



CITY OF OLATHE, KANSAS
 APPLICATION FOR ISSUANCE OF INDUSTRIAL REVENUE BONDS
 (IRB)
 New Business to Olathe

This application is submitted in conformance with the city's tax abatement policy. It is understood that the city may require in lieu payments for property which becomes tax exempt. The attached sheet(s), if any, are submitted as Exhibit A of this application. This application must be submitted within sufficient time to meet procedural requirements of the abatement policy, (refer to the tax abatement calendar).

A non-refundable \$4,000 application / filing fee must accompany this application. The IRB application review process will not start until the application in full is received. If bonds are issued, the City will require an issuance fee of .0025 of the first \$40 million of bonds issued plus .0020 of the amount of bonds issued in excess of \$40 million (issuance fee shall not be less than \$2,500 or more than \$250,000). For warehouse distribution or logistics-type projects the City will require an issuance fee of .0030 of the par amount of bonds being issued (which amount shall not be less than \$2,500 or more than \$250,000). Additionally, the applicant shall be responsible for bond counsel fees, trustee fees and other fees associated with the issuance of the bonds. See Section 6 of Resolution No. 22-1080 and contact Bond Counsel for a more detailed explanation of the fees.

LECC Building 5, LLC and assigns

Applicant's Name

rheise@heise-meyer.com

913-209-9201

Applicant's Email Address

Telephone Number

800 E 101st Street, Suite 120, Kansas City, MO 64131

Applicant's Address

Rob Heise, Principal, Development

913-209-9201

Name and Title of Responsible Officer/Contact

Telephone Number

Address (if other than corporate address)

Curt Petersen, Polsinelli PC

Attorney for Applicant

cpetersen@polsinelli.com

913-234-7458

Attorney's Email Address

Telephone Number

900 W. 48th Place, Suite 900, Kansas City, MO 64112

Attorney's Address

Applicant will purchase Bonds.

Bond Purchaser/Underwriter for Applicant

Same as above.

Bond Purchaser/Underwriter's Address

Telephone Number

Same as above.

Bond Counsel for Applicant

Same as above.

Bond Counsel's Address

Telephone Number

I. BUSINESS INFORMATION

A. In what line or lines of business is the applicant engaged?

Real Estate Development.

B. Is the applicant (or its parent) a proprietorship, partnership, or corporation (LLC)?

Corporation (LLC)

C. Year and State of incorporation 2023 / Kansas

If proprietorship, partnership, or close corporation, list the names of owners and the approximate amounts owned by each of its principal stockholders.

D. List the names and titles of the officers of the applicant firm:

Rob Heise

Kasey Graham

E. Are you pursuing an other incentives offered by another government entity? No
If yes, please indicate below what the other incentives are.

II. THE PROJECT

Briefly describe the nature of the proposed project, including information as to the structure itself (size of building, amount of land to be purchased, etc.), whether it is an expansion of an existing facility or the construction of a new facility, and what products or services are to be manufactured or provided there.

The development and construction of approximately 204,880 SF speculative industrial building on an approximately 20.31 +/- acre site located in the NWQ of Lone Elm Road and 167th Street.

A. Approximate amount requested for:

Land (Attach a legal description of property as <u>Exhibit A</u>)	\$ 2,652,804
Building	\$ 20,347,196
Machinery and Equipment	\$ _____
Pollution Control Facilities	\$ _____
Other Costs*	\$ _____
Total	\$ 23,000,000

* State other costs:

B. Does the applicant, or its parent, presently have offices or industrial facilities located in Olathe, Kansas?

Yes _____ If yes, please describe below.

LECC Building 3 and LECC Building 4 projects.

C. Will you be relocating from your existing Olathe facilities to new facilities constructed by this project?

No _____ If yes, what will you be doing with your existing facilities after relocating?

D. Where is the location of the project?

NWQ of 167th Street and Lone Elm Road.

E. Is the prospective location properly zoned? Yes

If a zoning change is pending, cite application number and present status. If application has not been made, briefly describe what change will be needed and plans for submitting application:

F. Describe the type of buildings to be constructed and type of machinery and equipment to be financed:

Modern fulfillment, distribution, and manufacturing type building consisting of approximately 204,880 SF.

G. Will the applicant be in direct competition with other local firms?

No

If yes, name the firms and describe the nature of the competition:

H. Are adequate public streets and utilities available to the proposed site?

Yes

I. Specify if unusual demands for water and sewer will be made:

N/A

J. Per the City IRB policy, an applicant is required to use City of Olathe solid waste service upon the start of the abatement period. Please indicate that you understand this requirement by answering yes: Yes

If you have a current existing contract with another contractor, please indicate below when that will expire. If you have any extenuating circumstances that would result in the City not being able to adequately serve your needs, please indicate those below:

K. What percentage of usable floor space will be occupied by applicant? 0%

What percentage will be occupied by other occupants? 100% If known, indicate each occupant below:

TBD

L. Name and address of construction contractor and/or architect:

Meyer Brothers Building Company / 800 E 101st Terrace #120, Kansas City, MO 64131

Finkle + Williams Architecture / 8787 Renner Blvd Suite 100, Lenexa, KS 66219

M. How many persons will be employed at the project? See firm data sheet.

Will this project represent an increase in employment opportunities in Olathe, Kansas? Yes

** Please complete Appendix I on page 10.*

N. Briefly describe the approximate number of persons to be employed by the project at all levels.

(e.g. - management, office, skilled and unskilled):

See Firm Data Sheet.

O. What dollar amount and percentage of the applicant's total projected annual sales for the next ten (10) years, is expected to be generate by the project?

N/A

P. What percentage of sales will be sold locally? N/A Is this percentage increasing, decreasing, or remaining stable from the current trend? Increasing

Q. What is the estimated annual amount of merchandise and services purchased locally by the applicant?

N/A

R. Is there likelihood for expansion of the proposed facility within three (3) years? No

If such expansion is contemplated, please describe below:

III. FINANCING

A. Have arrangements been for the marketing of the bonds? No

If yes, please proceed to answer 1 - 7.

If no, please proceed to answer 8 - 12.

1. Describe interest rate structure and term of bonds below:

2. Will the applicant pledge any assets other than the project itself to secure the bonds?
3. Will a bond and interest reserve be provided for? No If yes, state amount and source of funding.
4. Does the applicant have any major contractual arrangements that would tend to assure, or be a detriment to, the successful financing and marketing of the proposed bonds? No If yes, describe below:
5. Has a bond underwriter determined whether or not the bonds are marketable? No
If yes, describe its determination below:
6. Indicate whether bonds will be publicly or privately placed. Privately
7. Does the applicant, or its parent, intend to purchase all or any part of the proposed bond issue?
Applicant will purchase all bonds.
8. What portion of the project will be financed from funds other than bond proceeds, and what is the source of such funds?
Project will be 100% privately financed, with IRBs reimbursing costs of land acquisition, construction, and FF&E.
9. What will be the applicant's equity investment? Please describe:
Estimated to be 35%
10. Has the applicant considered conventional financing? Yes

11. Indicate name of primary officer, institution name, and address of trustee and/or fiscal agent.

BOKF, Wendee Peres, 2405 Grand Boulevard, Suite 840 Kansas City, Missouri 64108

12. Proposed date of issuing bonds: 10/30/2025

B. List below previous participation in IRB financing:

LECC Building 1, 2, 3, and 4 Projects.

Prior to the contractor starting construction on the project, the applicant shall notify the City Clerk whether or not to proceed with an application for a sales tax exemption from the state of Kansas. Prior to, or at completion, of the project, the applicant shall inform the City Clerk to proceed with the issuance of the industrial revenue bonds and filing with the state board of tax appeals for a tax abatement on the project.

V. TAXES

A. What is the requested tax abatement term in years? 10 Percentage requested 50 %

B. If a Fixed PILOT payment is proposed for the project, please outline proposed structure:

Requesting a fixed PILOT similar to structure on LECC Building 3 and LECC Building 4 Projects.

- C. Under normal circumstances, the City will require payment in lieu of payments for property which becomes tax exempt. If tax abatement is requested, please describe special features or benefits of the project, which would justify tax abatements at the requested percentage and term. Include information about other local revenues associated with the project, such as sales taxes and franchise fees.

VI. CERTIFICATION OF APPLICANT

Applicant understands and agrees to pay all fees described on Page 1 of this application.

Applicant agrees to comply with the provisions of Chapter 2.82 of the Olathe Municipal Code (the "Code") regarding Public Art for the Project, or to pay the necessary payment to the City's Public Art Fund. Applicant agrees to comply with Section 2(D) of Policy No. F-5, Resolution 22-1080.

It is understood that a performance agreement shall be required, as set forth in the City's tax abatement policy, for applications requesting tax abatement. I hereby swear that the foregoing and attached information dated this 1st day of July 2024, is true and correct to the best of my knowledge.

Applicant understands that the City reserves the right to ask for additional financial information, including, but not limited to financial reports, credit ratings, shareholder reports, on-going litigation information and proforma statements.

Signed Robert Heiss
Name

By MANAGER
Title of Responsible Officer

APPENDIX I*
EMPLOYMENT INFORMATION
APPLICATION FOR ISSUANCE OF INDUSTRIAL REVENUE BONDS

State law requires a fiscal impact analysis be performed prior to the issuance of a tax abatement. Information provided in sections below of Appendix I is essential in order for the city to meet this requirement.

Current number of employees at firm's present site. 0

Occupational Classification	Total	Average Starting Wage	Average Maximum Wage	Number By County of Residence *
See Firm Data Sheet				Johnson
				Other
				Johnson
				Other
				Johnson
				Other
				Johnson
				Other
				Johnson
				Other

EXHIBIT A

Insert or attach here:

All that part of the Southwest Quarter of Section 15, Township 14 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, being more particularly described by Scott G. Chrlaman, LS-1306, on April 27, 2023, for project 230174, as follows:

Beginning at the Northeast corner of the Southwest Quarter of said Section 15; thence S 1°39'27" E, along the East line of the Southwest Quarter of said Section 15, a distance of 1134.32 feet, to the Northeast corner of LONE ELM COMMERCE CENTER, FOURTH PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence along the Northeastery and Northwestery line of said LONE ELM COMMERCE CENTER, FOURTH PLAT, for the following three (3) courses; thence Northwestery on a curve to the left, said curve having an initial tangent bearing of N 25°12'50" W, a radius of 360.00 feet, and an arc distance of 98.33 feet; thence N 40°51'51" W, a distance of 153.46 feet, to the North most corner of said LONE ELM COMMERCE CENTER, FOURTH PLAT; thence Southwestery on a curve to the right, said curve having an initial tangent bearing of S 48°11'52" W, a radius of 970.00 feet, and an arc distance of 10.57 feet; thence S 48°49'17" W, a distance of 293.44 feet, to an angle point on the Northwestery line of said LONE ELM COMMERCE CENTER, FOURTH PLAT, said point also being on the Easterly line of LONE ELM COMMERCE CENTER, THIRD PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence N 40°51'51" W, along the Easterly line of said LONE ELM COMMERCE CENTER, THIRD PLAT a distance of 1262.86 feet, to the North most corner of said LONE ELM COMMERCE CENTER, THIRD PLAT, said corner being on the Southeastery Right-of-Way line of Interstate 35, as now established; thence N 48°43'02" E, along said Southeastery Right-of-Way line, of said Interstate 35, a distance of 227.25 feet, to a point on the North line of the Southwest Quarter of said Section 15; thence N 88°04'03" E, along the North line of the Southwest Quarter of said Section 15, a distance of 1003.27 feet, to the Point of Beginning, containing 884,648 square feet or 20.3087 acres, more or less, of unplatted land.