Application for Financial Assistance

Town of Islip IDA
40 Nassau Avenue
Islip, New York 11751
Phone 631.224.5512
Fax 631.224.5532
Closing 6-30-14
I. OWNER & USER DATA

A. Owner Data

1. Company Name: ADSCOTT REALTY CO
   Current Address: 5 Inez Driv. P O BOX 100, BAY SHORE, NY 11706

2. Company Officer certifying this application
   Name: Scott Roth
   Mailing Address: 18 Susan Lane, Dix Hills, NY 11746
   Telephone: [Blacked out]
   Email: [Blacked out]

3. Business Type
   [ ] Sole Proprietorship  [ ] General Partnership
   [ ] Limited Partnership  [ ] Limited Liability Company
   [ ] Not-for-profit Corporation  [ ] Privately Held Corporation
   [ ] Education Corporation  [ ] Other
   [ ] Public Corporation—Listed on ______ Exchange

4. State of Incorporation: NY

5. Principal Officers
   Name: Scott Roth
   Title: Managing partner

6. Principal Stockholders
   Name: N/A
   Title: N/A

7. Owner's Legal Counsel
   Name: Louis H. Flora, Esq.
   Firm Name: Lazar, Aptheker, Rosella & Yadid, P.C.
   Address: 225 Old Country Rd., Melville, NY 11747
   Telephone: [Blacked out]
   Fax: [Blacked out]
   Email: [Blacked out]

8. Bank References
   [ ] Chase

9. Major Trade References
   [ ] None

10. Nature of Business
    [ ] Manufacturer of... [ ] Wholesale distributor of...
    [ ] Real estate

11. NAICS Code: [Blacked out]
    For help determining your NAICS code, please visit http://www.navis.com
I. OWNER & USER DATA

B. User Data

For co-applicants, where a tenant/landlord relationship will exist between the owner and the user, the user must occupy at least 50% of the square footage of the facility.

1. Company Name: RUBY HAS LLC
   Current Address: 114-02 15TH AVE, SUITE RH, COLLEGE POINT NY 11356

2. Company Officer certifying this application:
   Name: RAFAEL ZAKINOV
   Mailing Address: 114-02 15TH AVE, SUITE RH, COLLEGE POINT NY 11356
   Email: [redacted]

3. Business Type
   □ Sole Proprietorship
   □ General Partnership
   □ Limited Partnership
   □ Limited Liability Company
   □ Not-for-profit Corporation
   □ Privately Held Corporation
   □ Education Corporation
   □ Other
   □ Public Corporation—Listed on __________ Exchange


5. Principal Officers
   Name: RAFAEL ZAKINOV (CEO)
   Name: nikki Schebytovitz (CEO)

6. Principal Stockholders
   Name: [redacted]
   Name: [redacted]

7. User's Legal Counsel
   Name: Richard Waldeman
   Firm Name: Frenkel, Herschkowitz & Shefran, LLP
   Address: 49 W 37th St, New York, NY 10018
   Telephone: [redacted]
   Fax: [redacted]

8. Bank References
   TD Bank
   116-24 Metropolitan Ave, Richmond Hill Ny 11418

9. Major Trade References
   [redacted]

10. Nature of Business
    (i.e. "manufacturer of ___ for ___ industry" or "warehouse distributor of ___" or "real estate holding company")
    [redacted]

11. NAICS Code: [redacted]

   For help determining your NAICS code, please visit http://www.naics.com
II. PROJECT DATA

A. Location

1. Street Address: 5 Inez Drive, Bayshore, NY 11706
2. Tax Map

<table>
<thead>
<tr>
<th>District #</th>
<th>Section #</th>
<th>Block #</th>
<th>Lot #</th>
</tr>
</thead>
</table>

3. Acreage: 75,000 SF + 2 Acres of Land

4. Municipal Jurisdictions
   Town
   Village: Bayshore
   School District

B. Description (Check all that apply)

☐ New Construction
☐ Addition to Existing Facility
☐ Acquisition of Existing Facility
☐ Acquisition & Renovation of Existing Facility
☐ Purchase of New Machinery & Equipment
☐ Other (specify): Lease of 75,000 Square Feet

C. Related Facilities

1. Are other facilities or related companies located within the state? ☐ Yes ☐ No

2. If yes to above (C-1), will any of these facilities close or be subject to reduced activity? ☐ Yes ☐ No

3. If yes to above (C-2), please describe:

D. Real Estate Search

1. Has the company actively sought sites in another state or outside the New York metropolitan region? ☐ Yes ☐ No

2. If yes to above (D-1), please list the states/regions considered: New Jersey and Pennsylvania

E. Present Owner

1. Who is the current legal owner of the site? Prestige Line

2. Is there a purchase option or other legal or common control in the project? ☐ Yes ☐ No

3. Is there an existing or proposed lease for the project? ☐ Yes ☐ No

4. If yes to either above (E-2 or E-3), please explain (i.e. purchase price, term of lease):
II. PROJECT DATA

F. Project Narrative

1. Describe the project in detail, emphasizing the following:
   A. Specific operations of the company to be conducted at the project premises
      (product manufactured/warehoused, services rendered)
   B. Proposed product lines and market demands
   C. Need for the new facility
   D. Square footage of the old facility
   E. Square footage of the new facility
   F. Type of building to be constructed
   G. Major equipment to be purchased

   A. Fulfillment, picking, and packing for Ecommerce companies
   B. Watches, accessories, apparel, eyewear
   C. We need more room to grow, as we are taking on new clients
      that require more storage space for their merchandise
   D. 20,000 SQ feet
   E. 75,000 SQ feet
   F. N/A
   G. Conveyor system, racking shelves, forklifts, highlo's, etc.

2. For pollution controls, also describe:
   A. Type of pollution to be abated
   B. Method of abatement
   C. Existing orders of environmental agencies

   N/A.
### III. EMPLOYMENT/SALES DATA

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Employees</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full time</td>
<td>24</td>
<td>28</td>
<td>38</td>
</tr>
<tr>
<td>Part time</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seasonal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>24</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**B. Payroll**

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$395,391.xx</td>
<td>$474,469.xx</td>
<td>$545,629.xx</td>
</tr>
</tbody>
</table>

**C. Average Annual Wages**

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**D. Sales**

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$9,691,968.xx</td>
<td>$11,630,361.xx</td>
<td>$13,374,915.xx</td>
</tr>
</tbody>
</table>

### IV. PROJECT CONSTRUCTION SCHEDULE

**A. Key Dates (proposed)**

1. Construction commencement
   - **Jan 1, 2015**
2. Construction completion
   - **March, 2015**
3. Building Occupancy
   - **Jan 1, 2015**

**B. Please check if any of the following applications/permits have been filed for the project:**

- Change of Zone
- Special Use
- Variance
- Interior Alterations
- Building
- Site plan
V. PROJECT COSTS/FINANCING

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

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Land</td>
<td>$</td>
</tr>
<tr>
<td>2. Site Work</td>
<td></td>
</tr>
<tr>
<td>3. Building (new construction)</td>
<td></td>
</tr>
<tr>
<td>4. Building (rehabilitation)</td>
<td>45000</td>
</tr>
<tr>
<td>5. Engineering &amp; Architectural Fees</td>
<td></td>
</tr>
<tr>
<td>6. Machinery &amp; Equipment</td>
<td>500,000</td>
</tr>
<tr>
<td>7. Other (specify)</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL PROJECT COST*

B. Please provide the amount of sales tax exemptions that your project requires

\$ 500,000 x local tax rate

B1. If your project has a landlord/tenant arrangement, please provide the breakdown of the number above 100% tenant responsibility

C. How does the company propose to finance the project?

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Tax Exempt IDB*</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>2. Taxable IDB*</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>3. Conventional Mortgage (with IDA sale/leaseback)</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>4. Owner/User Self-Financing (with IDA sale/leaseback)</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>5. JDA/SBA</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>6. Other loans</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>7. Company/Owner Equity contribution</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL AMOUNT FINANCED \$ n/a

D. Please estimate when the above amounts will be required

n/a

Month & Year

* The Agency Fee of one-half of a basis point (.006) will be applied against the total project cost or, where applicable, against the amount of the IDB issuance.
VI. CERTIFICATIONS

A. Applicant Responsibilities

Rafael Zakinov
(name of representative of entity submitting application or name of individual submitting application) deposed and says that s/he (choose and complete one of the following two options) (a) is a/the President (title) of RubyHas LLC (company name), the entity named in the attached application, or (b) is the individual named in the attached application; that s/he has read the foregoing application and knows the contents thereof; and that the same is true of his/her knowledge.

Deponent further says that s/he is duly authorized to make this certification on behalf of her/himself or on behalf of the entity named in the attached application. The grounds of deponent's belief relative to all matters in said application which are not stated upon his/her own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as, if deponent is not an individual applicant, information acquired by deponent in the course of his/her duties in connection with said entity and from the books and papers of said entity.

As (a) the representative of said entity, or (b) the individual applicant (such entity or individual applicant hereinafter referred to as the "Applicant"), deponent acknowledges and agrees that the Applicant shall be and is responsible for all costs incurred by the Town of Islip Industrial Development Agency (hereinafter referred to as the "Agency"), acting on behalf of the Applicant in connection with this application and all matters relating to the provision of financial assistance to which this application and all matters relating to the provision of financial assistance to which this application relates. 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, then upon presentation of an invoice, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application up to that date and time, including fees to transaction counsel for the Agency and fees of general counsel for the Agency. Upon the successful conclusion of the transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the Agency, in accordance with its fee schedule in effect on the date of the foregoing application, which amount is payable at closing.

Zelen
Print Name Rafael Zakinov
Title President

NOTARY
Sworn to before me this 27th day of September, 2014

JOHN WALSER
Notary Public, State of New York
Registration # 01WA6195090
Qualified in Suffolk County
Commission Expires October 20, 2015
VI. CERTIFICATIONS

B. Fee Structure

1. Application Fee—$1,000.00
   An application for IDA assistance must be accompanied by a non-refundable fee of $1,000 plus a $500 fee for the Town of Islip review of Environmental Assessment Form as required by the State Environmental Quality Review Act (SEQRA). (The $500 fee will be waived if the applicant’s project has already undergone a SEQRA review during a previous process, i.e. site plan, building permit, change of zone, etc.)

2. Agency Fee—.006
   Upon closing of any IDA project, the Agency will assess an administrative fee of one-half of a basis point (.006) against the size of the project. For IDB projects, the .006 will be measured against the final bond amount. For straight-lease transactions, the .006 will be measured against the projected total costs.

3. Agency Counsel—$250 per hour
   The Town of Islip Town Attorney’s Office acts as counsel to the Town of Islip IDA and must be reimbursed for time spent on IDA-related transactions. The Agency counsel bills all time spent on IDA matters at $250 per hour. For IDA closings up to $5 million, the Agency counsel bills a minimum of $3,500. For projects greater than $5 million, the Agency counsel bills a minimum of $5,000. For all other activities, i.e. terminations, simple consents and waivers, transfer of assets, etc., the Agency counsel will bill at the aforementioned $250 per hour.

4. Processing Fee—$500
   During the course of IDA ownership/involvement, the Agency may occasionally be required, by the company, to consent to a variety of items, i.e. pre-payment of bonds, second mortgages, additional secured financing, etc. The Agency will charge a $500 processing fee for each of these requests.

5. Assignments & Assumptions—$1,500
   Occasionally, the IDA is asked to transfer benefits that were assigned to the original company, i.e. PILOT or mortgage recording tax benefits, to a different company, typically upon a sale of the IDA property. The new company often wishes to continue IDA involvement with the property in order to retain the IDA incentives. The Agency will charge a $1,500 fee for each of these transactions.

6. PILOT Extensions/Modifications—.006
   Occasionally, the Agency is asked to extend or modify an existing Payment in Lieu of Taxes Agreement (PILOT). The .006 will be measured against the projected increase of the PILOT benefit
VI. CERTIFICATIONS

B. Fee Structure

7. Annual Administrative Fee—$1,000
   An Annual Administrative Fee of $1,000 will be charged to all projects to cover the
cost of all the reporting and monitoring of the transaction. This fee is subject to
periodic review and may be adjusted at the discretion of the Agency.

8. Bond/Transaction Counsel—fee negotiated separately
   While the Town of Islip IDA is represented locally by the Town of Islip Town
   Attorney's Office, a separate Bond/Transaction Counsel is also necessary on any
   IDA project. Bond/Transaction counsels render "third party" opinions that the
   bond or straight lease transaction is authorized under all federal, state and local
   statutes. Bond/Transaction counsels also prepare all documents related to IDA
   transactions and coordinates all activities leading up to closing. The Town of Islip
   IDA has designed the firm of Nixon Peabody, LLP as its Bond/Transaction coun-
   sel and all fees are separately negotiated with them.

I have read and understand the aforementioned explanation of the fees associated with
all the Town of Islip Industrial Agency Transaction.

Signature: [Signature]
VII. REQUIRED ATTACHMENTS

A. Financial Information
   (Attach the following financial information of the owner and user)

1. Financial statements for the last two fiscal years (unless included in the Owner’s or User’s Annual Report)

2. Owner’s or User’s Annual Reports (or Form 10-k’s) for the two most recent fiscal years

3. Quarterly reports (Form 10-Q’s) and current reports (Form 8-k’s) since the most recent annual report, if any

4. In addition, if applicable, please attach the financial information described above in items A, B and C, of any expected guarantor of the proposed bond issue other that the Owner or the User

5. Upon request of the Applicant, the Agency will review the information submitted pursuant to this Section VIII and return all copies to the Applicant within two weeks after the inducement date. Please indicate whether you require the information to be returned.
   □ Yes □ No

B. Environmental Assessment Form

   Please complete the attached EAF as required by the State Environmental Quality Review Act (SEQRA).

C. Form RP 485-b

   Please complete the attached Form RP 485-b as required by Section 485-b of the Real Property Tax Law
APPLICANT INSTRUCTIONS

- In order for a Town of Islip IDA Application to be reviewed in a timely manner, it must be complete. All questions must be answered and all required attachments must be included.
- Use "None" or "Not Applicable" where necessary.
- Part VI—Bond Information, need only be completed by applicants for Taxable or Tax Exempt Industrial Development Bonds.
- All applicants must submit an original and two (2) copies of all documents to the Agency.
- All applications must be accompanied by a $1,000 non-refundable fee to the Town of Islip Industrial Development Agency, and a $500 non-refundable fee to the Town of Islip for the EAF Review required by the State Environmental Quality Review Act (SEQRA). (If the project has already undergone a SEQRA review during the preview process, then applicant can submit the completed EAF for the one attached to the application).

APPLICANT CHECKLIST

☐ I have completed all sections of the attached application.

☐ I have signed and notarized the Certification Section (Part VII-A).

☐ I have signed Part VII-B regarding the Fee Structure for all IDA transactions.

☐ I have attached all company financial information required by Part VIII-A.

☐ I have completed and signed the Environmental Assessment Form required by SEQRA. (If the project has already undergone a SEQRA review during a previous process, substitute the completed EAF for the one that was attached to this application).

☐ I have completed and signed Form RP485-b as required by Real Property Tax Law.

☐ I have submitted the original and two (2) copies of all application materials to the Agency for review.

☐ I have submitted an application fee check for $1,000 payable to the Town of Islip IDA.

☐ I have submitted a $500 check payable to the Town of Islip for the SEQRA review. (If the project has already undergone a SEQRA review during a previous process, and the applicant substitutes the completed EAF for the one attached to the application, the $500 SEQRA fee is waived).
PART I Company (Owner/User) Data
PART II Project Data
PART III Employment/Sales Data
PART IV Construction Schedule
PART V Project Costs/Financing
PART VI Certifications
PART VII Required Attachments
1. Financial Information
2. EAF
3. RP 485-b