

## 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 Wayne County Industrial Development Agency (the "Agency") on the 17<sup>th</sup> day of December, 2010, at 10:45 a.m. local time, at the offices of the Wayne County Industrial Development Agency, 16 William Street, Lyons, New York 14489, in connection with the following matter:

Midland Asphalt Materials, Inc. (the "Company"), for itself or on behalf of an entity to be formed, has submitted an application (the "Application") to the Agency requesting the Agency's assistance with respect to a certain project (the "Project") consisting of (i) the acquisition by the Agency of fee title to, or a leasehold interest in, an approximately 29.24 acres of land located on Cole Road, Village and Town of Lyons, Wayne County, New York (the "Land", being comprised of 14.15 acres at 200 Cole Road, TMID 7111-15-542313, 300 Cole Road TMID No. 71111-15-575260, and Cole Road, TMID No. 71111-19-604230) and the existing improvements thereon consisting of buildings, equipment and tanks (collectively, the "Existing Improvements") utilized by the Company for the manufacture of modified polymer asphalt cement ("PMAC"), (ii) the construction on the Land and around the Existing Improvements of certain PMAC processing improvements, including certain buildings, tanks and PMAC mixing and storage improvements, including an estimated 6,500 sf storage warehouse and PMAC storage and mixing tanks 62, 64, and 66-71 (collectively, the "Improvements"), and (iii) the acquisition of and installation in and around the Existing Improvements and Improvements of certain machinery and related equipment and other items of tangible personal property (the "Equipment" and, collectively with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease 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 Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions and a partial real property tax abatement.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application (including a cost-benefit analysis) 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: November 12, 2010

WAYNE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY