

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 **5th day of November, 2008, at 4:00 p.m.**, local time, at the Niagara Falls City Hall, 745 Main Street, Niagara Falls, New York 14302, in connection with the following matter:

1093 GROUP, 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) the acquisition or retention by the Agency of fee title to or a leasehold interest in an approximately 1.73-acre parcel of land located at 722-750 Portage Road in the City of Niagara Falls, Niagara County, New York (the "Land"), together with an existing approximately 42,200 square foot, one-story strip mall thereon (the "Existing Improvements"); (B) the demolition of approximately 28,600 square feet of the Existing Improvements, the renovation of approximately 13,583 square feet of the remainder of the Existing Improvements and the construction of an approximately 14,673 square foot single-story addition to the Existing Improvements (the "Improvements"), for office and retail space; and (C) the acquisition of and installation in and around the Improvements of certain equipment and items of personal property including, but not limited to, HVAC and mechanical systems, racking, shelving, coolers, refrigerators and point of sale and computer systems (the "Equipment" and, collectively with the Land, the Existing Improvements and the Improvements, the "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 (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 25, 2008

NIAGARA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Samuel M. Ferraro
Executive Director