

**A.R.C. BUSINESS DEVELOPMENT REVOLVING LOAN FUND
LOAN APPLICATION**

APPLICATION FOR FINANCIAL ASSISTANCE

The information requested in this packet is necessary to process a loan request. Please complete all questions, and use "*None*" or "*Not Applicable*" where appropriate. The complete application should be returned to:

**Steed Robinson
Georgia Department of Community Affairs
Office of Economic Development
60 Executive Park South, N. E.
Atlanta, Georgia 30329-2231**

**A.R.C. BUSINESS DEVELOPMENT REVOLVING LOAN FUND
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Application Checklist

- 1. \$100 application fee made payable to the Georgia Department of Community Affairs.
- 2. Initial Project Assessment (Optional).
- 3. Applicable Exhibits from the Underwriting Checklist.
- 4. Application.
- 5. Open Records Statute.
- 6. Rehabilitation Certification.
- 7. Other Assurances.

**A.R.C. BUSINESS DEVELOPMENT REVOLVING LOAN FUND
LOAN APPLICATION**

I. Applicant

A. Company Name _____

P.O. Box/Address _____

City/State _____

Contact Person _____

Telephone Number _____

Federal Tax I.D.# or Social Security # _____

Type of Business _____ Number of Employees _____

Outside Accountant _____ Telephone# _____

Bank Contact Person _____ Telephone# _____

Attorney Name _____ Telephone# _____

B. Ownership of Company

List all individuals and/or entities owning 20% or more of the company's stock:

Name	Title	Ownership %
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. Business Structure

Type of Entity:

Corporation_____ Limited Partnership_____

General Partnership_____ Sub Chapter "S" Corporation_____

Sole Proprietorship_____ Other_____

Date and State of Incorporation and Formation:_____

Is the company a subsidiary or direct/indirect affiliate of any other organization?

Yes _____ No_____

If the answer is yes, please indicate the name, address and telephone number of the related organization and relationship:

II. Project Information

A. Location of Proposed Project:

1. Street Address: _____

2. City_____County_____Zip Code_____

B. Project Site (Land)

1. Please indicate the approximate size in acres or square feet of project site:

2. Are there buildings now on the project site? Yes_____No_____

If yes, please indicate number and approximate size in square feet _____

3. Indicate in detail the present use of the project site, and how it will affect the area in which it is located:

4. Is it intended that any portion of the land purchased will be used for downtown development purposes? Yes_____No_____

5. Indicate present legal owner of project site:

Name:_____

Telephone:(_____)_____ County:_____

Business Address: _____

City_____ State_____ ZipCode_____

Contact Person:_____

Telephone:(_____)_____

6. If applicant now owns project site, indicate:

a. date of purchase: _____

b. purchase price: _____

c. balance of existing mortgage: _____

d. holder of mortgage: _____

Please provide proof of ownership.

7. If the applicant is not now the owner of the project site, does applicant have an option or contract 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:_____

Please provide a copy of the option or the sales contract.

8. If the applicant is not the owner of the project site, is the applicant now leasing or proposing to lease the site or any buildings on the site?

Yes_____No_____ *Please provide a copy of the lease or proposed lease.*

9. Is there any relationship (*legally or by virtue of common control*) between the applicant or proposed occupant of the project, and the present owner of the project property? Yes_____No_____

10. Is the project located in an industrial park? Yes____No_____

C. Zoning and Infrastructure

1. Do the current and/or proposed uses of the project comply with all zoning and other conditions and restrictions affecting the project site ?

Yes_____No_____

If no, explain action to be taken to comply. _____

2. Are all utility services necessary for operation of the project site for its intended purpose (including but not limited to water supply, storm and sanitary sewer facilities, gas and/or electric and telephone facilities) available and of sufficient capacity? Yes_____No_____

List additional special needs: _____

D. Construction Status: *(Indicate "not applicable" if appropriate)*

1. Has a local building permit been issued? Yes_____No_____

Date issued _____

2. Has construction work on this project begun?

Yes_____No_____ *(If yes, complete the following):*

- | | | | |
|-------------------|----------|---------|-------------|
| a. site clearance | yes_____ | no_____ | % complete_ |
| b. foundations | yes_____ | no_____ | % complete_ |
| c. footings | yes_____ | no_____ | % complete_ |
| d. steel | yes_____ | no_____ | % complete_ |
| e. masonry | yes_____ | no_____ | % complete_ |
| f. other | yes_____ | no_____ | % complete_ |

E. Project Development Team

Contact Person, Company Name,
Complete Address (*including zip code*)
and Telephone Number

1. Project Architect: _____

2. Project Engineer: _____

3. Project Contractor/Manager: _____

III. Applicant's Project Costs and Sources of Funding

A. Provide the following cost breakdown of the entire project:

Land Acquisition	\$ _____
New Building Construction	\$ _____
Land and Building Acquisition	\$ _____
Building Improvements or Repairs	\$ _____
Furniture, Fixtures, and Equipment	\$ _____
Working Capital	\$ _____
<u>Total Project Costs</u>	\$ _____

B. Provide the following sources of funding for project or asset(s):

ARC RLF Loan Request \$ _____

Other Participating Lender(s) \$ _____

Equity Contribution \$ _____

Total Funds Available \$ _____

(NOTE THAT TOTAL FUNDS AVAILABLE MUST EQUAL TOTAL PROJECT COSTS)

C. List collateral to be offered as security for the DCA loan program:

D. Describe terms of the participating lender's loan (including interest rate, amortization, guarantor(s) and security):

IV. Employment Impact

A. State the number of full-time and part-time jobs to be created or saved as a result of the Applicant's project.

<u>Created</u>	<u>Saved</u>
<u>Full-Time</u> _____	<u>Full-Time</u> _____
<u>Part-Time</u> _____	<u>Part-Time</u> _____

- B. Please indicate the total number of workers currently employed by the Applicant at all company sites:

<u>Employment Locations</u>	<u>Number of Employees</u>	
	(Full Time)	(Part Time)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- C. Will the proposed project result in the elimination of employment by the Applicant at any of the company's locations?

Yes _____ No _____

- D. Will the proposed project result in the relocation of any full time employees from any of the company's locations?

Yes _____ No _____

If yes, please provide detailed information on how many employees are to be relocated.

V. Has any proprietor, limited partner owning 20% or more interest, general partner, holder of 20% or more voting stock, corporate officer, corporate director, development company officer, development company director, or any person having the authority to speak for and commit the borrower in management of the business (including any hired managers):

- A. Been within the last five years, a party in litigation involving laws governing hours of labor, minimum wage standards, discrimination in wages or child labor?

Yes _____ No _____

- B. Been or is now charged with, convicted of, or a plaintiff in any criminal or civil offense other than a minor motor vehicle violation?

Yes _____ No _____

- C. Been or is now subject to, or has pending, any disciplinary action by any administrative, governmental, or regulatory body?
Yes _____ No _____
- D. Been or is now subject to any order resulting from any criminal, civil or administrative proceedings brought against such persons or parties by any administrative, governmental, or regulatory agency?
Yes _____ No _____
- E. Been or is now informed of any current or on-going investigation with respect to possible violations by such persons or parties of state or federal securities, anti-trust, or criminal laws?
Yes _____ No _____
- F. Been or is now denied a business-related license or had it suspended or revoked by any administrative, governmental or regulatory agency?
Yes _____ No _____
- G. Been or is now disbarred, suspended, or disqualified from contracting with any federal, state, or municipal agency?
Yes _____ No _____
- H. Been or is now in receivership or adjudicated bankrupt?
Yes _____ No _____

Regarding the company:

- I. Are all appropriate taxes (income, payroll, sales etc.) paid for all periods up to the date this application is being submitted?
Yes _____ No _____

Please explain all above questions where necessary.

VI. Applicant Representations, Warranties and Agreements.

- A. Applicant hereby represents, warrants and agrees as follows:

1. That, as of the date of filing this Application, the representations, statements and other matters contained in this Application are true and complete in all material respects and are not misleading in any material respect. Applicant is aware of no event or other fact that has not been reported in the Application as material information. In the event that any matters in this Application change or cease to be true and complete in all material respects or become misleading, Applicant shall amend this Application in such a manner that all representations, statements and other matters contained in the Application are true and complete in all material respects and are not misleading in any material respect.

2. That, this Application shall have incorporated into it the applicable standard forms provided by the Georgia Department of Community Affairs (DCA). Applicant agrees that the breach of any warranty, representation, covenant or agreement contained in said standard forms may, at the sole discretion of DCA, constitute an event of default under any of the loan documents to be executed by Applicant in connection with any loan made or funded by DCA to Applicant under the Program.

3. The Applicant authorizes DCA or its representative to obtain any information relative to this Application from any bank, any finance company, any loan company, any credit bureau, or any other source of information; each source being hereby authorized to provide DCA or its representative with such information. The Applicant also authorizes DCA or its representative to disclose all information submitted in connection with this Application to financial/banking institutions and public financing agencies agreeing to participate in the project's financing package.

(Print the full legal name of Applicant)

By: _____

Name: _____

Title: _____

OPEN RECORDS STATUTE

Georgia Law requires that "All public records of an agency as defined in subsection (a) of this Code section, except those which by order of a court of this state or by law are prohibited or specifically exempted from being open to inspection by the general public, shall be open for a personal inspection by any citizen of this state at a reasonable time and place; and those in charge of such records shall not refuse this privilege to any citizen" (O.C.G.A. § 50-18-70(b)). This means that past and current records on ARC RLF projects are required to be open for public inspection.

However, certain proprietary information which is required by DCA to be included in an economic development application and must be supplied by a business or developer in order to receive certification and which constitutes a "trade secret" (O.C.G.A. § 10-1-740 et seq.; 16-8-13(a)(4)) is exempt from disclosure under O.C.G.A. section 50-18-70. IF YOU CONSIDER FINANCIAL OR CREDIT INFORMATION SUBMITTED AS PART OF A DCA APPLICATION THAT MAY BE REVIEWED BY DCA A "TRADE SECRET", PLEASE INDICATE BY SIGNING BELOW OR MARK INDIVIDUAL DOCUMENTS "TRADE SECRET."

Authorized Signature

By: _____

Name: _____
(*print or type*)

Title: _____

Company: _____

Date: _____

REHABILITATION CERTIFICATION

I hereby certify that the structural, exterior and other rehabilitation, as represented by this loan application request, represent only changes and improvements that are in compliance with the following Standards for Rehabilitation.

Standards for Rehabilitation

1. Every reasonable effort shall be made to provide a compatible use for a property, which requires minimal alteration of the building, structure or site and its environment, or to use a property for its original intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features will disqualify any building from this program.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance, such as "Colonial" or "Early American", shall be discouraged and may disqualify any buildings from this program.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance may be recognized and respected. (Example: An Art Deco storefront on a Victorian-era building.)
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will change or damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.

REHABILITATION CERTIFICATION
(continued)

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural materials, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

10. Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. New additions should be compatible to the present structure.

Authorized Signature

By: _____

Name: _____
(print or type)

Title: _____

Company: _____

Date: _____

OTHER ASSURANCES

The Applicant assures and certifies with respect to the loan that it will comply with:

1. Facility access for the physically handicapped P.L. 90-480 as amended (42 U.S.C. 4151, et seq.)
2. The Davis-Bacon Act (40 USC 276a to 276a-5) when any contract for construction, alteration and/or repair including painting and decorating in excess of \$2,000 is financed in whole or in part by an ARC RLF (42 U.S.C. 3222).
3. Civil Rights Requirements in Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-2000d-4), and 15 CFR Part 8, as it pertains to the exclusion of persons on the ground of race, color, or national origin. The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101, et seq.) and 15 CFR Part 20 as it pertains to denying the benefits of receiving federal financial assistance. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) prohibits the discrimination on the basis of handicap for any program. The Public Works and Economic Development Act of 1965 (42 U.S.C. 3121, 3121, et seq.), as it pertains to denying persons participation on the basis of sex in any program receiving federal financial assistance.
4. All State and local environmental review requirements with all applicable Federal, State, and local standards, including:
 - a. The Clean Air Act of 1970, as amended (42 U.S.C. 7401 et seq.);
 - b. The Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.);
 - c. The Flood Disaster Protection Act of 1973, P.L. 93-234, as amended (42 U.S.C. 4002, et seq.) Executive Order 11988, Floodplain Management (May 24, 1977) and regulations and guidelines issued thereunder;
 - d. Executive Order 11990, Protection of Wetlands (May 24, 1977);
 - e. The Endangered Species Act of 1973 P.L. 93-205, as amended (16 U.S.C. 1531, et seq.);
 - f. The Safe Drinking Water Act, P.L. 93-523, as amended (42 U.S.C. 300f-300j-9);
 - g. The Wild and Scenic Rivers Act, as amended, (16 U.S.C. 1271, et seq.);

OTHER ASSURANCES
(continued)

- h. The Comprehensive Environmental Response, Compensation and Liability Act of 1980, P.L. 96-510, as amended (42 U.S.C. 9601, et seq.) and
 - i. The National Historic Preservation Act P.L. 89-665 (16 U.S.C. 470 et seq.).
5. Providing a drug free workplace as defined by the Controlled Substances Act (21 U.S.C. 812) and 21 CFR 1308.11.

The Applicant assures and certifies with respect to the loan that:

- 6. It will give Georgia Department of Community Affairs or the Comptroller General through any authorized representative the access to and the right to examine all records, books, papers, or documents related to the loan.
- 7. It will create or retain the jobs specified in the loan application within three years of project completion and certifies that these jobs have not been relocated from another labor area.
- 8. It understands that if the project is moved outside the eligible project area, the ARC RLF loan will be called or restructured.

Having read the previous standard assurances for recipients of federal assistance, I do hereby certify that I and my business will comply with all of the standard assurances that apply to the activities and improvements that I will undertake with monies obtained from Georgia Appalachian Region Downtown Development RLF.

Authorized Signature

By: _____

Name: _____
(*print or type*)

Title: _____

Company: _____

Date: _____