

LEGAL NOTICE

PLEASE TAKE NOTICE that the New York State Urban Development Corporation, doing business as the Empire State Development Corporation (“ESD” or the “Corporation”), 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 SIDA – Tops Markets – Upstate City-by-City EOF 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 Corporation. The Corporation will file such Plan in the office of the Onondaga County Clerk at 401 Montgomery Street, Syracuse, New York as well as in the office of the Syracuse City Clerk at 233 E. Washington Street, Syracuse, New York. A copy of the Plan is also on file at the principal office of the Corporation, 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 building and infrastructure improvements and the acquisition and installation of new machinery and equipment at 4141 South Salina Street, Syracuse, New York by Tops Markets, LLC. Total Project costs are expected to be approximately \$1,500,000. ESD proposes to make a \$275,000 grant to the Syracuse Industrial Development Agency to assist in the financing of the Project.

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 the Corporation in Hearing Room B at the Hughes State Office Building located at 333 E. Washington Street, Syracuse, New York on June 14, 2012 at 10:00 a.m. to consider the Plan.

DATED: May 17, 2012
New York, New York
New York State Urban Development Corporation

By: Eileen McEvoy, Corporate Secretary