE PRESENTED IN THE FOLLOWING ORDER:

- A. Cover Letter - please enclose a letter describing (i) brief history and description of the applicant's business; (ii) a description of the project to be undertaken; (iii) the amount of bond financing requested; (iv) anticipated closing date; (v) the number of new jobs to be created.
- B. Application
- C. Location Map
- D. Copy of letter(s) from lender(s)/L.C. Provider
- E. Copy of all lease agreements with tenants or proposed tenants, if applicable.
- F. Copy of Inducement Resolution (to be prepared by bond counsel)

VII. ADDITIONAL REQUIREMENTS

- A. Check to cover non-refundable application fee per NNIDA Rules and Procedural Manual
- B. Public Hearing Notice (2 copies - to be prepared by bond counsel)
- C. Financial Information - please attach on separate sheets projected revenues (estimated profit and loss statement) for at least two full years after project loan is approved.
- D. City Council Resolution (8 copies - to be prepared by bond counsel)

AGREEMENT TO PAY NNIDA'S COSTS AND EXPENSES:

In order for the Industrial Development Authority of the City of Newport News, Virginia to consider this Application for the purpose of adopting an Inducement Resolution to assist the Applicant in the financing of the project and/or Final Resolution if no Inducement is required, the Applicant (or where appropriate, the principals thereof), by submitting this Application to the NNIDA agrees:

1. To pay all costs and expenses of NNIDA and the fees and disbursements of the NNIDA's Counsel in connection with the studying, processing, analyzing, authorization, issuance, and sale of the bonds contemplated by this Application; either from the proceeds of the bonds which might be approved for the project by NNIDA, or in the event such assistance is not approved or forthcoming, the Applicant agrees to pay all costs from its own resources;

NOTE: In the event the Applicant is a corporation that has neither issued stock for real assets nor domesticated in the Commonwealth of Virginia, said corporation's principal(s) agree(s) to guarantee payment of the above described expenses and assent to such payment by signing this application as an individual.

2. To comply with NNIDA policy and its Rules and Procedures Manual, a copy of which has been received by the Applicant;
3. To advise NNIDA in writing of any material change to the information contained in this Application;
4. To provide, after successfully closing on the bond issue, two copies of a library standard, quality record of the bond issue; one for NNIDA's files and one for NNIDA counsel; and
5. To allow the placement of a sign, provided by NNIDA, at the location of the project which indicates NNIDA involvement in the project financing.

Certification of Application

PLEASE NOTE: Eligibility for financial assistance by the Industrial Development Authority of the City of Newport News, Virginia is determined by the information presented in this Application and in the required attachments. Any changes in the status of the proposed project from the facts presented herein could disqualify the project. Please contact the Industrial Development Authority of the City of Newport News, Virginia before taking any action which would change the project status. This Application will become a part of the public records of NNIDA. In the event Applicant does not desire financial records not otherwise available to the public to be included in the public record, please so indicate.

The Applicant agrees that neither the Industrial Development Authority of the City of Newport News, Virginia nor the City in which the project is to be located shall be liable to the Applicant for any damages, direct or consequential, resulting from the failure of the Industrial Development Authority of the City of Newport News, Virginia to issue Revenue Bonds for the applicant's project for any reason, including, but not limited to, any decision by the NNIDA, the City, or the Commonwealth of Virginia in its discretion to allocate the allowable volume of Bonds now or hereafter enacted, to one or more other projects.

The Applicant is reminded that all reference to the tax code is for general information and is urged to consult a qualified tax advisor or bond counsel. The Applicant further represents that it understands the conditions of this Application, that there is no guarantee of approval and that all statements and information furnished with this Application or on supporting papers are true and correct to its best knowledge and belief.

IN WITNESS WHEREOF, the undersigned being duly authorized so to do have signed this Application:

CORPORATION

Corporate Name

BY: _____
(Name-Title)

(Principal)

(Principal)

(Principal)

PARTNERSHIP

Name

BY: _____

INDIVIDUAL

Business Name

BY: _____