

**APPLICATION
for
BUSINESS IMPROVEMENT GRANT PROGRAM**

I (We), hereinafter referred to as “APPLICANT”, on behalf of the identified entity, submit to the Sealy Economic Development Corporation, hereinafter referred to as “SEDC”, this application for consideration of a Business Improvement Grant under the provisions of the SEDC’s Business Improvement Grant Program.

As part of this application, APPLICANT represents to SEDC the following:

1. APPLICANT has received a copy of the SEDC’s Guidelines and Criteria for the Business Improvement Grant Program. APPLICANT acknowledges to SEDC that in making this application APPLICANT understands the terms and provisions thereof, and all questions relating to any needed interpretation thereof have been answered by authorized representatives of SEDC prior to the submission of this application
2. APPLICANT has secured such legal, accounting, and/or other advice that may be necessary for APPLICANT to determine the desirability of making this application and/or accurately and correctly answering any questions as hereinafter set out. APPLICANT acknowledges that it has completely relied on the advice and counsel of experts and/or appropriate persons retained, employed, or compensated by APPLICANT, and that it has not relied upon, nor is APPLICANT now attempting to rely upon the advice and counsel of SEDC, its servants, agents, employees, and/or elected or appointed officers.
3. By signing this document, “Application for Business Improvement Grant” either in an individual capacity, jointly, or in a representative capacity, APPLICANT acknowledges and verifies that all of the facts, information, and allegations as herein set out are true, correct and accurate, and that SEDC may rely thereon as if the same had been signed by APPLICANT or APPLICANT’S agent before a Notary Public or other authorized officer permitted by law to administer oaths and to take acknowledgements. APPLICANT further acknowledges and understands that any materially false or misleading statements of fact may be considered a violation of the criminal laws of the State of Texas.
4. If APPLICANT is a corporate entity, APPLICANT swears and affirms that all applicable franchise taxes or other taxes paid for the privilege of conducting business have been fully paid, and that the APPLICANT is fully authorized to transact business in the State of Texas, and in the state of incorporation if different from the State of Texas. In addition, APPLICANT, whether a corporate entity, partnership, or other legal type business entity, or an individual, acknowledges and verifies that it is current on all current tax obligations, assessments, or other governmental levies and assessments, and that the same have paid when due and payable, and that no delinquencies exist at this time.
5. The APPLICANT hereby certifies that the APPLICANT does not and will not knowingly employ an undocumented worker. An “undocumented worker” shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized under the law to be employed in that manner in the United States. APPLICANT understands and agrees that if, after receiving a Business Improvement Grant, APPLICANT is convicted of a violation under 8 U.S.C. Section 1324a(f), the APPLICANT will repay the amount of the grant with interest, at the rate of 12% per annum, within 120 days after the SEDC notifies the APPLICANT of the violation. The SEDC has the right to recover court costs and reasonable attorney’s fees as a result of any civil action required to recover such repayment.

Business Entity Name: _____

Mailing address: _____

Location in the City of Sealy for which the improvement is being requested.

Street Address: _____

Other companies and locations owned and/or operated by the APPLICANT

Company Name: _____

Street Address: _____

City: _____

Company Name: _____

Street Address: _____

City: _____

5. Please attach a separate document providing a legal description of the property upon which the contemplated improvements will be located as *Exhibit A*.
6. Please attach a vicinity map locating the property within the City of Sealy as *Exhibit B*.

7. New or existing business: _____ New _____ Existing
_____, has been in operation for _____ years.

Existing # of jobs: _____ (if applicable) Full-time _____ Part-time _____

New jobs (full-time): _____ New jobs (part-time): _____

8. If leased facility, provide the following information (*attach copy of current lease*):

Current Landlord: _____

Address: _____

Phone Number: _____

9. What other cities and/or buildings is the Applicant considering to establish a new business if this application is not approved:

10. Proposed Improvements:

DESCRIPTION	ESTIMATED REPAIR	ESTIMATED START DATE	COMPLETION DATE

A. Please furnish detailed drawings, plans, specifications, color schemes, or any other available supporting documents for proposed improvements and cost estimates as *Exhibit C*.

11. Additional Information:

Please provide any additional information regarding applicants funding request:

12. Project Financing:

Describe in detail project financing, amount of debt, terms of debt service, name of issuer of debt, etc. (*if applicable*).

Has financing been secured?

Yes _____ (Attach documentation)
 No _____
 Pending _____ With whom? _____

13. Please provide a copy of the State sales tax reporting form for the most current three (3) month period *(if applicable)*.
14. Prior to applicants execution of this application, APPLICANT has had this reviewed by an Attorney of the APPLICANT, or has had the opportunity to do so, and the parties hereto agree that based on the foregoing, this application for the business improvement grant program shall not be construed in favor of one party over the other based on the drafting of this application.
15. APPLICANT and owner/landlord indemnify, defend and hold SEDC harmless from any liability, injury, claim, expenses and attorney's fees arising out of a contractor, builder or contract for performance of improvements, or repair to buildings and facilities.
16. SEDC has delivered a copy of the guidelines and criteria for a business improvement grant program to applicant for review, and the delivery hereof does not constitute an offer of an improvement grant.
17. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of the application for business improvement grant program. If any provision of this application for business improvement grant program should be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this application shall not be affected thereby.

VERIFICATION

I (We), the undersigned APPLICANT(S), certify that all the information furnished SEDC has been furnished freely by the APPLICANTS (S), herein, and further acknowledge that no rights or privileges may be relied on as a part of any application. In addition, it is acknowledged that the Sealy Economic Development Corporation may or may not grant a Business Improvement Grant based upon application or request hereunder purely as a matter of discretion, and that there is no legal right to rely on any previous actions taken in same or similar applications, or previous actions taken on other applications concerning the same or similar property.

Signed and submitted to Sealy Economic Development Corporation on this, the _____ day of _____, 20_____.

Applicant _____ Applicant _____

Signature _____ Signature _____

Address _____ Address _____

Phone Number _____ Phone Number _____

Property Owner/Landlord _____

Signature _____

Address _____

Phone Number _____

The State of Texas
County of Austin

Before me, the undersigned authority, on this day personally appeared _____
known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me and
that they executed the same for the purposes therein expressed.

Notary Public in and for the State of Texas
My Commission Expires: _____

The State of Texas
County of Austin

Before me, the undersigned authority, on this day personally appeared _____
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**DOCUMENTATION CHECKLIST
for
Business Improvement Grant Program**

As a part of this application, the following documentation is being provided by the applicant:

- _____ Establishment of business entity name (copy of Articles of Incorporation, dba, etc.)
- _____ Copy of lease agreement (if facility is leased)
- _____ Legal description of subject property (Exhibit A)
- _____ Vicinity map of subject property (Exhibit B)
- _____ Estimates of proposed improvements (Exhibit C)
- _____ Documentation of approved financing
- _____ State sales tax reporting form for most current three month period (if applicable)