

Attachment Checklist

Attachments:

- Map showing project location (sec B, 2, b)
- Preliminary plans or sketches of proposed construction; site plans / floor plans of existing facility
Emailed to Steve L.
- Copies of two most recent financial statements. (sec G, 1)
- Copy of most recent Annual Report or for new businesses, attach your Business Plan. (sec G, 2)
- Sales and income projections for future years. (sec G, 3)
- Environmental Assessment Form (if applicable) *Emailed to Steve L*
- \$250 Application fee

Other Attachments: (please specify)



LEBRUN MOTORS
1144 Waterloo-Geneva Road
Waterloo, NY 13165
Phone: 315-539-5033
FAX: 315-539-9777

LEBRUN TOYOTA
2435 Rte. 332
Canandaigua, NY 14424
Phone: 585-394-5280
Fax: 585-394-4115

David LeBrun
www.lebrunmotors.com

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT.

CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

LEBRUN MOTORS, INC.

1144 Waterloo-Geneva Rd.
Waterloo, NY 13165
Ph: (315) 539-5033
Fax: (315) 539-9777
www.lebrunmotors.com

Bank of America

001618

1618 1-32/210 NY
48244

DATE
29MAR10

PAY THIS AMOUNT			
*****250	DOLLARS	00	CENTS

AMOUNT OF CHECK
*****250.00

IF OVER \$500.00 MUST BE COUNTER SIGNED BY OFFICER OF CORPORATION

TO THE ORDER OF

CAYUGA CO. IDA

BY _____
BY _____

[Signature]
AUTHORIZED SIGNATURE

CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR FINANCIAL ASSISTANCE

Please answer all questions either by filling in the blanks or by attachment where necessary. All information will be kept confidential.

A. APPLICANT DATA

Company Name: *Eastern DSL Properties, llc*
Address 1: *396 Grant ave*
Address 2:
City/State/ZIP: *Auburn, ny 13021*
Contact Person: *David L. LeBrun* Title: *member*
Contact Telephone: *315.539.5033* Contact Fax: *315.539.9777*
Contact Email: *lebrunseven@hotmail.com*

Attorney: *John DeLaney* Firm: *DeLaney & O'Connor, llp*
Phone: *315.476.8450* Email: *delaney@delaneyoconnor.com*

Accountant: *Jim Latona* Firm: *thaney & Associates*
Phone: *585.424.2410* Email: *jlatona@thaneycpa.com*

Business Type: Select One *Auto Retailer- new*

If other, describe:

If a corporation, incorporated in what state?

Principal Officers, Partners or Shareholders with 15% or greater interest in Applicant organization:

Name	Mailing Address	Telephone #
<i>David L LeBrun</i>	<i>1144 Waterloo Rd Waterloo ny</i>	<i>315.539.5033</i>
<i>Stephen G. LeBrun</i>	<i>2435 Route 332 Canandaigua ny</i>	<i>585.393.9402</i>

Attach additional sheets if necessary.

B. PROJECT DATA

- 1. a. Provide a narrative description of your project. Include major elements such as new construction, acquisition of existing building, acquisition of equipment, and proposed product lines. Also, indicate square feet by usage (e.g., office, laboratory, manufacturing), type construction, etc. In the case of pollution control project, also indicate the type of pollutants to be treated or removed and the type of process to be employed. *Attach additional sheets if necessary.*

Construct new facility for Nissan product line. Approx. size 16,000 square feet. All done to Nissan specifications. We are moving our entire operation from current location in Waterloo to 396 Grant Ave. Eastern DSK property, owned by Stephen & David LeBrun will own site; LeBrun Nissan will operate out of this site & will have exclusive use of property.

b. Is any component of this Project a retail operation? **Yes**

If yes, what percentage is considered retail? 100 %

- 2. a) Location of project including the City, Town, or Village within which it is located.

Street Address: 396 Grant Ave. Road

City/State/ZIP: Auburn (Post Office); located in T. Sennett NY 13021

Tax Map ID (if available): 102.04-1-28

b) Attach map showing the general location of the project. (County IDA will provide)

c) If this project will result in closing or relocating from an existing facility, is the move necessary in order to remain competitive? **Yes**

- 3. Attach copies of preliminary plans or sketches of proposed construction, site plans or floor plans of existing facility. (LeBrun Motors will provide)

will email directly to Steve Lynch, in PDF format.

- 4. Utilities on Site:

- a) Water Supply Municipal Describe source / supplier: City of Auburn, NY
- b) Sewer Municipal Describe other: City of Auburn, NY
- c) Electricity Utility NYSEG Describe other:
- d) Gas Utility NYSEG Describe other:

- 5. Who presently is legal owner of the project building or site described in # 2 above?

~~LeBrun Motors~~ Actually, Eastern DSK properties, David & Stephen LeBrun

- 6. Is there an existing or proposed lease for the project? **No**. If yes, attach a copy of the lease. (This is correct Dave?)

no lease written yet. will have triple-net when business opens, w/ LEBRUN MOTORS, INC AS SOLE TENANT.

C. PAYROLL INFORMATION (Dave – Please complete as appropriate)

- 1. Annual Payroll \$ 655558
- Present Payroll \$ 126292 (11 weeks of 2010)
- First Year After Completion of Project \$ 715558
- Second Year After Completion of Project \$ 755,558
- 2. Employment Plan- Complete Appendix I

D. PROJECT COSTS (Dave: I have completed some, please check and complete rest)

- 1. Give an accurate estimate of the following costs:

Land	\$550,000.00
Building Construction	\$1,445,000.00
Site Work	<u>included</u> \$0.00
Legal Fees (Other than Company's Attorney)	<u>—</u> \$0.00
Engineering Fees	<u>included</u> \$0.00
Financial Charges	<u>—</u> \$0.00
Machinery & Equipment	\$100,000.00
Agency Fee (CCIDA Fee at .0075 TPC)	\$0.00
Other (Describe: Construction Contingency at 10% Construction Estimate)	\$144,500.00
Subtotal:	\$ 0.00

- 2. Total Funds Required: None Required(financing \$950K) – correct Dave? Term: 10 year w/ 1-10 year renewal.
- 3. Has the Applicant ever applied to this or any other issuer of Industrial Revenue Bonds for financing? No
If yes, explain: NA

E. INDICATE THE TYPE(S) OF ASSISTANCE APPLIED FOR:

Yes	Real Property Tax Abatement
No	Issuance by the Agency of Tax Exempt Bonds
Yes	Mortgage Tax Exemption
Yes	Sales and Usage Tax Exemption
No	Empire Zone Benefits

F. PROJECT CONSTRUCTION SCHEDULE

1. Provide an accurate estimate of schedule to complete Project.

begin late may ~ early June ; complete by late november, 2010

2. At what times and in what estimated amounts will funds be required?

N/A (Conventional financing, funds not required from the IDA)

G. COMPANY FINANCIAL INFORMATION ATTACHMENTS:

1. Copies of two most recent financial statements.

2. Copy of most recent Annual Report, or for new ventures, attach your business plan. ✓

3. As available, sales and income projections for future three (5) years. ✓

H. ENVIRONMENTAL INFORMATION

Has a copy of the Environmental Assessment Form been completed and submitted? No

If yes, attach a copy. (Dave – this will likely be completed under the Sennett Site Plan Review process)

I. REMARKS OR COMMENTS:

Please feel free to provide additional information that might be of assistance to the Agency in making a decision on your application.

Regarding sales / income projection over next 5 years, I expect to grow to 400 new car sales per year, provided economy cooperates without onset of another recession (we are not out of the current one yet). Used vehicles sales, along w/ service & parts sales also expected to increase, more so after fully established.

J. APPLICATION/PUBLIC HEARING FEES:

After the application has been reviewed and the Agency has agreed to schedule a public hearing, the project will be scheduled to appear before the full Agency Board for action. At the time the application is submitted to the Agency Board, an application fee of \$250 is due.

Send your completed application to:

CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Cayuga County Office Building, 5th Floor

160 Genesee Street

Auburn, NY 13021

ATTENTION: Stephen F. Lynch, Executive Director, CCIDA

Telephone: (315) 253-1276

The Agency will collect a fee of three quarter of one percent at the time of closing.

K. ESTIMATED FINANCIAL BENEFITS TO COMPANY

For information on town, city, school and special district tax rates, visit <http://co.cayuga.ny.us/realproperty/index.htm>

1. Sales and Use Tax Exemption

a. Amount of Project Cost Subject to Tax:	\$794,750.00
(Note: 1/2 of Est. Construction Costs)	
Applicable sales and use tax rate:	x .08
b. Financial benefit if fully exempt:	\$63,580.00

2. Mortgage Recording Tax Exemption

a. Projected amount of Mortgage:	\$950,000.00
Mortgage recording tax rate:	(950K x .01)
b. Financial benefit if fully tax exempt:	\$9,500.00

3. Payment of Lieu of Taxes (PILOT) *See below

a. Investment in real property	
b. Equalization rate	
c. Probable assessed value	
d. Total applicable tax rates per \$1000	
e. Total taxes (c x d)	
f. Proposed exemption rates:	/ \$1000
g. PILOT payments (e x f)	
h. Financial benefit of PILOT (e-g)	\$79,471.00*

* Dave: We will attach the Benefits/PILOT excel worksheet created by County IDA.

For information on town, city, school and special district tax rates, visit <http://co.cayuga.ny.us/realproperty/index.htm>

APPLICANT OBLIGATIONS

NEW YORK STATE FINANCIAL REPORTING REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES

A. Chapter 692 of the Laws of 1989 requires additional financial reporting requirements from all IDA's in New York State.

1. All bonds issued, outstanding or retired during the year must indicate the following; Month and Year issued, Interest rate at year-end, Outstanding beginning of year, Issued during the year, Principal payments during the year, Outstanding at end of year, and Final maturity date.


This information is required annually and will be requested from you in January each year.

2. All new bonds issued need the following supplemental information, Name of the project, Tax exemptions separated by State and local sales tax, County and school taxes, Mortgage recording tax, Payment of lieu of taxes, New tax revenue if no exceptions granted, Number of jobs created, and Other economic benefits.

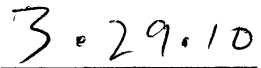
This information is required annually and will be requested from you in September each year.

B. Chapter 356 and 357 of the Laws of 1993 require all entities appointed as agents of the CCIDA for sales tax purposes to file on an annual basis with the State Department of Taxation information as to all sales tax exemptions claimed by such agent or its subagents.

Please sign below to indicate that you have read and understood the above and will provide information on a timely basis.



Chief Executive Officer of Applicant



Date

APPENDIX I - EMPLOYMENT PLAN (PART II)

In consideration of the issuance of Industrial Development bonds by the Cayuga County Industrial Development Agency, Error! Reference source not found., project beneficiary, agrees to cause any new employment opportunities created in connection with industrial or commercial projects financed by the proceeds of such obligations to be listed with the New York State Department of Labor Community Services Division (DOL) and with the Cayuga County Employment and Training Department (Cayuga-Cortland Workforce Investment Board or WIB).

Error! Reference source not found. **LeBrun Motors**, project beneficiary, also agrees to report to the Cayuga County Industrial Development Agency on or before September 1 of each year on the status of employment opportunities filed with DOL, including the number of new employment opportunities created, the number listed, and the number filled.

Signed: David Y. Jones
(Company Officer)

Date: 3-29-10

Address: 1144 Waterloo Rd
Waterloo ny 13165

Phone: 315.539.5033

Email: lebrunseven@hotmail.com

APPENDIX I - EMPLOYMENT PLAN (PART 1)

Company Name:	Error! Reference source not found. LeBrun Motors		
Address 1:	Error! Reference source not found. 1144 Waterloo-Geneva Road		
Address 2:			
City/State/ZIP	Waterloo ny 13105 Error! Reference source not found.,	Error! Reference source not found.NY	Error! Reference source not found.
Type of Business:	Select One <i>new auto dealer</i>		
Contact Person:	Error! Reference source not found.	Title:	<i>David LeBrun</i>
Contact Telephone:	<i>315 539 5033</i> Error! Reference source not found.	Contact Fax:	Error! Reference source not found. <i>315 539 9777</i>
Contact Email:	Error! Reference source not found.	<i>lebrun seven@hotmail.com</i>	

1. Complete this chart describing your projected employment plan following receipt of financing.

Job Title of Current and Planned Full Time Occupations in Company	Current # Full Time Jobs per Occupation	Estimated # of Full Time Jobs after Completion of the Project		
		1st Year	2nd Year	3rd Year
<i>Sales people</i>	<i>3 0</i>	<i>5 0</i>	<i>5 0</i>	<i>6 0</i>
<i>Sales mgt</i>	<i>3 0</i>	<i>4 0</i>	<i>4 0</i>	<i>4 0</i>
<i>office</i>	<i>3 0</i>	<i>3 0</i>	<i>3 0</i>	<i>3 0</i>
<i>service dept mgt</i>	<i>2 0</i>	<i>2 0</i>	<i>2 0</i>	<i>3 0</i>
<i>service dept techs</i>	<i>3 0</i>	<i>5 0</i>	<i>5 0</i>	<i>6 0</i>
<i>parts dept</i>	<i>2 0</i>	<i>2 0</i>	<i>2 0</i>	<i>3 0</i>
<i>detail dept</i>	<i>2 0</i>	<i>2 0</i>	<i>2 0</i>	<i>3 0</i>
	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>

Attach additional Sheets if required.

2. Are the employees of your firm currently covered by a collective bargaining agreement? **Select one**

If yes, enter the Union Name and Local

NO UNION WORKERS

List the union contact person, address, phone #:

3. Indicate whether labor pool in Cayuga County is adequate to fill new jobs. **Yes** *most definitely*

If no, explain why not:

Under New York State Municipal Law, an IDA must consider project elements like job creation and job retention when approving projects.

Prepared by: *David LeBrun*

Title: *owner/member*

APPLICATION CERTIFICATION

CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Each Applicant must complete one of the two certifications below (strike the section not used):

Corporate Applicants:

David L LeBrun _____ deposits and says that s/he is the
Name
owner _____ of EASTERN DSL / LEBRUN
Title Corporation Name UOTORS

the corporation named in the attached application; s/he has read the foregoing and knows the contents thereof; that the same are true to his/her knowledge. S/he further deposes and says that s/he is authorized by the corporation (the "Applicant") to submit to application and incur the following legal obligations on its behalf.

Individual Applicants:

_____ deposits and says that s/he is submitting
Name
this application on behalf of _____ (the Applicant) That s/he has read the foregoing and knows the contents thereof; that the same are true to his/her knowledge, or are the result of investigation, which deponent has caused to be made concerning the subject matter of the application.

All applicants do agree to the following:

Deponent acknowledges and agrees that the Applicant shall be and is responsible for all costs incurred by the Cayuga County Industrial Development Agency (Hereinafter referred to as the "Agency") in processing the application, in negotiating with the Applicant and others, in preparing necessary financing documents, and in taking any other action necessary or appropriate toward the issuance of Bonds to provide the financing requested in this application. 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 or if the Agency or Applicant is unable to find buyers willing to purchase the total Bond issue, then upon presentation of invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency with respect to the application, up to that date and time, including fees of bond counsel for the Agency and fees of general counsel for the Agency.

The costs incurred by the Agency and paid by the Applicant, including fees of the Agency's bond counsel and general counsel and the Agency fee, may be considered as a cost of the Project and included as part of the Bond issue to the extent provided by law.

Sworn to before me this 29th

day of March, 2010

Notary Public Amy Hancy

AMY HANCY
Notary Public State of New York
Ontario County No. 4827314
Commission Expires Sept. 30, 2010

HOLD HARMLESS AGREEMENT

Applicant hereby releases the Cayuga County Industrial Development Agency and its members, officers, servants, agents and employees thereof (the "Agency"), and 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, the attached Application, regardless of whether or not the Application or Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and /or installation of the Project described therein 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 attorney's fees and any other expenses incurred without limiting the generality of the foregoing, all causes of actions and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If for any reasons, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the application, including attorney's fees, if any.

LEBRUN MOTORS / EASTER DSL PROP.
(Applicant)

By:

Name: David G. Tjorn
Title: president

Sworn to before me this 29th

day of March, 20 10

Amy Hancy
Notary Public

AMY HANCY
Notary Public State of New York
Ontario County No. 4827314
Commission Expires Sept. 30, 20 10