



June 23, 2020

Mr. Ron Shaver  
City Attorney  
City of Olathe, Kansas  
100 E. Santa Fe Street  
Olathe, Kansas 66061

**Re: Request for Assignment of Taxable Industrial Revenue Bonds (BR Capital, L.L.C. - Phase I Project)**

Dear Mr. Shaver:

Foley Industries, Inc., a Kansas corporation ("**Foley**") intends to acquire approximately 15.46 acres of property located at 19968 W 157th St, Olathe, KS 66062 (the "**Property**"), from BR Capital, LLC, a Kansas limited liability company, pursuant to the Exchange Agreement, dated April 23, 2020 (the "**Exchange Agreement**"). Foley is relocating its existing operations located at 15854 S. US 169 Highway, Olathe, KS 66062 to the Property.

The City of Olathe previously issued Taxable Industrial Revenue Bonds (BR Capital, L.L.C. - Phase I Project), Series 2019, in the maximum principal amount of \$5,000,000, on May 9, 2019 (the "**Bonds**") related to the development of the Property. In connection with Foley's acquisition of the Property, Foley is hereby requesting the City to approve the assignment of the Bonds and associated tax abatement rights, interests, and obligations.

Foley is in the business of sales and rental of construction and other industrial equipment, as well as service and repair of the same. Foley intends to continue to conduct the same business operation at the Property. Foley does not intend to use the Property for uses falling within NAICS sectors 44 and 45.

Please let us know if you have any questions. The contact information for Foley is as follows:

Foley Industries, Inc.  
5701 E. 87th Street  
Kansas City, MO 64132  
Attention: Shane Ham, COO

Sincerely,

**FOLEY INDUSTRIES, INC.**

  
Shane Ham, COO

[www.foleyeq.com](http://www.foleyeq.com)

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