



APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental form/documentation. A **non-refundable** application fee of \$350.00 must be included with this application. Make check payable to COMIDA. Please see page 10 for additional information on costs and fees.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.imaginemonroe.org.

I. APPLICANT

A. Name JD&Sons, Inc.
Address 11 Parsells Ave.
City/State/Zip Rochester, NY 14609
Tax ID No. 16-1311278
Contact Name Ilias Diakomihalis
Title President
Telephone (585) 288-4450
E-Mail jdseafood@yahoo.com

B. Owners of 20% or more of Applicant Company

Name	%	Corporate Title
<u>Ilias Diakomihalis</u>	<u>100</u>	<u>President</u>

C. Applicant's Legal Counsel

Name Steven J. Pheterson, Esq.
Firm Pheterson & Spatorico
Address 45 Exchange Blvd.
City/State/Zip Rochester, NY 14614
Telephone (585) 360-1203
Fax _____
Email steve@psnlawgroup.com

II. PROJECT

A. Address of proposed project facility
415 Orchard St./354 Whitney St.
Tax Map Parcel Number 105.66-3-24, 105.66-3-23
City/Town/Village Rochester
School District RCSD
Current Legal Owner of Property
City of Rochester

B. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Company Name _____
Address _____
City/State/Zip _____
Tax ID No. _____
Contact Name _____
Title _____
Telephone _____
E-Mail _____

% of facility to be occupied by company _____

C. Owners of 20% or more of User/Tenant Company

Name	%	Corporate Title
_____	_____	_____
_____	_____	_____
_____	_____	_____

D. Benefits Requested (Check all that apply)

- ☒ Sales Tax Exemption
☐ Industrial Revenue Bond Financing
☒ Mortgage Recording Tax Exemption
☒ Real Property Tax Abatement

E. Description of project (check all that apply)

☒ New Construction

☐ Existing Facility

☐ Acquisition

☐ Expansion

☐ Renovation/Modernization

☒ Acquisition of machinery/equipment

☐ Other (specify) _____

GENERAL DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY
(Attached additional sheets as necessary)

see attached



JD & SONS, INC.
11 Parsells Ave.
Rochester, NY 14609
585-288-4450
JDSeafood@yahoo.com

JD & Sons, Inc. is a wholesale seafood processing operation, established in 1988. Currently doing business in a 10,000 square foot facility located on 11 Parsells Ave. in Rochester, NY. Our focus is on processing fresh seafood from all over the world. We count local restaurants, regional distributors, Wegmans Food Markets and Nestle Purina as customers. We process 70,000-100,00 lbs. of salmon weekly depending on season. We have fresh whitefish fillets as well; including haddock, cod and halibut. We fly in Alaskan salmon when in season. JD & Sons, Inc. utilizes all the items we bring in by creating outlets to upsell products, to Purina for pet foods and Wegmans appetizers.

JD & Sons, Inc. is a family run business started by John Diakomihalis. John passed away 13 years ago and the business is currently being run by his son, Ilias Diakomihalis. JD & Sons, Inc. presently has 45 full-time employees; all these employees are locally living. Roughly 80% residing within the city of Rochester and over 75% are minorities. Our employees are involved in all of production. Average employee tenure is 8 years. All employees, after 1 year, make a minimum of \$15.00/hour. We allow for flexible scheduling and optional overtime. JD & Sons, Inc. takes great pride in our excellent employees, who are the life blood of our business. We are long term debt free. 2019 ended with sales over \$28 million versus just a few years ago in 2014 where sales were only \$10 million. JD & Sons, Inc. has been growing and has the ability to grow more but needs additional space to implement all of the tactics required for this growth.

Our plan is to build a 25,000-30,000 square foot facility at the parcel between Whiney Street and Orchard Street, near Lyell Avenue. Our hope is to move to this facility to allow for additional growth and innovation. We are landlocked in a current building. Our plans for the new facility include space to recycle all cardboard and styrofoam, which we currently do but need additional space to expand this program. We hope to broaden our salmon production and acquire new customers throughout the country. JD & Sons, Inc. plans to purchase an Individually Quick Frozen freezer that will allow us to freeze fresh product and appetizers. This freezer will expose us to many different markets and increase our business. We will continue to use the 11 Parsells Ave building in our operation as well. We have a strong working relationship with Wegmans Food Markets. They have shown interest in allowing us to process other fresh and frozen seafood items, but we need additional space to do so. Our hope is to expand regionally and identify customers who are interested in quality and custom processing, which is our strength. As Americans look to become healthier, seafood plays a much greater role in everyday diet.

JD & Sons, Inc. hopes to continue being part of the community. Financial assistance provided by the agency will make this expansion and growth possible.

II. PROJECT (cont'd)

F. Are other facilities or related companies located within New York State?

☒ Yes ☐ No

Location:

11 Parsells Ave.

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

☐ Yes ☒ No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry**:

G. Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

☒ Yes ☐ No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken with the Financial Assistance to be provided by the Agency**:

**To be completed with Agency assistance.

H. **PROJECT TIMELINE**

Proposed Date of Acquisition

05/01/2020

Proposed Commencement Date of Construction

06/01/2020

Anticipated Completion Date

09/01/2021

I. **Contractor(s)**

TBD

J. **State Environmental Quality Review (SEQR) Act Compliance**

Imagine Monroe, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR). This is applicable to projects that require the state or local municipality to issue a discretionary permit, license or other type of Approval for that project.

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

☒ YES – Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

☐ NO

III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

☒ **JOBSPLUS**

Requirements:

- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is FIVE (5).

☐ **LEASEPLUS**

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ **ENHANCED JOBSPLUS**

Requirements:

- A minimum \$15 million investment in new plant, machinery and equipment or renovation of existing building(s) **AND**
- A minimum of 100 new jobs from new companies locating in Monroe County, or existing companies expanding operations here.

☐ **GREEN JOBSPLUS**

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ **SHELTER RENTS**

for student housing or affordable housing projects.

☐ **Local Tax Jurisdiction Sponsored PILOT**

☐ **NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT**

IV. APPLICANT PROJECT COSTS

- A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the APPLICANT.

Building Construction or Renovation

- a. MATERIALS a. \$ 1,820,000
b. LABOR b. \$ 1,900,000

Site Work

- c. MATERIALS c. \$ 220,000
d. LABOR d. \$ 350,000
e. Non-Manufacturing Equipment e. \$ 100,000
f. Furniture and Fixtures f. \$ 50,000
g. LAND and/or BUILDING Purchase g. \$ 15,000
h. Manufacturing Equipment h. \$ 500,000
i. Soft Costs (Legal, Architect, Engineering) i. \$ 150,000
Other (specify) j. _____ j. \$ _____
k. _____ k. \$ _____
l. _____ l. \$ _____
m. _____ m. \$ _____

Total Project Costs \$ 5,105,000

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ _____
b. Taxable Industrial Revenue Bond b. \$ _____
c. Tax-Exempt Civic Facility Bond c. \$ _____
d. Bank Financing d. \$ 4,228,000
e. Public Sources e. \$ 350,000

Identify each state and federal grant/credit

_____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

- f. Equity \$ 527,000

TOTAL SOURCES \$ 5,105,000

- C. Has the applicant made any arrangements for the financing of this project?

☒ Yes ☐ No

If so, please specify bank, underwriter, etc.

M&T Bank

IV. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTION USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

- A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

- a. MATERIALS a. \$ _____
b. LABOR b. \$ _____
c. Non-Manufacturing Equipment c. \$ _____
d. Furniture and Fixtures d. \$ _____
Other (specify) e. _____ e. \$ _____
f. _____ f. \$ _____
g. _____ g. \$ _____
h. _____ h. \$ _____

Total \$ 0

A non-refundable fee of ½% on TOTAL(e) above is due and payable upon issuance of a Sales Tax Letter to User(s)/Tenant(s)

User/Tenant Company

Signature, Title Date

For Office Use Only	
Total Assessment Value	
Land	Building
Applicant 2602-	
User/Tenant 2602-	
RM	

VI. Value of Incentives

Project name: *JD & Sons, Inc.*

A. IDA PILOT Benefits:

Current Land Assessment	179,000	Taxes on Land	8,649
Dollar Value of New Construction & Renovation Costs	4,290,000		
Estimated New Assessed Value of Project Subject to IDA	4,469,000		

County Tax rate/\$1,000	10.56
Local Tax Rate* Tax Rate/\$1,000	
School Tax Rate /\$1,000	37.76
Total Tax Rate	48.32

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT	Net Exemption
1	90%	6,420	0	22,958	29,379	224,591	186,564
2	80%	10,951	0	39,157	50,108	224,591	165,834
3	70%	15,481	0	55,356	70,837	224,591	145,105
4	60%	20,011	0	71,555	91,566	224,591	124,376
5	50%	24,541	0	87,754	112,296	224,591	103,646
6	40%	29,072	0	103,953	133,025	224,591	82,917
7	30%	33,602	0	120,152	153,754	224,591	62,188
8	20%	38,132	0	136,351	174,484	224,591	41,459
9	10%	42,662	0	152,550	195,213	224,591	20,729
10	0%	47,193	0	168,749	215,942	224,591	0
Total		268,066	0	958,538	1,226,603	2,245,914	932,818

* Local Tax Rate for Town/City/Village

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption for facility construction:	163,200
Estimated Sales Tax exemption for fixtures and equipment:	12,000
Estimated duration of Sales Tax exemption:	<u>December 31, 2021</u>

C. Mortgage Recording Tax Exemption Benefit:

Estimated Value of Mortgage Recording Tax exemption:	<u>\$31,710</u>
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D. Industrial Revenue Bond Benefit

IRB inducement amount, if required:	<u>\$0</u>
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E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	<u>\$1,139,727.60</u>	22.33%
Sources of Funds (Section IV.B.)	<u>\$5,105,000.00</u>	

** All estimates are based on current tax rates.

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

JD&Sons, Inc.

Company Name: _____

Applicant: ☒

or

User/Tenant: ☐

You **must** include a copy of the most recent NYS-456 Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return OR if you have multiple locations within New York State, the Bureau of Labor – BLS 3020 – Multiple Worksite Report

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	45.0	45.0	5.0	5.0
Part Time (PTE)				
Total	45.0	45.0	5.0	5.0

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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Cost-Benefit Analysis for JD & Sons, Inc.

Prepared by Imagine Monroe using InformAnalytics

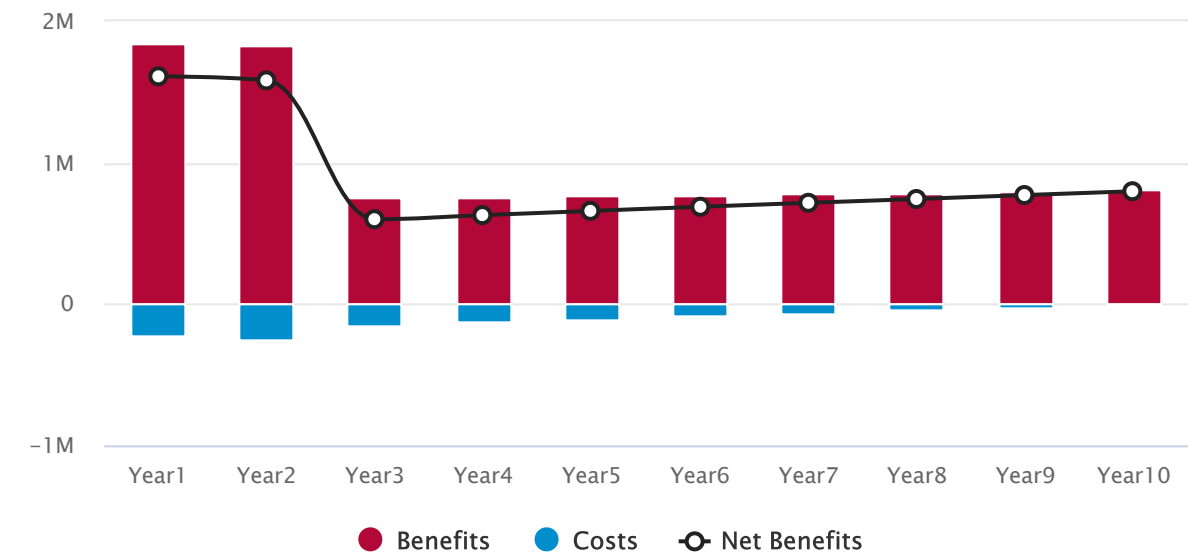
Executive Summary

INVESTOR	TOTAL INVESTED	LOCATION	TIMELINE
JD & Sons, Inc.	\$5.1 Million	415 Orchard Street Rochester, NY 14606 & 354 Whitney Street Rochester NY 14606	10 Years

F1 FIGURE 1

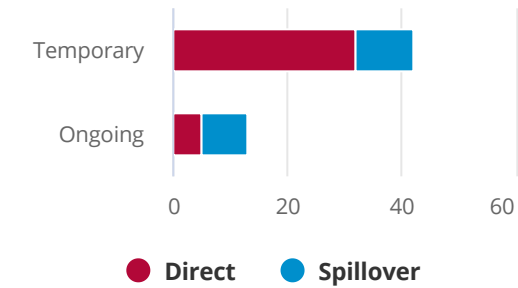
Discounted* Net Benefits for JD & Sons, Inc. by Year

Total Net Benefits: \$8,795,000



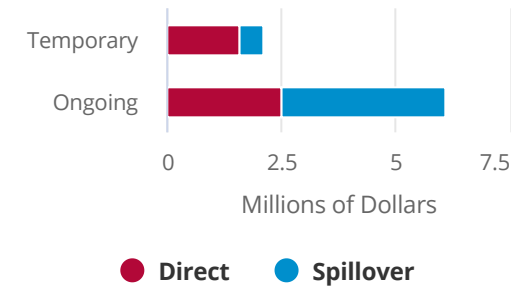
F2 FIGURE 2

Total Jobs



F3 FIGURE 3

Total Payroll



Proposed Investment

JD & Sons, Inc. proposes to invest \$5.1 million at 415 Orchard Street Rochester, NY 14606 & 354 Whitney Street Rochester NY 14606 over 10 years. Imagine Monroe staff summarize the proposed with the following: Purchase land and construct a new seafood processing facility (approximately 25,000-30,000 square feet)

T1 TABLE 1

Proposed Investments

Description	Amount
CONSTRUCTION SPENDING	
Purchase land and construct a new seafood processing facility (approximately 25,000-30,000 square feet)	\$4,290,000
OTHER SPENDING	
FF&E	\$150,000
Land Purchase	\$15,000
Manufacturing Equipment	\$500,000
Soft Costs	\$150,000
Total Investments	\$5,105,000
Discounted Total (2%)	\$5,063,000

May not sum to total due to rounding.

F4 FIGURE 4

Location of Investment



Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by Imagine Monroe. The report calculates the costs and benefits for specified local taxing districts over the first 10 years, with future returns discounted at a 2% rate.

T2 TABLE 2

Estimated Costs or Incentives

Imagine Monroe is considering the following incentive package for JD & Sons, Inc..

Description	Nominal Value	Discounted Value*
Property Tax Exemption	\$929,000	\$874,000
Sales Tax Exemption	\$175,000	\$174,000
Mortgage Recording Tax Exemption	\$32,000	\$32,000
Total Costs	\$1,136,000	\$1,080,000

May not sum to total due to rounding.
* Discounted at 2%

T3 TABLE 3

State & Regional Impact (Life of Project)

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
REGIONAL BENEFITS	\$5,460,000	\$4,514,000	\$9,974,000
To Private Individuals	\$4,274,000	\$4,458,000	\$8,732,000
Temporary Payroll	\$1,582,000	\$501,000	\$2,083,000
Ongoing Payroll	\$2,692,000	\$3,958,000	\$6,649,000
To the Public	\$1,186,000	\$55,000	\$1,242,000
Property Tax Revenue	\$1,133,000	N/A	\$1,133,000
Temporary Sales Tax Revenue	\$20,000	\$6,000	\$26,000
Ongoing Sales Tax Revenue	\$33,000	\$49,000	\$83,000
STATE BENEFITS	\$254,000	\$266,000	\$520,000
To the Public	\$254,000	\$266,000	\$520,000
Temporary Income Tax Revenue	\$71,000	\$24,000	\$95,000
Ongoing Income Tax Revenue	\$129,000	\$186,000	\$315,000
Temporary Sales Tax Revenue	\$20,000	\$6,000	\$26,000
Ongoing Sales Tax Revenue	\$34,000	\$50,000	\$84,000
Total Benefits to State & Region	\$5,714,000	\$4,780,000	\$10,494,000
Discounted Total Benefits (2%)	\$5,456,000	\$4,419,000	\$9,875,000

May not sum to total due to rounding.

T4 TABLE 4

Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$9,389,000	\$981,000	10:1
State	\$486,000	\$98,000	5:1
Grand Total	\$9,875,000	\$1,080,000	9:1

May not sum to total due to rounding.
* Discounted at 2%

CGR has exercised reasonable professional care and diligence in the the production and design of the InformAnalytics™ tool. However, the data used is provided by users. InformAnalytics does not independently verify, validate or audit the data supplied by users. CGR makes no representations or warranties with respect to the accuracy of the data supplied by users.

VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name JD&Sons, Inc.
Applicant: ☒ or User/Tenant: ☐

All project employees of the general contractor, subcontractor, or sub to a subcontractor (contractors) working on the project must reside within the following counties in the State of New York: Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming or Yates. The All-Local Labor criterion will be verified based on employment, payroll and related records.


Imagine Monroe understands that at certain times local labor may not be available within the local area. Under this condition, applicants are required to complete a waiver request of the All-Local Labor requirement 45 days in advance of commencing work. Contractors do not have to be local companies as defined herein, but must employ local people to qualify under the All-Local Labor criterion.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by Imagine Monroe, in a prominent, easily accessible location, identifying the project as a recipient of Imagine Monroe assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in Imagine Monroe revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

JD&Sons, Inc.

(APPLICANT or USER/TENANT COMPANY)

	President	03/17/2020
Signature	, Title	Date

IX. FEES

1. **Application Fee - Send with Completed Application**

A non-refundable application fee of Three Hundred Fifty Dollars (\$350.00) shall be charged each applicant.

2. **Administrative Fee - Paid at Closing**

- (a) For tax-exempt IRB bond issues, the fee shall be one percent (1%) of the project amount. For projects that utilize a Payment In Lieu of Taxes (PILOT) agreement, an additional one-quarter percent (1/4%) will be added.
 - (b) For lease/leaseback transactions and taxable bond issues, the fee shall be one-half percent (1/2%) of the project amount. For projects that utilize a Payment In Lieu of Taxes (PILOT) agreement, an additional one-quarter percent (1/4%) will be added.
 - (c) For refunding outstanding COMIDA bond issues, the fee shall be one-quarter percent (1/4%) of the new issuance amount.
3. If a sales tax letter is required prior to closing, a non-refundable twenty-five percent (25%) of the Administrative Fee and Agency Counsel fee is payable at that time. This amount will be applied towards the Administrative fee and Agency Counsel Fee. The Sales Tax Letter shall only be for a three (3) month period. If the project does not have a formal closing within three (3) months of the sales tax letter being issued, and an extension is not granted, the balance of the Administrative fee and Agency Counsel fee become immediately due and payable.
4. Agency Counsel fee is one-third (1/3) of the Agency's Administrative fee, with a minimum fee for a lease/leaseback transaction of \$4,000.00.
5. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

JD&Sons, Inc.

(APPLICANT or USER/TENANT COMPANY)



President

03/17/2020

Signature

, Title

Date

X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of Imagine Monroe benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which own a minimum of 20% of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

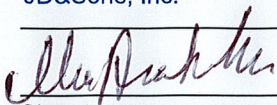
§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

- D. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- E. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- F. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- G. Applicant hereby releases the Imagine Monroe ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this

Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

JD&Sons, Inc.

	President	03/17/20
Signature	, Title	Date

USER/TENANT COMPANY

Signature	, Title	Date