

## LEGAL NOTICE

PLEASE TAKE NOTICE that the New York State Urban Development Corporation, doing business as the Empire State Development (“ESD”), pursuant to Section 16(2) of the New York State Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1968, as amended) (the “Act”), has adopted a General Project Plan (the “Plan”) with respect to the New York Botanical Garden DRF Capital Project (the “Project”), at the Directors' meeting on May 17, 2012. Copies of the Plan are available without charge to any person who shall make a request for the same at the office of the ESD. ESD will file such Plan in the office of the Bronx County Clerk at 851 Grand Concourse, Room 118, Bronx, NY 10451 and The Bronx Borough President’s office at 851 Grand Concourse - 3rd Floor, Bronx, NY 10451. A copy of the Plan is also on file at the principal office of ESD, 633 Third Avenue, New York, New York 10017, and is available for inspection by the general public Monday through Friday, between the hours of 9:00 a.m. and 5:30 p.m.

The Project includes construction of a new parking facility at 2960 Webster Avenue, Bronx by the New York Botanical Garden. Total Project costs are expected to be approximately \$48,500,000. ESD proposes to make a \$1,000,000 convertible loan to the New York Botanical Garden to assist in the financing of the Project. The Project is expected to create 10 jobs within 2 years after disbursement of ESD funds.

PLEASE TAKE FURTHER NOTICE, that, in accordance with Section 16(2) of the Act, a public hearing, open to all persons, will be held by ESD at the Bronx Library Center, 310 East Kingsbridge Road (at Briggs Avenue) - Conference Room 21, Bronx, NY 10458 on Thursday, June 14, 2012 from 10:00 a.m to 11:00 a.m to consider the Plan.

DATED: Monday, June 4, 2012  
New York, New York  
New York State Urban Development Corporation  
By: Eileen McEvoy, Corporate Secretary