

Nebraska Department of Economic Development

Angel Investment Tax Credit

Qualified Investor Certification Application - Trust

NOTE: TAX CREDITS MAY ONLY BE UTILIZED BY RESIDENTS OF THE STATE OF NEBRASKA. ONLY NEBRASKA RESIDENTS WHO ARE OTHERWISE ELIGIBLE TO UTILIZE AN ALLOCATION OF TAX CREDITS WILL BE ALLOCATED ANY ANGEL INVESTMENT TAX CREDITS.

Section I. Business name and identifying information

Legal Name of Trust ("Investor"): _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

EIN: _____ NE Tax ID: _____

Section II. Qualified Investment

A. Does the Investor intend to make a "Qualified Investment" in a Qualified Small Business pursuant to the Nebraska Angel Investment Tax Credit Program ("Program") totaling at least \$25,000.00? **Note: Qualified Investors who invest in Qualified Funds are not required to make a \$25,000 minimum Qualified Investment in a Qualified Small Business.**

No Yes

B. Has the Investor already made the Qualified Investment for which it seeks allocation of Nebraska Angel Investment Tax Credits ("Tax Credits") prior to submitting this application for certification?

No Yes (indicate date of investment _____)

Section III. Investor

A. Is the Investor an "accredited investor" under Rule 501 of Regulation D under the Security Act of 1933, as in effect on January 1, 2011?

Not an accredited investor
 Investor qualifies as an accredited investor for the following reason(s): (check below all that apply)

____ Any organization described in section 501(c)(3) of the Internal Revenue Code, corporation, Massachusetts or similar business trust, or partnership, not formed for the specific purpose of acquiring the securities offered, with total assets in excess of \$5,000,000

____ Any director, executive officer, or general partner of the issuer of the securities being offered or sold, or any director, executive officer, or general partner of a general partner of that issuer

____ Any trust, with total assets in excess of \$5,000,000, not formed for the specific purpose of acquiring the securities offered, whose purchase is directed by a sophisticated person as described in Rule 506 of Regulation D under the Securities Act of 1933

____ Any entity in which all of the equity owners are accredited investors

B. Does Investor control fifty percent or more of the qualified small business in which Investor will invest and apply for tax credits under the Program?

No Yes

C. Is the Investor anything other than a trust?

No Yes

D. Does the Investor receive more than forty-nine percent of its gross annual income from the qualified small business in which the Investor will invest and utilize tax credits under the Program?

No Yes

Section IV. Tax Credits (initial in the blank below)

____ Investor understands that, subject to certain limitations, Investor will be required to maintain any Qualified Investment in a Qualified Small Business for which it is allocated Tax Credits hereunder for the applicable three-year holding period, consisting of the calendar year in which the investment is made and the following two years.

____ Investor understands that Tax Credits may only be utilized by residents of the state of Nebraska. Only owners of a trust (who are otherwise eligible to utilize an allocation of tax credits) who are Nebraska residents will be allocated any portion of Tax Credits allocated to the Investor.

Section V. Certifications, Representations, and Authorizations

The undersigned certifies that it has been advised, acknowledges, and understands that no action taken by the State of Nebraska, the Nebraska Department of Economic Development, or by any employee, agent, or official of the State has been intended or shall be construed to:

(a) constitute an endorsement or recommendation of any business, its business activities, the quality of management of the business, the potential for earnings or of any financial investments made or proposed by any person or entity in the business, as a result of or related to the business' certification as a Qualified Small Business pursuant to the provisions of the Nebraska Angel Investment Tax Credit Act;

(b) constitute an endorsement or recommendation of the financial condition of, or of the business activities of, any investor or fund that has been certified as either a Qualified Investor or Qualified Fund under the Nebraska Angel Tax Investment Tax Credit Act;

(c) provide any assurance that a business as a Qualified Small Business, or any investor or fund certified as a Qualified Investor or Qualified Fund, or any investment classified as a Qualified Investment, under the Nebraska Angel Investment Tax Credit Act, is in compliance with any and all applicable federal and state securities or tax laws and regulations; or

(d) relieve any business or any person or business entity associated with it from any obligation to comply in full with the requirements of any and all applicable federal and state securities and tax laws and regulations.

The undersigned further certifies that has been advised, acknowledges, and understands that:

(a) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not selling, offering to sell, or soliciting an offer to buy any securities by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act;

(b) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not acting as a broker or dealer by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act; and

(c) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not acting as an investment advisor by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act.

Signature

Name

Title

Date

Resolution Required

Attach a resolution or other documentation evidencing the authority of the above representative of the Investor to apply for certification and to execute Angel Investment Tax Credit Program documents.

Mail or email completed application and attachments to:

Nebraska Department of Economic Development

AITC Coordinator

301 Centennial Mall South P.O. Box 94666

Lincoln, NE 68509-4666

nisha.avey@nebraska.gov

<http://opportunity.nebraska.gov/program/angel-investment-tax-credit>