

**STATE OF HAWAII**  
**AGRIBUSINESS DEVELOPMENT CORPORATION (ADC)**  
**LAND APPLICATION FORM—FOR NEW APPLICANTS**

Please complete all questions and submit two copies of the completed application form, including all required attachments, to the Agribusiness Development Corporation, 235 S. Beretania St. Room #205, Honolulu, HI 96813.

**PART I**

**1. TYPE OF REQUEST**

- Revocable Permit (month-to-month, renewable, must be reissued annually)
- License
- Lease (requires survey and county subdivision approval)

**2. IMPORTANT INFORMATION**

**Applicant must be a citizen of the United States and have resided in the State of Hawaii for at least three (3) years; or, if you are not a citizen of the United States, you must be a permanent status alien who has resided in the State of Hawaii for at least five (5) years. Citizen of the U.S.: Yes\_\_\_ No\_\_\_**  
If not a citizen, what is your status?: \_\_\_\_\_

Resident in the State of Hawaii since: \_\_\_\_\_  
(month/year)

**If you are a U.S citizen and have resided in the State of Hawaii for less than three (3) years or a permanent status alien and have resided in the State of Hawaii for less than five (5) years, you do not meet the eligibility requirement to hold a State of Hawaii agricultural license. STOP HERE, DO NOT COMPLETE THIS APPLICATION!**

**3. APPLICANT**

A) Should a land disposition result from your application, the following information will be used in the preparation of the legal documents. Therefore, please include all applicable, full legal names and addresses, one for each person/entity (attach additional sheets as necessary).

Applicant name(s): \_\_\_\_\_

Mailing address: \_\_\_\_\_  
No. and Street

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Contact person: \_\_\_\_\_

Phone numbers: \_\_\_\_\_  
Home \_\_\_\_\_ Cellular \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



5. Currently registered in Hawaii: Yes, as of: \_\_\_\_\_ No\_\_

**E. If Applicant is a corporation, answer the following:**

1. Date incorporated: \_\_\_\_\_
2. State or country of incorporation: \_\_\_\_\_
3. Authorized to do business in Hawaii: Yes, as of: \_\_\_\_\_ No\_\_
4. Provide the name, address, and shares of stock for each officer or director of the corporation (use additional sheets if necessary).

President: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Vice Pres: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Secretary: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Treasurer: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Other: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

5. Provide the name, address, and shares of stock for each member of the Corporation's Board of Directors (use additional sheets if necessary).

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

6. Provide the name, address, and shares of stock for each principal stockholder who is not named above ("Principal stockholder" means an individual holding 10% or more of the outstanding stock of the corporation.)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

**E. If Applicant is a Limited Liability Company (LLC), answer the following:**

1. State or country of formation: \_\_\_\_\_

2. Date of formation: \_\_\_\_\_

3. Registered to do business in Hawaii: Yes, as of: \_\_\_\_\_ No \_\_\_\_\_

4. Member-managed or manager-managed? \_\_\_\_\_

Manager Name: \_\_\_\_\_

Address: \_\_\_\_\_

Percentage of ownership interest: \_\_\_\_\_

If the manager is an entity, describe the type of entity, where/when it was formed, and the entity's ownership and management (i.e. principal owners and their respective ownership interests, directors, officers, etc.)

\_\_\_\_\_

- G. Applicant must submit evidence (e.g., certified corporate resolutions) acceptable to the Executive Director, Agribusiness Development Corporation that Applicant is duly authorized to apply for the requested disposition of public land and, if the successful awardee, to enter into the lease. Applicant shall also identify the person(s) that will be authorized to submit an offer/bid on behalf of the Applicant at any public disposition.

- H. If applying as an association, partnership, agricultural cooperative, corporation, or other entity, submit evidence that the organization is registered with the State Department of Commerce and Consumer Affairs and is authorized to do business in the State of Hawaii.

If a corporation or limited liability company, submit your Articles of Incorporation reflecting the date of filing, purpose of the organization, and the names of the stockholders, officers, and directors.

If an association, partnership, agricultural cooperative, or other entity, submit a copy of your Bylaws, Partnership Agreement, or other similar documents, as the case may be, and the names of the officers, directors and/or members.

- I. List all State of Hawaii leases, permits, licenses, easements, sales, etc. to which Applicant has been a party to, including as a director, officer or shareholder.

<u>Doc. No.</u>	<u>Type of Agreement</u>	<u>Term of Agreement</u>
_____	_____	_____
_____	_____	_____

- J. Attach tax clearances from both the State of Hawaii and the county in which the proposed land is situated. (See APPENDIX C for more information.)

- K. Is the Applicant registered with the U.S. Securities and Exchange Commission (SEC) and been a publicly traded corporation for at least the last three years?  
Yes \_\_\_ No \_\_\_

If Yes, proceed directly to Part III of this Application and Qualification Questionnaire form. If No, complete all remaining questions.

**4. LOCATION AND AREA**

Island: \_\_\_\_\_

Project Name or Location: \_\_\_\_\_

Approximate acreage requested: \_\_\_\_\_

If your request pertains to a specific parcel, please specify below:

\_\_\_\_\_  
\_\_\_\_\_

**5. USE**

Identify the specific uses intended.

\_\_\_\_\_  
\_\_\_\_\_

**PART II**

1.

**GENERAL INFORMATION**

- A. Are you 18 years of age or older?  Yes  No
- B. Have you, within the past five (5) years, had a previous sale, lease, license, permit or easement covering public lands cancelled for failure to satisfy the terms and conditions thereof?  Yes  No
- C. Do you owe any delinquent taxes or other obligations to the State or any of its counties?  Yes  No

2.

**FARM STATUS**

Farming experience: No. of years: \_\_\_\_\_ Location: \_\_\_\_\_  
Describe type of farming or crop(s): \_\_\_\_\_

**If you have less than five (5) years farming experience, you do not meet the eligibility requirement. STOP HERE, DO NOT COMPLETE THIS APPLICATION!**

Do you currently rent land for agricultural use from the State of Hawaii? Yes  No

If Yes, what type of agreement? Revocable Permit  License  Lease

Location: \_\_\_\_\_ Department: \_\_\_\_\_

Acreage: \_\_\_\_\_ Use: \_\_\_\_\_

Effective Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**3. EDUCATION AND TRAINING**

List educational, vocational or other training you have received which relates to your qualifications and experience to successfully operate your farm. Attach evidence of graduation from college, if applicable.

Name & Location of School (and Name of Person, if applicable)	Field of Study	Degree Type	Date Recv'd

**4. AGRICULTURAL EXPERIENCE AND QUALIFICATIONS**

- A. In chronological order starting with your most current experience, briefly describe your farming/ranching experience and business experience (management, financial and marketing) as it relates to the land intended to be bid on. For partnerships, joint ventures, corporations, or other entities, include both experience of business entity itself as well as experience of principals or managers. **If preferred, you may submit a resume. Copy and attach additional sheets as needed.**

**Attach at least two (2) reference letters from people who are not related to you, verifying agricultural background.**

Business Name: Address/Phone:  Name & Title of Supervisor: Your Position: Commodity Produced: Size of Operations (no. of employees, acres):  Duties & Responsibilities:	From: Month    Year  To: Month    Year Full-time ( ) Part-time ( )  Average hours worked per week:
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Business Name: Address/Phone:  Name & Title of Supervisor: Your Position: Commodity Produced: Size of Operations (no. of employees, acres):  Duties & Responsibilities:	From: Month    Year  To: Month    Year Full-time ( ) Part-time ( )  Average hours worked per week:
Business Name: Address/Phone:  Name & Title of Supervisor: Your Position: Commodity Produced: Size of Operations (no. of employees, acres):  Duties & Responsibilities:	From: Month    Year  To: Month    Year Full-time ( ) Part-time ( )  Average hours worked per week:

B. Has the Applicant, for a substantial period of the individual's adult life, resided on a farm and depended on farm income for a livelihood? Yes\_\_\_ No\_\_\_ If Yes, explain. (Include the number of years, location, income, etc.)

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C. Has the Applicant received a commitment for a loan under the Bankhead-Jones Farm Tenant Act for the acquisition of a farm? Yes\_\_\_ No\_\_\_ If Yes, attach a copy of executed loan document or notification letter.

D. Does the Applicant possess other qualifications such as, Food Safety, Good Agricultural Practices, and/or Worker Safety Protection certification? Yes\_\_\_ No\_\_\_ If Yes, briefly describe any other information which you may consider pertinent to assessing your qualifications and experience.

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### PART III

1. PRELIMINARY PLAN OF UTILIZATION AND DEVELOPMENT

Submit a land development/utilization plan showing the exterior boundaries of the land being applied for, including but not limited to type of crop, cultivatable acres, waste areas and contributory lands, field roads, field ditches, drip irrigation systems, etc. The plan must include diagrams and/or discussion regarding timeframes within which the applicant will develop and/or use all of the arable acreage being requested. **The projection must show a minimum of the first five years of the requested term.**

2. BUSINESS PLAN

Submit a business plan to show how you will run your agribusiness. The plan should include the following elements: executive summary, company description, industry or market analysis (to include target market and competition), sales/marketing plan, operations plan, organization and management, development plan, financial plan, (must include cash flow projections for 5 years or one crop rotation, whichever is greater) and relevant attachments. You may use the Cash Flow Projection worksheet in APPENDIX B.

**PART IV**

1. FINANCIAL CAPACITY

All applicants must attach the following:

- A. **Federal income tax returns** for the most recent 3 years.
- B. At least one (1) **credit reference letter** from a bank or other financial institution with which you do business regularly.
- C. If applying as a corporation, attach **financial statements** (current balance sheet and income/expense statement) for the most recent 3 years. If your corporation is less than 3 years old, please attach personal financial statement from each principal stockholder so that a minimum of three consecutive years of statements are submitted.
- D. Submit **tax clearances** from the State of Hawaii, Department of Taxation.
- E. Submit a copy of your **General Excise Tax License**, if any.
- F. Attach a Cash Flow Projection. You must show **all** income and expenses applicable to your business for a five-year period or one crop rotation, whichever is greater. **APPENDIX B** provides a form that you may use.
- G. For questions 1-7 below: 1) If applying as an individual, husband and wife, sole proprietorship or partnership, "you" refers to all individuals involved, including all partners, and 2) if applying as a corporation or joint venture, "you" refers to the entity itself and any director, officer or major stockholder or limited liability company member or manager.

1) Are there any outstanding judgments against you? Yes\_\_\_ No\_\_\_

If Yes, explain: \_\_\_\_\_  
\_\_\_\_\_

2) Have you filed bankruptcy within the past seven years? Yes\_\_\_ No\_\_\_

3) Have you had property foreclosed upon or given title or deed in lieu thereof in the last seven years? Yes\_\_\_ No\_\_\_

4) Are you currently a party in any legal action? Yes\_\_\_ No\_\_\_

If Yes, explain: \_\_\_\_\_  
\_\_\_\_\_

5) Have you directly or indirectly been obligated on any loan which resulted in foreclosure, transfer of title in lieu of foreclosure, or judgment?

Yes\_\_\_ No\_\_\_ If Yes, explain: \_\_\_\_\_

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6) Are you presently delinquent or in default on any Federal, State or County rent, debt or any other load, mortgage, financial obligation, bond, or loan guarantee?

Yes\_\_\_ No\_\_\_ If Yes, explain: \_\_\_\_\_

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2. CRIMINAL CONVICTIONS

Have you ever been convicted of the crime of cruelty to animals and/or have you been convicted of a violation of law? Yes\_\_\_ No\_\_\_

If Yes, explain: \_\_\_\_\_

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**APPENDIX B  
 STATE OF HAWAII  
 AGRIBUSINESS DEVELOPMENT CORPORATION**

**CASH FLOW PROJECTION FORM  
 Agricultural/Pasture Licenses**

Name of Applicant:	Item No.:				
	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Income:</b>					
Initial capitalization					
Sales					
Loans					
Line of Credit					
Cash					
Other					
<b>Total Income</b>					
<b>Expenses:</b>					
Labor					
Salaries					
Employee benefit programs					
Pension & profit-sharing plans					
Custom hire (labor, machinery)					
<b>Materials</b>					
Livestock					
Farm supplies (fertilizer, pesticides, etc.)					
Irrigation supplies					
<b>Machinery &amp; Equipment</b>					
Car and truck expenses					
Gasoline; fuel expenses					
Rent payments					
Repairs and maintenance					
<b>Overhead</b>					
Lease rent (land)					
Utilities					
Insurance					
Marketing					
Storage and warehousing					
Taxes (property, income, GTE)					
Interest expense					
Land Clearing/Preparation					
Soil Conservation Plan					
<b>Total Expenses</b>					
<b>Net Cash Flow</b>					

**APPENDIX C  
TAX CLEARANCE INFORMATION**

Applicants must submit State and County tax clearance certificates within the timeframe specified in the Public Auction Bid Packet.

Original or certified copies of tax clearance certificates issued by (i) the Hawaii State Department of Taxation; and (ii) the County in which the subject property is located (pertaining to property taxes, special assessments or other County obligations) must be submitted with this application for the Applicant and all affiliated entities. "Affiliated entities" is defined as any entity having more than fifty percent (50%) interest in the bidding entity; any company more than fifty percent (50%) owned by a company having more than fifty percent (50%) interest in the bidding entity; or any entity in which the bidding entity has more than fifty percent (50%) interest. The bidder shall be responsible for obtaining the verifications for all affiliated companies.

The tax clearances must be valid on any date between the advertisement date and any date thereafter up to the date the lease is executed.

For information on obtaining State tax clearances, go to the State Department of Taxation website: <http://www.state.hi.us/tax/current/a6.pdf> or contact them at:

- Oahu District Tax Office  
830 Punchbowl Street, Post Office Box 259, Honolulu, Hawaii 96809-0259  
Telephone: (808)-587-4242; Toll-Free 1 (800) 222-3229
- Hawaii District Tax Office  
75 Aupuni Street, Post Office Box 833, Hilo, Hawaii 96721-0833  
Telephone: (88) 974-6321
- Maui District Tax Office  
54 South High Street, Post Office Box 1169, Wailuku, Hawaii 96793-1169  
Telephone: (808) 984-8511
- Kauai District Tax Office  
3060 Eiwa Street, #105, Lihue, Hawaii 96766-1889  
Telephone: (808) 274-3403

For information on obtaining County tax clearances, contact:

- City & County of Honolulu  
City Hall, Treasury Office, Room 115  
530 South King Street, Honolulu, Hawaii 96813  
Telephone: (808) 523-4856 (forms can be mailed or emailed to you)
- County of Hawaii  
Real Property Tax Office/Collections Division  
Aupuni Center, 101 Pauahi Street, Suite 4, Hilo, Hawaii 96720  
Telephone: (808) 961-8282; Facsimile (808) 961-8415
- County of Maui  
Real Property Tax Division  
70 E Kaahumanu Avenue, Suite A-16, Kahului, Hawaii 96732  
Telephone (808) 270-7697
- County of Kauai  
Real Property Tax Collection  
4444 Rice Street, Suite 463, Lihue, Hawaii 96766  
Telephone: (808) 241-6555