

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 24th day of February 2022 at 9:30 a.m., local time, at Utica City Hall, Urban and Economic Conference Room, Second Floor, One Kennedy Plaza, Utica, New York in connection with the following matters:

The Agency previously provided financial assistance to 1002 Oswego Street, LLC (the "Company") relating to the (a) acquisition of a 7.00± acre parcel of vacant land formerly known as the Bossert Site located at 1002 Oswego Street, City of Utica, Oneida County, New York (the "Land"); (b) construction on the Land of a 20,000± square foot mixed-use commercial and retail building (the "Commercial Improvements") and acquisition and installation of machinery and equipment in the Commercial Improvements (the "Commercial Equipment") all for the purpose of the distribution of automotive parts and lubricants and providing a regional headquarters for United Auto Supply (the Commercial Improvements and the Commercial Equipment collectively, the "Commercial Facility"); and (c) the proposed construction on a 2.00± acre out-parcel situated on the Land of a commercial/retail structure (the "Retail Improvements") and acquisition and installation of machinery and equipment in the Retail Improvements (the "Retail Equipment") all for providing a retail convenience store or other equivalent retail/commercial use (the Retail Improvements and the Retail Equipment collectively, the "Retail Facility" and together with the Commercial Facility, the "Facility"). The Company leases the Facility to the Agency, and the Agency leases the Facility back to the Company pursuant to a leaseback agreement dated as of May 1, 2013 (the "Leaseback Agreement"). The Company in turn subleases portions of the Commercial Facility to (a) United Auto Supply of Syracuse, West, Inc. (the "UAS Sublessee"), (b) Upstate Cerebral Palsy (the "UCP Sublessee") and (c) Orkin (the "Orkin Sublessee") for operation. The Company makes payments in lieu of taxes pursuant to a PILOT Agreement dated as of May 1, 2013 between the Agency and the Company (the "PILOT Agreement").

The Company has applied to the Agency to enter into an amended transaction in which the Agency will assist in (i) the construction of a 21,600 ± square foot building (the "Addition") to lease to the UCP Sublessee to allow for growth and expansion of its integrated behavioral health clinic, which Addition will be constructed in lieu of the Retail Improvements; (ii) the renovation of the Commercial Improvements to allow for the expansion of the UAS Sublessee for the purpose of providing wholesale distribution of automotive parts and lubricants and (iii) the acquisition and installation of equipment in the Addition and the Commercial Improvements (the "Equipment") (the Addition and the Equipment is referred to as the "2022 Facility") and the construction and equipping of the Addition and the renovation and equipping of the Commercial Facility is referred to as the "2022 Project").

The Company will lease the 2022 Facility to the Agency, and the Agency and the Company will amend the Leaseback Agreement to add and include the 2022 Facility and the 2022 Project. 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 on purchases relating to the 2022 Project, exemptions from mortgage recording taxes and reduction of real property taxes on the increased assessment resulting from the 2022 Project for a period of five years during which time the Company will pay no increased taxes in year one, 30% of increased taxes in year two, 40% of increased taxes in year three, 50% of increased taxes in year four, and 75% of increased taxes in year five, 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 or the location or nature of the 2022 Facility. Comments may also be submitted to the Agency in writing or electronically prior to the Public Hearing. Members of the public may listen to the Public Hearing by calling 1-408-418-9388 (Access code: 2632 424 3270). Minutes of the Public Hearing will be transcribed and posted on the Agency's website. 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 3, 2022

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