

APPLICATION  
TO  
SCHUYLER COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
FOR  
FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION:

Company Name: MONTOUR HOUSE LLC.  
Address: 1803 Castle Gardens Rd.  
Vestal, N.Y. 13850  
Telephone: (607) 754-2045  
Telefax: (607) 754-0529  
Email: montourhouse@hotmail.com  
Fed Id. No.: \_\_\_\_\_  
Contact Person: Bruce Nelson / Maggie Martin

Principal Owners/Officers/Directors:  
(list owners with 15% or more in equity holdings with percentage ownership)

Bruce Nelson \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)

Form of Entity:

- Corporation
- Partnership (General \_\_\_\_\_ or Limited \_\_\_\_\_; number of general partners \_\_\_\_\_ and, if applicable, number of limited partners \_\_\_\_\_).
- Limited Liability Company/Partnership (number of members 1) (to be formed)
- Sole Proprietorship

If a corporation, partnership, limited liability company/partnership:

What is the date of establishment \_\_\_\_\_,

Place of organization \_\_\_\_\_ and,

If a foreign organization, is the Applicant authorized to do business in the State of New York? \_\_\_\_\_.

APPLICANT'S COUNSEL

Name: Kurt D. Schrader  
Address: 20 Hawley St. 7th fl  
Binghamton, N.Y. 13901  
Telephone: (607) 584-4900  
(607) 584-4901

II. PROJECT INFORMATION

A) Describe the proposed acquisitions, construction or reconstruction and a description of the costs and expenditures expected.

SEE ATTACHED PROPOSAL:  
ANSWER TO RFP dated 3/24/08

COST BENEFIT ANALYSIS:

Costs = Financial Assistance

Benefits = Economic Development

Estimated Sales Tax Exemption \$ 78,500

Jobs created 14

Estimated Mortgage Tax Exemption \$ 6,500

Jobs retained see p. 24 par. 7

Estimated Property Tax Abatement \$ 367,236

Private funds invested \$ 400,000

Estimated Interest Savings IRB Issue \$ N.A.

Other Benefits \$ \*

B) Project Address:

see project financing p. 12

401 W. Main St. Montour Falls

C) Are Utilities on Site?

Water X  
Gas X

Electric X  
Sanitary/Storm Sewer X

D) Present legal owner of the site Village of Montour Falls

If other than Applicant by what means will the site be acquired for this Project: \_\_\_\_\_

DEVELOPER AGREEMENT with the Village

E) Zoning of Project Site: Current: commercial Proposed: commercial

F) Are any variances needed? NO

G) Principal Use of Project upon completion: mixed commercial/high end residence

H) Will the Project result in the removal of a plant or facility of the Applicant from one area of the State of New York to another? NO

Will the Project result in the removal of a plant or facility of another proposed occupant of the Project from one area of the State of New York to another area of the State of New York? UNKNOWN

Will the Project result in the abandonment of one or more plants or facilities located in the State of New York? NO

I) Estimate how many construction/permanent jobs will be created or retained as a result of this Project:  
Construction: 14 Permanent: \* Retained: \*

refer to p. 27 par 7

J) Financial Assistance being applied for:

	<u>Estimated Value</u>
<input checked="" type="checkbox"/> Real Property Tax Abatement	\$ <u>367,236</u>
<input checked="" type="checkbox"/> Mortgage Tax Exemption	\$ <u>6,500</u>
<input checked="" type="checkbox"/> Sales and Use Tax Exemption	\$ <u>78,500</u>
<input type="checkbox"/> Issuance by the Agency of Tax Exempt Bonds	\$ _____

K) Project Costs (Estimates)

Land	<u>\$ 74,000 (site improvements)</u>
Building	<u>\$1,747,000</u>
Equipment	<u>NA</u>
Soft costs	<u>\$ 342,500</u>
Other	<u>\$ 145,000 (hazardous mat'l remediation)</u>
Total	<u>\$ 2,308,500.</u>

### III. REPRESENTATIONS BY THE APPLICANT

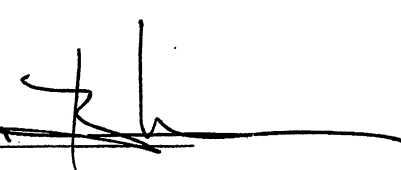
The Applicant understands and agrees with the Agency as follows:

- A) Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) First Consideration for Employment. In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D) Annual Employment Reports. The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

E) Absence of Conflicts of Interest. The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

(Applicant)

By: Bruce Nelson 

Name: Montour House LLC

Title: member

This Application should be submitted with a \$250.00 application fee to Schuyler County Industrial Development Agency, c/o SCOPED, 2 North Franklin Street, Suite 330, Watkins Glen NY 14891.

The Agency will collect a 1% fee at the time of closing.

Bruce Nelson (Name of chief executive officer of company submitting application) deposes and says that (s)he is the member (title) of Montour House LLC (company name), the corporation named in the attached application; that (s)he has read the foregoing application and knows the contents thereof and that the same is true to his/her knowledge.

Deponent further says that the reason this verification is being made by the deponent and not by Montour House LLC (company name) is because said company is a corporation. The grounds of deponent's belief relative to all matters in said application which are not stated upon his/her own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his/her duties as an officer of said corporation and from the books and papers of said corporation.

As an officer of said corporation (hereinafter referred to as the "Applicant"), deponent acknowledges and agrees that Applicant shall be and is responsible for all costs incurred by the Schoyler Co Industrial Development Agency (hereinafter referred to as the "Agency") acting on behalf of Applicant in connection with this application and all matters relating to the issuance of bonds or the provision of financial assistance to which this application relates. If, for any reason whatsoever, Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels, or neglects the application, or, in the case of a bond transaction, if Applicant is unable to find buyers willing to purchase the total bond issue, then upon presentation of an invoice, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application up to that date and time, including fees to bond or transaction counsel for the Agency and fees of general counsel for the Agency. Upon the successful conclusion and sale of the bond issue or other transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the Agency in accordance with its fee schedule in effect on the date of the foregoing application, which amount is payable at closing. The Applicant understands that the Agency's bond counsel's fees, general counsel's fees and administrative fee are considered issuance expenses and, therefore, can only be paid for or reimbursed out of the proceeds of any resultant tax-exempt bond issue up to an aggregate amount not exceeding 2% of the face amount of such tax-exempt issue and any amounts in excess thereof must be paid from fund of the Applicant.

(Applicant)

By: Bruce Nelson

Name: Montour House LLC.

Title: member

Sworn to before me this  
9<sup>th</sup> day of May, 2008.

Notary Public

Raelynn M. Hundley

RAE LYNN M. HUNDLEY  
Notary Public-State of New York  
No. 01HU6123489  
Qualified in Broome County  
My Commission Expires 3/7/2009