



DEVELOPMENT AUTHORITY OF CLAYTON COUNTY APPLICATION FOR BOND FINANCING

- NEW BOND ISSUE**
(Complete Items 1-13, 15, 16a-d, 17-18)

- MODIFICATION OF EXISTING BOND ISSUE**
(Complete Items 1-3, 9, 14, 15 a-c, e, g-l, 16e, 17-18)

DATE: _____, _____

1. Name of Applicant: _____
2. Address: _____
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: _____



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Applicant: _____

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, specifically describing the expected economic impact of the project (such as new annual sales, for example). Attach a list showing the total number of new jobs that will result from this project, specifying the position and wages/salary for each.

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 entities that you expect to guarantee the payment of the bonds if issued.

14. Please described the modification or other action you are asking the Authority to take, including the reason(s) for the request.



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15. Do you understand and agree: *(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 if you have separate Bond Counsel representing the Applicant, you must select bond counsel acceptable to the Authority and that such counsel must have experience in the field of public finance? (As a minimum, the bond counsel firm must be listed in the listing of Bond Attorneys in the “Red Book” (i.e., “The Bond Buyer’s Municipal Marketplace”) and the particular lawyers with the firm that are responsible for the engagement must be members of the National Association of Bond Lawyers.) _____
- 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 fees of the Authority Counsel (minimum \$35,000.00) and Financial Advisor? _____
- e. If this application is for issuance of new bonds, should the issue not close, you will nevertheless be responsible for the payment of all expenses of the Authority and the expenses and reasonable fees on an hourly basis of Authority Counsel and Financial Advisor? _____

If this application is for modification of an existing bond issue, you are responsible for payment of all expenses of the Authority and the expenses and reasonable fees on an hourly basis of Authority Counsel and Financial Advisor? _____

- f. That the Authority must be paid at closing an issuance fee of one-eighth of 1% of the principal amount of the bond (or the maximum aggregate principal amount, if there will be multiple draws or requisitions). An annual fee of one-eighth of 1% of the outstanding principal shall be due annually on October 1 of each year during the life of the Bonds, with the first year’s annual fee due at closing. The first year’s fee due at closing shall be pro-rated through October 1 of the year immediately following issuance (whether that pro-ration results in payment of more or fewer than 12 months at closing). The Bond applicant shall instruct Bond Counsel to provide in the Bond closing documents, an amortization schedule and appropriate agreements to insure payment of annual fees 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



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bonds, the Authority must be paid its standard issuance and annual fees as set out above for the total amount of the bonds issued? _____

(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? _____

g. That the regular monthly meeting of the Authority is on the second Tuesday of each month at 6:00 o'clock p.m., 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? _____

h. That the Authority will expect knowledgeable officials and/or representatives of the Applicant to appear at the Authority meeting at which this application, and any action related thereto, is to be considered and to explain personally the project and answer questions about the Applicant? _____

i. That, if applicable, the Applicant is responsible for obtaining all zoning and other necessary land-use permits? _____

j. That, if applicable, the Applicant must furnish site plans and architectural drawings showing building design, elevations, and construction material acceptable to the Authority?

k. That, if applicable, 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? _____

l. That the Applicant agrees to take such action on behalf of the Authority as necessary to comply with SEC Rule 15(c) 2-12 (“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 Authority harmless of any claim arising out of the Applicant's failure to so perform? _____

m. That any tax benefit must be approved by the Board of Tax Assessors and must include a pro-rata claw-back provision for each year the Project fails to achieve a minimum of 95% of the expected employment level (described in item 10 above)? _____

16. Please attach the following: *(if not attached or if not applicable, please explain in the space provided below)*



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- 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 land, 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 approve.
 - e. A copy of all documents you are asking the Authority to approve and execute.
17. Please list the names, titles, addresses, and telephone numbers of officers, officials and/or employees of the Applicant, as well as Applicant’s counsel, with whom the Authority and its counsel will be dealing in the process of issuing, or modifying the bonds.

- 18. If this application is for issuance of new bonds, please attach a check or draft in the amount of \$575.00, non-refundable filing fee, payable to Development Authority of Clayton County. If this application is for modification of an existing bond issue, please attach a check or draft in the amount of \$1,500.00 non-refundable filing fee, payable to Development Authority of Clayton County. No application will be considered unless the appropriate 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 completed original and seven copies of this form and the attachments to:

Development Authority of Clayton County
1588 Westwood Way
Morrow, Georgia 30236

Form approved by Development Authority of Clayton County – 3/4/86; revised 6/20/86; revised 12/22/87; reformatted 6/97; revised 3/11/2002; revised 2/13/12; revised 11/15/17; revised 12/11/18