

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 Tompkins County Industrial Development Agency (the "Issuer") on Friday, November 6, 2020, at 1:30 p.m., local time, in connection with matter described below. As more fully set forth below, the public hearing will be held via Zoom conference with a YouTube Live Stream. **PLEASE NOTE THE SPECIAL PUBLIC HEARING LOGISTICS AND INSTRUCTIONS INCLUDED AT THE END OF THIS NOTICE.**

Asteri Ithaca, LLC ("Asteri Ithaca"), Asteri Garage, LLC ("Asteri Garage") and Asteri Conference Center, LLC, ("Asteri Conference Center"; and, together with Asteri Ithaca and Asteri Garage, the "Company"), each for itself and/or on behalf of an entity to be formed, has submitted an application (the "Application") to the Issuer requesting the Issuer's assistance with a certain project (the "Project"), consisting of:

(A) the acquisition by the Issuer of a leasehold or other interest in certain land at 120 East Green Street in the City of Ithaca, New York, being more particularly identified as tax map number 70.-4-5.2 (the "Land") and the existing improvements thereon, consisting principally of an approximately two-story parking garage commonly known as the Green Street Garage (the "Existing Improvements");

(B) the construction, reconstruction and renovation on the Land of:

(1) four additional parking levels to the Existing Improvements to accommodate, in the aggregate, approximately 350 parking-spaces, which parking spaces shall be leased directly to the City of Ithaca (the "Asteri Garage Improvements"); and

(2) the construction, reconstruction, renovation and equipping of a twelve-story mixed-use development facility containing (a) approximately 181 affordable housing units (consisting of approximately 78 studio units, 87 one-bedroom units, 8 two-bedroom units and 8 three-bedroom units), all of which will serve those between 30-80% Area Median Income (the "Asteri Housing Improvements"), (b) an approximately 54,921 square-foot conference center to be leased to a to-be-formed entity, with the City of Ithaca providing a financial guaranty on such conference center (the "Asteri Conference Room Improvements"), and (c) related amenities including but not limited to outdoor space, fitness facilities, on-site laundry, indoor bike storage and community rooms (the "Site Improvements"; and, together with the Asteri Garage Improvements, the Asteri Housing Improvements, and the Asteri Conference Room Improvements, the "Improvements");

(C) the acquisition and installation in and around the Improvements of certain items of machinery, equipment and other items of tangible personal use (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility");

(D) the issuance by the Issuer of its Taxable Industrial Development Revenue Bonds in one or more series in a principal amount not to exceed \$45,000,000 (the "Bonds") for the purpose of financing the acquisition, reconstruction, renovation, refurbishment and equipping of the all or a portion of the Facility;

(E) funding all or a portion of the costs of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A) through (E) above being hereinafter collectively referred to as the "Project Costs"); and

(F) the lease (with the obligation to purchase) or sale of the Issuer's interest in the Facility back to the Company.

The Bonds will be a special obligation of the Issuer payable solely from rental payments made by the Company to the Issuer pursuant to a lease or other agreement (the "Agreement") and certain other assets of the Company pledged to the repayment of the Bonds.

The Issuer will acquire a leasehold interest in the Facility (as well as an interest in the Equipment) and will lease its interest in the Facility back to the Company pursuant to the Agreement. The Facility will be owned, operated and managed by the Company during the term of the Agreement. At the end of the lease term of the Agreement, the Issuer's leasehold interest in the Facility will be terminated. The Issuer contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of: (i) the issuance of the Bonds, (ii) an exemption from all mortgage recording taxes as permitted by New York State law with respect to any qualifying mortgage to secure the Bonds or the Company's obligations relating to the Bonds, (iii) an exemption from all New York State and local sales and use taxes with respect to the qualifying personal property included within the Facility or used in the acquisition, construction and equipping of the Facility, (iv) and a real property tax abatement structured under an agreement or agreements between the Company and the Issuer regarding payments in lieu of real property taxes for the benefit of each municipality having taxing jurisdiction over the Facility. **The real property tax abatement will deviate from Issuer's Uniform Tax Exemption Policy.**

THE BONDS SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING TOMPKINS COUNTY, AND NEITHER THE STATE OF NEW YORK NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING TOMPKINS COUNTY, SHALL BE LIABLE THEREON.

PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:

A representative of the Issuer will be at the above-stated time and place to present a copy of the Company's Project Application, which is available for viewing on the Issuer's website at: <http://www.tompkinsida.org/projects/>.

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Issuer will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Issuer will broadcast the Public Hearing live on YouTube at <https://tinyurl.com/weo3tkk>. Anyone who wishes to speak at the meeting should contact Ina Arthur at Inaa@ithacaareaed.org no later than 2:30 p.m. on November 5th to register to speak. A Zoom access link will be provided to all registered speakers no later than 12:00 p.m. on November 5^h.

The Issuer also encourages all interested parties to submit written comments to the Issuer, which will be included within the public hearing record. Any written comments may be sent to the Issuer at: Tompkins County Industrial Development Agency, Attention: Heather McDaniel, Administrative Director, 401 E. State Street, Suite 402B, Ithaca, New York 14850 and/or via email at info@ithacaareaed.org, with the subject line being "Asteri Ithaca, LLC", no later than November 5, 2020.

Dated: October 27, 2020

TOMPKINS COUNTY INDUSTRIAL
DEVELOPMENT AGENCY