

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law, will be held by the City of Utica Industrial Development Agency (the "Agency") on the 18th day of February 2020 at 9:30 a.m., local time, at Utica City Hall, Common Council Chambers, First Floor, One Kennedy Plaza, Utica, New York in connection with the following matters:

Carbone Commercial Property, LLC, on behalf of itself and/or the principals of Carbone Commercial Property, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") has applied to the Agency to enter into a transaction in which the Agency will assist in the acquisition of a 4.3± acre parcel of vacant land located at 1532 Erie Boulevard, City of Utica, Oneida County, New York (the "Land"); construction on the Land of a 47,541± square foot, single-story building and a 226-space parking lot to service the same (collectively, the "Improvements"); and the acquisition and installation of machinery and equipment in the Improvements (the "Equipment"), all for the purpose of providing a full-service fitness facility and complementary retail services (the Land, Improvements and Equipment collectively, the "Facility"). The Facility will be initially leased, operated and/or managed by the Company.

The Company will own the Facility and lease the Facility to the Agency, and the Agency will lease the Facility back to the Company for a term of approximately five years. The Company will sublease a 32,541± square foot portion of the Improvements (the "Fitness Facility") to Carbone Athletics, LLC (the "Sublessee") for its operation and a 14,000± square foot portion of the Improvements (the "Retail Facility") to retail tenants to be identified at a later time (the "Retail Sublessees"), which Retail Sublessees will provide services that complement the Fitness Facility. At the end of the lease term, the Agency will terminate its leasehold interest in the Facility. The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from sales and use taxes, exemptions from mortgage recording taxes, and reduction of real property taxes for a period of five years, which proposed financial assistance is a deviation from the Agency's Uniform Tax Exemption Policy, to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. A copy of the Application for Financial Assistance filed by the Company with the Agency, including an analysis of the costs and benefits of the proposed Facility, is available for public inspection at the offices of the Agency, One Kennedy Plaza, Utica, New York.

CITY OF UTICA INDUSTRIAL  
DEVELOPMENT AGENCY

Dated: February 4, 2020

By: /s/ Vincent J. Gilroy, Jr., Chairman