

RESOLUTION
(Amexstra Project)

A regular meeting of the City of Hornell Industrial Development Agency was convened on January 26, 2023.

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

Resolution No. 2023 - _____

RESOLUTION OF THE CITY OF HORNELL INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE FORGIVENESS OF PAYMENTS TO BE MADE BY AMEXSTRA, INC. (THE "COMPANY") TO THE AGENCY ON JULY 1, 2023, AND JULY 1, 2024, EACH IN THE AMOUNT OF \$10,000, DUE UNDER THAT CERTAIN JULY 1, 2014 LEASE AGREEMENT, TO THE EXTENT THAT THE COMPANY HAS PRESENTED EVIDENCE THAT IT HAS EXCEEDED ITS EMPLOYMENT REQUIREMENTS AND CONTINUED ITS INVESTMENT IN THE FACILITY (AS DEFINED BELOW)

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 670 of the Laws of 1974 of the State of New York, as amended (hereinafter collectively called the "Act"), **CITY OF HORNELL INDUSTRIAL DEVELOPMENT AGENCY** (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 civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, in 2014 the Agency received real property by donation located at 27 Bank Street, Hornell, New York ("Facility"), and on July 1, 2014 the Agency leased ("Lease Agreement") the Facility to **AMEXSTRA, INC.** ("Company") with the Company obligated to pay \$100,000 over a ten-year period; and

WHEREAS, the Agency has been refunding the annual payment of \$10,000 based on evidence the Company has invested at or above this amount in improvements to the Facility; and

WHEREAS, the Agency desires to forgive the remaining two (2) payments to be made by the Company the Agency under the Lease Agreement due on July 1, 2023, and July 1, 2024 to the extent the Company has presented evidence that it has exceeded its employment requirements and continued its investments in the Facility.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF HORNELL INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby forgives the remaining two (2) payments to be made by the Company the Agency under the Lease Agreement due on July 1, 2023, and July 1, 2024, to the extent the Company has presented evidence that it has exceeded its employment requirements and continued investments in the Facility.

Section 2. 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 3. 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>
David Parmley	[X]	[]	[]	[]
John Carbone	[X]	[]	[]	[]
Ed Flaitz	[X]	[]	[]	[]
John Buckley	[X]	[]	[]	[]
Richard Andolina	[X]	[]	[]	[]

The Resolution were thereupon duly adopted.

CERTIFICATION
(Amexstra Project)

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

I, the undersigned, Secretary, of the City of Hornell Industrial Development Agency, DO
HEREBY CERTIFY:

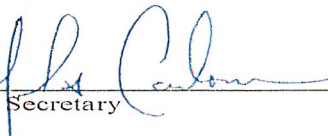
That I have compared the annexed extract of minutes of the meeting of the City of Hornell Industrial Development Agency (the "Agency"), including the resolution contained therein, held on January 26, 2023, with the original thereof on file in the office of the Agency, and that the same is a true and 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 the Agency had due notice of the meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), the meeting was open to the general public and that public notice of the time and place of the 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 26 day of January, 2023.



Secretary