

**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 **19th day of March, 2009 at 4:30 p.m.**, local time, at the Niagara Falls City Hall, 745 Main Street, Niagara Falls, New York 14302, in connection with the following matter:

**SNOW PARK LLC**, for itself or on behalf of an entity to be formed (the "Company"), has submitted an application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to undertake a certain project (the "Project") consisting of: (A)(i) the acquisition (or retention) by the Agency of fee title to, or a leasehold interest in, an approximately 2.8-acre parcel of land located at 461 1<sup>st</sup> Street in the City of Niagara Falls, Niagara County, New York (the "Land"); (ii) the construction on the Land of an approximately 4,800 square foot building to be used for a ticket selling, warming center, skate rental, retail and first aid center (the "Improvements"); and (iii) the acquisition of and installation in and around the Improvements of certain machinery, equipment and items of personal property including, but not limited to, snow-making equipment (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); all for use by the Company as a snow tubing, ice skating, snow play and amusement facility.

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 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 agreement mortgage.

A representative of the Agency will be at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed 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: February 9, 2009

**NIAGARA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY**

By: \_\_\_\_\_

Samuel M. Ferraro  
Executive Director