

# NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY

## NOTICE OF PUBLIC HEARING

The New York City Industrial Development Agency (the “Agency”) is empowered under the New York State Industrial Development Agency Act (constituting Title 1 of Article 18-A of the General Municipal Law), and Chapter 1082 of the 1974 Laws of New York, as amended, to issue nonrecourse revenue bonds to provide financing for qualified projects, and to enter into industrial and small industry incentive program transactions and other straight-lease transactions for the benefit of qualified projects, and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York (the “State”) and to improve their prosperity and standard of living. The Agency has been requested (i) to make available the proceeds of its bonds to be issued in the approximate aggregate dollar amounts, to be used by the persons, for the purposes, and at the addresses identified below, and (ii) to participate in industrial and small industry incentive program straight-lease transactions and other straight-lease transactions for the purposes and at the addresses also identified below. As used herein, “bonds” are bonds, the interest on which may be exempt from local and/or State and/or Federal income taxes; and the “City” shall mean The City of New York. As used herein with reference to bond amounts, “approximately” shall be deemed to mean up to such stated bond amount or a greater principal amount not to exceed 10 % of such stated bond amount.

Approximately \$9,000,000 civic facility revenue bond transaction for the benefit of The Auditory / Oral School of New York d/b/a The Auditory Oral Learning Center, Inc., an independent, not-for-profit private school serving hearing-impaired and deaf children from infant/toddler age through pre-school, in connection with the acquisition, construction, renovation and equipping of an approximately 31,000 square foot facility, situated on an approximately 8,000 square foot parcel of land, located at 3321 Avenue M, Brooklyn, New York. The financial assistance proposed to be conferred by the Agency will consist of such bond financing and exemption from City and State mortgage recording taxes.

Straight-lease (commercial retention) transaction for the benefit of Bear, Stearns & Co. Inc., an investment banking, securities trading and brokerage company, and its eligible affiliates, for the renovation of office space and the acquisition and/or leasing and installation of machinery, equipment, furniture, fixtures and other tangible personal property to include the following additional locations: approximately 155,018 square feet located at 237 Park Avenue, Floors 11, 12, 14, 15, 16 and 17, New York, New York; and approximately 266,355 square feet located at 320 Park Avenue, a portion of Floor 6 and Floors 7, 8, 10 and 11, New York, New York. The financial assistance proposed to be conferred by the Agency will consist of exemption from City and State sales and use taxes. The initial financial assistance was induced and authorized on December 9, 1997 and April 20, 1999 respectively. No new financial assistance is being provided.

Approximately \$24,000,000 civic facility revenue bond transaction for the benefit of

Center for Nursing & Rehabilitation Inc. (“CNR”), a New York not-for-profit corporation as described in Section 501(c)(3) of the Internal Revenue Code, in connection with the refinancing of existing FHA-insured mortgage nursing home revenue bonds issued in 1997 in the original amount of \$27,230,000 by the Dormitory Authority of the State of New York (the “1997 Bonds”). The proceeds of the 1997 Bonds were used for the following purposes: (a) to refinance bonds issued in 1975 and 1979 by the New York State Medical Care Facilities Finance Agency, the proceeds of which were used to construct a 320-bed skilled nursing care facility of approximately 118,230 square feet located at 520 Prospect Place, Brooklyn, New York (the “Nursing Facility”), (b) to renovate the Nursing Facility, and (c) to construct a three-story building of approximately 22,405 square feet located at 596 Prospect Place, Brooklyn, New York, which building contains CNR’s Adult Day Health Care Program, Alzheimer’s Adult Day Care Program, Long-Term Home Health Care Program, Hospice Program, management information systems and administrative facilities. The financial assistance proposed to be conferred by the Agency will consist of such bond financing and exemption from City and State mortgage recording taxes.

Straight Lease (Industrial Incentive Program) transaction for the benefit of Federal Express Ground Package System, Inc. (“FedEx Ground”), a wholly-owned subsidiary of FedEx Corporation, and Steel Equities (“Steel”), which will develop the build-to-suit facility, in connection with the construction, furnishing and equipping of an approximately 225,265 square foot facility (expandable to approximately 253,337 square feet) to be used by FedEx Ground as a new business-to-business and business-to-residential small package transportation facility, to be located on an approximately 927,392 square foot parcel of land located at 31-01 20<sup>th</sup> Avenue and at 36-16 19<sup>th</sup> Avenue in Astoria, Queens, New York and further identified as Block 850, Lot 1, Block 826, Lot 28 and Block 826, part of Lot 41. The financial assistance proposed to be conferred by the Agency to FedEx Ground and to Steel, which will be passed through to FedEx Ground, will consist of exemption from City and State sales and use taxes, exemption from City and State mortgage recording taxes and payments in lieu of City real property taxes.

Straight-lease (Industrial Incentive Program) transaction for Greenpoint Manufacturing and Design Center LDC, a not-for-profit industrial real estate development organization, in connection with the acquisition, renovation, furnishing, equipping, and leasing of an approximately 72,000 square foot building located on an approximately 52,500 square foot parcel of land located at 221-251 McKibbin Street a/k/a 224 Boerum Street, Brooklyn, New York. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes.

Straight-lease (commercial retention) transaction for the benefit of The Hearst Corporation, a diversified media company, and its eligible affiliates, for the renovation of office space and for the acquisition and/or leasing and installation of machinery, equipment, furniture, fixtures and other tangible personal property located at the following additional locations: approximately 90,010 square feet located at 1700 Broadway, Floors 20, 28-30, 36-38, and 42, New York, New York; and approximately 30,875 square feet located at 1755 Broadway, Floor 2, New York, New York. The financial assistance proposed to be conferred by the Agency will consist of exemption from City and State sales and use taxes. The financial assistance for this project was induced and authorized on December 11, 2001 and November 11, 2002,

respectively. No new financial assistance is being provided.

Approximately \$10,000,000 civic facility revenue bond transaction for the benefit of Inwood House, a not-for-profit corporation that provides youth development, teen pregnancy prevention, and family support services for pregnant and parenting teens in foster care in New York City, in connection with the financing of renovations and improvements to the organization's headquarters and maternity residence facility, an approximately 22,522 square foot building located on an approximately 5,108 square foot parcel of land at 320 East 82<sup>nd</sup> Street, New York, New York, and the financing of new furnishings, fixtures and equipment for this facility. The financial assistance proposed to be conferred by the Agency will consist of such bond financing and exemption from City and State mortgage recording taxes.

Straight-lease (Small Industrial Incentive Program) transaction for a real estate holding company to be determined for the benefit of Peralta Metal Works, Inc., a fabricator of structural steel, in connection with the acquisition, renovation and equipping of an approximately 10,000 square foot building located on an approximately 10,000 square foot parcel of land located at 259 North Henry Street, Brooklyn, New York. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes, and exemption from City and State sales and use taxes.

Approximately \$215,000,000 taxable bond transaction for Randall's Island Aquatic Leisure, LLC in connection with the construction, furnishing, and equipping of an approximately 26 acre indoor and outdoor recreational water park facility, including water slides, wave pools, river rides and other active and passive amusement choices, food and other retail concessions, and parking facilities, located upon an approximately 26 acre parcel of land located on Block 1819, part of Lot 203 located on the north-west corner of Randall's Island and generally bounded by the island-wide circulator road to the south, the Triborough Bridge Bronx approach structure to the east, the Bronx Kills to the north and the Harlem River to the west, in New York, New York. The financial assistance proposed to be conferred by the Agency will consist of such taxable bond financing.

Approximately \$4,000,000 industrial development revenue bond transaction for the benefit of Tri-State Biodiesel, LLC, a manufacturer of biodiesel fuel, in connection with (a) the construction and equipping of an approximately 12,906 square foot manufacturing facility located on an approximately 15,000 square foot leased parcel of land in the Gowanus Industrial Park, Columbia Street Marine Terminal, located at 699 Columbia Street, Brooklyn, New York, Block 614, Lot 1, for the processing of converting cooking oil into biodiesel fuel and (b) the construction of a tank farm for the warehousing and distribution of the end product. The financial assistance proposed to be conferred by the Agency will consist of such bond financing, payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes, and exemption from City and State sales and use taxes.

Approximately \$50,000,000 special exempt facility revenue bond transaction for the benefit of JetBlue Airways Corporation, a commercial airline, in connection with the lease, renovation, furnishing and equipping of Building 81 at John F. Kennedy Airport, Jamaica,

Queens, and the demolition of an existing structure and the lease, construction, furnishing, and equipping of an approximately 70,000 square foot hangar and an approximately 32,000 square foot support building to be located on the current site of Building 179 at John F. Kennedy Airport, Jamaica, Queens, for use as airport maintenance and support facilities. The financial assistance proposed to be conferred by the Agency will consist of such triple tax-exempt bond financing, exemption from City and State mortgage recording taxes, and exemption from City and State sales and use taxes.

With the exception of the financing in behalf of JetBlue Airways Corporation, pursuant to Section 859a of the General Municipal Law of the State of New York and Internal Revenue Code Section 147(f), the Agency will hold a hearing on the proposed financings and transactions set forth above at the office of the New York City Economic Development Corporation (“NYCEDC”), 110 William Street, 6th Floor, New York, New York commencing at 10:00 A.M. on Thursday, **October 5, 2006**. In addition, the Agency will hold a hearing at the same time, date and location with respect to the financing on behalf of JetBlue Airways Corporation, pursuant only to Internal revenue Code Section 147(f) (the hearing pursuant to the above-referenced Section 859a having been previously held for such financing). Interested members of the public are invited to attend. The Agency will present information at such hearing on the proposed financings and transactions set forth above. Pursuant to subdivision 3 of the above-referenced Section 859a, the Agency will, in addition, provide an opportunity for the public to review at such hearing the project application and the cost-benefit analysis for each of the proposed financings and transactions, except with respect to the financing on behalf of JetBlue Airways Corporation. For those members of the public desiring to review project applications and cost benefit analyses before the date of the hearing, copies of these materials will be made available, starting on or about noon on the Friday preceding the hearing. (Copies of the application and cost-benefit analysis for the JetBlue Airways Corporation financing were previously made available by the Agency to the public at (and before) the first public hearing for that financing pursuant to the above-referenced Section 859a). Persons desiring to obtain copies should call (212) 312-3543 or request via e-mail at [publichearings@nycedc.com](mailto:publichearings@nycedc.com). Persons desiring to make a brief statement regarding the proposed financings and transactions should give prior notice to the Agency at the address or phone number shown below. Written comments may be submitted to the Agency to the attention of Mr. David Shelley at the address shown below. Please be advised that certain of the aforementioned proposed financings and transactions may be removed from the hearing agenda prior to the hearing date. Information regarding such removals will be available by contacting [publichearings@nycedc.com](mailto:publichearings@nycedc.com) on or about noon on the Friday preceding the hearing.

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