

## 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 Niagara County Industrial Development Agency (the "Agency") on the **9th day of March, 2010 at 4:00 p.m.**, local time, at the Niagara County Courthouse, 175 Hawley Street, Lockport, New York 14094, in connection with the following matter:

**FALLS ROAD RAILROAD CO., INC.**, for itself or on behalf of an entity formed or to be formed (the "Company"), has requested the Agency's assistance with respect to a certain project (the "Project") consisting of the retention by the Agency of its leasehold interest in the Company's existing railroad operation that runs between Lockport, Niagara County and Brockport, Monroe County (the "Facility").

The Agency will retain a leasehold or other interest in the Facility and continue to lease such interest in the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Agency's leasehold interest in the Facility will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of an abatement or exemption from real property taxes levied against the Facility, pursuant to a payment-in-lieu-of-tax agreement to be entered into by the Agency and the Company, subject to compliance with the Agency's policy with respect to payment-in-lieu-of-tax agreements or procedures for deviation from the Agency's policy have been completed in accordance with the provisions of the New York General Municipal Law.


A representative of the Agency will be at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed financial assistance.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

DATED: January 29, 2010

**NIAGARA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY**

By: \_\_\_\_\_

  
Samuel M. Ferraro  
Executive Director