

Application for PILOT County of Knox, Tennessee

Applicant:

Company Name _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Federal Employer Identification Number _____

Company representative to be contacted:

Name _____ Title _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Description of Principle Business _____

SIC/NASIC (if known) _____ Legal Structure _____

If a corporation, state of incorporation _____

If foreign corporation, is it registered to do business in Tennessee? Yes No

Sponsor: (if applicable):

Company Name _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Federal Employer Identification Number _____

Company representative to be contacted:

Name _____ Title _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Description of Principal Business _____

SIC/NASIC (if known) _____ Legal Structure _____

If a corporation, state of incorporation _____

If foreign corporation, is it registered to do business in Tennessee? Yes No

Name and address of any of the following involved in the project:

Applicant's Legal Counsel:

Name _____ Title _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Project Engineer

Name _____ Title _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Project Architect

Name _____ Title _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

General Contractor

Name _____ Title _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Does applicant or sponsor of the project have an application pending or intend to apply for industrial revenue bond financing for this or a similar project with any other board in Knox County?

Yes No *If yes, please attach a detailed explanation*

Does applicant or sponsor have present plans to incur indebtedness or other financial obligations, which would materially affect its financial condition other than the financing applied hereby?

Yes No *If yes, please attach a detailed explanation*

Does applicant or sponsor of the project know of any proposed or pending tender offers, mergers, or acquisitions by or affecting applicant or sponsor of the project or any other materially significant corporate event in any way affecting application or sponsor of the project?

Yes No *If yes, please attach a detailed explanation.*

Project Location/Ownership:

Street Address: _____

Vicinity Map. *Please attach with general location of site shown.*

Attach a copy of deed (or surveyor's description) detailing property's metes and bounds description or other legal description.

Who owns the property at this time? _____

Does applicant have an option to purchase the property if not already owned by applicant?

Yes No

Are there presently outstanding any options or liens with regard to the property?

Yes No

Give a brief description of the activities to be performed at this location, including a description of products to be produced and/or services to be provided:

Current Zoning: _____

Is the property zoned appropriately for intended use by this project? Yes No

Tax Information:

Obtain latest property tax statement from Knox County Assessor's Office (include both real and any existing tangible personal property).

Real Property

Tax parcel ID number(s) _____

Current assessment _____

Current tax _____

Will this project result in the subdivision of any current tax parcel? Yes No

Is the project located in the City of Knoxville's Central Business Improvement District? Yes No

If so, what is the current CBID tax assessment _____

Tangible Personal Property

Tax parcel ID number(s) _____

Current assessment _____

Current tax _____

Are there any assessments under appeal? Yes No

If yes, please describe. _____

Capital Investment:

Land: Acreage _____ Cost \$ _____

Site Preparation Cost \$ _____

Real Property (Building): Square Footage _____ Cost \$ _____

Personal Property Cost \$ _____

Briefly describe these investments (types of tangible personal property, type of site development planned for this location and other improvements): _____

Construction Estimates:

Start Date: Month _____ Year _____

Completion Date: Month _____ Year _____

Describe any off-site infrastructure that requires new public investments:

Water _____

Sanitary Sewer _____

Streets _____

Storm Sewer _____

Other _____

Have project utility requirements been reviewed by the appropriate local utility providers?

Yes No

Wages/Jobs:

In any event, the wages and jobs set out herein shall be achieved within three (3) years after the commencement of operations. An annual report of achievement is required as December 31 each year for the term of the PILOT agreement.

Complete the forms attached hereto as Exhibits A & B, listing jobs and wages by major employment type category.

Environmental Impacts:

Attach a Phase I Environmental Audit addressed to the Industrial Development Board.

Discuss any environmental impacts created by the project

Will this operation require an environmental permit?

Air Yes No
Water Yes No

Justification for PILOT request (substantiate and fully describe the justification for this request):

Financial Information:

Attach copies of the last two fiscal years' audited financial statements.

If publicly –held corporation, a certified statement of the corporation’s net worth with corresponding disclosure notes as provided in the applicant’s latest approved/audited financial statement.

Supplemental Information:

All of the following Schedules attached hereto must be completed and submitted with this Application before staff of The Industrial Development Board of the County of Knox, Tennessee will submit your application to the Industrial Development Board of the County of Knox, Tennessee for initial consideration.

Exhibit A – Project Employment - Current Employees

Exhibit B – Project Employment – Additional/New Employment

Exhibit C – Property Tax Incentive Program Affidavit to Application*

*Please note that Exhibit C is required only if staff of The Industrial Development Board of the County of Knox, Tennessee has determined that the Project’s primary purpose is one of community redevelopment, i.e. the financial incentives being requested are necessary to make the Project economically viable. If the Applicant is unsure, please check with staff as to whether Exhibit C is required. Notwithstanding any staff determination, The Industrial Development Board of the County of Knox, Tennessee reserves the right to require that the Affidavit be completed and submitted for the Project as a condition to the grant of any financial incentives under the Property Tax Incentive Program.

Certifications and Signature:

This application is made in order to induce The Industrial Development Board of the County of Knox, Tennessee to grant financial incentives to application and sponsor. Applicant and sponsor represent and warrant

that the statements contained herein or attached hereto are true and correct to the best of their knowledge and include all information materially significant to the board and its consideration of this application.

Applicant and sponsor have read and agree to comply with all requirements of the application procedures and policies of the Industrial Development Board of the County of Knox, Tennessee. Applicant specifically agrees to pay all reasonable costs, fees, and expenses incurred by the Board in connection with this application, whether or not the financial incentives are granted or this project built.

Applicant and sponsor acknowledge that, if the financial incentives are granted, the Applicant will be required to complete and file annually a PTIP Performance Report Form containing such information as may be required by the Industrial Development Board of the County of Knox, Tennessee, to determine compliance with incentive documentation, accompanied by either (1) audited financial statements of the Applicant covering the period of time inclusive of the immediately preceding tax year and which (i) contains certain supplementary information presenting the PTIP Performance Report Form and (ii) confirms that the Applicant is in compliance with the lease agreement between the Applicant and the Industrial Development Board of the County of Knox, Tennessee, or (2) an agreed upon procedures report of an acceptable independent certified public accountant substantially in the form attached hereto as Exhibit D.

Applicant

Date

Sponsor

Date

EXHIBIT A
Project Employment – Current Employees

EXHIBIT B

Project Employment – Additional/New Employees

EXHIBIT C

**PROPERTY TAX INCENTIVE PROGRAM
AFFIDAVIT
TO
APPLICATION**

I, _____, being first duly sworn, depose and state under penalty of perjury as follows:

1. I am a corporate officer, company officer, managing member, general partner or sole proprietor of _____ (“Applicant”), a company duly organized in the State of _____ as a _____ (Corporation/LLC/Sole Proprietorship/General Partnership/Limited Partnership). Applicant submits this Application requesting payment-in-lieu-of-tax assistance for the project located at _____ (“Site”). The Applicant represents that this Application and all information furnished in support of the Application for the purpose of obtaining financial assistance under The Industrial Development Board of the County Property Tax Incentive Program (“PILOT Program”) are true and complete to the best of Applicant’s knowledge and belief.

2. Applicant hereby acknowledges and declares that it will comply with all submittal requirements for payment-in-lieu-of-tax assistance from The Industrial Development Board of the County of Knox (“IDB”) set forth in the PILOT Program Policies and Procedures, as in effect from time to time, including, without limitation, the following:

(i) Applicant will pay PILOT application fee of _____ and no 100/00 Dollars (\$ _____) to the IDB at the time of application; and

(ii) Applicant will be required to pay the IDB a closing fee equal to five percent (5%) of the anticipated benefit, which will be due upon closing.

3. Applicant acknowledges and declares that the proposed project cannot be undertaken without the assistance of the Property Tax Incentive Program due to one or more of the following reason(s) as checked by Applicant:

___ (i) The Project, if financed by Applicant through cash on hand or through debt financing from a private lender, would not result in a reasonable rate of return to the Applicant; and/or

___ (ii) Applicant would not undertake the full set of improvements contemplated in the Application through resources reasonably available to the Applicant.

4. Applicant hereby agrees that Applicant shall at all times indemnify and hold harmless the IDB, its employees, officers, directors, counsel and consultants against all losses, costs, damages, expenses (including reasonable attorney fees), and liabilities of any nature directly or indirectly resulting from, arising out of, or relating to the acceptance, consideration, approval, or disapproval of this Application under the Knox County Property Tax Assistance program.

DATED this _____ day of _____, 20__

Signature

Title

Signed and sworn to before me this _____ day of _____, 20__

Notary Public

My Commission Expires: _____

EXHIBIT D

Independent Accounts' Report on Applying Agreed-Upon Procedures

[Tenant Name and Address]

We have performed the procedures enumerated below, which were agreed to by [Tenant Name] ("Company") in connection with our (i) verification of the accuracy of the information contained the PTIP Performance Report dated _____ ("Report") prepared and submitted by Company to The Industrial Development Board of the County of Knox (the "Board") and (ii) assessment as to whether Company is in compliance with the requirements of that certain Lease Agreement dated _____ between Company and the Board (the "Lease"). The agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the party specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The agreed upon procedures conducted are as follows:

1. [To Be Determined]

Based solely on such procedures performed, we hereby attest to the following:

- (a) The information set forth in the Report with respect to Tenant's Capital Investment in the Project, the creation and maintenance and/or retention of the Jobs and Wages in connection with the Project and _____ ("Lease Compliance Information") is fairly stated; and
- (b) Tenant is either in compliance with the requirements of the Lease and the Application as respects such Lease Compliance Information or has not yet reached the measurement date therefor.

We were not engaged to, and did not, conduct an audit, the objective of which would be an expression of an opinion on the accuracy of the information in the Report and the lease compliance requirements. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of Company and the Board and is not intended to be and should not be used by anyone other than Company and the Board.