

Niagara County Industrial Development Agency

NOTICE LETTER

Hon. Jeffrey M. Glatz, County Manager
Philo J. Brooks Building
59 Park Avenue
Lockport, New York 14094

Hon. William L. Ross, Chairman
Niagara County Legislature
175 Hawley Street
Lockport, New York 14094

Mr. John Shoemaker, Director
Niagara County Real Property Tax Services
59 Park Avenue
Lockport, New York 14094

Hon. Robert B. Cliffe, Supervisor
Town of Wheatfield
2800 Church Road
North Tonawanda, New York 14120

Mr. Carl H. Militello, Superintendent
Niagara-Wheatfield Central School District
6700 Schultz Road
Niagara Falls, New York 14304

Mr. Steven Sabo, President
Niagara-Wheatfield Central School District
Board of Education
6700 Schultz Road
Niagara Falls, New York 14304

September 15, 2011

Re: **Shipman Properties, LLC**


Ladies and Gentlemen:

On Tuesday, October 4, 2011, at 4:00 p.m., at the Niagara County Center for Economic Development, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132, the Niagara County Industrial Development Agency (the "Issuer") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to the *Niagara Gazette* for publication.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. The public hearing is being conducted in accordance with Section 147(f) of the Code and subdivision 2 of Section 859-a of the New York General Municipal Law. We are providing this notice to you, pursuant to General Municipal Law Section 859-a, as the chief executive officer of an affected tax jurisdiction within which the project is located.

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

By: _____


Samuel M. Ferraro
Executive Director

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Niagara County Industrial Development Agency (the "Agency") on the 4th day of October, 2011, at 4:00 p.m., local time, at the Niagara County Center for Economic Development, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132, in connection with the following matter:

SHIPMAN PROPERTIES, LLC, for itself or on behalf of an entity formed or to be formed (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company consisting of: (A)(i) the acquisition or retention by the Agency of fee title to or a leasehold interest in an approximately 10-acre parcel of land located at 6120 Lendell Road in the Town of Wheatfield, Niagara County, New York (the "Land"); (ii) the renovations and upgrading of an approximately 18,000 square foot facility thereto (the "Improvements"); and (iii) the installation of certain equipment and items of personal property including, but not limited to, new presses and a more efficient manufacturing environment to allow for product work flow and product process (the "Equipment" and collectively with the Land, and the Improvements, the "Facility"); (B) the leasing of the Project back to the Company, and (C) the providing of financial assistance to the Company for qualifying portions of the Project in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, a partial real property tax abatement and a mortgage recording tax exemption with respect to a certain payment-in-lieu-of-tax mortgage.

The Agency will acquire or retain title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company for qualifying portions of the Project in the form of sales and use tax exemptions and a mortgage recording tax exemption for financing related to the Project, consistent with the policies of the Agency, a partial real property tax abatement and a mortgage recording tax exemption with respect to a certain payment-in-lieu-of-tax agreement mortgage.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

DATED: September 15, 2011

**NIAGARA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____


Samuel M. Ferraro
Executive Director