

## NOTICE OF PUBLIC HEARING

### ON PROPOSED PROJECT AND FINANCIAL ASSISTANCE RELATING THERETO

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the Town of Montgomery Industrial Development Agency (the "Agency") on the 3rd day of December, 2019 at 5:30 o'clock p.m., local time, at the Town Hall located at 110 Bracken Road in the Town of Montgomery, Orange County, New York in connection with the following matters:

Tarrunum Murad Irrevocable Trust I (the "Applicant"), has submitted an application (the "Application") on behalf of itself or a business entity to be formed (the "Company"), to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 121,968 square foot parcel of land located at 2105 NYS Route-208 in the Town of Montgomery, Orange County, New York (tax map number 29-1-24.2) (the "Land"), together with an existing approximately 45,000 square foot upper-midscale hotel currently operated as an 81 room Holiday Inn Express hotel (the "Facility", and collectively with the Land and the existing equipment located in the Facility, the "Existing Project Facility"), and (2) the renovation of the Existing Project Facility to franchise brand requirements, including interior and exterior renovations and improvements, including the acquisition of new furniture, fixtures and equipment (collectively, the "Improvements", and collectively with the Existing Project Facility, the "Project Facility"), all of the foregoing to constitute the acquisition, renovation and updating of an existing upper-midscale hotel facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Orange County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Jeffrey D. Crist, Chairperson, Town of Montgomery Industrial Development Agency, 110 Bracken Road, Montgomery, New York 12549; Telephone: 845-457-2600.

Dated: November 19, 2019.

TOWN OF MONTGOMERY INDUSTRIAL  
DEVELOPMENT AGENCY

/s/ Jeffrey D. Crist, Chairperson

BY: \_\_\_\_\_  
Jeffrey D. Crist, Chairperson