

Project Eligibility Application

Applicant

Name:

E.I.N.

Entity: Corporation _____ Limited partnership _____ General partnership _____

Other (describe) _____

State:

Address:

Telephone: _____

Fax: _____

Parent
Company:

Principal
Officers:

Company
Counsel:

Bond Counsel:

Underwriter:

Amount of
Bonds: _____

Project Description:

Cost (estimates) Land _____ Buildings _____

Equipment _____ Issuance costs _____

Economic
Effects:

Public
Services:

Public hearing & approval by elected officials required? Yes No

Private activity bond limitation applies? Yes No

History of Company

Enclosures

Letter of Bond Counsel

Application fee (1,000.00)

IDRB Bond issuance fee ½ of 1% of bond amount

Financial statements (state years) _____

Form 10-K Reports Enclosed Not applicable

Zoning and utility letters

Other (list) _____

Applicant certifies that it is financially responsible and fully capable and willing to fulfill it's obligations under the financing agreement, including the obligation to make payments in the amounts and at the times required; to operate, maintain and repair at its own expense the Project; and to serve the purposes of the Florida Industrial Development Financing Act and such other responsibilities as may be imposed under the financing agreement.

Date of Application: _____, 20 _____

(NAME OF APPLICANT)

By:

Name:

Title:

Application No: _____
Date received: _____
24 mo. Period ends: _____
Date disclosed: _____

**CLAY COUNTY
DEVELOPMENT AUTHORITY**
Application for Declaration of Official Intent

Applicant requests that the Authority declare its official intent to reimburse Original Expenditures for the Project described herein with proceeds of an issue of the Authority's industrial development revenue bonds, pursuant to the Treasury Department Regulations § 1.150-2 ("Reimbursement Regulations") under the Internal Revenue Code of 1986, as amended ("Code"). "Original Expenditure" means an expenditure for a governmental purpose that is originally paid from a source other than a reimbursement bond, as defined in paragraph (c) of the Reimbursement Regulations, which is paid by or on behalf of the Applicant.

Applicant has consulted Bond Counsel and believes that it is capable of satisfying, and it is willing to satisfy, applicable requirements of law, including federal income tax laws. If the Authority makes the declaration of official intent, Applicant intends to proceed with the Project and with the Bond financing. However, it is understood that Applicant may not proceed or continue if the Bonds are not issued and the proceeds made available to finance the Project. If the declaration of Official intent is made, the Authority's intentions will be subject to satisfaction of all applicable criteria and requirements of law, including federal income tax laws, and the Authority's guidelines, procedures and policies. Neither Applicant nor the Authority shall have any legal obligation by reason of this Application or the declaration of official intent, except the Applicant's obligations for indemnification set forth below.

The Authority shall have no obligation to advance costs or expenses in connection with the Project or any proceedings for the authorization and issuance of the Bonds. Applicant shall be responsible for payment of all required governmental fees; obligations to contractors, subcontractors, materialmen and suppliers; reasonable fees, expenses and disbursements of the Authority's legal counsel; and all fees, expenses and disbursements due or becoming due to other professional consultants and advisers, including, without limitation, company counsel, bond counsel, accountants, architects, engineers, financial consultants and investment bankers, and commissions, fees and other compensation (including reimbursement of expenses) to underwriters, placement agents, trustees, brokers and other parties engaged by or on behalf of applicant or with its consent.

Neither this application nor any declaration of official intent shall preclude Applicant from requesting other incentives to economic development or benefits, nor shall this application or any declaration of official intent preclude any governmental unit or agency from making any such other incentives or benefits available to Applicant.

Applicant hereby indemnifies and holds the Authority and its members, officers and agents harmless from and against any and all liabilities, obligations, losses, costs and expenses, including claims and amounts paid in settlement of thereof, and including attorneys fees and costs incurred in connection with legal proceedings and settlements (whether or not any action, suit or other proceeding is filed), arising out of or predicated upon this application, and if the declaration of official intent is made, the declaration of official intent, the Project or the Bonds. This paragraph shall survive the execution and any expiration or termination of the declaration of official intent.

Pursuant to Section 288.075, Florida Statutes, Applicant hereby requests that this application, the declaration of intent, and all information, records, data, and documents of the Authority which contain or would provide information concerning plans, intentions, or interests of Applicant or any related person to locate, relocate, or expand any of its manufacturing or other business activities in the State of Florida shall be confidential and exempt from the provisions of Section 119.07(1), Florida Statutes, for 24 months from the date of filing of this application or until disclosed by Applicant or the Authority. The Authority will use reasonable efforts to cooperate and coordinate with Applicant with respect to any disclosure, whether voluntary or required, subject to applicable requirements of law. Notwithstanding the foregoing, neither the Authority nor any of its members, officers, employees or agents shall have any liability to Applicant or any other person for any such disclosure, whether or not resulting from any negligent or intentional act or omission of the Authority, and Applicant hereby waives any claims against the Authority, its members, officers, employees and agents, with respect to such disclosure.

**CLAY COUNTY
DEVELOPMENT AUTHORITY**

Application No: _____
Date received: _____

Declaration of Official Intent

Pursuant to Regulation § 1.150-2 of the Treasury Department Regulations under the Internal Revenue Code of 1986, as amended (the "Code"), and a Resolution of the Clay County Industrial Development Authority (the "Authority"), the undersigned authorized representatives of the Authority hereby declare official intent on behalf of the Authority to reimburse expenditures made by or on behalf of the Applicant with respect to the Project, and any reasonable deviations therein ("Original Expenditures"), with proceeds of the Authority's industrial development revenue bonds, as follows:

Applicant:

Project:

*Amount of
Bonds:*

This Declaration of Official Intent is based upon the Applicant's statements that it intends to proceed with the Project and financing costs of the Project with the proceeds of the Authority's industrial development revenue bonds, and is made with the Authority's reasonable expectation that the bonds will be issued and a portion of the proceeds used to reimburse and Original Expenditures. The Applicant shall notify the Authority promptly if it determines not to proceed with the Project or the Bonds. This Declaration does not constitute an approval of the Project or approval or authorization of the Bonds, or a commitment of an allocation of the state volume limitation for the Bonds, and is subject to satisfaction of and compliance with all applicable requirements of the Florida Industrial Development Financing Act and other provisions of law, applicable requirements of the Code and the Regulations thereunder and the Authority's guidelines, procedures and policies.

Dated this ____ day of _____, 20____.

CLAY COUNTY DEVELOPMENT AUTHORITY

By: _____
Name:
Title:

Attest: _____
Name:
Title:

Division Serial No. _____
Prior Division Serial No. _____

**STATE OF FLORIDA DIVISION OF BOND FINANCE
NOTICE OF INTENT TO ISSUE BONDS AND REQUEST FOR WRITTEN CONFIRMATION**

PART I. (to be completed by applicant)

Date: _____

Name, address and phone number of person who prepared this Notice (confirmation or rejection will be sent to this person unless otherwise directed):

_____ Phone: () _____

Address: _____

Issuing Agency: _____

Company (if applicable): _____

Amount: _____

Is this a Supplementary Notice? Yes _____ No _____

Check one of the following:

Multifamily _____ Single Family _____ Other _____

(if other, specify) _____

Is this a Priority Project under State law? Yes _____ No _____

Purpose: _____

s. 147 (f) or similar IRC Approval Date: _____

Contemplated Date (s) of Issue: _____

Approving Authority (Unit of Government): _____

Agency Official and Title: _____

I hereby certify that the elected official or voter approval required pursuant to 147 (f) of the Internal Revenue Code has been obtained on the date indicated above, and that the amount reasonably expected to be required for the financing equals at least 90% of the amount requested above.

Signature of Agency Official: _____

PART II. (to be completed by Division of Bond Finance)

Date and Time Received: _____ Received by: _____

Status: (confirmed or rejected) _____

Comments: _____

Amount Confirmed: _____ Confirmation Valid Through: _____

Category of Confirmation: _____

_____ Title: Director, Div. Of Bond Finance

ISSUER IS HEREBY ADVISED THAT THIS CONFIRMATION IS CONDITIONAL AND SHALL NOT BE CONSIDERED FINAL UNTIL AND UNLESS (1) THE DIVISION RECEIVED TIMELY NOTIFICATION OF ISSUANCE OF THE BONDS PURSUANT TO 159.805 (5) (a), FLORIDA

STATUTES, AND (2) THE DIVISION HAS ISSUED ITS FINAL CONFIRMATION OF ALLOCATION (FORM BF 2007-b) WITH RESPECT TO THE BONDS.

(Form BF 2006-D/5-1-88)

**STATE OF FLORIDA DIVISION OF BOND FINANCE
ISSUANCE REPORT PURSUANT TO SECTION 159.805(5) (a), FLORIDA STATUTES**

Division Serial # (if any): _____

Name of Issuer: _____

Name of Bonds: _____

Amount of Bonds: _____ Date of Issuance: _____
(Delivery Date)

Excess Amount (if any): _____

Type of Sale: Public Offering _____ Private Placement _____

Check one of the following:

Multifamily _____ Single Family _____ Small Issue IDB _____

Other _____ (if other Specify) _____

Purpose: _____

A) If manufacturing IDB, product manufactured: _____

B) If Multifamily Housing Bonds, number of units: _____

C) If Single Family Bonds, amount for origination of loans: \$ _____
amount immediately available: \$ _____

List Ratings (if any) Received:

Moody's _____ Standard & Poor's _____ N/A _____

Credit Enhancement (if any):

(name) _____

(nature) _____

Project Sponsor or Private Borrower (if applicable):

Name _____

Address _____

Phone Number _____ Contact Person _____

Address of Project: _____

Name & Address of Bond Counsel: _____

Name & Address of Underwriter: _____

Name & Address of Private Placement Agency: _____

Amount of Bond Proceeds Disbursed at Closing: \$ _____