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***INDUSTRIAL REVENUE BONDS***

**AND**

***TAX LEASE PROGRAM***

***APPLICATION***

**for assistance through**

**the  
County of Chautauqua  
Industrial Development Agency**

**County of Chautauqua Industrial Development Agency  
200 Harrison Street  
Jamestown, New York 14701**

**Application for Financial Assistance  
through the  
County of Chautauqua  
Industrial Development Agency**

The information listed on this form is necessary to determine the eligibility of the project applicant. Please fill in all blanks, using "NONE" or "NOT APPLICABLE" where necessary. If an estimate is given, put "EST" after the figure. Attach additional sheets if necessary. All information completed with this form will be treated confidentially. This application is only for the purpose of determining whether the applicant is eligible for consideration by the Board of Directors of the County of Chautauqua Industrial Development Agency. Return eight (8) copies of this application to the County of Chautauqua Industrial Development Agency at the address listed on the cover of this document.

**PART 1**

**A. APPLICANT**

Federal ID #

161580070

Company Name:

F. S. M. R. LTD.

Office Address:

7820 RT 474 PANAMA NY 14767

Telephone:

(716) 355-4374

**Company officer completing this application:**

Name:

RAYMOND MILLER

Title:

OWNER

**1. Number of locations of present business facilities:**

- a. County of Chautauqua: 1
- b. New York State: 1
- c. Outside New York State: 0

2. Business Organization (check appropriate categories):

Corporation  Partnership

Sole Proprietorship  Subchapter S

Other (Specify)

3. Is business publicly or privately held?  Public  Private

4. List principal stockholders and percentage of ownership if applicable:

<u>Name</u>	<u>Percentage</u>	<u>Home Address</u>
RAYMOND MILLER	100%	7820 RTHY PANAMA, NY 141767

5. Is the business a subsidiary of, or affiliated directly or indirectly with any other organization?  Yes  No If "Yes" indicate relationship and name and address of the related organization(s) on a separate sheet.

6. Complete the following information:

<u>Officers</u>	<u>Name</u>	<u>Address</u>	<u>Social Security Number</u>	<u>Other Principal Business Affiliations</u>
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**B. References (these will be contacted):**

1. Banking (List names of banks, account officers address and telephone number):

COMMUNITY BANK MAIN ST. CLYMER NY 14724

2. Business Suppliers (List three largest accounts – names, addresses, telephone numbers, and list suppliers' terms of sale):

1. EVERLAST ROOFING 239 N. 5TH AVE. LEVANON, PA. 17046 1-888-331-0059  
2. CHAUTAQUA BRICK BOMIS POINT N.Y. 716-386-3825  
3. METAL SALES JEFFERSON, OHIO 1-800-321-5833

3. Major customers (List three largest – names, addresses, telephone numbers, and show percentage (%) of gross business obtained from each):

4. What are your terms of sale? C.O.D.

5. Current Landlord (List name, address and telephone number): NONE

6. Legal Counsel (List name, address and telephone number):

CRANDALL NYVEIDE (716) 355 2740 CLYMER, NY 14724

**C. Business Description**

1. Describe type of business: CONSTRUCTION & FARM MTL'S RETAIL SALES
2. Describe the principal products and services: BUILDING MTL'S.
3. Describe the market(s) served: REGIONAL CONTRACTORS / FARMERS / HOME OWNERS

**D. Present Location**

1. If you rent:
  - a. What is the present annual rent (state whether firm has a gross or net lease):
  - b. When does the lease expire?
2. If you own:
  - a. What is the current annual mortgage payment? NONE
  - b. When does the mortgage terminate? N/A
3. Describe present location (include square footage, number of buildings, number of floors, etc.) 2 FLOORS  
8544 SQ FT
4. List the current annual taxes by respective taxing jurisdictions:
  - a. Building(s): \$
  - b. Land: \$

\*

**E. Previous Financial Activities**

1. What were your company's estimated capital expenditures in Chautauqua County, New York, during the past three (3) years? (Specify by place, year and amount.)  
*0 120,000<sup>00</sup>*
2. Has your company ever been a recipient of funds obtained through tax-exempt or taxable bonds?  Yes  No If "Yes" give details below:
3. Describe your company's effort to secure assistance or financing in the County of Chautauqua, or any other area, on a separate sheet. *N/A*

**F. Types of Financial Assistance Requested**

(Cross out those which are not applicable.)

- ~~1. Industrial Development Revenue Bonds~~
  - ~~A. Tax Exempt~~
  - ~~B. Taxable~~
2. Tax Lease
- ~~3. Other loan(s). Describe: \_\_\_\_\_~~

## Part 2

### A. Describe the Project

(Include a general, functional description and prospective location.)

EXPANDING WAREHOUSE SIZE BY @ 15,000 SQ FT  
THEREFOR INCREASING SALES CAPACITY TO 3 TIMES THE CURRENT.

**B. Reasons for Project**

1. Briefly describe the reasons why this project is necessary and what effect it will have on your business: *THE BUSINESS HAS OUTGROWN THE EXISTING LOCATION*
  
2. If your business is unable to arrange suitable financing for this project, what will be the impact on your company and the County of Chautauqua? Would your company proceed with the project without Agency assistance and / or financing? Describe in detail:  
*FAILURE TO SECURE THE TAX ADVANTAGES WOULD MAKE THIS INVESTMENT RISKIER AND THEREFOR THE COMPANY WOULD PROBABLY NOT PROCEED. THE SALES TAX GENERATED ON SALES WOULD STAY AT ABOUT THE CURRENT LEVEL. THIS WOULD IMPACT THE COUNTY BY NOT INCREASING SALES TAX REVENUES OR PAY ROLL INCREASES.*



**C. Type of Project**

1. Check category which best describes your project:

- |  |   |
|--|---|
| <input type="checkbox"/> Manufacturing       | <input checked="" type="checkbox"/> Warehousing |
| <input type="checkbox"/> Industrial Assembly | <input type="checkbox"/> Pollution Control      |
| <input type="checkbox"/> Research            | <input type="checkbox"/> Other (Specify)        |

2. If pollution control, check appropriate items below:

- |                                    |  |
|------------------------------------|--|
| <input type="checkbox"/> Air       | <input type="checkbox"/> Noise           |
| <input type="checkbox"/> Water     | <input type="checkbox"/> Solid Waste     |
| <input type="checkbox"/> Air/Water | <input type="checkbox"/> Other (Specify) |

**D. Proposed Location**

1. Does the project consist of (check appropriate categories):

- |  |   |  |
|--|---|--|
| a. Construction of a new building                      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| b. Renovations to an existing building                 | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| c. Construction of an addition to an existing building | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| d. Acquisition of an existing building                 | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

If the Company is to acquire an existing plant, attach a photograph and indicate if it is in operation, about to be abandoned or abandoned. If in operation, describe present products.

List costs or orders made by Company for the project, at the date of this application, on a separate sheet.

2. Describe the proposed location(s) of this project, including square footage, number of floors, address, etc. (If new construction is involved or expansion of existing plant, attach proposed floor plan):

1 FLOOR @ 15,000 SQ FT

3. List the present owner of the project site and the owner's name, address, and phone number. (If currently owned by the applicant, indicate date of purchase, reason for purchase and current use of the site): *SITE AT 7820 RT 474 PANAMA NY 14767*  
*CURRENT LOCATION OF EXISTING OPERATIONS*
4. Does the project site currently have existing occupant(s)?  
 Yes  No  
  
If "Yes", list all lessees, the amount of space occupied by each, and the date of termination of such leases on a separate sheet.
5. Is there a relationship legally or by virtue of common control between the applicant or present owner?  
 Yes  No  
  
If "Yes", provide details on a separate sheet.  
*ONE IN SAME*
6. Does the Company have an option to purchase the project site or has a contract of sale been executed for such purchase? (If so, attach particulars.)  
 Yes  No
7. Has the Company placed any purchase orders or entered into any other agreements or contracts with respect to proposed project costs? (If so, attach particulars.)  
 Yes  No

**E. Location Maintenance Costs**

1. What are the real estate taxes on the land and the building? (If current rate is not available, give assessed value for each and so state.)  
  
Land \$  
  
Building \$
2. What is the estimated useful life of the:
  - a. Facility *40 YR*
  - b. Equipment *N/A*



3. Is proposed Project site served by:
- a. Transportation     Rail     Truck     Air  
                                Water
- b. Utilities             Sewer     Water     Gas  
                                Electric Power

**F. Employment**

1. Employment at present time, if Company is now in existence within Chautauqua County, and an estimate of such employment at the proposed location at the end of one and two years:

	<u>Present</u>	<u>First Year</u>	<u>Second Year</u>
Full Time	4	4	4
Part Time*	0	0	0
Seasonal*	0	0	0

\*Estimate percent that total part time or seasonal working time bears to total annual full working time    %.

Total        \$

2. Estimate the annual payroll:

At present    \$ 5,7000

In one year    \$ 100,000

**G. Project Costs**

1. List the costs necessary for the construction, acquisition or renovation of the project. (The project costs should **not** include working capital needs or moving expenses.)

<u>Description</u>	<u>Amount</u>
Land	\$ 0
Building(s)	\$ 200,000
Renovation	\$
Machinery and Equipment (Do <b>not</b> include furniture costs)	\$
Installation	\$

(G. Continued)

Fees (Do <b>not</b> include your own counsel fees)	\$
Architectural Fees	\$
Financial Charges (specify)	\$
Other (specify)	\$
<b>Subtotal</b>	\$ 200,000
<b>Agency Administrative Fee</b>	\$
<b><u>Total Project Cost</u></b>	\$ 200,000

2. What is the amount of funds and term requested for financing through the County of Chautauqua Industrial Development Agency?

\$ N/A Years

**H. Project Schedule**

1. Indicate the estimated days for:
- a. Financing of the project
  - b. Commence of construction 0 mo
  - c. Completion of construction 1 yr
2. List the date(s) and in what amount(s) the estimated funds will be required:

N/A

**I. Other Agency Involvement**

1. Have you contacted any other governmental agency in reference to this project?  
 Yes  No

If "Yes", please indicate the agency and the nature of the inquiry below:

2. Have you contacted any financing institutions or other industrial development agencies in New York State, or elsewhere, for financial assistance in reference to this project or one of a similar nature?  
 Yes  No

If "Yes", please indicate below the institution and / or agency and the present status of the inquiry:

**J. Financial Information** (attach the following)

1. Certified financial statements for the last three (3) fiscal years. *N/A*

**For Industrial Development Bonds (IDB) complete Questions 2, 3 & 4.**

2. Pro forma sheet as at start of operations at project site. *N/A*
3. Project profit and loss statements for first two (2) years of operation at projected site.
4. Projected "cash flow" statement, by quarters, for first year of operation at project site.

Certification

RAYMOND MILLER  
(Name of chief executive officer of company submitting application)

deposed and says that he/she is the OWNER  
(Title)

of ESMR LTD, the corporation named in attached application;  
(Company name)

that he has read the foregoing application and attachments and knows the contents thereof; that the same is true to his knowledge, contains no information or data that is false or incorrect and is truly descriptive of the project which is intended as security for the requested financing.

Deponent further says the reason for this verification is made by the deponent and not by ESMR LTD,  
(Company name)

is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information required by deponent in the course of his duties as an officer of 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 non-profit County of Chautauqua Industrial Development Agency (hereinafter referred to as the "Agency") acting in connection with the attendant negotiations and ultimately the closing of the project and (or) financing. If, for any reason whatsoever, the 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, then upon presentation of invoice, applicant shall pay to the Agency, its agents or assigns all actual costs involved in conduct of the application and the drafting of documents up to that date and time, including fees of counsel for the Agency.

The costs incurred by the Agency and paid by the applicant, including the Agency's counsel's fees and the administrative fee, may be considered as a cost of the project and included as part of any resultant bond issue, subject to the limitations imposed by law.

  
(Chief Executive Officer of  
company submitting application)

Notary

*Affirmed*

~~Sworn~~ to before me this

17 day of July, 2007

LAURIE L. HARVEY

Notary Public, State of New York

Qualified in Chautauqua County

Reg. No. 01MA5004030

Commission Expires August 30, 2010

(Seal)

*Laurie L. Harvey*