

**NOTICE OF AMENDMENT AND RESTATEMENT OF BOND RESOLUTION
TOWN OF BATAVIA**

NOTICE IS HEREBY GIVEN that a resolution amending and restating a prior bond resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Batavia, County of Genesee, on September 15, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town of Batavia is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

**SUMMARY OF RESOLUTION AMENDING
AND RESTATING A PRIOR BOND RESOLUTION**

The following is a summary of an amending and restating bond resolution adopted by the Town Board of the Town of Batavia (the "Town") on September 15, 2021, that amends and restates a bond resolution that was previously adopted by the Town Board on July 21, 2021 (the "Original Bond Resolution"). The proceeds from the sale of the obligations authorized in such bond resolution (as amended and restated) will be used for the purpose of financing the reconstruction of and construction of improvements to various roads in the Town (primarily Park Road), such work to generally consist of (but not be limited to) the reconstruction of approximately 1.2 miles of roadway on Park Road between New York State Route 63 and Route 98, including repaving of pavement and shoulders, installation of new granite curbs and sidewalks, drainage system improvements, and the installation of trees and greenspace between curbs and sidewalks, as well as other such improvements as more fully identified in (or contemplated by) one or more reports prepared by the Town Engineering Department, all of the forgoing to include all preliminary work and all necessary labor, equipment, materials and related site work, and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Project"), at an estimated maximum cost of \$4,300,000. Such amended and restated bond resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of such serial bonds, in an aggregate principal amount not to exceed \$4,300,000, such amount to be offset by any federal, state, county and/or local funds received. The estimated maximum cost and the amount of bonds authorized were increased from \$3,000,000 to \$4,300,000 in order to reflect the full nature of the costs of the project and to accommodate higher than expected bids received. The scope of the improvements has not materially changed from the project identified in the Original Bond Resolution. The period of probable usefulness for such purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of such bonds, will mature no later than five years from the date of original issuance of such bonds or notes. A copy of the resolution amending and restating the prior bond resolution, as summarized herein, is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 3833 West Main Street Road, Batavia, New York.