

ST. LAWRENCE RIVER VALLEY REDEVELOPMENT AGENCY
 Resolution No. RVR-13-05-08
 May 21, 2013

AUTHORIZING A LOAN OF \$36,500 TO HIGH PEAKS WINERY, LLC

WHEREAS, the St. Lawrence County River Valley Redevelopment Agency seeks to actively participate in economic development projects which result in the creation of jobs, and

WHEREAS, the Agency has partnered with the St. Lawrence County Industrial Development Agency Local Development Corporation ("SLCIDA-LDC") for the purpose of providing assistance to such projects, and

WHEREAS, High Peaks Winery, LLC has applied to the SLCIDA-LDC and the St. Lawrence River Valley Redevelopment Agency for \$36,500 in loan financing to assist in the purchase of a production facility and for working capital, and

WHEREAS, this funding assistance will retain 1 FTE and create approximately 1.5 FTE jobs as a result of the project, and

WHEREAS, this project will likely attract a significant number of visitors from outside the economic development region,

NOW, THEREFORE, BE IT RESOLVED by the St. Lawrence River Valley Redevelopment Agency agrees to authorize the SLCIDA-LDC to lend \$36,500 from the St. Lawrence River Valley Economic Development Fund to High Peaks Winery, LLC, and

BE IT FURTHER RESOLVED that said loan of \$36,500 shall be subject to the following terms and conditions:

1. Interest Rate: ½ of prime rate plus 1 (This rate shall be determined at closing and adjusted every five years).
2. Term: Fifteen (15) year Amortization Schedule; (six (6) months interest only payments and 174 months principal and interest).
3. Security:
 - o Second mortgage on the 801 Pickle Street, Winthrop, NY 13697 property owned by Matthew Whalen co-equal with Greater Massena Economic Development Fund;
 - o Second lien on all Machinery, and Equipment, Inventory, Furniture and Fixtures owned by High Peaks Winery, LLC and/or Matthew Whalen co-equal with Greater Massena Economic Development Fund;
4. Other:
 - o Unlimited Personal Guaranty of Matthew Whalen
 - o Evidence of bank financing in an amount of \$110,000
 - o Evidence of \$36,500 loan from Greater Massena Economic Development Fund
 - o Evidence of equity in the project of at least \$39,000
 - o Key Man life insurance on the life of Matthew Whalen in an amount sufficient to cover the outstanding balance of the loan
 - o The company agrees to retain 1 and create 1.5 FTE jobs
 - o Contingent upon a real estate appraisal "as completed" with a minimum value of \$150,000

Move:	Murphy			
Second:	Strait			
VOTE	AYE	NAY	ABSTAIN	ABSENT
Burns				X
Carroll				X
McNeil	X			
Murphy	X			
Strait	X			

I HEREBY CERTIFY that I have compared this copy of this Resolution with the original record in this office, and that the same is a correct transcript thereof and of the whole of said original record.

/s/ Lori Sibley
