

CLOSING ITEM NO.: C-2

AFFIDAVIT OF COMPANY

STATE OF NEW JERSEY)
)Ss:
COUNTY OF MORRIS)

I, the undersigned, an Authorized Representative of Martinsburg CSG LLC (the “Company”), do hereby depose and state as follows:

1. County of Lewis Industrial Development Agency (the “Agency”) may rely on the contents of this Affidavit in proceeding with the closing of its Martinsburg CSG LLC Project, consisting of: (A) (1) the acquisition of an interest in a portion of an approximately 65.30 acre parcel of land located at 6424 State Route 26 (tax map no. 243.00-01-15.210) in the Town of Martinsburg, Lewis County, New York (the “Land”), (2) the construction on the Land of an approximately 2.158MWAC/3.02 MWdc community solar photovoltaic facility, including 5,512 solar panels, inter-row spacing and equipment space, screw driven racking posts, 18 string inverters, a transformer and utility pole mounted equipment (all said improvements being collectively referred to as the “Facility”) and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the “Equipment”), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Company (the Land, Facility and the Equipment being collectively referred to as the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from sales and use taxes, real property transfer taxes, mortgage recording taxes and real estate taxes (collectively, the “Financial Assistance”); and (C) the lease of the Project Facility to the Company, pursuant to the terms of a lease agreement dated as of October 1, 2022 (the “Lease Agreement”) by and between the Agency and the Company.

2. On or about May, 2021, NY Solar One, LLC (the “Original Company”) delivered an application, as amended (the “Application”) to the Agency for consideration of the Project.

3. Except for the change in Company, the scope of the Project has not otherwise varied significantly from the description published in the Notice of Public Hearing attached hereto as Schedule A.

4. The total Project Costs, as of the date of this Affidavit, are estimated to be \$4,963,485.


5. There has been no other significant change or variation in the Project from the information contained in the Application, except as set forth on Schedule B attached hereto and made a part hereof.

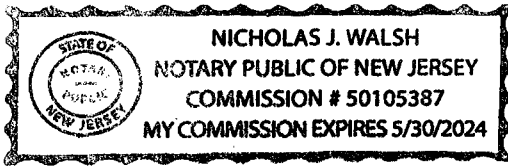
IN WITNESS WHEREOF, the undersigned has set forth their hand as of the 6 day of ~~September~~, 2022.
OCTOBER

MARTINSBURG CSG LLC

BY: 
Authorized Representative

Sworn to before me this 6 day
of ~~September~~, 2022.
OCTOBER


Notary Public



SCHEDULE A
NOTICE OF PUBLIC HEARING

- SEE ATTACHED -

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mmalark@hodgsonruss.com

AFFIDAVIT OF PUBLICATION
Watertown Daily Times

State of New York,

County of Lewis,

The undersigned is the authorized designee of **Alec Johnson**, the publisher of **Watertown Daily Times**, a **Daily** Newspaper published in **Lewis** County, New York. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

June 24, 2021

This newspaper has been designated by the County Clerk of **Lewis** County, as a newspaper of record in this county, and as such, is eligible to publish such notices.



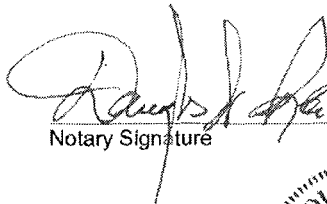
Signature

Eliot T. Putnam

Printed Name

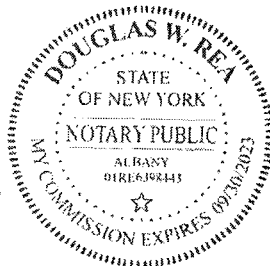
Subscribed and sworn to before me,

This 30 day of June 2021



Notary Signature

Notary Public Stamp



AFFIDAVIT OF PUBLICATION
Watertown Daily Times

NOTICE OF PUBLIC HEARING ON PROPOSED PROJECT AND FINANCIAL ASSISTANCE RELATING THERETO Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the County of Lewis Industrial Development Agency (the "Agency") on the 6th day of July, 2021 at 3:00 o'clock p.m., local time, in connection with the NY Solar One, LLC Project, as described below. As a result of the (1) ban on large meetings or gatherings pursuant to Executive Order 202.1 issued on March 12, 2020, as supplemented, (2) ban on non-essential gatherings of individuals of any size for any reason pursuant to Executive Order 202.10 issued on March 23, 2020, as supplemented and (3) suspension of the Open Meetings Law relating to public hearings pursuant to Executive Order 202.15 issued on April 9, 2020, as supplemented, each as issued by Governor Cuomo in response to the novel Coronavirus (COVID-19) pandemic, the Public Hearing will be held electronically via video conference call and in person. Members of the public may attend the Public Hearing by viewing or attending in person at the Town of Martinsburg Municipal Offices located at 5405 Cemetery Road in the Town of Martinsburg, Lewis County, New York and comment on the Project and the benefits to be granted to NY Solar One, LLC, a New York State limited liability company (the "Company") by the Agency during the Public Hearing by joining the Zoom meeting or calling in: Join Zoom Meeting <https://us02web.zoom.us/j/81117511612?pwd=cTIYVjhmVkhVTVMrbmFNSVRhcZRDZz09> Meeting ID: 811 1751 1612 Passcode: 436383 One tap mobile+19294362866,,81117511612#,,,,*436383# US (New York)+13017158592,,81117511612#,,,,*436383# US (Washington DC) The Company submitted an application, (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a portion of an approximately 72.10 acre parcel of land located at 6424 State Route 26 (tax map no. 243.00-01-15.200) in the Town of Martinsburg, Lewis County, New York (the "Land"), (2) the construction on the Land of an approximately 2.158 MWAC/3 MWdc community solar photovoltaic facility, including 75,000 solar panels, inter-row spacing and equipment space, screw driven racking posts, 13 string inverters, a transformer and utility pole mounted equipment (all said improvements being collectively referred to as the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the "Equipment"), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Company (the Land, Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency. The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Lewis County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the

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AFFIDAVIT OF PUBLICATION
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Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance. If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency. The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project. The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency. Minutes of the Public Hearing will be transcribed and posted on the Agency's website (www.naturallylewis.com). Additional information can be obtained from, and written comments may be addressed to: Brittany Davis, Executive Director of Economic Development, County of Lewis Industrial Development Agency, 7551 South State Street, Lowville, New York 13367; Telephone: (315) 376-3014. and electronically at brittany@naturallylewis.com. Dated: June ____, 2021.

LEWIS INDUSTRIAL DEVELOPMENT AGENCY

BY: _____
Executive Director of Economic Development

COUNTY OF

Brittany Davis

SCHEDULE B

- * Acreage of Land changed from 72.10 to 65.30
- * Tax map number changed from 243.00-01-15.200 to 243.00-01-15.210
 - * Number of solar panels decreased from 75,000 to 5,512
 - * MWdc increased from 3 to 3.02