



April 15, 2011

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: Alpina Foods LLC Project**

Ladies and Gentlemen:

On Tuesday, May 3, 2011, at 4:00 p.m. local time, at Batavia Town Hall, Conference Room, 3833 West Main Street Road, Batavia, New York 14020, 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 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 Manager  
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 Batavia  
Attn: Town Supervisor  
Batavia Town Hall  
3833 West Main Street Road  
Batavia, New York 14020

Batavia City School District  
Attn: Superintendent  
39 Washington Avenue  
Batavia, New York 14020

## 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 Tuesday, May 3, 2011, at 4:00 p.m. local time, at Batavia Town Hall, Conference Room, 3833 West Main Street Road, Batavia, New York 14020, in connection with the following matter:

Alpina Foods LLC (the "Company") has submitted an application (the "Application") to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of (i) the acquisition or retention by the Agency of fee title to or a leasehold interest in approximately 10-acres of land located in the Genesee Valley Agri-Business Park at 5142 State Route 5, in the Town of Batavia, Genesee County, New York (the "Land"), (ii) the construction and equipping on the Land of an approximately 28,000 square-foot specialty yogurt production/manufacturing facility and related improvements and infrastructure (the "Improvements"), (iii) the acquisition in and around the Land and the Improvements of certain items of equipment and other tangible personal property (the "Equipment," and collectively with the Land and the Improvements, the "Facility").

The Agency will acquire (or retain) 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 mortgage recording tax exemption, consistent with the policies of the Agency, and a real property tax abatement or exemption.

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: April 19, 2011

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