

Attachment C

RECAPTURE AGREEMENT

THIS AGREEMENT is intended to be incorporated within the Contingency and Development Agreement executed by the parties, the City of Laramie (City) and the Laramie Economic Development Corporation (LEDC) concerning the development of the real property lying to the North of the present City limits between an extension of 15th Street and 30th Street referred to as Cirrus Sky Technology Park Phase I (Cirrus Sky). The project is partially funded with a grant from the Wyoming Business Council and the City of Laramie. Those sources of funds are public in nature and must be properly spent for appropriate projects and uses. Once those funds have been expended the value of the property is anticipated to be significantly increased and available for sale or lease to businesses. It is the receipt of funds from those anticipated private sources to LEDC that are the subject of this agreement to insure that those funds are properly accounted for and expended for appropriate uses.

LEDC is anticipated to become the legal title holder of the Cirrus Sky Phase I property once the basic infrastructure has been installed, with the infrastructure being reserved in ownership to the City. As the owner, LEDC is expected to act in good faith and use its best reasonable efforts to further develop, market, promote and sell or lease the property to businesses which can make the best use of the property for the purpose of furthering economic development in the community. The expenses that are incurred by LEDC are anticipated to be significant, together with the costs associated with the further development of the property. As such, not more than twenty percent (20%) of the recaptured funds as received shall be able to be used by LEDC to pay for costs incurred by LEDC in the administration, overhead and development of the property at the discretion of LEDC.

The funds which are received by LEDC from the sale or lease of the Cirrus Sky Phase I property are to be used in the priority set forth hereinafter. At such time as the development of the Cirrus Sky Phase I property has been completed, and such is recognized by the City in a resolution, then the requirement for the priority of development of the Cirrus Sky Phase I property shall be removed from the priority list.

The priority for expenditure of recaptured funds from the sale or lease of the Cirrus Sky Phase I property shall be for the further development of the property in Phase I, including for a period specified below all of the approved phases of development. Not less than eighty percent (80%) of the recaptured funds as received shall be devoted entirely to the further development of the initial phase of the Cirrus Sky property and the specified.

The parties agree that the priorities for the expenditure of the identified 80% of the recaptured funds shall be as follows for the period specified below:

- A. Completion of the development of the Cirrus Sky Phase I project, as defined in the application to the Wyoming Business Council.
- B. Matching any grant funds for further development of future phases of the property adjoining the Cirrus Sky Phase I property which is situated to the West to the Laramie River, East to 45th Street or to the North as part of a similar development for a period not to exceed five (5) years from the completion date of the Cirrus Sky Phase I as specified elsewhere in this agreement.

The remaining percentage of recaptured funds shall be used for the below listed priorities:

- a. Marketing and promotion of the Cirrus Sky property.
- b. Marketing and promotion of the other facets of property within the community which is available for economic development purposes.
- c. Administrative costs of LEDC.
- d. Other economic development projects and programs by LEDC within Albany County which have been approved by the City.

The recaptured funds shall be accounted separately by LEDC during the entire period of five years beyond the completion date of the Cirrus Sky property as recognized by the City by resolution. That accounting shall be in the form of an annual report due to the City on or before not less than 30 days prior to May 1 of each applicable year.

SAMPLE DATA CENTER IMPACT

The Wyoming Business Council (WBC) has calculated the economic impact based on assumptions of a sample data center project approximately 20 MW in size. Jobs and Wyoming Workforce Development Training Fund nor were indirect impacts were not calculated into this calculation

ASSUMPTIONS

- Business: Data Center
- MW Load: 20 MW
- Capital Investment: \$85 Million over 10 years

WYOMING'S POTENTIAL INCENTIVE CASH INVESTMENTS FOR PROJECT SUMMIT

Governor's Data Center Recruitment Grant.....	\$5,000,000
BRC Managed Data Center Cost Reduction Grant.....	\$2,250,000
Total Incentives	\$7,250,000

SUMMARY TAX BENEFITS – LOCAL & STATE (10 YEARS)

Total Property Tax on Equipment.....	\$444,298
Total Property Tax on Building.....	\$12,827,945
Total Sales Tax on Construction.....	\$2,268,000
Total Sales Tax on Electricity.....	\$4,176,000
Total Tax Benefits – Local & State	\$19,716,243

SUMMARY – RETURN ON TAXPAYERS' INVESTMENT

Total Tax Benefits.....	\$19,716,243
Total Tax Investments (State Incentives).....	\$7,250,000
Total Tax Return.....	\$12,466,243
Return on Investment.....	171.95%

SUMMARY TAX BENEFITS - LOCAL & STATE

Year	Property Taxes on Equipment	Property Taxes on Building	Construction Sales Taxes	Electric - Sales Taxes	Indirect Tax Benefits (Employment)	TOTAL
1	\$1,563,947	\$1,081,320	\$5,828,760	\$0	\$614,388	\$9,088,425
2	\$3,911,419	\$1,227,341	\$989,216	\$0	\$767,748	\$6,905,724
3	\$6,969,024	\$1,388,142	\$989,216	\$0	\$921,597	\$10,277,979
4	\$10,380,145	\$1,890,020	\$2,914,380	\$605,491	\$1,075,445	\$16,865,481
5	\$13,590,734	\$2,040,881	\$989,216	\$756,864	\$1,228,297	\$18,615,992
6	\$16,132,536	\$2,189,480	\$989,216	\$1,009,152	\$1,228,297	\$21,568,680
7	\$15,217,390	\$2,679,338	\$2,914,380	\$1,387,584	\$1,228,297	\$23,426,989
8	\$14,320,507	\$2,818,359	\$989,216	\$1,513,728	\$1,228,297	\$20,880,107
9	\$11,489,276	\$2,776,084	\$0	\$1,786,016	\$1,228,297	\$17,259,673
10	\$9,284,444	\$2,734,442	\$0	\$1,892,160	\$1,228,297	\$15,149,343
Total	\$102,869,422	\$20,805,407	\$16,653,600	\$8,930,995	\$10,749,970	\$160,008,394

WYOMING'S INVESTMENT - PROJECT ZEUS

Year	Data Center Cost Reduction	State of Wyoming Infrastructure Grant	Workforce Training Grant	TOTALS
0	\$0	\$10,000,000	\$1,500,000	\$11,500,000
1	\$750,000	\$0	\$0	\$750,000
2	\$750,000	\$0	\$0	\$750,000
3	\$750,000	\$0	\$0	\$750,000
4	\$0	\$0	\$0	\$0
5	\$0	\$0	\$0	\$0
6	\$0	\$0	\$0	\$0
7	\$0	\$0	\$0	\$0
8	\$0	\$0	\$0	\$0
9	\$0	\$0	\$0	\$0
10	\$0	\$0	\$0	\$0
Total	\$2,250,000	\$10,000,000	\$1,500,000	\$13,750,000

SUMMARY - RETURN ON TAXPAYERS' INVESTMENT

Year	TOTAL TAX BENEFITS	TOTAL TAX INVESTMENTS	TOTAL TAX BENEFIT/LOSS
0	\$0	\$11,500,000	\$11,500,000
1	\$9,088,425	\$8,318,425	\$770,000
2	\$6,905,724	\$6,155,724	\$750,000
3	\$10,277,979	\$9,527,979	\$750,000
4	\$16,865,481	\$0	\$16,865,481
5	\$18,615,992	\$0	\$18,615,992
6	\$21,568,680	\$0	\$21,568,680
7	\$23,426,989	\$0	\$23,426,989
8	\$20,880,107	\$0	\$20,880,107
9	\$17,259,673	\$0	\$17,259,673
10	\$15,149,343	\$0	\$15,149,343
Total	\$180,008,394	\$13,750,000	\$146,258,394

NET PRESENT VALUE OF TAX BENEFITS (5% Long-Term Discount Rate)

\$100,945,611

RETURN ON INVESTMENT

83%

EQUIPMENT - SALES TAX

Year	Equipment Purchases	Equipment Sales Tax
1	\$268,076,923	\$16,084,615
2	\$441,538,462	\$26,492,308
3	\$630,769,231	\$37,846,154
4	\$788,461,538	\$47,307,692
5	\$867,307,692	\$52,038,462
6	\$367,948,718	\$22,076,923
7	\$367,948,718	\$22,076,923
8	\$367,948,718	\$22,076,923
9	\$0	\$0
10	\$0	\$0
Total		\$246,000,000

Equipment Purchase 4	Depreciation %	Assessed Value	Property Tax	Equipment Purchase 5	Depreciation %	Assessed Value	Property Tax	Equipment Purchase 6	Depreciation %	Assessed Value	Property Tax
0	0%	0	0	0	0%	0	0	0	0%	0	0
0	0%	0	0	0	0%	0	0	0	0%	0	0
0	0%	0	0	0	0%	0	0	0	0%	0	0
788,461,538	11%	701,730,769	4,589,845	867,307,692	11%	771,903,846	5,059,830	867,307,692	0%	771,903,846	5,059,830
788,461,538	24%	598,230,769	3,927,958	867,307,692	24%	659,153,846	4,320,753	867,307,692	24%	659,153,846	4,320,753
788,461,538	38%	488,846,154	3,204,387	867,307,692	38%	537,730,769	3,524,825	867,307,692	38%	537,730,769	3,524,825
788,461,538	52%	378,461,538	2,480,815	867,307,692	52%	416,307,692	2,728,897	867,307,692	52%	416,307,692	2,728,897
788,461,538	63%	291,730,769	1,912,295	867,307,692	63%	320,903,846	2,103,525	867,307,692	63%	320,903,846	2,103,525
788,461,538	72%	220,769,231	1,447,142	867,307,692	72%	242,846,154	1,591,857	867,307,692	72%	242,846,154	1,591,857
788,461,538	77%	181,346,154	1,188,724	867,307,692	77%	181,346,154	1,188,724	867,307,692	77%	181,346,154	1,188,724
			18,761,166				19,329,687				17,737,830

Equipment Purchase 7	Depreciation %	Assessed Value	Property Tax	Equipment Purchase 8	Depreciation %	Assessed Value	Property Tax
0	0%	0	0	0	0%	0	0
0	0%	0	0	0	0%	0	0
0	0%	0	0	0	0%	0	0
0	0%	0	0	0	0%	0	0
0	0%	0	0	0	0%	0	0
0	0%	0	0	0	0%	0	0
367,948,718	11%	327,474,359	2,146,594	0	0%	0	0
367,948,718	24%	279,641,026	1,833,047	367,948,718	11%	327,474,359	2,146,594
367,948,718	38%	228,128,205	1,495,380	367,948,718	24%	279,641,026	1,833,047
367,948,718	52%	176,615,385	1,157,714	367,948,718	38%	228,128,205	1,495,380
			6,632,736				5,475,022

BUILDING - PROPERTY TAX

Year	Building Value 1	Depreciation Rate	Fair Market Value	Tax Rate	Assessed Value	Mill Levy	Property Tax	Building Value 2	Depreciation Rate	Fair Market Value	Tax Rate	Assessed Value	Mill Levy
1	\$161,910,000	0.00%	\$161,910,000.00	9.50%	\$15,381,450.00	0.069	\$1,061,320.05	\$0	0.00%	\$0.00	9.50%	\$0.00	0.069
2	\$161,910,000	1.50%	\$159,481,350.00	9.50%	\$15,150,728.25	0.069	\$1,045,400.25	\$27,756,000	0.00%	\$27,756,000.00	9.50%	\$27,756,000.00	0.069
3	\$159,481,350	1.50%	\$157,089,129.75	9.50%	\$14,923,467.33	0.069	\$1,029,719.25	\$27,756,000	1.50%	\$27,339,660.00	9.50%	\$27,339,660.00	0.069
4	\$157,089,130	1.50%	\$154,732,792.80	9.50%	\$14,699,615.32	0.069	\$1,014,273.46	\$27,339,660	1.50%	\$26,929,565.10	9.50%	\$26,929,565.10	0.069
5	\$154,732,793	1.50%	\$152,411,800.91	9.50%	\$14,479,121.09	0.069	\$999,059.35	\$26,929,565	1.50%	\$26,525,621.62	9.50%	\$26,525,621.62	0.069
6	\$152,411,801	1.50%	\$150,125,623.90	9.50%	\$14,261,934.27	0.069	\$984,073.46	\$26,525,622	1.50%	\$26,127,737.30	9.50%	\$26,127,737.30	0.069
7	\$150,125,624	1.50%	\$147,873,739.54	9.50%	\$14,048,005.26	0.069	\$969,312.36	\$26,127,737	1.50%	\$25,735,821.24	9.50%	\$25,735,821.24	0.069
8	\$147,873,740	1.50%	\$145,655,633.45	9.50%	\$13,837,285.18	0.069	\$954,772.68	\$25,735,821	1.50%	\$25,349,784.16	9.50%	\$25,349,784.16	0.069
9	\$145,655,633	1.50%	\$143,470,798.94	9.50%	\$13,629,725.90	0.069	\$940,451.09	\$25,349,784	1.50%	\$24,969,537.16	9.50%	\$24,969,537.16	0.069
10	\$143,470,799	1.50%	\$141,318,736.96	9.50%	\$13,425,280.01	0.069	\$926,344.32	\$24,969,537	1.50%	\$24,594,994.10	9.50%	\$24,594,994.10	0.069
TOTALS							\$9,924,726.27						

TOTALS

Year	Property Tax 1	Property Tax 2	Property Tax 3	Property Tax 4	Property Tax 5	Property Tax 6	Property Tax 7	Property Tax 8	TOTALS
1	\$1,061,320.05	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,061,320.05
2	\$1,045,400.25	\$181,940.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,227,340.83
3	\$1,029,719.25	\$179,211.47	\$179,211.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,388,142.19
4	\$1,014,273.46	\$176,523.30	\$176,523.30	\$522,700.12	\$0.00	\$0.00	\$0.00	\$0.00	\$1,890,020.18
5	\$999,059.35	\$173,875.45	\$173,875.45	\$514,859.62	\$179,211.47	\$0.00	\$0.00	\$0.00	\$2,040,881.35
6	\$984,073.46	\$171,267.32	\$171,267.32	\$507,136.73	\$176,523.30	\$179,211.47	\$0.00	\$0.00	\$2,189,479.60
7	\$969,312.36	\$168,698.31	\$168,698.31	\$499,529.68	\$173,875.45	\$176,523.30	\$522,700.12	\$0.00	\$2,679,337.53
8	\$954,772.68	\$166,167.83	\$166,167.83	\$492,036.73	\$171,267.32	\$173,875.45	\$514,859.62	\$179,211.47	\$2,818,358.94
9	\$940,451.09	\$163,675.32	\$163,675.32	\$484,656.18	\$168,698.31	\$171,267.32	\$507,136.73	\$176,523.30	\$2,776,083.55
10	\$926,344.32	\$161,220.19	\$161,220.19	\$477,686.34	\$166,167.83	\$168,698.31	\$499,529.68	\$173,875.45	\$2,734,442.30
TOTALS	\$9,924,726.27	\$1,542,579.76	\$1,360,639.18	\$3,498,305.41	\$1,035,743.68	\$869,575.85	\$2,044,226.15	\$529,610.22	\$20,805,406.52

Property Tax	Building Value 3	Depreciation Rate	Fair Market Value	Tax Rate	Assessed Value	Mill Levy	Property Tax	Building Value 4	Depreciation Rate	Fair Market Value	Tax Rate	Assessed Value	Mill Levy	Property Tax
\$0.00	\$0	0.00%	\$0.00	9.50%	\$0.00	0.069	\$0.00	\$0	0.00%	\$0.00	9.50%	\$0.00	0.069	\$0.00
\$181,940.58	\$0	0.00%	\$0.00	9.50%	\$0.00	0.069	\$0.00	\$0	0.00%	\$0.00	9.50%	\$0.00	0.069	\$0.00
\$179,211.47	\$27,756,000	1.50%	\$27,339,660.00	9.50%	\$2,597,267.70	0.069	\$179,211.47	\$0	1.50%	\$0.00	9.50%	\$0.00	0.069	\$0.00
\$176,523.30	\$27,339,660	1.50%	\$26,929,565.10	9.50%	\$2,558,308.68	0.069	\$176,523.30	\$80,955,000	1.50%	\$79,740,675.00	9.50%	\$7,575,364.13	0.069	\$522,700.12
\$173,875.45	\$26,929,565	1.50%	\$26,525,621.62	9.50%	\$2,519,934.05	0.069	\$173,875.45	\$79,740,675	1.50%	\$78,544,564.88	9.50%	\$7,461,733.86	0.069	\$514,859.62
\$171,267.32	\$26,525,622	1.50%	\$26,127,737.30	9.50%	\$2,482,135.04	0.069	\$171,267.32	\$77,366,396	1.50%	\$77,366,396.40	9.50%	\$7,349,807.66	0.069	\$507,136.73
\$168,698.31	\$26,127,737	1.50%	\$25,735,821.24	9.50%	\$2,444,903.02	0.069	\$168,698.31	\$76,205,900	1.50%	\$76,205,900.46	9.50%	\$7,239,560.54	0.069	\$499,529.68
\$166,167.83	\$25,735,821	1.50%	\$25,349,783.92	9.50%	\$2,408,229.47	0.069	\$166,167.83	\$75,062,812	1.50%	\$75,062,811.95	9.50%	\$7,130,967.14	0.069	\$482,036.73
\$163,675.32	\$25,349,784	1.50%	\$24,969,537.16	9.50%	\$2,372,106.03	0.069	\$163,675.32	\$73,936,869	1.50%	\$73,936,869.77	9.50%	\$7,024,002.63	0.069	\$484,656.18
\$161,220.19	\$24,969,537	1.50%	\$24,594,994.10	9.50%	\$2,336,524.44	0.069	\$161,220.19	\$73,936,870	1.50%	\$72,827,816.72	9.50%	\$6,918,642.59	0.069	\$477,386.34
\$1,542,579.76							\$1,360,639.18							\$3,498,305.41

ELECTRIC - SALES TAX

Year	Electric Usage	Electric Cost	Electric Sales Tax
1	5	\$2,102,400	\$126,144.00
2	11	\$4,625,280	\$277,516.80
3	18	\$7,568,640	\$454,118.40
4	24	\$10,091,520	\$605,491.20
5	30	\$12,614,400	\$756,864.00
6	40	\$16,819,200	\$1,009,152.00
7	55	\$23,126,400	\$1,387,584.00
8	60	\$25,228,800	\$1,513,728.00
9	70	\$29,433,600	\$1,766,016.00
10	75	\$31,536,000	\$1,892,160.00
Total			\$8,930,995.20

CONSTRUCTION - SALES TAX

Year	Taxable Construction Purchases	% Taxable	Value	Sales Tax %	Sales Tax Revenues
1	\$161,910,000		60%	6%	\$5,828,760
2	\$27,756,000		60%	6%	\$999,216
3	\$27,756,000		60%	6%	\$999,216
4	\$80,955,000		60%	6%	\$2,914,380
5	\$27,756,000		60%	6%	\$999,216
6	\$27,756,000		60%	6%	\$999,216
7	\$80,955,000		60%	6%	\$2,914,380
8	\$27,756,000		60%	6%	\$999,216
9	0		\$0	6%	\$0
10	0		\$0	6%	\$0
Total	\$462,600,000				\$16,653,600

SUMMARY TAX BENEFITS - EMPLOYMENT

Year	Real Property Taxes	Personal Property Taxes	Local Sales Taxes	State Sales Taxes	TOTALS
1	\$308,630	\$13,655	\$97,371	\$194,742	\$614,398
2	\$385,571	\$17,036	\$121,714	\$243,427	\$767,748
3	\$462,945	\$20,483	\$146,056	\$292,113	\$921,597
4	\$540,318	\$23,930	\$170,399	\$340,798	\$1,075,445
5	\$616,827	\$27,244	\$194,742	\$389,484	\$1,228,297
6	\$616,827	\$27,244	\$194,742	\$389,484	\$1,228,297
7	\$616,827	\$27,244	\$194,742	\$389,484	\$1,228,297
8	\$616,827	\$27,244	\$194,742	\$389,484	\$1,228,297
9	\$616,827	\$27,244	\$194,742	\$389,484	\$1,228,297
10	\$616,827	\$27,244	\$194,742	\$389,484	\$1,228,297
Totals	\$5,398,426	\$238,568	\$1,703,992	\$3,407,984	\$10,748,970

INVESTMENT

Acres	Dev./Year	Total Developable Acres Remaining	NOTE/SOURCE
139			Randy Hunt, City of Laramie; includes public right of ways
126			Randy Hunt, City of Laramie; not all 139 acres is suitable for development purposes, some will be used for green and public space
11.00%			Joe Sharkey, Data Center Site Selector; Based on a composite of 10 data center/tech parks nationally
14			Same as above
\$92,138			Joe Coyne, CBI Group (Includes Property Taxes)
\$87,120			\$2/sq. foot, discounted from market value of \$3/sq. ft.; some of these lot sales may be discounted for economic development purposes
-\$5,419,000			Amount City of Laramie is requesting from State
\$326,200			Based on 23.3 acres @ \$14,000 acre (this is the appraised value of the property as it currently stands)
\$250,000			Estimate based on Mega Data Center in Year 5; Cirrus Sky Park can handle small-medium sized data centers, but Samuelson property would handle mega data centers.

Acres	Dev./Year	Total Developable Acres Remaining	TAX BENEFITS & RECAPTURE					Recapture Funds-UW	Recapture Funds-Samuelson	Total Benefits	Infrastructure Costs	(Loss)/Benefit
			Annual New Tax Benefits	Lot Sales	Recapture Funds-UW	Recapture Funds-Samuelson	Total Benefits					
0			126	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$5,419,000)	
0			126	\$0	\$0	\$326,200	\$0	\$0	\$326,200	\$0	\$326,200	
14			112	\$92,138	\$1,207,483	\$0	\$0	\$0	\$1,299,621	\$0	\$1,299,621	
28			98	\$184,276	\$1,207,483	\$0	\$0	\$0	\$1,391,759	\$0	\$1,391,759	
42			84	\$276,414	\$1,207,483	\$0	\$0	\$0	\$1,483,897	\$0	\$1,483,897	
55			71	\$368,552	\$1,207,483	\$0	\$250,000	\$0	\$1,826,035	\$0	\$1,826,035	
69			57	\$460,690	\$1,207,483	\$0	\$0	\$0	\$1,668,173	\$0	\$1,668,173	
83			43	\$552,828	\$1,207,483	\$0	\$0	\$0	\$1,760,311	\$0	\$1,760,311	
97			29	\$644,966	\$1,207,483	\$0	\$0	\$0	\$1,852,449	\$0	\$1,852,449	
111			15	\$737,104	\$1,207,483	\$0	\$0	\$0	\$1,944,587	\$0	\$1,944,587	
125			1	\$829,242	\$1,207,483	\$0	\$0	\$0	\$2,036,725	\$0	\$2,036,725	
126			0	\$4,146,210	\$10,867,349	\$326,200	\$250,000	\$15,589,759	\$10,170,759	\$5,419,000	(\$5,419,000)	

Present Value of (Loss/Benefit) \$5,883,605.52

Internal Rate of Return 21%