

SUPPLEMENTAL FINAL RESOLUTION
(Countryside Apartments, LLC Project)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, March 7, 2024.

The following resolution was duly offered and seconded, to wit:

Resolution No. 03/2024 - 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE MULTI-PHASED STRUCTURE OF THE PROJECT (AS DEFINED HEREIN) AND THE RESPECTIVE FINANCIAL ASSISTANCE ATTRIBUTED TO EACH PHASE; AND (ii) RATIFYING AND CONFIRMING THE AGENCY'S FINDINGS AS SET FORTH IN THAT CERTAIN FINAL RESOLUTION ADOPTED BY THE AGENCY ON OCTOBER 26, 2023.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "State"), as amended, and Chapter 565 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), the **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, pursuant to a certain Final Resolution adopted by the Agency on October 26, 2023 (the "Original Final Resolution"), the Agency authorized the undertaking of a certain project (the "Project") for the benefit of **COUNTRYSIDE APARTMENTS, LLC**, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 8900 Alleghany Road, Town of Pembroke, Genesee County, New York and all other lands in the Town of Pembroke where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land", being more particularly described as tax parcel No. 19.-1-86); (ii) the phased planning, design, construction and operation of four (4) twenty-four (24) unit market rate apartment buildings, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, landscaping and stormwater retention improvements (collectively, the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Project is to be undertaken in four (4) phases, with each phase consisting of the planning, design, construction and operation of a twenty-four (24) unit market rate apartment building; and

WHEREAS, due to the multi-phased structure of the Project, the Agency desires to treat each phase as a distinct "project" (as such term is defined in the Act) and to allocate the Financial Assistance (as defined in the Original Final Resolution) and the Agency's Administrative Fee in accordance with Exhibit A attached hereto; and

WHEREAS, unless otherwise set forth herein, the Agency further desires to ratify the findings and determinations of the Agency as further set forth in the Original Final Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER AS FOLLOWS:

Section 1. The Agency hereby authorizes and approves: (i) the multi-phased structure of the Project and to treat each phase as a distinct "project" (as such term is defined in the Act) and (ii) to allocate the Financial Assistance and the Agency's Administrative Fee to each phase as further set forth in Exhibit A attached hereto.

Section 2. Unless otherwise set forth in this Resolution, the Agency hereby ratifies and confirms the findings and determinations of the Original Final Resolution.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. These Resolutions shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Peter Zeliff	[X]	[]	[]	[]
Matthew Gray	[X]	[]	[]	[]
Paul Battaglia	[X]	[]	[]	[]
Craig Yunker (Video Conference)	[X]	[]	[]	[]
Kathleen Manne	[X]	[]	[]	[]
Chandy Kemp	[X]	[]	[]	[]
Marianne Clattenburg	[X]	[]	[]	[]

The Resolutions were thereupon duly adopted.

SECRETARY'S CERTIFICATION
(Countryside Apartments, LLC Project)

STATE OF NEW YORK)
COUNTY OF GENESEE) SS.:

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

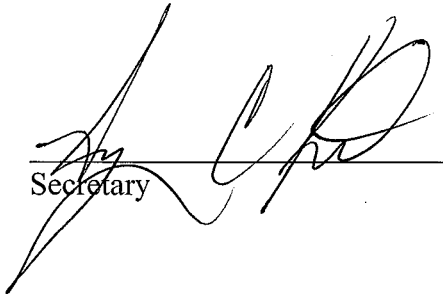
That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on March 7, 2024, with the original thereof on file in the offices of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 7 day of March, 2024.



Secretary

Exhibit A

Multi-Phased Financial Assistance

[Attached Hereto]

Exhibit A

Countryside Apartments, Pembroke, NY Phased in Plan

	Total Approved	Phase 1	Phase 2	Phase 3	Phase 4
Capital Investment	\$ 15,650,000	\$ 4,200,000	\$ 3,816,667	\$ 3,816,667	\$ 3,816,666
Square Footage	\$ 84,384	\$ 21,096	\$ 21,096	\$ 21,096	\$ 21,096
Units	\$ 96	\$ 24	\$ 24	\$ 24	\$ 24
PILOT	\$ 2,020,688	\$ 505,172	\$ 505,172	\$ 505,172	\$ 505,172
Sales Tax Exemption	\$ 739,200	\$ 198,380	\$ 180,273	\$ 180,273	\$ 180,274
Mortgage Tax Exemption	\$ 130,000	\$ 34,888	\$ 31,704	\$ 31,704	\$ 31,704
GCEDC Fees	\$ 195,625	\$ 52,500	\$ 47,708	\$ 47,708	\$ 47,709
Harris Beach	\$ 20,500	\$ 5,502	\$ 4,999	\$ 4,999	\$ 5,000