

Application Certification for Industrial Revenue Bond



I _____, hereby certify that I am the responsible company officer designated by the Company to request financing from Sandoval County. Further, in representing the Company, I certify that the information and documentation provided to the County of Sandoval, by the Company for purposes of the application are true and accurate, and contain no misrepresentations, falsifications, omissions or concealment of material facts. I further agree to timely advise the County of Sandoval of any changes in such information and documentation and will answer any such further questions regarding the same.

I further acknowledge that the foregoing information and attached documentation will be relied upon and may constitute inducement for the Company receiving financing from an Industrial Revenue Bond for the project and that such information and documentation will be relied upon by the County of Sandoval, its agent, affiliates and counsel. Also, I acknowledge and understand that the Company will be required to complete and deliver additional documentation and certifications, as reasonably required, to the County of Sandoval, together with an opinion or opinions of counsel to the Company addressed to the County of Sandoval, and any of their applicable affiliates, at or prior to the closing of any approved Industrial Revenue Bond transaction.

I further acknowledge and understand that portions of the foregoing information and attached documentation (and portions of any additional information and documentation submitted after the date of this Application Certification) may be considered by the Company to be confidential information. I acknowledge that the County is subject to the New Mexico Inspection of Public Records Act (Chapter 14, Article 2 NMSA 1978) and that the County may be required by that Act to disclose to members of the public and the press any information provided by the Company to the County. I authorize the County, in its discretion, to disclose to the public, press and other parties the following information without any request for such information by the public, the press or other parties: (i) the name and contact information for the Company, (ii) the name or names and contact information for the officers, directors, managers, partners, members,

shareholders, owners and other principals of the Company, (iii) a summary description of the Company's project, (iv) the amount of Industrial Revenue Bond sought by the Company, (v) the location of the Company and the project and (vi) a summary description of the economic impact of the Company's project.

I further acknowledge and understand that it is likely that disclosure of additional protected information beyond the protected scope may be necessary in order to proceed with the application process and the project and on behalf of the Company, agree to authorize additional disclosures of information in such circumstances.

I certify that in the event the transaction is not closed for any reason whatsoever, that the Company will indemnify and hold harmless the County of Sandoval, against any liabilities, allegations or claims of loss or damage (including attorney's fees and expenses) arising out of or relating to the transaction, the proposed project to be financed or any transaction relating thereto, except with respect to liabilities, allegations or claims caused by or arising out of the intentionally wrongful acts or grossly negligent acts of a party otherwise released and held harmless as provided above, in which case the intentionally wrongful or gross negligent party shall not be so indemnified and held harmless; provided, however, that to the extent Sections 56-7-1, 56-7-2 or 56-7-3 NMSA 1978, as amended, are applicable, this indemnification will not apply to liabilities, allegations or claims caused by or arising out of the negligence, acts or omissions of a party otherwise released and held harmless as provided above (or the negligence, acts or omissions of an officer, employee or agent of such a party).

Name of the Company:

Name of the Responsible Company
Officer:

Signature of Responsible Company
Officer:

ACKNOWLEDGMENT OF THE COMPANY

STATE OF _____)
) SS:
COUNTY OF _____)

The foregoing was acknowledged before me on _____, 20____ by _____, the _____ of _____, on behalf of the company.

Notary Public

My Commission Expires:

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