

APPLICATION

FOR CONSIDERATION OF A PROPOSAL TO ISSUE INDUSTRIAL DEVELOPMENT AUTHORITY BONDS
THROUGH THE DEVELOPMENT AUTHORITY OF CLAYTON COUNTY, GEORGIA

DATE: _____

1. NAME OF APPLICANT: _____

2. ADDRESS: (Home Office) _____

(Local Office) _____

(Project Location) _____

3. BUSINESS CONDUCTED / PURPOSE OF FACILITY _____

4. NEW BUSINESS OR EXPANSION? _____

5. DESCRIBE PROJECT *(include projected dates of construction and completion)* _____

6. TOTAL COST OF PROJECT _____

7. AMOUNT OF TOTAL COST WHICH YOU PROPOSE TO FINANCE WITH I.R.B.'S _____

8. DESCRIBE ARRANGEMENTS YOU HAVE MADE OR PROPOSE TO MAKE TO MARKET OR PLACE YOUR BONDS:

9. NAME AND ADDRESS OF BOND COUNSEL _____

10. Describe how this project will "develop and promote for the public good and general welfare, trade, commerce, industry, and employment opportunities and promote the general welfare of" Clayton County, and how the project "will increase or maintain employment in" Clayton County.

11. Do you propose to secure the repayment of the bonds by the transfer of title to the Authority of real and/or personal property? _____ If yes, describe the property to be transferred. _____

12. If title to property is not to be transferred to the Authority, please summarize the financial strengths of Applicant that make, in your opinion, collateral unnecessary. _____

13. Please give the names and addresses of any persons or firms that you expect to guarantee the payment of the bonds if issued.

14. Are you aware: *(Please answer yes or no)*

a. That the Development Authority of Clayton County does not grant tax exemptions, reductions, or abatements on real or personal property if Development Authority bonds are issued pursuant to this request?

b. That the Authority, the members of the Authority, its officers, agents, and employees are under no circumstances to be exposed to personal liability, that Applicant must agree to hold it and them harmless from personal liability and that this recital must appear in the Inducement Letter? _____

- c. That you must select bond counsel acceptable to the Authority and that such counsel must have experience in the field? _____
- d. That in the event you apply for and receive an Inducement Letter, you will be responsible for the payment of all expenses of the Authority and the expenses and fee of the Authority Counsel? _____
Should the issue not close, you would nevertheless be responsible for the payment of all expenses of the Authority and the expenses and reasonable fee on an hourly basis of Authority Counsel? _____
- e. That the Authority must be paid at closing a fee of one-half of 1% up to \$10,000,000.00 , and one-eighth of 1% for all Bonds issued in excess of \$10,000,000.00. An annual fee of \$500.00 per million in outstanding Bonds shall be due annually during the life of the Bonds. The Bond applicant shall instruct Bond Counsel to provide in the Bond closing documents appropriate agreements to insure annual payment when due.

- (1) That in the event the Authority is called upon to modify or amend its Resolution authorizing the issuance of the bonds so as to authorize the issuance of additional bonds that the Authority must be paid its administrative fee of one-eighth of 1% of the amount of the bond issue not to exceed \$25,000.00? _____
- (2) That in the event the Authority is called upon to modify or amend the Resolution authorizing the bonds so as to change the terms, maturity, interest rate or other portions of the Resolution that the Authority must be paid an administrative fee of \$1,500.00? _____
- (3) That in the event the Authority is called upon for other actions, see "Supplemental Request for Authority Action" for fee structure? _____
- f. That the regular monthly meeting of the Authority is on the second Monday of each month, that the Authority may hold special meetings if absolutely necessary but that no material or document will be considered at any meeting which has not been delivered to the Authority at least seven (7) calendar days prior to the meeting at which it is to be considered? _____
- g. That the Authority will expect knowledgeable officials and/or representatives of the Applicant to appear at the Authority meeting at which the execution of an Inducement Letter is to be considered and to explain personally the project and answer questions about the Applicant? _____
- h. That the Applicant is responsible for obtaining all zoning and land-use permits together with all permits for consideration? _____
- i. That the Applicant must furnish site plans and architectural drawings showing building design, elevations, and construction material acceptable to the Authority? _____
- j. That the Applicant must furnish a landscape plan by a competent landscape architect showing location, type and size of plants and location of buildings, driveways, and parking lots? _____

- k. That Applicant shall furnish prior to adoption of the Bond Resolution, at its expense, a Declaration of Covenants and Restrictions in form acceptable to the Authority and acceptable for recording with the Clerk, Superior Court of the County in which the Project Facilities are located, which shall describe the Property and impose covenants and restrictions on the Property providing for landscape plans, environmental protection and improvement, sign specifications and architectural plans, specifications and elevations with respect to the improvements and the development of Project Facilities? _____**
- 1. The Applicant agrees to comply with SEC Rule 15(c) 2-12 ("the Rule") and to undertake and to perform all acts required of the Development Authority of Clayton County ("the Issuer") so as to produce and file with national and state information repositories annual financial data and operating data. Notice of certain material events required under the Rule must be given to national and state repositories immediately upon the happening of any one of eleven events spelled out in the Rule. To the extent that the Rule requires the Issuer to perform any act to comply with the Rule, the Applicant agrees to undertake to perform such act and to hold the Issuer harmless of any claim arising out of the Applicant's failure to so perform.**
- 15. Please attach the following: *(If not attached or if not applicable, please explain in the space provided below)***
- a. Applicant's audited financial statements for the last three (3) fiscal years and an interim statement if the last fiscal year ended more than six (6) months ago.**
 - b. A breakdown of project costs showing total cost, the portion of the total cost to be financed with I.R.B. and an allocation of costs to lands, building, equipment, etc.**
 - c. A legal description and a plat of any real property to be conveyed to the Authority or on which the Authority will have a lien.**
 - d. A copy of the Resolution and Inducement Letter you will ask the Authority to accept.**
- 16. Please list the names, titles, addresses, and telephone numbers of officers, officials and/or employees of the Applicant with whom the Authority and its counsel will be dealing in the process of issuing the bonds.**
- _____
- _____
- _____
- _____
- 17. Please attach a check or draft in the amount of \$575.00, filing fee, payable to Development Authority of Clayton County. No application will be considered unless the filing fee accompanies the application.**

Please use this space for any additional comments you might wish to make concerning the proposed project or for expansion of answers made to questions posed on this application.

APPLICANT:

By _____
Authorized Signature

Please return the original and seven copies of this form and the attachments, after it has been completed, to:

***The Development Authority of Clayton County
Jonesboro Historic Courthouse
121 South McDonough Street
Jonesboro, Georgia 30236
Telephone Number 770-477-4591***

***Form approved by Development Authority of Clayton County -- 3/4/86; revised 6/20/86; revised 12/22/87; reformatted 6/97;
and revised 3/11/2002.***