

NOTICE OF PUBLIC HEARING ON PROPOSED FINANCING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to §859-a of the New York General Municipal Law will be held by the Tompkins County Industrial Development Agency (the "IDA") on the 11th day of December, 2013, at 5:00 p.m., at The Old Jail Conference Room of the City of Ithaca, 125 East Court Street, Ithaca, New York, in connection with the following matter:

Harold's Square, LLC (the "Company"), a New York State Limited Liability Company, its successors or designees, has requested that the IDA provide financial assistance for the following project: To acquire real property located at 123-27, 133, 135, and 137-39 The Commons (East State Street) in the City of Ithaca, County of Tompkins, with a combined acreage of 0.514 acres (collectively referred to as "the Property") and to demolish three underutilized buildings on the Ithaca Commons and the subsequent construction of a new four story retail and office building and a seven story tower with 46 market-rate rental apartments. The completed development contains a total of 162,750 sf consisting of the following (including common areas): 20,430 sf basement; 20,670 sf retail; 56,855 sf office; 59,735 sf residential; and 5,000 sf in the common area. ("the Improvements"); the Property and Improvements are collectively referred to as "the Facility".

The financial assistance contemplated by the IDA will consist generally of exemption from taxation expected to be claimed by the Company as a result of the IDA taking title to, possession or control (by lease, license or otherwise) of the Facility, or of the Company acting as an agent of the IDA, consisting of: (a) exemption from state and local sales and use tax with respect to the qualifying personal property portion of the Facility; (b) exemption from real estate transfer tax with respect to the transfer of the Facility or a portion thereof to the IDA; (c) exemption from mortgage recording tax with respect to any qualifying mortgage on the Facility, which exemption shall be offset, in part, by contractual payment in lieu of a portion of the mortgage recording tax; and (d) exemption from general real property taxation with respect to the Facility, which exemption shall be offset, in whole or in part, by contractual payments in lieu of taxes ("PILOT" payments) by the Company for the benefit of tax affected jurisdictions. The proposed exemption from real property taxation does not deviate from the IDA's Tax Exemption Policy for properties located in the area covered by the IDA's City of Ithaca Community Investment Incentive Tax Abatement Program (CIITAP) Policy.

In accordance with §875(3) of the New York General Municipal Law, and if the Company's application is approved, any New York State and local sales and use tax exemption claimed by the Company and approved by the Agency in connection with the above-described project may be subject to recapture by the Agency under the terms and conditions set forth in §875(3) and as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Company.

Members of the public are invited to review the project application containing an analysis of the costs and benefits of the proposed project at the offices of TCAD (401 E. MLK Jr., Street, Suite 402B, Ithaca, New York) during regular business hours.

The IDA will, at the above-stated time and place, hear all persons with views in favor of or opposed to either the location or nature of the Project, or the proposed financial assistance

being contemplated by the IDA. In addition, at, or prior to, such hearing, interested parties may submit to the IDA written materials pertaining to such matters.

A report of the hearing will be made available to the Tompkins County Industrial Development Agency Board of Directors. Approval of the financing by the IDA through its Board of Directors is necessary.

Dated: November , 2013

TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY