

**STATE OF WEST VIRGINIA
INDUSTRIAL DEVELOPMENT BONDS
CAP ALLOCATION FORM**

**Calendar Year
2009**

Mail To:
West Virginia Economic Development Authority
NorthGate Business Park 160 Association Drive
Charleston, WV 25311-1217

Project Number: _____
Date Approved: _____
Date Expires: _____
County: _____

Issuer: _____

I. INFORMATION REGARDING PURPOSE OF THIS SUBMISSION

Check all of the boxes below which apply. Where required, also supply additional information.

- A Notification of Inducement. Date of Inducement: _____
- B 1 Request for reservation of funds against the STATEWIDE CAP.
- 2 Amount of funds requested for reservation: \$ _____
- 3 Is this issue eligible for prior year carryforward of funds and do you so elect?
- No
- Yes If yes, you must attach certificate of election.
- 4 Has application for this project been made before? No
- C Notification of Bond Closing and utilization of approved CAP reservation of funds
- Total actual issue amount: \$ _____
- D Notification of termination of approved requested reservation of funds.

II. INFORMATION ABOUT THE PROPOSED BOND

If you checked any box in A, B, or C in Section I, also complete this section.

- A Official name of Bond Issue: _____
- B Lessee/User of Project: _____
- C Standard Industrial Classification (SIC) Code and classification: _____
- D Location of Project: _____
- E Use of Funds: _____

III. BOND CLOSING INFORMATION

If you checked box C in Section I, also complete this section.

- A Amount of Total Financing: \$ _____
- B Bond Issue Date: _____ Final Maturity: _____
- C Attach Documentation of Bond Structure, Including Maturity Dates and Rates.
- D Bond Counsel: _____ Contact Person: _____
- E Bond Counsel Address: _____ Telephone: _____
- F Underwriter: _____ Contact Person: _____
- G Underwriter Address: _____ Telephone: _____
- H Trustee: _____
- I Registrar: _____
- J Paying Agent: _____

IV. SUBMISSION CERTIFICATION

All requests for reservations of funds must be accompanied by the signature of the Clerk of the county in which the inducement resolution was passed.

This request for allocation of Industrial Development Bonding authority from the West Virginia statewide cap is made by passage of the attached Inducement Resolution on the _____ day of _____, _____ by

Clerk, County Commission

V. INFORMATION ABOUT THE PROJECT

Anyone requesting reservation from the statewide cap must complete this section.

A List Three Major Suppliers for the Finished Project. (Company Name and Address)

B List Three Major Customers for the Finished Project. (Company Name and Address)

C Projected Number of Construction Period Jobs: _____ Projected Number of Permanent Jobs: _____

D Projected Annual Payroll (\$): _____ Projected Additional West Virginia Tax Revenues : _____

VI. NARRATIVE ON OTHER KEY BENEFITS TO WEST VIRGINIA

Applicants for bond allocation may use this area to describe collateral benefits from the proposed project.

VII. DISPOSITION OF REQUEST

This section is completed by the WV Industrial Development Bond Allocation Committee.

The Application is Approved for Allocation from the Statewide Cap in the Amount of \$ _____

The Application is Denied for Allocation for the Reason(s) Indicated Below

The Request Exceeds Available Statewide Cap

This Form is Incomplete or Completed in Error: _____

Other Reason(s) as Follows: _____

I certify under penalties of perjury that the approval of allocation of funds against the Statewide Cap referenced herein was not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Chairman
West Virginia Economic Development Authority

VIII. WEST VIRGINIA JOBS ACT CERTIFICATION

The "West Virginia Jobs Act" ("Act"), as found in West Virginia Code Article 1C, Chapter 21, requires that West Virginia residents should be given preference in hiring for construction projects that depend, in whole or in part, on state taxpayer funding. Employers are required to hire at least 75% of their employees from the local labor market (which includes all counties in WV and all counties bordering WV that falls within 75 miles of its borders). Please answer the following questions to determine if this project is required to conform to the "Act".

1. Does this project include the construction of a public improvement*?
 Yes Please continue to question #2.
 No This project is excluded from the "Act". Stop here and sign the form.
2. Are the construction costs \$500,000 or less?
 Yes This project is excluded from the "Act". Stop here and sign the form.
 No Please continue to question #3.
3. Is the borrower a county or municipality?
 Yes This project is excluded from the "Act". Stop here and sign the form.
 No Please continue to question #4.
4. Will the project be initiated and managed by a local or county economic development authority?
 Yes This project is excluded from the "Act". Stop here and sign the form.
 No Please continue to question #5.
5. Is any funding for the construction of the public improvement derived from federal sources?
 Yes This project is excluded from the "Act". Stop here and sign the form.
 No Please continue to question #6.
6. Will a public authority** let the construction contract?
 Yes This project is covered under the "Act". Please contact WVEDA staff for a list of specific requirements.
 No This project is excluded from the "Act". Stop here and sign the form.

*Public improvement includes the construction of all buildings, roads, highways, bridges, streets, alleys, sewers, ditches, sewage disposal plants, waterworks, airports and all other structures that may be let to contract by a public authority.

**Public Authority means any officer, board, commission or agency of the state of West Virginia, excluding counties and municipalities.

APPLICANT:

Signature of Authorized Company Representing Verifying
Accuracy of Information:

Signature

Date