



October 12, 2016

NOTICE LETTER

To: Chief Executive Officers of
Affected Tax Jurisdictions on Schedule A

Re: **Genesee County Industrial Development Agency d/b/a Genesee
County Economic Development Center:**

Empire State Pipeline / Empire Pipeline, Inc. - Proposed Project

Ladies and Gentlemen:

On Monday, October 24, 2016, at 4:30 p.m., local time, at Oakfield Town Hall, 3219 Drake Street, Oakfield, New York 14125, the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to *The Batavia Daily News* for publication.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. We are providing this notice to you, pursuant to General Municipal Law Section 859-(a), as the chief executive officer of an affected tax jurisdiction within which the project is located.

Very truly yours,

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY d/b/a
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER

Schedule A

Chief Executive Officers
of Affected Tax Jurisdictions

GENESEE COUNTY

Genesee County Manager
Genesee County Courthouse
Old Courthouse
7 Main Street
Batavia, New York 14020

Genesee County Legislature
Attn: Chairman
Old Courthouse
7 Main Street
Batavia, New York 14020

TOWN OF OAKFIELD

Town of Oakfield
Attn: Town Supervisor
3219 Drake Street
Oakfield, New York 14125

SCHOOL DISTRICT

Oakfield-Alabama Central School District
Attn: President, Board of Education
7001 Lewiston Road
Oakfield, New York 14125

Oakfield-Alabama Central School District
Attn: Superintendent
7001 Lewiston Road
Oakfield, New York 14125

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 Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Monday, October 24, 2016, at 4:30 p.m., local time, at Oakfield Town Hall, 3219 Drake Street, Oakfield, New York 14125, in connection with the following matter:

Empire State Pipeline / Empire Pipeline, Inc., for itself, its successors and assigns and/or an entity formed on its behalf (the "Company") previously submitted an application to the Agency requesting the Agency's assistance with a certain project (the "2007 Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 3261 Lockport Road, Oakfield, and certain other properties located throughout Genesee County, New York and the existing improvements located thereon (collectively the "Land"), (ii) the construction and equipping on the Land by the Company as agent of the Agency of (1) a 20,620 horsepower compressor station and (2) a portion of the Company's 78.3 mile 24-inch diameter natural gas pipeline beginning in Victor, New York and traversing the Finger Lakes region through the counties of Genesee, Ontario, Yates, Schuyler, Chemung and Steuben, and terminating in Corning, New York (the compressor station and the portion of such gas pipeline located in Genesee County, New York, hereinafter referred to collectively as the "Improvements"), and (iii) the acquisition in and around the Improvements of certain items of equipment and other tangible personal property including pipes, valves, meters, fittings, and compressors (the "Equipment" and, collectively with the Land and the Improvements, the "Facility").

In connection with the 2007 Project, the Agency and the Company entered into a certain lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement") and payment-in-lieu-of-tax agreement (the "PILOT Agreement"), each dated as of July 1, 2007. It is contemplated that the Agency will retain a leasehold interest in the Facility pursuant to the Lease Agreement (or amendment thereto) and lease the Facility back to the Company pursuant to the Leaseback Agreement (or amendment thereto). 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 Company has submitted an application (the "Application") to the Agency requesting the Agency to continue to provide financial assistance (the "Financial Assistance") in the form of a partial real property tax abatement structured under a new payment in lieu of tax agreement, or amendment and/or modification to the existing PILOT Agreement.

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.

Dated: October 14, 2016

By: GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY D/B/A
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER