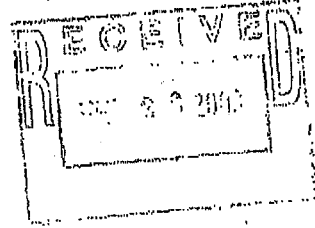




Economic Development Center

Application for Financial Assistance



1. Applicant Information

Company Name: Satavia Special Needs, L.P.
 Address: 1931 Buffalo Road
Rochester, New York 14624

Phone No.: 585-426-8000
 Fax No.: 585-426-8082
 Email Address: DePaul.org
 Fed. Id. No.: Applied for
 Contact Person: Mark Fuller, President

Principal Owners/Officers/Directors:
(list owners with 15% or more in equity holdings with percentage ownership)

DePaul Properties, Inc. 99.99% (general partner)
Southern Tier Environments for Living, Inc. .01% (limited partner)

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)

Form of Entity:

- Corporation
- Partnership (General _____ or Limited ; number of general partners 1 and, if applicable, number of limited partners _____)
- Limited Liability Company/Partnership (number of members _____)
- Sole Proprietorship

if a corporation, partnership, limited liability company/partnership:

What is the date of the establishment _____

Place of organization _____ and,

if a foreign organization, is the Applicant authorized to do business in the State of New York? _____

Applicant's Counsel:

Name: Robert F. Humphrey
 Address: 3 Main Street
LeRoy, NY 14482
 Phone No.: 585-768-6259
 Fax No.: 585-768-6809

Greg Coleman
455 3674

2. Project Information

MHF
2/24/08

A) Detailed Description of Project:
A 40-bed supported apartments project for mentally
handicapped and mentally challenged adults to be located
on the following contiguous properties in the City of Batavia:
549 East Main St., 555 East Main St., 557 East Main St.,
559 East Main St.

Project Code _____ (for GCEDC's Use)

B) Project Address: 549 East Main Street
Batavia, New York

C) Current Assessed Value of Property 353,100
(not required if project is for equipment purchases only)

D) Are utilities on Site:
Water Yes Electric Yes
Gas Yes Sanitary/Storm Sewer Yes

E) Present legal owner of site (See Rider A)
If other than Applicant by what means will the site be acquired for this Project:
purchase and sale agreement

F) Zoning of Project Site: Current: Resid. Proposed: Resid.

G) Are any variances Needed: No (special use permit - granted)

H) Principal Use of Project upon completion: Apartments

I) Will the Project result in the removal of a facility of the Applicant from one area
of the State of New York to another? No

Will the Project result in the removal of a facility of another proposed occupant
of the Project from one area of the State of New York to another area of the
State of New York? Yes (No)

Will the Project result in the abandonment of one or more facilities located in
the State of New York? Yes (No)

J) Current Employment at Project Location: Full time 0 Part time 0
Full Time Equivalents 0

K) Estimate how many jobs will be retained as a result of this Project
over the next three years: 0

L1) Estimate how many full time/ part-time jobs will be created as a result of this Project over the
next three years: Full Time (FT) 0 Part-Time (PT) 0
*** Total Full Time Equivalents (FTE) 0

**Note: An FTE is the average number of full time, full year employees based upon averaging Part-Time positions into full time
positions. The Total FTE calculation would = FT + PT converted to FTE's = Total FTE

L2) What is the planned average hourly wage for the FTE jobs to be created 13.50?

L3) What is the planned average annual benefits paid in \$\$ for the FTE jobs to be created 7,200?

M) Estimate how many construction jobs will be created by this Project: 100
Estimate average length of employment for each construction job for this Project: 4 mos.

N) Is the Project Commercial in nature (Sales Tax Generating for Community)? Yes (No)

O) What is the estimated annual total Sales Tax to be generated from this project at full build-out? 0

P) Expected timeframe for project to achieve full build-out (hit sales tax estimates)? 12 (in months)

Q) Estimated Project Costs / Project Capital Investment

Land and Building	\$ 718,500	(Purchase Value of land and/or building)
Building Cost	\$ 459,300	(New Building Construction cost or Existing building expansion construction costs including engineering and / or architect and blue print fees)
Equipment	\$ 30,000	(\$ Value of Production Equip., Furniture/Fixtures, Computers et. al.)
Other	\$ 220,500	describe: <u>FFE</u>
Tot. Cap Invest:	\$ 1,428,300	(Sum all lines above)

"R" through "T" to be completed / calculated by GCEDC

R) Type and amount of financial assistance being applied for:

- Sale Leaseback or Lease Leaseback \$ _____
- Tax Exempt or Taxable Bonds \$ _____

S) Cost Analysis:
Estimated Financial Assistance

Estimated Sales Tax Exemption (8%) \$ _____ [To be provided upon board approval for term of construction project]

Estimated Mortgage Tax Exemption (1.25%) \$ _____ [To be provided upon board approval based on mortgage amount]

** cp / mat 2/24/08*

Estimated Property Tax Abatement \$ ~~_____~~ Free PILOT Contract - no tax savings [To be provided upon board approval via PILOT Contract - see below] VS Affordable Housing Assessed Value methodology rates below

Describe nature of Property Tax Abatement (PILOT)

Proposed PILOT structure: * 300 / unit for 40 units total payments of 112,000 yearly, 30 year term.

Escalator based on Average Annual Tax Increase of assessed tax jurisdiction (City, County, State, etc.), Assessed Value based on Section 58-a of NY State Property Tax Law Tax Map # _____ for Affordable Housing.

Estimated Interest Savings IRB Issue \$ _____

T) Fees to be Paid by the Applicant:

Genesee County EDC \$ 66,683 ** cp / mat 2/24/08* (The Center will collect a 1% fee if this transaction was consummated through direct interaction between the Applicant and GCEDC. A 1.25% fee applies if an established GCEDC partner facilitated this transaction. The Center will collect its participation fee at the time of closing, based on the capital investment costs stated in this application. If bond financing is being provided via GCEDC in addition to other incentives - an additional 0.5% fee on the value of bond financing applies. (Should the actual costs exceed those estimates by more than 25%, an additional fee will apply.)

** Initial cp / mat 2/24/08*

Harris Beach, LLP \$ 10,000 (Estimated fee for legal services required in connection with the financial assistance provided by the Genesee County Economic Development Center)

3. Representations by the Applicant

The Applicant understands and agrees with the Center as follows:

Please Initial each item where indicated

Job Listings - In accordance with Section 85a-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Center, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DCL") and with the administrative entity (collectively with the DCL, the "JTPA

Entitles") of the service delivery area created by the federal job training partnership act(Public Law 97-300) ("JPTA") in which the Project is located. MHF Applicant's Initials

First Consideration for Employment - In accordance with Section 856-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Center, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JPTA Entitles for new employment opportunities created as a result of the Project. MHF Applicant's Initials

Annual Sales Tax Filings - In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Center, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, an Annual Report of Sales and Use Tax Exemptions (Form ST-340) by the last day of February following applicable calendar year (with a copy to the Genesee County Economic Development Center), describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant. MHF Applicant's Initials

Employment Reports - The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Center, the Applicant agrees to file, or cause to be filed, with the Center, on a quarterly basis, copies of form NYS-45-MN Quarterly Combined Withholding, Wage Reporting, and Unemployment Insurance Returns filed with the Department of Labor applicable to the project site. MHF Applicant's Initials

Absence of Conflicts of Interest - The Applicant has received from the Center a list of the members, officers, and employees of the Center. No member, officers or employee of the Center has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described: MHF Applicant's Initials

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that:

- A) The Center will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.
- B) Failure of the Applicant to file appropriate Sales Tax and Employment reports will result in the revocation of tax benefits and require repayment of benefits previously claimed.

Batavia Special Needs, L.P.
 (Applicant)
 DePar Properties, Inc.
 By: [Signature]
 Name: Mark H. Fuller
 Title: President

This Application should be submitted with:

- A) A \$250 Application fee to: Genesee County Economic Development Center
 One Mill Street
 Batavia, New York 14020
 (Attn: President & Chief Executive Officer).
- B) A certificate of insurance as follows:
 1. Worker's Compensation Insurance (Center named as additional insured).
 2. General Liability insurance with limits not less than \$1,000,000 per occurrence /accident and a blanket excess liability not less than \$3,000,000 (Center named as additional insured).
 3. Insurance against loss/damage by fire, lightning or other casualties with a uniform standard extended coverage endorsement in an amount not less than the full replacement value of the Facility. (Center named as named insured).

The GCEDC encourages the use of Genesee County contractors/suppliers and asks that they be allowed to bid your project.

Hold Harmless Agreement

Applicant hereby releases Genesee County Economic Development Center and the members, officers, servants, agents and employees thereof (the "Center") from, agrees that the Center shall not be liable for and agrees to indemnify, defend and hold the Center harmless from and against any and all liability arising from or expense incurred by (A) the Center's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Center, (B) the Center's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Center 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. If, for any reason, 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 Center or the Applicant are unable to reach final agreement with the respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Center, its agents or assigns, all costs incurred by the Center in the processing of the Application, including attorneys' fees, if any.

DEPAUL SPECIAL NEEDS L.P.
(Applicant)

By: [Signature]
Name: Mark H. Miller
Title: President

Sworn to before me this
17th day of Feb, 2008

[Signature]
Notary Public

GREGORY W. LANE
Notary Public, State of New York
Qualified in Monroe County
Commission Expires April 20, 2013

Rider A
to
GCEDC Application for Financial Assistance
from
Batavia Special Needs, L.P.

Legal owners of the project site parcels:

Property

Owner

549 E. Main St., Batavia	<i>H/300 House</i>	RGB Associates, Inc.
555 E. Main St., Batavia	<i>House</i>	Vito Gautieri
557 E. Main St., Batavia	<i>vac lots</i>	Jamar Enterprises, Inc.
559 E. Main St., Batavia	<i>vac lot</i>	Jamar Enterprises, Inc.
11 Holmes Ave., Batavia		DePaul Properties, Inc.

*Not
Doing
Anything
Just for (insert)*