



# KOLTER

## The Hyatt Fort Lauderdale Project (Phase II)

An Exclusive EB-5 Project with Phase I Exemplar I-924 & I-526 USCIS Approvals & All Jobs Created

# 100

Las Olas

HOTEL | RESIDENCES | RETAIL

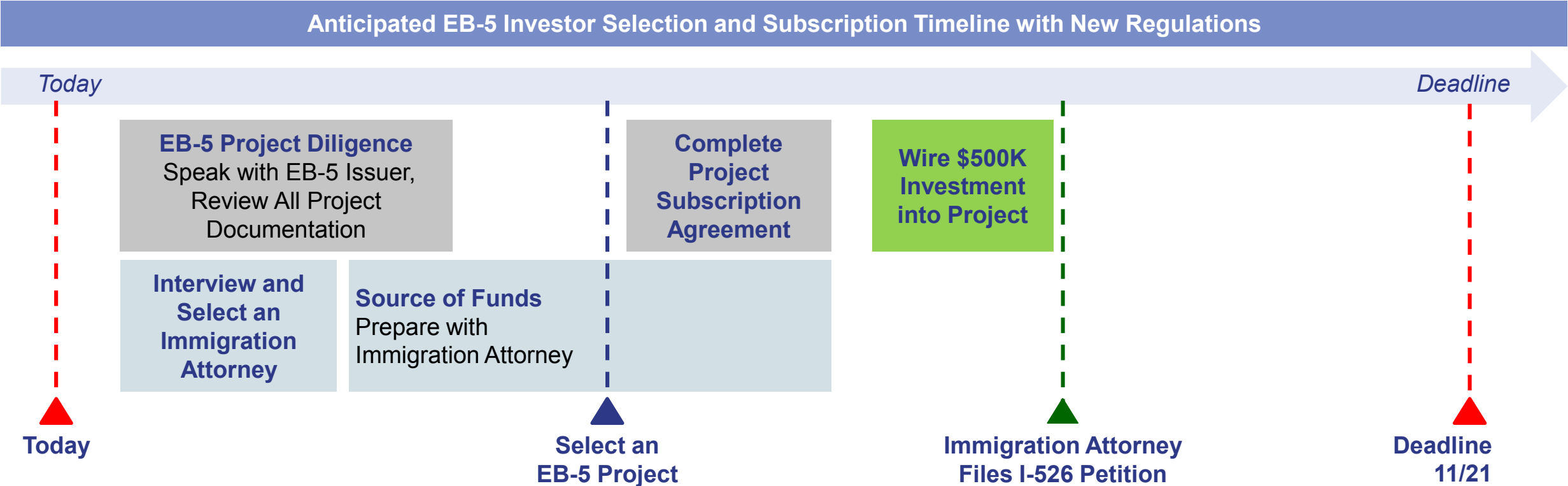
# IMPORTANT: EB-5 Rule Changes Announced

**Minimum Investment goes from \$500K to \$900K on 11-21-2019**

Investment Amounts	<ul style="list-style-type: none"><li>• TEA investments will <u>increase from \$500K to \$900K</u></li><li>• Non-TEA investments will increase from \$1M to \$1.8M</li></ul>
TEA Changes	<ul style="list-style-type: none"><li>• All TEAs will be designated by DHS, no more state designations</li><li>• Only a census tract and contiguous census tracts can qualify</li></ul>
Other Changes	<ul style="list-style-type: none"><li>• Priority date retention</li><li>• Other minor clarifications</li></ul>

Changes will take effect on 11/21/19, leading to a massive surge in investors leading up to 11/21/19. Investors need to perform diligence and invest in high quality projects

# Investor timeline to select and subscribe to an EB-5 investment project



We strongly suggest starting the EB-5 source of funds process as the amount of time can vary depending on the investor's personal financial situation to ensure there is enough time to gather the required documents and submit the I-526 Petition before the November 21, 2019 deadline.



# EB5AN Is a National EB-5 Regional Center Operator & Fund Manager

1,100+ Investors from 40+ Countries Have Invested with EB5AN's Regional Centers

## Established & Experienced EB-5 Regional Center Operator



**2013**

Established



**\$1 Billion+**

Assets Under Development



**15**

USCIS approved regional  
centers covering 27 states



**100%**

Approval History on USCIS  
Adjudicated Petitions



**11**

Completed or Ongoing EB-5  
Projects; Multiple I-526 &  
I-924 Exemplar Approvals



# Regional Center Team Involved in More Than \$3 billion of Leveraged Buyouts, IPOs, & Commercial Real Estate Development



**Samuel B.  
Silverman**



**Michael  
Schoenfeld**



**Timothy Y.  
Shih, Esq.**



- Yale University – B.A. in Economics with a concentration in Mandarin Chinese
- Boston Consulting Group (BCG) – Business and strategy consulting
- Stanford Graduate School of Business – M.B.A. in Business
- Forbes Magazine 30 Under 30 National Winner for Social Entrepreneurship

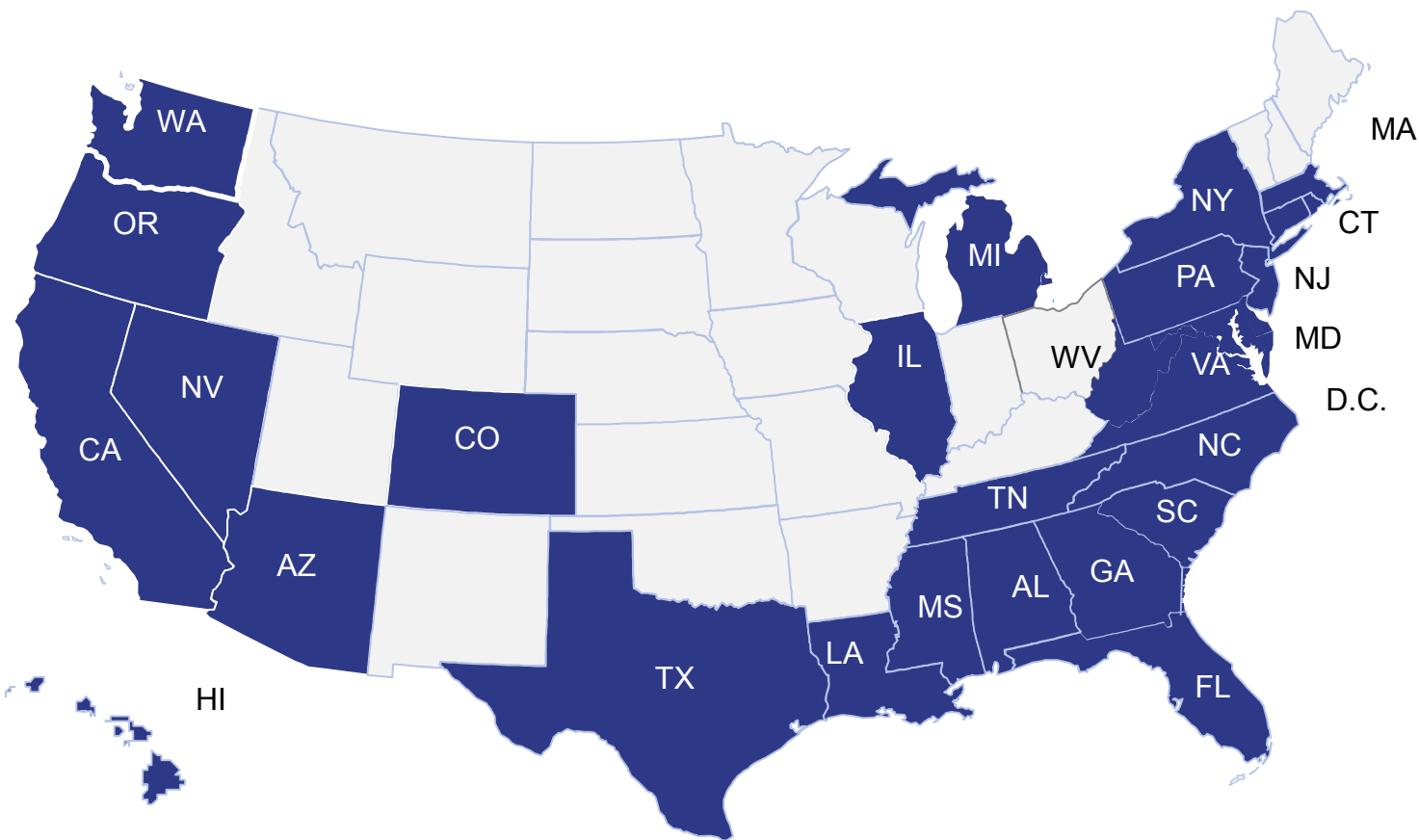


- University of North Carolina at Chapel Hill – B.A. in Economics; B.S. in Business Admin
- Boston Consulting Group (BCG) – Business and strategy consulting
- AEA Investors – Leading middle market private equity firm
- Forbes Magazine 30 Under 30 National Winner for Social Entrepreneurship

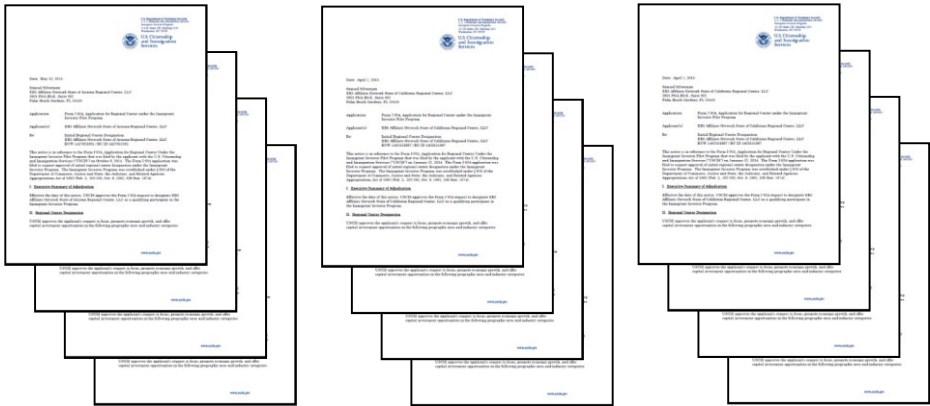


- Yale University – B.S. in Computer Science
- Duke University School of Law – Juris Doctor
- Cravath, Swaine & Moore – Premier U.S. law firm working with the Fortune 500
- DMG Entertainment – General Counsel for one of the largest entertainment companies in the People's Republic of China

# EB5 Affiliate Network Operates 15 Regional Centers with Geographic Coverage of 27 States & Washington, D.C.



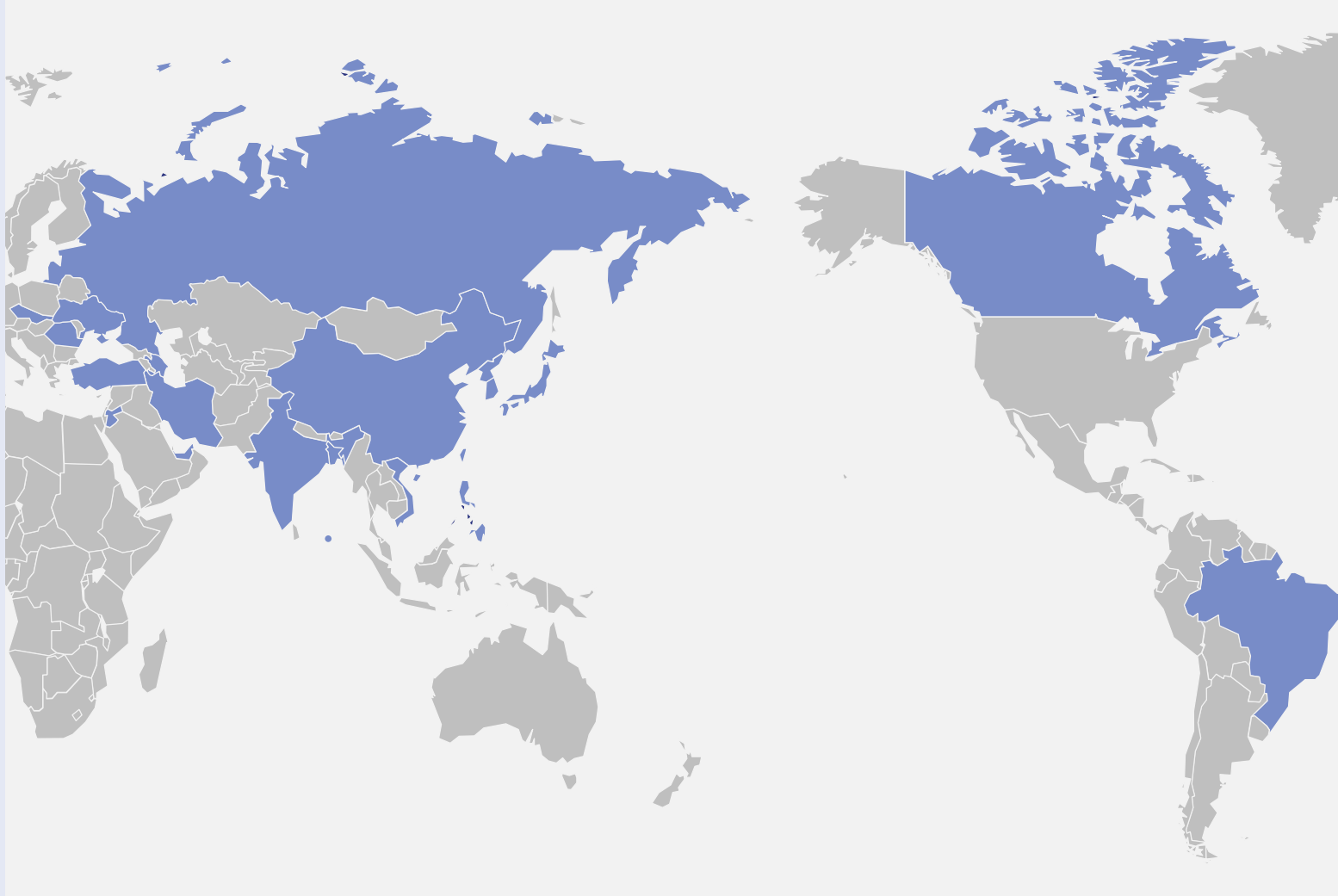
## USCIS Regional Center Approval Letters



**All Regional Centers are 100% owned and controlled by EB5AN**

# EB-5 Investors from Around the World

Investors from a wide variety of backgrounds consistently find value in EB5AN's approach





# Select EB5 Affiliate Network Regional Center projects

**EB-5 Capital: \$19M**  
**EB-5 Investors: 38**

- All required EB-5 jobs created
- Vertical construction completed
- Hyatt Centric Hotel Brand
- Central, downtown location

**Hyatt Fort Lauderdale (Phase II)**

**AVAILABLE**

**Hyatt Fort Lauderdale (Phase I)**

**SOLD OUT**

**EB-5 Capital: \$40M**  
**EB-5 Investors: 80**



**USCIS  
I-526  
Petitions  
and I-924  
Exemplar  
Approved**

**EB-5 Capital: \$11.5M**  
**EB-5 Investors: 23**

**USCIS  
I-526  
Petitions  
and I-924  
Exemplar  
Approved**



**Hyatt Boca Raton**

**SOLD OUT**

**Water Cub**

**SOLD OUT**

**EB-5 Capital: \$25M**  
**EB-5 Investors: 50**



**USCIS  
I-526  
Petitions  
and I-924  
Exemplar  
Approved**

**EB-5 Capital: \$15M**  
**EB-5 Investors: 30**

**USCIS  
I-526  
Petitions  
and I-924  
Exemplar  
Approved**



**VUE Sarasota**

**SOLD OUT**

**Westin Sarasota**

**SOLD OUT**

**EB-5 Capital: \$20M**  
**EB-5 Investors: 40**



**USCIS  
I-526  
Petitions  
and I-924  
Exemplar  
Approved**

# Hyatt Fort Lauderdale – Condominium & Hotel Project

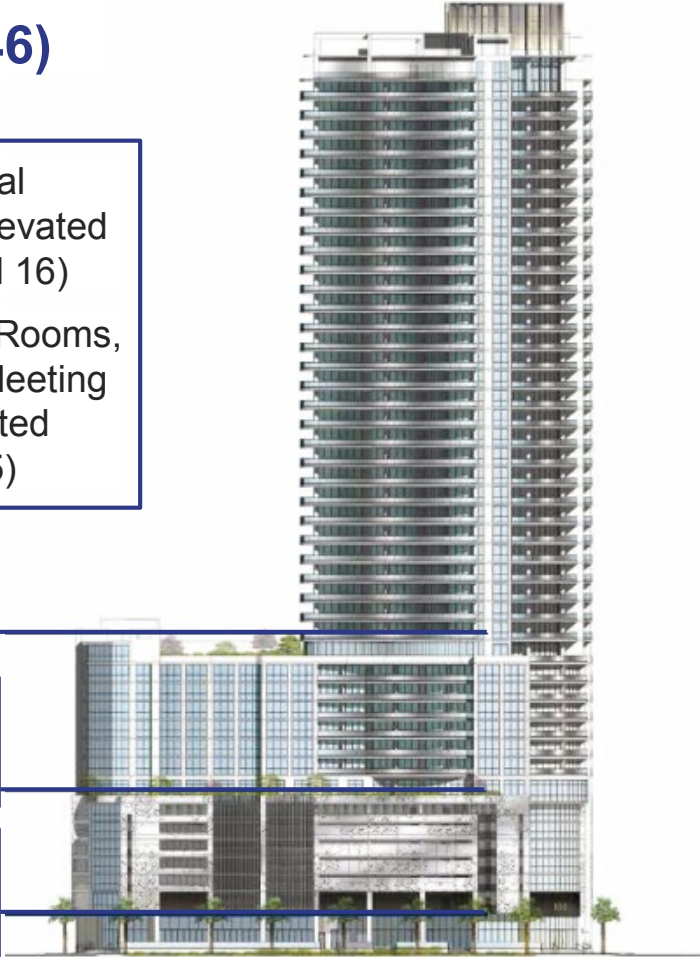
## 121 Residences (Levels 16-46)

Private Residential  
Amenities And Elevated  
Pool Plaza (Level 16)

238 Hotel Guest Rooms,  
Fitness Center, Meeting  
Space And Elevated  
Pool (Levels 8-15)

Garage  
(Levels 2-7)

Grand Lobby,  
Hotel, Bar,  
Restaurant,  
Retail (1<sup>st</sup> Level)



## Luxury Hotel & Condominium

Total Project Cost  
**\$226M**

Phase II EB-5  
**\$19M, 8%**  
of total cost

Senior Loan  
Signed & Funded  
**CIBC Bank**

Phase II Jobs  
**53**  
jobs per investor

Construction  
**2016-2020**

Levels 16-46  
**113**  
Residences

Phase II Jobs  
**25**  
Already created for  
each EB-5 investor

Vertical  
Construction  
**Completed**

Levels 8-15  
**238**  
Hyatt Centric hotel  
rooms



# Luxury Condominiums

## Residences

113 Units, four unique  
floorplan options

## Unit Prices

\$800K – \$5.75 million

## Unit Area

139 – 275 m<sup>2</sup>





# July 2019 Construction Update

Vertical construction  
has been completed  
and has reached the  
top 46th floor

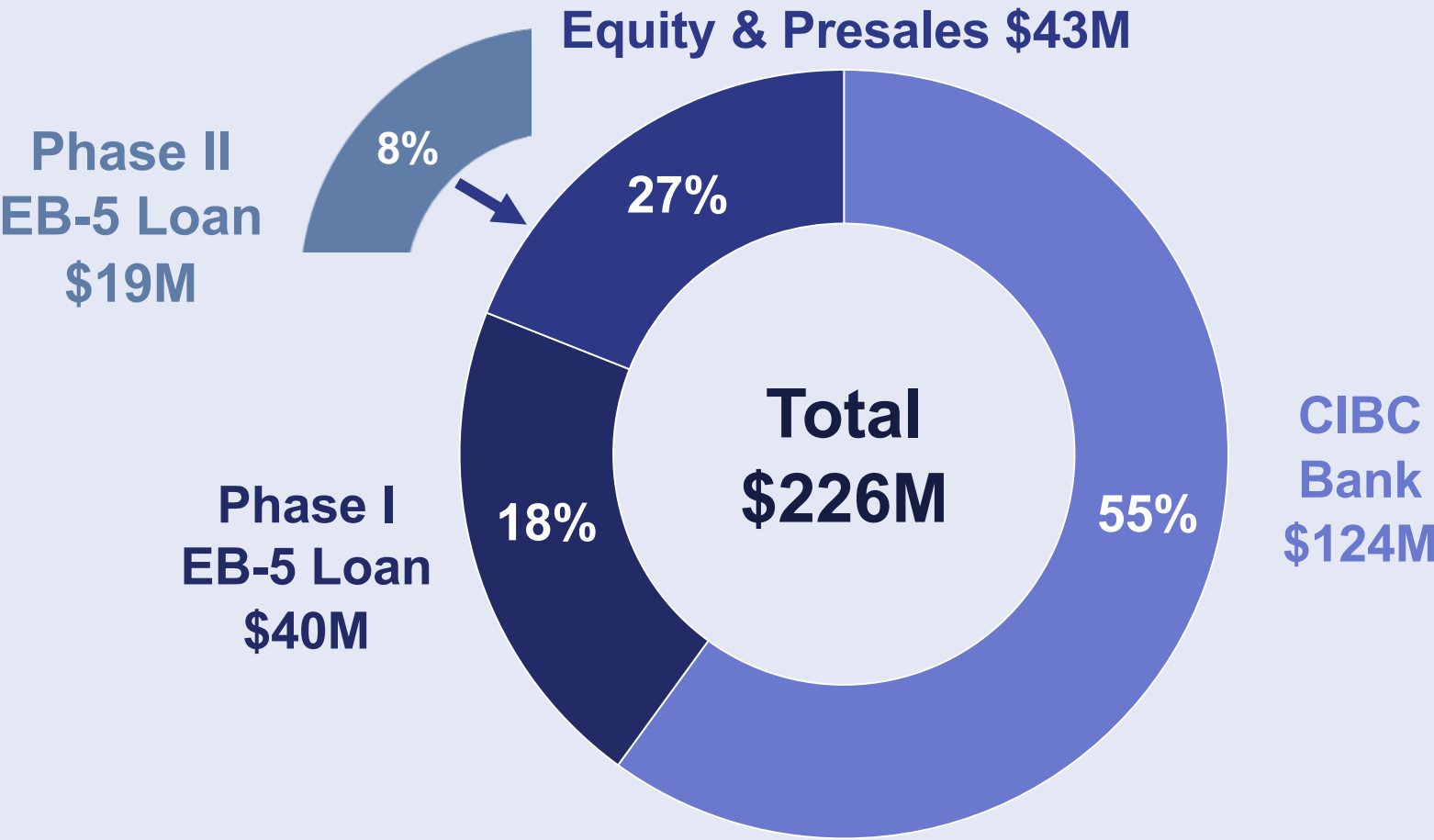
Entire project is on  
schedule and expected  
to be finished in early  
2020





# Capital Stack Breakdown

EB-5 Phase II loan up to 8% of stack; no minimum raise; bridge equity ensures full capitalization; EB-5 funds replace bridge equity



## Kolter Equity Commitment Letter






## CIBC Senior Loan Agreement



# Immigration and Financial Safety






## Immigration Safety

-  Phase II of Phase I USCIS I-526 Investor and I-924 Approved Project
-  100% of required EB-5 jobs created
-  Vertical construction completed; Hotel opening in Early 2020



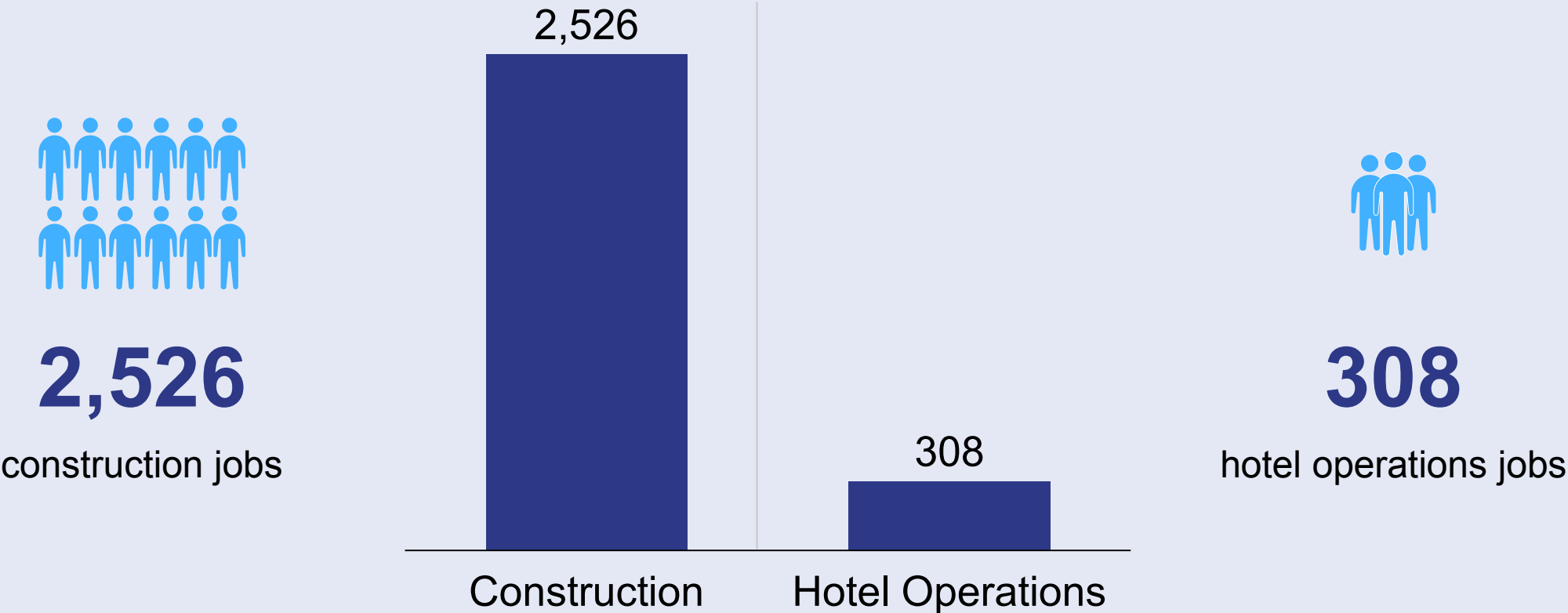
## Financial Safety

-  Hyatt Centric Branded Hotel in Downtown Fort Lauderdale Location
-  I-526 refund guarantee
-  5-yr secured loan for EB-5 investors



# In total, the project creates 2,834 EB-5 eligible jobs

Total EB-5 Jobs is 2,834 = 2,526 + 308



# As of July 1, 2019, enough EB-5 jobs for all of Phase II EB-5 investors to receive permanent Green Card already created

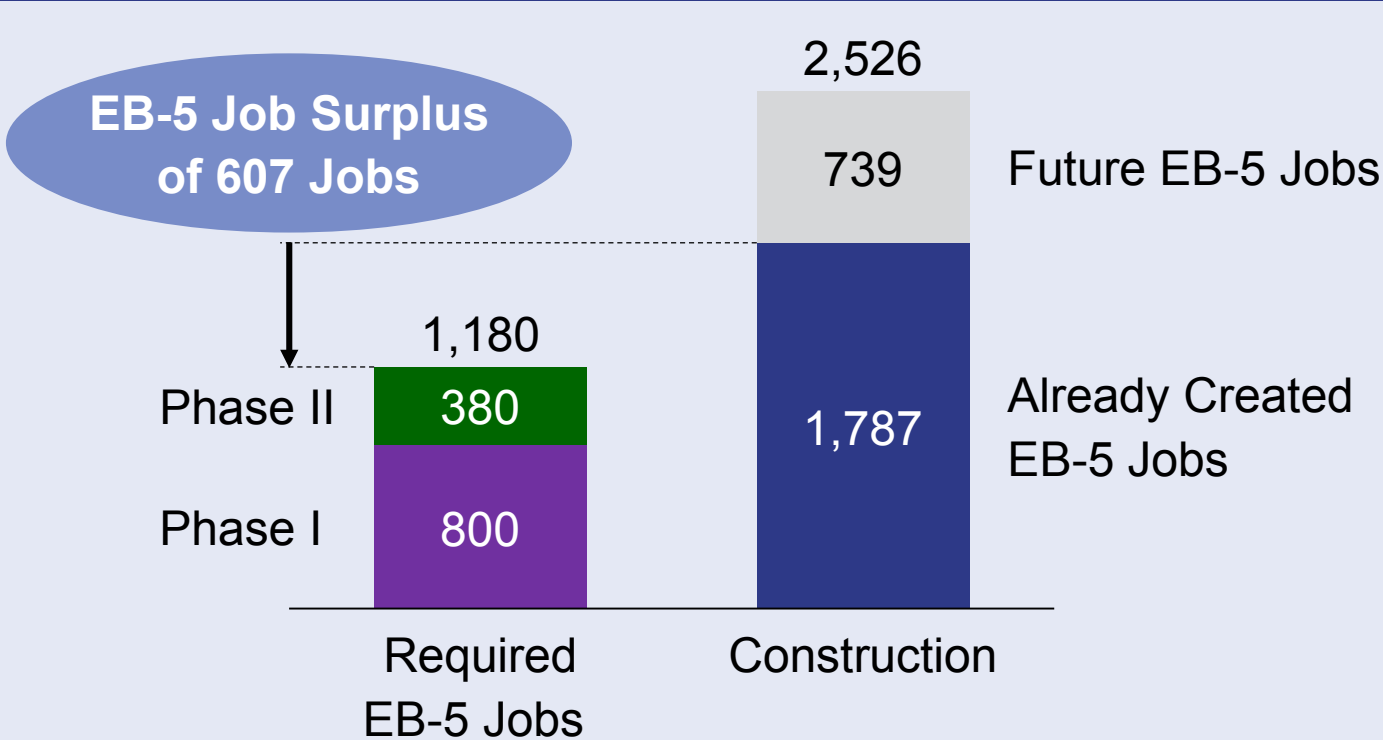
## Phase I EB-5 Project

**800** jobs required  
(\$40M = 80 investors \* 10 jobs)

## Phase II EB-5 Project

**380** jobs required  
(\$19M = 38 investors \* 10 jobs)

## 1,787 EB-5 Jobs Already Created from Project Construction



# Why Do EB-5 Investors Consistently Choose EB5AN?

Our strategies lower immigration and financial risk for EB-5 investors

1

## I-526 Refund Guarantee

Your I-526 Petition will be approved or you will be refunded 100% of your investment

2

## Fully Committed Projects

All Kolter EB-5 projects have or are expected to obtain third-party bank financing

3

## Job Creation from Construction Alone

Job creation from construction activity alone (RIMS II Model) meets 100% of EB-5 requirement



# Why Do EB-5 Investors Consistently Choose EB5AN? (cont'd.)

Our strategies lower immigration and financial risk for EB-5 investors

4

## Compelling Financial Return

EB5AN / Kolter preferred equity projects provide EB-5 investors with high preferred returns on investment

5

## Transparent Financial Reporting

All of our EB-5 investors receive quarterly financial reports providing maximum transparency on investment status

6

## Best in Class Development Team

We only partner with institutional private developers and banks with strong balance sheets and extensive EB-5 project experience

# Hyatt Fort Lauderdale Phase II Utilizes NES Financial Suite



## Market Leader in EB-5 Escrow & Fund Admin Solutions

- 600+ Projects representing \$20B in EB-5 Capital
- Partner with leading banks, ensuring funds are safely held



## NES Financial technology increases security and transparency for investors and immigration agents

- Online portal access for investors to monitor investment
- Expenditure tracking improves likelihood of immigration success



## EB-5 industry leadership and expertise

- Active as Board Members of IIUSA and EB-5 Investment Coalition
- Published authors and regular speakers at industry conferences

# NES Financial

# NES Financial Medallion for EB-5 Project Best Practices

## Select Current EB5AN Projects are NES Platinum Projects

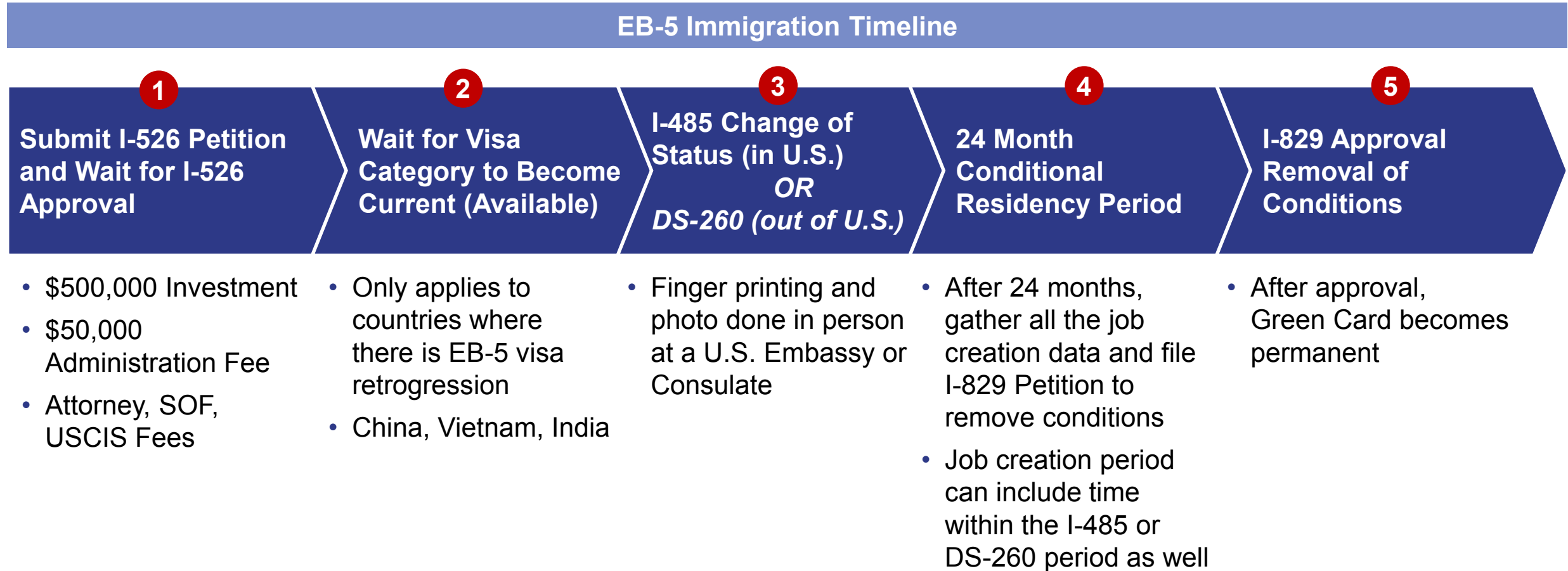


- Projects that use NES Financial solutions are awarded Medallions for embracing best practices
- NES offers Silver, Gold, and Platinum Medallions. Platinum projects use the full suite of NES Financial services

Out of 800+ approved regional centers, EB5AN has been named as the only regional center medallion solution partner for compliance



# EB-5 Illustrative Timeline







# KOLTER

## Project Developer Credentials: Kolter

A large, modern house with a swimming pool and patio furniture. The house has a tiled roof and large windows. The pool is surrounded by a paved patio area with outdoor seating. The background shows palm trees and a clear blue sky.

# EB-5



# The Kolter Group Is a Real Estate Development Firm with 50+ Active Projects & 500+ Employees in 4 Business Units

## KOLTER

Residential high-rise condominium development and urban infill

.....



KOLTER HOMES

Master-planned community development and homebuilding



Hotel development and investment

.....



Lot development and lot banking for third party builders

# The Kolter Group Is a Financially Strong Developer with an Experienced, Strategic, & Award-Winning Management Team



## Reputationally and Financially Strong

- Has not defaulted on a single bank loan, giving access to first-tier debt providers
- Equity partners include leading investment funds and Forbes-listed family offices



## Award Winning

- Top 25 largest privately-held home builders in the U.S.
- Hyatt's Hotel Developer Award and Strategic Partner of the Year Award



## Strategically Focused

- Focused on satisfying the housing needs created by aging U.S. population and sunbelt migration



## Experienced, Business-Cycle Tested, Cohesive Management Team

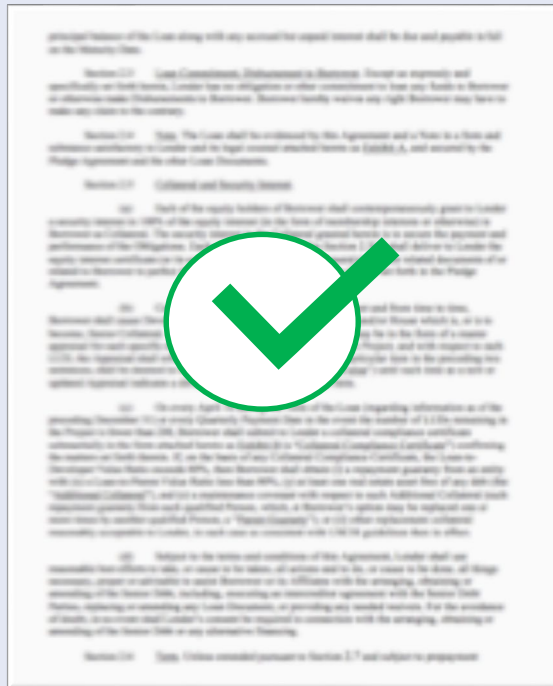
- 200+ years of cumulative real estate experience
- More than \$21 billion of expected value of residential, commercial, and hospitality transactions
- Average tenure of leadership is 14+ years at the firm and 25+ years in real estate



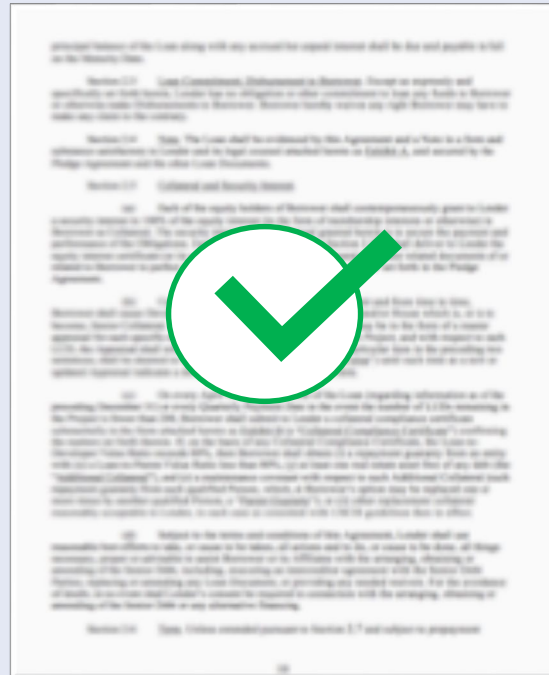
# EB-5 Project Developer Guarantees

Kolter provides multiple guarantees, offering investors unparalleled security

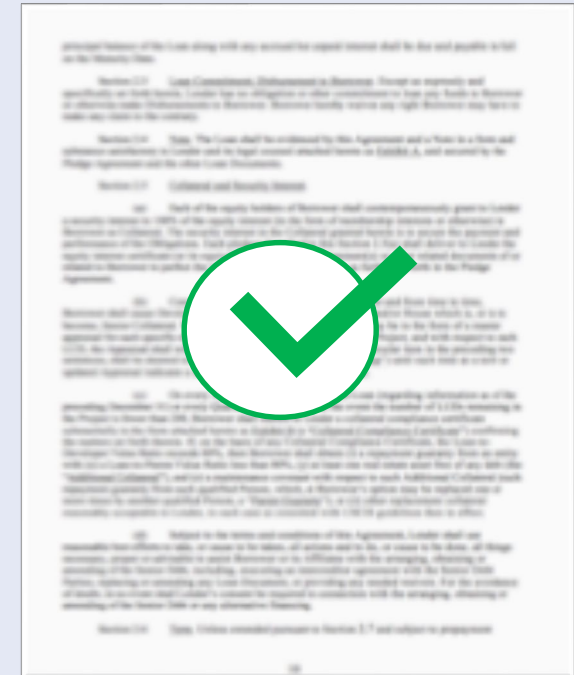
## EB-5 Loan Repayment Guarantee



## I-526 Refund Guarantee



## Completion Guarantee



# EB-5 investors will receive a refund of immigration attorney and USCIS fees if their I-526 Petition is denied

*“We are excited to implement this new safety feature for EB-5 investors and we hope that this decision will set a new standard for the EB-5 industry with the goal of safeguarding investor’s capital and strengthening an alignment of incentives between EB-5 regional centers and individual EB-5 investor.”*

- Samuel B. Silverman, EB5AN Managing Partner

UNCONDITIONAL GUARANTY OF IMMIGRATION ATTORNEY AND USCIS FEES

THIS UNCONDITIONAL GUARANTY OF IMMIGRATION ATTORNEY AND USCIS FEES (this “Guaranty”) is entered into as September 30, 2019, by EBSAN Artistry Homes Sarasota GP, LLC (“Guarantor”), in favor of EBSAN Artistry Homes Sarasota Fund VI, LP, a Delaware limited partnership (“Lender”).

RECITALS

WHEREAS, Lender was formed for the sole purpose of providing KH Palmer Blvd Upstream Borrower LLC, a Florida limited liability company (“Borrower”), a loan in an aggregate principal amount not to exceed \$20.0 million (the “Loan”), as such Loan is described in that certain Loan Agreement between Borrower and Lender (“Loan Agreement”) and that Confidential Offering Memorandum dated December 22, 2016 (the “Memorandum”), as may be revised from time to time by Lender;

WHEREAS, the initial capital contribution of each limited partner in Lender (each, a “Limited Partner”) will be used as loan proceeds in connection with the Loan and will be advanced to Borrower pursuant to the Loan Documents (as defined in the Loan Agreement) and such disbursement may occur prior to such Limited Partner’s I-526 Petition (as defined in the Loan Agreement) being approved by the United States Citizenship and Immigration Services (the “USCIS”);

WHEREAS, Guarantor will receive benefits from the release of such loan proceeds to Borrower prior to the USCIS approval of each Limited Partner’s I-526 Petition (the “Early Release”); and

WHEREAS, each Limited Partner will have or will incur fees related to: (i) immigration legal counsel expenses in connection with such Limited Partner’s I-526 Petition (as defined in the Loan Agreement) and (ii) filing fees paid to USCIS in connection with the filing of such Limited Partner’s I-526 Petition.

NOW, THEREFORE, in order to induce each Limited Partner of Lender to subscribe thereto and to permit and approve the Early Release, Guarantor does hereby agree as follows:

ARTICLE I  
REPRESENTATIONS AND WARRANTIES

Section 1.1 Guarantor hereby represents and warrants that:

(a) the execution and delivery of this Guaranty will not contravene or result in a material breach of or a default under any indenture, commitment, agreement or other instrument to which Guarantor is a party or by which Guarantor or any of its property is bound, or any existing law, rule, regulation, judgment, order or decree to which it is subject; and

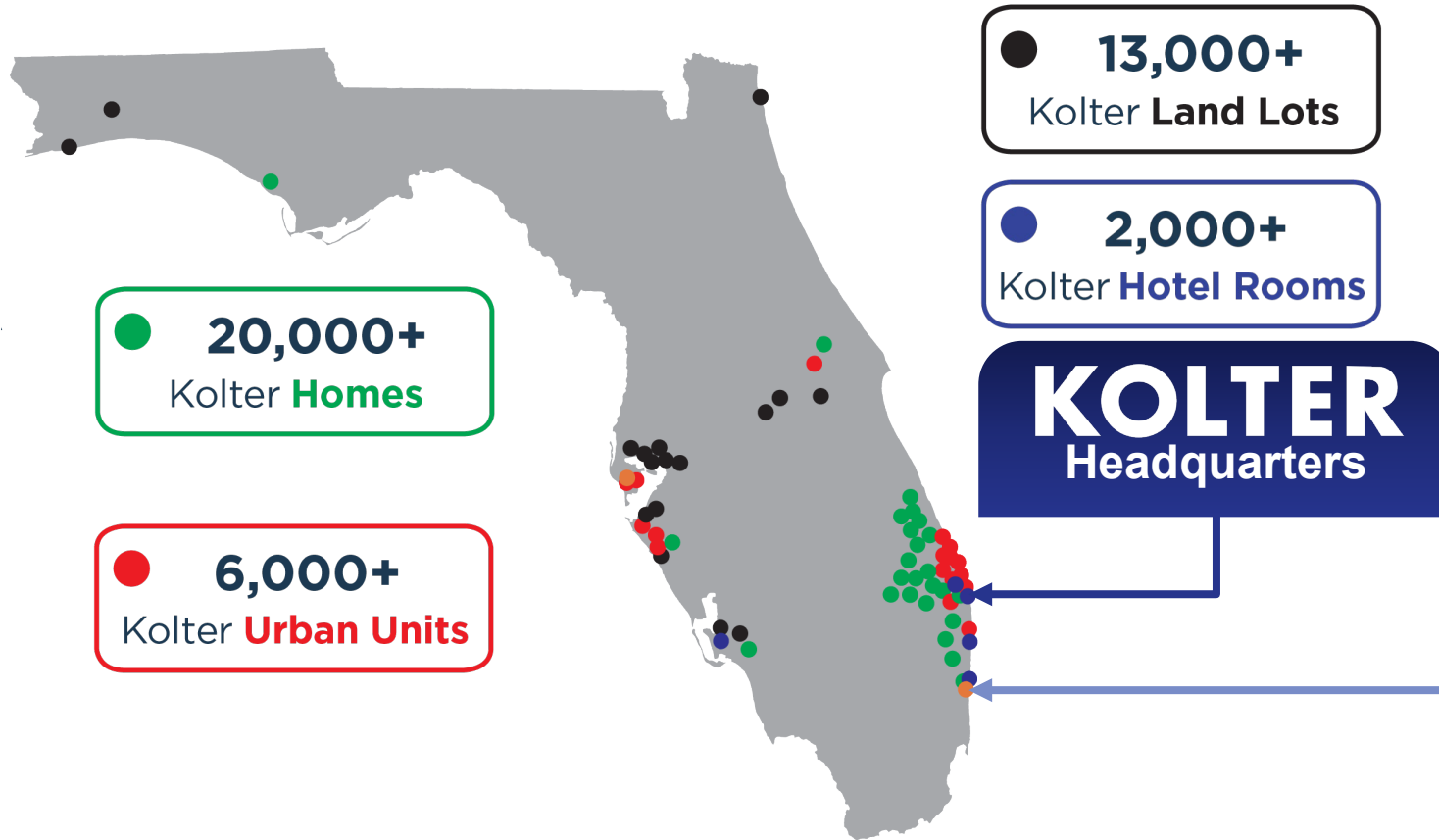
(b) this Guaranty constitutes the legal, valid and binding obligation of Guarantor enforceable in accordance with its terms except as enforceability may be limited by bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditor’s rights generally and by general principles of equity; and

(c) there is not now pending against or affecting Guarantor, nor to Guarantor’s knowledge is there threatened, any action, suit or proceeding at law or in equity or by or before any administrative agency or arbitrator, which, if adversely determined, would have a material adverse effect on Guarantor’s ability to fulfill Guarantor’s obligations hereunder.

Note: I-526 attorney and USCIS Fee refund applies to any denial for project related reasons

# Kolter Project Locations

Kolter is focused on the development of Florida projects and is headquartered in South Florida



Hyatt Fort  
Lauderdale Phase II

All EB-5 Jobs  
Created

Phase II of  
I-526 and  
I-924  
Approved  
Phase I





# The Kolter Group: Select Project Media

# KOLTER





# The Kolter Group: select development projects





# The Kolter Group: select development projects (continued)







**Thank you.**

**Please contact us to schedule a  
call to discuss I-526 & I-924  
approved available EB-5 projects**

**Phone: 1-800-288-9138**

**E-mail: [info@EB5AN.com](mailto:info@EB5AN.com)**

**[www.EB5AN.com](http://www.EB5AN.com)**