

3241

2011-2012 Regular Sessions

I N   S E N A T E

February 14, 2011

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Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to the exemption of certain parcels of land

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph (a) of subdivision 1 of section 101 of the alco-  
2     holic beverage control law, as amended by chapter 390 of the laws of  
3     2010, is amended to read as follows:  
4     (a) Be interested directly or indirectly in any premises where any  
5     alcoholic beverage is sold at retail; or in any business devoted wholly  
6     or partially to the sale of any alcoholic beverage at retail by stock  
7     ownership, interlocking directors, mortgage or lien or any personal or  
8     real property, or by any other means. The provisions of this paragraph  
9     shall not apply to (i) any such premises or business constituting the  
10    overnight lodging and resort facility located wholly within the bounda-  
11    ries of the town of North Elba, county of Essex, township eleven,  
12    Richard's survey, great lot numbers two hundred seventy-eight, two  
13    hundred seventy-nine, two hundred eighty, two hundred ninety-eight, two  
14    hundred ninety-nine, three hundred, three hundred eighteen, three  
15    hundred nineteen, three hundred twenty, three hundred thirty-five and  
16    three hundred thirty-six, and township twelve, Thorn's survey, great lot  
17    numbers one hundred six and one hundred thirteen, as shown on the  
18    Adirondack map, compiled by the conservation department of the state of  
19    New York - nineteen hundred sixty-four edition, in the Essex county  
20    atlas at page twenty-seven in the Essex county clerk's office, Eliza-  
21    bethtown, New York, provided that such facility maintains not less than  
22    two hundred fifty rooms and suites for overnight lodging, (ii) any such  
23    premises or business constituting the overnight lodging and resort  
24    facility located wholly within the boundaries of that tract or parcel of

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD08919-01-1

1 land situate in the city of Canandaigua, county of Ontario, beginning at  
2 a point in the northerly line of village lot nine where it meets with  
3 South Main Street, thence south sixty-nine degrees fifty-four minutes  
4 west a distance of nine hundred sixteen and twenty-three hundredths feet  
5 to an iron pin; thence in the same course a distance of fourteen feet to  
6 an iron pin; thence in the same course a distance of fourteen and four-  
7 tenths feet to a point; thence south fifteen degrees thirty-eight  
8 minutes and forty seconds east a distance of four hundred forty-six and  
9 eighty-seven hundredths feet to a point; thence south twenty-eight  
10 degrees thirty-seven minutes and fifty seconds east a distance of one  
11 hundred thirteen and eighty-four hundredths feet to a point; thence  
12 south eighty-five degrees and forty-seven minutes east a distance of  
13 forty-seven and sixty-one hundredths feet to an iron pin; thence on the  
14 same course a distance of three hundred and sixty-five feet to an iron  
15 pin; thence north seventeen degrees twenty-one minutes and ten seconds  
16 east a distance of four hundred fifty-seven and thirty-two hundredths  
17 feet to an iron pin; thence north nineteen degrees and thirty minutes  
18 west a distance of two hundred and forty-eight feet to a point; thence  
19 north sixty-nine degrees and fifty-four minutes east a distance of two  
20 hundred eighty-four and twenty-six hundredths feet to a point; thence  
21 north nineteen degrees and thirty minutes west a distance of sixty feet  
22 to the point and place of beginning, provided that such facility main-  
23 tains not less than one hundred twenty rooms and suites for overnight  
24 lodging, (iii) any such premises or business constituting the overnight  
25 lodging facility located wholly within the boundaries of that tract or  
26 parcel of land situated in the borough of Manhattan, city and county of  
27 New York, beginning at a point on the northerly side of west fifty-  
28 fourth street at a point one hundred feet easterly from the intersection  
29 of the said northerly side of west fifty-fourth street and the easterly  
30 side of seventh avenue; running thence northerly and parallel with the  
31 easterly side of seventh avenue one hundred feet five inches to the  
32 center line of the block; running thence easterly and parallel with the  
33 northerly side of west fifty-fourth street and along the center line of  
34 the block fifty feet to a point; running thence northerly and parallel  
35 with the easterly side of seventh avenue one hundred feet five inches to  
36 the southerly side of west fifty-fifth street at a point distant one  
37 hundred fifty feet easterly from the intersection of the said southerly  
38 side of west fifty-fifth street and the easterly side of seventh avenue;  
39 running thence easterly along the southerly side of west fifty-fifth  
40 street thirty-one feet three inches to a point; running thence southerly  
41 and parallel with the easterly side of the seventh avenue one hundred  
42 feet five inches to the center line of the block; running thence easter-  
43 ly along the center line of the block and parallel with the southerly  
44 side of west fifty-fifth street, one hundred feet; running thence north-  
45 erly and parallel with the easterly side of seventh avenue one hundred  
46 feet five inches to the southerly side of west fifty-fifth street;  
47 running thence easterly along the southerly side of west fifty-fifth  
48 street twenty-one feet ten and one-half inches to a point; running  
49 thence southerly and parallel with the easterly side of seventh avenue  
50 one hundred feet five inches to the center line of the block; running  
51 thence westerly along the center line of the block and parallel with the  
52 northerly side of west fifty-fourth street three feet one and one-half  
53 inches; running thence southerly and parallel with the easterly side of  
54 seventh avenue one hundred feet five inches to the northerly side of  
55 west fifty-fourth street at a point distant three hundred feet easterly  
56 from the intersection of the said northerly side of west fifty-fourth

1 street and the easterly side of seventh avenue; running thence westerly  
2 and along the northerly side of west fifty-fourth street two hundred  
3 feet to the point or place of beginning, provided that such facility  
4 maintains not less than four hundred guest rooms and suites for over-  
5 night lodging, (iv) any such premises or business located on that tract  
6 or parcel of land, or any subdivision thereof, situate in the Village of  
7 Lake Placid, Town of North Elba, Essex County, New York; it being also a  
8 part of Lot No. 279, Township No. 11, Old Military Tract, Richard's  
9 Survey; it being also all of Lot No. 23 and part of Lot No. 22 as shown  
10 and designated on a certain map entitled "Map of Building Sites for Sale  
11 by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being PARCEL  
12 No. 1 on a certain map of lands of Robert J. Mahoney and wife made by  
13 G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and filed  
14 in the Essex County Clerk's Office on August 27, 1964, and more partic-  
15 ularly bounded and described as follows; BEGINNING at the intersection  
16 of the northerly bounds of Shore Drive (formerly Mirror Street) with the  
17 westerly bounds of Park Place (formerly Rider Street) which point is  
18 also the northeast corner of Lot No. 23, from thence South  $21^{\circ}50'$  East  
19 in the westerly bounds of Park Place a distance of 119 feet, more or  
20 less, to a lead plug in the edge of the sidewalk marking the southeast  
21 corner of Lot No. 23 and the northeast corner of Lot No. 24; from thence  
22 South  $68^{\circ}00'50''$  West a distance of 50.05 feet to an iron pipe set in  
23 concrete at the corner of Lots 23 and 22; from thence South  $65^{\circ}10'50''$   
24 West a distance of 7.94 feet along the south line of Lot No. 22 to an  
25 iron pipe for a corner; from thence North  $23^{\circ}21'40''$  West and at 17.84  
26 feet along said line passing over a drill hole in a concrete sidewalk,  
27 and at 68.04 feet further along said line passing over an iron pipe at  
28 the southerly edge of another sidewalk, and at 1.22 feet further along  
29 said line passing over another drill hole in a sidewalk, a total  
30 distance of 119 feet, more or less, to the northerly line of Lot. No.  
31 22; from thence easterly in the northerly line of Lot 22 and 23 to the  
32 northeast corner of Lot No. 23 and the point of beginning. Also includ-  
33 ing the lands to the center of Shore Drive included between the norther-  
34 ly straight line continuation of the side lines of the above described  
35 parcel, and to the center of Park Place, where they abut the above  
36 described premises SUBJECT to the use thereof for street purposes. Being  
37 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by  
38 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on  
39 July 10, 1992 in Book 1017 of Deeds at Page 318; (v) any such premises  
40 or business located on that certain piece or parcel of land, or any  
41 subdivision thereof, situate, lying and being in the Town of Platts-  
42 burgh, County of Clinton, State of New York and being more particularly  
43 bounded and described as follows: Starting at an iron pipe found in the  
44 easterly bounds of the highway known as the Old Military Turnpike, said  
45 iron pipe being located 910.39 feet southeasterly, as measured along the  
46 easterly bounds of said highway, from the southerly bounds of the road-  
47 way known as Industrial Parkway West, THENCE running  $S\ 31^{\circ}\ 54'\ 33''\ E$   
48 along the easterly bounds of said Old Military Turnpike Extension,  
49 239.88 feet to a point marking the beginning of a curve concave to the  
50 west; thence southerly along said curve, having a radius of 987.99 feet,  
51 248.12 feet to an iron pipe found marking the point of beginning for the  
52 parcel herein being described, said point also marked the southerly  
53 corner of lands of Larry Garrow, et al, as described in Book 938 of  
54 Deeds at page 224; thence  $N\ 07^{\circ}\ 45'\ 4''\ E$  along the easterly bounds of  
55 said Garrow, 748.16 feet to a 3"x4" concrete monument marking the  
56 northeasterly corner of said Garrow, the northwesterly corner of the

1 parcel herein being described and said monument also marking the south-  
2 erly bounds of lands of Salerno Plastic Corp. as described in Book 926  
3 of Deeds at Page 186; thence S 81° 45' 28" E along a portion of the  
4 southerly bounds of said Salerno Plastic Corp., 441.32 feet to an iron  
5 pin found marking the northeasterly corner of the parcel herein being  
6 described and also marking the northwest corner of the remaining lands  
7 now or formerly owned by said Marx and Delaura; thence S 07° 45' 40" W  
8 along the Westerly bounds of lands now of formerly of said Marx and  
9 DeLaura and along the easterly bounds of the parcel herein being  
10 described, 560.49 feet to an iron pin; thence N 83° 43' 21" W along a  
11 portion of the remaining lands of said Marx and DeLaura, 41.51 feet to  
12 an iron pin; thence S 08° 31' 30" W, along a portion of the remaining  
13 lands of said Marx and Delaura, 75.01 feet to an iron pin marking  
14 northeasterly corner of lands currently owned by the Joint Council for  
15 Economic Opportunity of Plattsburgh and Clinton County, Inc. as  
16 described in Book 963 of Deeds at Page 313; thence N 82° 20' 32" W along  
17 a portion of the northerly bounds of said J.C.E.O., 173.50 feet to an  
18 iron pin; thence 61° 21' 12" W, continuing along a portion of the north-  
19 erly bounds of said J.C.E.O., 134.14 feet to an iron pin; thence S 07°  
20 45' 42" W along the westerly bounds of said J.C.E.O., 50 feet to an iron  
21 pin; thence S 66° 48' 56" W along a portion of the northerly bounds of  
22 remaining lands of said Marx and DeLaura, 100.00 feet to an iron pipe  
23 found on the easterly bounds of the aforesaid highway, said from pipe  
24 also being located on a curve concave to the west; thence running and  
25 running northerly along the easterly bounds of the aforesaid highway and  
26 being along said curve, with the curve having a radius of 987.93 feet,  
27 60.00 feet to the point of beginning and containing 6.905 acres of land.  
28 Being the same premises as conveyed to Ronald Marx and Alice Marx by  
29 deed of CIT Small Business Lending Corp., as agent of the administrator,  
30 U.S. Small Business Administration, an agency of the United States  
31 Government dated September 10, 2001 and recorded in the office of the  
32 Clinton County Clerk on September 21, 2001 as Instrument #135020; or  
33 (vi) any such premises or business located on the west side of New York  
34 state route 414 in military lots 64 and 75 located wholly within the  
35 boundaries of that tract or parcel of land situated in the town of Lodi,  
36 county of Seneca beginning at an iron pin on the assumed west line of  
37 New York State Route 414 on the apparent north line of lands reputedly  
38 of White (lib. 420, page 155); said iron pin also being northerly a  
39 distance of 1200 feet more or less from the centerline of South Miller  
40 Road; Thence leaving the point of beginning north 85-17'-44" west along  
41 said lands of White a distance of 2915.90 feet to an iron pin Thence  
42 north 03-52'-48" east along said lands of White, passing through an iron  
43 pin 338.36 feet distant, and continuing further along that same course a  
44 distance of 13.64 feet farther, the total distance being 352.00 feet to  
45 a point in the assumed centerline of Nellie Neal Creek; Thence in gener-  
46 ally a north westerly direction the following courses and distances  
47 along the assumed centerline of Nellie Neal Creek; north 69-25'-11" west  
48 a distance of 189.56 feet to a point; north 63-40'-00" west a distance  
49 of 156.00 feet to a point; north 49-25'-00" west a distance of 80.00  
50 feet to a point; south 80-21'-00" west a distance of 90.00 feet to a  
51 point; north 72-03'-00" west a distance of 566.00 feet to a point; north  
52 68-15'-00" west a distance of 506.00 feet to a point; north 55-16'-00"  
53 west a distance of 135.00 feet to a point; south 69-18'-00" west a  
54 distance of 200.00 feet to a point; south 88-00'-00" west a distance of  
55 170.00 feet to a point on a tie line at or near the high water line of  
56 Seneca Lake; Thence north 25-17'-00" east along said tie line a distance

1 of 238.00 feet to an iron pipe; Thence south 82-04'-15" east along lands  
2 reputedly of M. Wagner (lib. 464, page 133) a distance of 100.00 feet to  
3 an iron pin; Thence north 06-56'-47" east along said lands of M. Wagner  
4 a distance of 100.00 feet to an iron pipe; Thence north 09-34'-28" east  
5 along lands reputedly of Schneider (lib. 429, page 37) a distance of  
6 50.10 feet to an iron pipe; Thence north 07-49'-11" east along lands  
7 reputedly of Oney (lib. 484, page 24) a distance of 50.00 feet to an  
8 iron pipe; Thence north 82-29'-40" west along said lands of Oney a  
9 distance of 95.30 feet to an iron pipe on a tie line at or near the  
10 highwater line of Seneca Lake; Thence north 08-15'-22" east along said  
11 tie line a distance of 25.00 feet to an iron pin; Thence south  
12 82-28'-00" east along lands reputedly of Yu (lib. 405, page 420) a  
13 distance of 96.53 feet to an iron pipe; Thence north 34-36'-59" east  
14 along said lands of Yu a distance of 95.00 feet to a point in the  
15 assumed centerline of Van Liew Creek; Thence in generally an easterly  
16 direction the following courses and distances along the assumed center-  
17 line of Van Liew Creek; north 72-46'-37" east a distance of 159.98 feet  
18 to a point; north 87-53'-00" east a distance of 94.00 feet to a point;  
19 south 71-12'-00" east a distance of 52.00 feet to a point; south  
20 84-10'-00" east a distance of 158.00 feet to a point; south 59-51'-00"  
21 east a distance of 160.00 feet to a point; south 83-29'-00" east a  
22 distance of 187.00 feet to a point; Thence north 01-33'-40" east along  
23 lands reputedly of Hansen (lib. 515, page 205) passing through an iron  
24 pipe 32.62 feet distant, and continuing further along that same course  
25 passing through an iron pin 205.38 feet farther, and continuing still  
26 further along that same course a distance of 21.45 feet farther, the  
27 total distance being 259.45 feet to the assumed remains of a White Oak  
28 stump; Thence north 69-16'-11" east along lands reputedly of Schwartz  
29 (lib. 374, page 733) being tie lines along the top of the south bank of  
30 Campbell Creek a distance of 338.00 feet to a point; Thence south  
31 57-17'32" east along said tie line a distance of 136.60 feet to a point;  
32 Thence south 74-45'-00" east along said tie line a distance of 100.00  
33 feet to an iron pin; Thence north 04-46'-00" east along said lands of  
34 Schwartz a distance of 100.00 feet to a point in the assumed centerline  
35 of Campbell Creek; Thence in generally an easterly direction the follow-  
36 ing courses and distances along the assumed centerline of Campbell  
37 Creek; south 71-34'-00" east a distance of 330.00 feet to a point; north  
38 76-53'-00" east a distance of 180.00 feet to a point; north 83-05'00"  
39 east a distance of 230.00 feet to a point; south 66-44'-00" east a  
40 distance of 90.00 feet to a point; south 81-10'-00" east a distance of  
41 240.00 feet to a point; south 45-29'-15" east a distance of 73.18 feet  
42 to a point; Thence south 05-25'-50" west along lands reputedly of Stan-  
43 ley Wagner (lib. 450, page 276) a distance of 135.00 feet to a point on  
44 the assumed north line of Military Lot 75; Thence south 84-34'-10" east  
45 along said lands of Wagner and the assumed north line of Military Lot 75  
46 a distance of 1195.06 feet to an iron pin; Thence south 06-57'52" west  
47 along said lands of M. Wagner (lib. 414, page 267) passing through an  
48 iron pin 215.58 feet distant, and continuing further along that same  
49 course a distance of 20.59 feet farther, the total distance being 236.17  
50 feet to a point in the assumed centerline of Campbell Creek; Thence in  
51 generally a south easterly direction the following course and distances  
52 along the assumed centerline of Campbell Creek; north 78-23'-09" east a  
53 distance of 29.99 feet to a point; south 46-09'-15" east a distance of  
54 65.24 feet to a point; north 85-55'-09" east a distance of 60.10 feet to  
55 a point; south 61-59'-50" east a distance of 206.91 feet to a point;  
56 north 63-58'-27" east a distance of 43.12 feet to a point; south

1 28-51'-21" east a distance of 47.72 feet to a point; south 15-14'-08"  
2 west a distance of 33.42 feet to a point; south 79-16'-32" east a  
3 distance of 255.15 feet to a point; south 62-19'-46" east a distance of  
4 75.82 feet to a point; north 76-10'-42" east a distance of 99.60 feet to  
5 a point; north 82-12'55" east a distance of 86.00 feet to a point; south  
6 44-13'53" east a distance of 64.08 feet to a point; north 67-52'-46"  
7 east a distance of 73.98 feet to a point; north 88-13'-13" east a  
8 distance of 34.64 feet to a point on the assumed west line of New York  
9 State Route 414; Thence south 20-13'-30" east along the assumed west  
10 line of New York State Route 414 a distance of 248.04 feet to a concrete  
11 monument; Thence south 02-10'-30" west along said road line a distance  
12 of 322.90 feet to an iron pin; Thence 13-14'-50" west along said road  
13 line a distance of 487.41 feet to an iron pin, said iron pin being the  
14 point and place of beginning;

15 Comprising an area of 126.807 acres of land according to a survey  
16 completed by Michael D. Karlsen entitled "Plan Owned by Stanley A.  
17 Wagner" known as Parcel A of Job number 98-505.

18 This survey is subject to all utility easements and easements and  
19 right-of-ways of record which may affect the parcel of land.

20 This survey is also subject to the rights of the public in and to  
21 lands herein referred to as New York State Route 414.

22 This survey intends to describe a portion of the premises as conveyed  
23 by Ruth V. Wagner to Stanley A. Wagner by deed recorded February 10,  
24 1989 in Liber 450 of deeds, at Page 286.

25 This survey also intends to describe a portion of the premises as  
26 conveyed by Stanley W. VanVleet to Stanley A. Wagner by deed recorded  
27 April 30, 1980 in Liber 385 of Deeds, at Page 203.

28 ALSO ALL THAT OTHER TRACT OR PARCEL OF LAND SITUATE on the east side of  
29 New York State Route 414 in Military Lot 75 in the Town of Lodi, County  
30 of Seneca, State of New York bounded and described as follows:

31 Beginning at an iron pin on the assumed east line of New York State  
32 Route 414, said iron pin being north 50-44'-57" east a distance of  
33 274.92 feet from the south east corner of the parcel of land herein  
34 above described; Thence leaving the point of beginning north 00-26'01"  
35 east along a mathematical tie line a distance of 504.91 feet to an iron  
36 pin; Thence south 37-00'-20" east along lands reputedly of Tomberelli  
37 (lib. 419, page 243) passing through an iron pin 176.00 feet distant,  
38 and continuing further along that same course a distance of 2.01 feet  
39 farther, the total distance being 178.01 feet to a point; Thence south  
40 09-03'-55" west along lands reputedly of M. Wagner (lib. 491, page 181)  
41 a distance of 68.19 feet to an iron pipe; Thence south 15-36'-04" west  
42 along said lands of M. Wagner a distance of 300.15 feet to an iron pipe;  
43 Thence south 72-04'-59" west along said lands of M. Wagner a distance of  
44 20.49 feet to an iron pin, said iron pin being the point and place of  
45 beginning.

46 Comprising an area of 0.727 acre of lands according to a survey  
47 completed by Michael D. Karlsen entitled "Plan of Land Owned by Stanley  
48 A. Wagner" known as Parcel B of job number 98-505.

49 This survey is subject to all utility easements and easements and  
50 right-of-ways of record which may affect this parcel of land.

51 This survey is also subject to the rights of the public in and to  
52 lands herein referred to as New York State Route 414.

53 This survey intends to describe the same premises as conveyed by Henry  
54 W. Eighmey as executor of the Last Will and Testament of Mary C. Eighmey  
55 to Stanley A. Wagner by deed recorded July 2, 1996 in liber 542, page  
56 92.

1 This survey also intends to describe a portion of the premises as  
2 conveyed by Ruth V. Wagner to Stanley A. Wagner by deed recorded Febru-  
3 ary 10, 1989 in Liber 450 of deeds, at Page 286. The provisions of this  
4 paragraph shall not apply to any premises or business located wholly  
5 within the following described parcel: ALL THAT TRACT OR PARCEL OF LAND  
6 situate in the City of Corning, County of Steuben and State of New York  
7 bounded and described as follows: Beginning at an iron pin situate at  
8 the terminus of the westerly line of Townley Avenue at its intersection  
9 with the southwesterly line of New York State Route 17; thence S 00° 45'  
10 18" E along the westerly line of Townley Avenue, a distance of 256.09  
11 feet to a point; thence S 89° 02' 07" W through an iron pin placed at a  
12 distance of 200.00 feet, a total distance of 300.00 feet to an iron pin;  
13 thence N 00° 59' 17" W a distance of 47.13 feet to an iron pin; thence S  
14 89° 02' 07" W a distance of 114.56 feet to a point situate in the south-  
15 east corner of Parcel A-2 as set forth on a survey map hereinafter  
16 described; thence N 14° 18' 49" E a distance of 124.40 feet to an iron  
17 pin situate at the southeast corner of lands now or formerly of Cicci  
18 (Liber 923, Page 771); thence N 14° 18' 49" E a distance of 76.46 feet  
19 to an iron pin; thence N 00° 57' 53" W a distance of 26.25 feet to an  
20 iron pin marking the southeast corner of parcel A-1 as set forth on the  
21 hereinafter described survey map; thence N 00° 58' 01" W a distance of  
22 166.00 to an iron pin situate at the northeast corner of said Parcel  
23 A-1, which pin also marks the southeast corner of lands now or formerly  
24 of Becraft (Liber 1048, Page 1086); thence N 00° 57' 53" W a distance of  
25 106.00 feet to an iron pin situate in the southerly line of lands now or  
26 formerly of the United States Postal Service; thence N 89° 02' 07" E  
27 along the southerly line of said United States Postal Service a distance  
28 of 81.47 feet to a point; thence N 14° 18' 49" E along the easterly line  
29 of said United States Postal Service a distance of 114.29 feet to an  
30 iron pin situate in the southwesterly line of New York State Route 17;  
31 thence S 32° 00' 31" E along the southwesterly line of New York State  
32 Route 17, a distance of 358.93 feet to an iron pin; thence continuing  
33 along the southwesterly line of New York state Route 17, S 38° 30' 04" E  
34 a distance of 108.18 feet to the iron pin marking the place of begin-  
35 ning. Said premises are set forth and shown as approximately 4.026 acres  
36 of land designated as Parcel A (excluding Parcels A-1 and A-2) on a  
37 survey map entitled "As-Built Survey of Lands of New York Inn, LLC, City  
38 of Corning, Steuben County, New York" by Weiler Associates, dated Decem-  
39 ber 27, 2001, designated Job No. 12462; or (vii) any such premises or  
40 businesses located on that certain plot, piece or parcel of land, situ-  
41 ate, lying and being in the Second Ward of the City of Schenectady, on  
42 the Northerly side of Union Street, bounded and described as follows: to  
43 wit; Beginning at the Southeasterly corner of the lands lately owned by  
44 Elisha L. Freeman and now by Albert Shear; and running from thence East-  
45 erly along the line of Union Street, 44 feet to the lands now owned by  
46 or in the possession of James G. Van Vorst; thence Northerly in a  
47 straight line along the last mentioned lands and the lands of the late  
48 John Lake, 102 feet to the lands of one Miss Rodgers; thence Westerly  
49 along the line of the last mentioned lands of said Rodgers to the lands  
50 of the said Shear; and thence Southerly along the lands of said Shear  
51 101 feet, 6 inches to Union Street, the place of beginning.

52 Also all that tract or parcel of land, with the buildings thereon,  
53 situate in the City of Schenectady, County of Schenectady, and State of  
54 New York, situate in the First, formerly the Second Ward of the said  
55 City, on the Northerly side of Union Street, which was conveyed by  
56 William Meeker and wife to Elisha L. Freeman by deed dated the second

1 day of December 1843, and recorded in the Clerk's Office of Schenectady  
2 County on December 5, 1843, in Book V of Deeds at page 392, which lot in  
3 said deed is bounded and described as follows: Beginning at a point in  
4 the Northerly line of Union Street where it is intersected by the East-  
5 erly line of property numbered 235 Union Street, which is hereby  
6 conveyed, and running thence Northerly along the Easterly line of said  
7 property, One Hundred Forty and Five-tenths (140.5) feet to a point  
8 sixteen (16) feet Southerly from the Southerly line of the new garage  
9 built upon land adjoining on the North; thence Westerly parallel with  
10 said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly  
11 One Hundred Forty and Eight-tenths (140.8) feet to the Northerly margin  
12 of Union Street; thence Easterly along the Northerly margin of Union  
13 Street, about Forty-eight and three-tenths (48.3) feet to the point or  
14 place of beginning.

15 The two above parcels are together more particularly described as  
16 follows:

17 All that parcel of land in the City of Schenectady beginning at a  
18 point in the northerly margin of Union Street at the southwesterly  
19 corner of lands now or formerly of Friedman (Deed Book 636 at page 423)  
20 which point is about 60 feet westerly of the westerly line of North  
21 College Street and runs thence N. 86 deg. 42' 20" W. 92.30 feet to the  
22 southeasterly corner of other lands now or formerly of Friedman (Deed  
23 Book 798 at page 498); thence N. 04 deg. 06' 48" E. 140.50 feet to the  
24 southwesterly corner of lands now or formerly of Stockade Associates  
25 (Deed Book 1038 at page 521); thence S. 87 deg. 05' 27" E. 46.70 feet to  
26 lands now or formerly of McCarthy (Deed Book 1129 at page 281); thence  
27 along McCarthy S. 00 deg. 52' 02" E. 3.69 feet to the northwesterly  
28 corner of lands now or formerly of SONYMA (Deed Book 1502 at page 621);  
29 thence along lands of SONYMA S. 02 deg 24' 56" W. 34.75 feet to a corner;  
30 thence still along lands of SONYMA and lands now or formerly of Magee  
31 (Deed Book 399 at page 165) S. 86 deg. 11' 52" E. 42.57 feet to a  
32 corner; thence still along lands of Magee and Lands of Friedman first  
33 above mentioned S. 03 deg. 10' 08" W. 102.00 feet to the point of begin-  
34 ning.

35 Excepting and reserving all that portion of the above parcel lying  
36 easterly of a line described as follows:

37 All that tract or parcel of land, situated in the City of Schenectady  
38 and County of Schenectady and State of New York, on the Northerly side  
39 of Union Street bounded and described as follows:

40 Beginning at a point in the northerly line of Union Street, said point  
41 being in the division line between lands now or formerly of Electric  
42 Brew Pubs, Inc. (1506 of Deeds at page 763) on the West and lands now or  
43 formerly of Margaret Wexler and Donna Lee Wexler Pavlovic, as trustees  
44 under Will of Ruth F. Wexler (Street number 241 Union Street) on the  
45 East; thence North 03 deg. 04' 10" East, along the building known as  
46 Street No. 241 Union Street, a distance of 30.50 feet to a point; thence  
47 North 88 deg. 45' 45" West, along said building and building eve, a  
48 distance of 5.62 feet to a point; thence North 03 deg. 03' 30" East,  
49 along said building eve of Street No. 241 Union Street, a distance of  
50 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,  
51 a distance of 1.2 feet to an intersection of building corner of Street  
52 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"  
53 East, along said brick wall, a distance of 14.47 feet to a point in the  
54 corner of the brick wall, thence South 86 deg. 46' 45" East along said  
55 brick wall a distance of 4.42 feet to the intersection of brick wall  
56 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)



1 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,  
2 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of  
3 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler  
4 and Donna Lee Wexler Pavlovic.

5 Also all that tract or parcel of land commonly known as the Union  
6 Street School, located on the Northeasterly corner of Union and North  
7 College Streets in the First Ward of the City and County of Schenectady  
8 and State of New York, more particularly bounded and described as  
9 follows: Beginning at a point in the Northerly street line of Union  
10 Street where it is intersected by the Easterly street line of North  
11 College Street, and runs thence Northerly along the Easterly street line  
12 of North College Street, one hundred seven and five-tenths (107.5) feet  
13 to a point, thence easterly at an angle of ninety (90) degrees, one  
14 hundred ninety-one and seventy-five hundredths (191.75) feet to a point  
15 in the Northwesterly street line of Erie Boulevard thence southwesterly  
16 along the Northwesterly street line of Erie Boulevard, one hundred twen-  
17 ty-three and eight-tenths (123.8) feet to its intersection with the  
18 Northerly street line of Union Street; thence Westerly along the North-  
19 erly street line of Union Street, one hundred twenty-four and fifty-five  
20 hundredths (124.55) feet to the point or place of beginning.

21 The above described parcel of property includes the Blue Line parcel  
22 of land, which is a portion of the abandoned Erie Canal Lands, located  
23 in the First Ward of the City of Schenectady, New York, and which Blue  
24 Line parcel lies between the Northwesterly line of Erie Boulevard as set  
25 forth in the above described premises and the Northeasterly lot line of  
26 the old Union Street School as it runs parallel with the Northwesterly  
27 line of Erie Boulevard as aforesaid.

28 The two above parcels are together more particularly described as  
29 follows: All that parcel of land in the City of Schenectady beginning at  
30 a point in the northerly margin of Union Street and the northwesterly  
31 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.  
32 42' 20" W. 124.55 feet to the easterly margin of North College Street;  
33 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to  
34 the southeasterly corner of lands now or formerly of McCarthy (Deed Book  
35 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or  
36 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.  
37 191.75 feet to the northwesterly margin of Erie Boulevard; thence along  
38 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-  
39 ning[.]; OR (VIII) ANY SUCH PREMISES OR BUSINESSES LOCATED ON THAT TRACT  
40 OR PARCEL OF LAND SITUATE IN THE TOWN OF HOPEWELL, ONTARIO COUNTY, STATE  
41 OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A 5/8"  
42 REBAR FOUND ON THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF ONTAR-  
43 IO COUNTY - FINGER LAKES COMMUNITY COLLEGE (LIBER 698 OF DEEDS, PAGE  
44 466) ON THE NORTH AND LANDS NOW OR FORMERLY OF JAMES W. BAIRD (LIBER 768  
45 OF DEEDS, PAGE 1109) ON THE SOUTH; THENCE, NORTH 43°-33'-40" WEST, ON  
46 SAID DIVISION LINE, A DISTANCE OF 77.32 FEET TO THE POINT OF BEGINNING.  
47 THENCE, NORTH 43°-33'-40" WEST, CONTINUING ON SAID DIVISION LINE AND  
48 THROUGH SAID LANDS OF ONTARIO COUNTY, A DISTANCE OF 520.45 FEET TO A  
49 POINT ON THE SOUTHEASTERLY EDGE OF AN EXISTING CONCRETE PAD; THENCE,  
50 SOUTH 74°-19'-53" WEST, ALONG SAID EDGE OF CONCRETE AND THE PROJECTION  
51 THEREOF, A DISTANCE OF 198.78 FEET TO A POINT ON THE EASTERLY EDGE OF  
52 PAVEMENT OF AN EXISTING CAMPUS DRIVE; THENCE, THE FOLLOWING TWO (2)  
53 COURSES AND DISTANCES ALONG SAID EDGE OF PAVEMENT: NORTHEASTERLY ON A  
54 CURVE TO THE LEFT HAVING A RADIUS OF 2221.65 FEET, A CHORD BEARING OF  
55 NORTH 30°-16'-39" EAST, A CHORD DISTANCE OF 280.79, A CENTRAL ANGLE OF  
56 07°-14'-47", A LENGTH OF 280.98 FEET TO A POINT OF REVERSE CURVATURE;

1 THENCE, NORTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 843.42  
2 FEET, A CHORD BEARING OF NORTH 45°-25'-09" EAST, A CHORD DISTANCE OF  
3 534.08, A CENTRAL ANGLE OF 36°-55'-01", A LENGTH OF 543.43 FEET TO A  
4 POINT; THENCE, SOUTH 30°-04'-59" EAST, A DISTANCE OF 18.28 FEET TO THE  
5 CORNER OF THE PROPERTY ACQUIRED BY ONTARIO COUNTY (LIBER 766 OF DEEDS,  
6 PAGE 1112), AS SHOWN ON A MAP RECORDED IN THE ONTARIO COUNTY CLERK'S  
7 OFFICE AS MAP NO. 6313; THENCE, THE FOLLOWING FOUR (4) COURSES AND  
8 DISTANCES ALONG SAID PROPERTY LINE: SOUTH 30°-04'-59" EAST, A DISTANCE  
9 OF 177.17 FEET TO A POINT; THENCE, SOUTH 02°-20'-33" EAST, A DISTANCE OF  
10 147.53 FEET TO A POINT; THENCE, SOUTH 41°-31'-35" EAST, A DISTANCE OF  
11 200.93 FEET TO A POINT; THENCE, SOUTH 23°-48'-53" WEST, ALONG SAID PROP-  
12 ERTY LINE, AND THE PROJECTION THEREOF, THROUGH THE FIRST SAID LANDS OF  
13 ONTARIO COUNTY - FINGER LAKES COMMUNITY COLLEGE (LIBER 698 OF DEEDS,  
14 PAGE 466), A DISTANCE OF 517.96 FEET TO POINT OF BEGINNING. SAID PARCEL  
15 CONTAINING 7.834 ACRES, MORE OR LESS, AS SHOWN ON A MAP ENTITLED  
16 "PROPOSED LEASE AREA - FRIENDS OF THE FINGER LAKES PERFORMING ARTS  
17 CENTER, HOPEWELL, NY", PREPARED BY BERGMANN ASSOCIATES, DRAWING LM-01,  
18 DATED JUNE 10, 2005, LAST REVISED AUGUST 17, 2005. THE RELATED PAC PROP-  
19 ERTIES ARE SHOWN ON THE MAP DENOMINATED "FLCC CAMPUS PROPERTY, FLPAC  
20 GROUND LEASE, PARKING, VEHICULAR & PEDESTRIAN ACCESS", RECORDED IN THE  
21 ONTARIO COUNTY CLERK'S OFFICE ON DECEMBER 10, 2009 IN BOOK 1237 OF DEEDS  
22 AT PAGE 9 AND ARE COMPRISED OF THE AREAS SEPARATELY LABELED AS PARKING  
23 LOT 'A', PARKING LOT 'G', THE TICKET BOOTH AREA, THE SIDEWALKS, AND THE  
24 ENTRY ROADS.

25 The provisions of this paragraph shall not apply to any premises  
26 licensed under section sixty-four of this chapter in which a manufactur-  
27 er or wholesaler holds a direct or indirect interest, provided that: (I)  
28 said premises consist of an interactive entertainment facility which  
29 predominantly offers interactive computer and video entertainment  
30 attractions, and other games and also offers themed merchandise and food  
31 and beverages, (II) the sale of alcoholic beverages within the premises  
32 shall be restricted to an area consisting of not more than twenty-five  
33 percent of the total interior floor area of the premises, (III) the  
34 retail licenses shall derive not less than sixty-five percent of the  
35 total revenue generated by the facility from interactive video enter-  
36 tainment activities and other games, including related attractions and  
37 sales of merchandise other than food and alcoholic beverages, (IV) the  
38 interested manufacturer or wholesaler, or its parent company, shall be  
39 listed on a national securities exchange and its direct or indirect  
40 equity interest in the retail licensee shall not exceed twenty-five  
41 percent, (V) no more than fifteen percent of said licensee's purchases  
42 of alcoholic beverages for sale in the premises shall be products  
43 produced or distributed by the manufacturer or wholesaler, (VI) neither  
44 the name of the manufacturer or wholesaler nor the name of any brand of  
45 alcoholic beverage produced or distributed by said manufacturer or  
46 wholesaler shall be part of the name of the premises, (VII) the name of  
47 the manufacturer or wholesaler or the name of products sold or distrib-  
48 uted by such manufacturer or wholesaler shall not be identified on  
49 signage affixed to either the interior or the exterior of the premises  
50 in any fashion, (VIII) promotions involving alcoholic beverages produced  
51 or distributed by the manufacturer or wholesaler are not held in such  
52 premises and further, retail and consumer advertising specialties bear-  
53 ing the name of the manufacturer or wholesaler or the name of alcoholic  
54 beverages produced or distributed by the manufacturer or wholesaler are  
55 not utilized in any fashion, given away or sold in said premises, and  
56 (IX) except to the extent provided in this paragraph, the licensing of

1 each premises covered by this exception is subject to all provisions of  
2 section sixty-four of this chapter, including but not limited to liquor  
3 authority approval of the specific location thereof. The provisions of  
4 this paragraph shall not prohibit (1) a manufacturer or wholesaler, if  
5 an individual, or a partner, of a partnership, or, if a corporation, an  
6 officer or director thereof, from being an officer or director of a duly  
7 licensed charitable organization which is the holder of a license for  
8 on-premises consumption under this chapter, nor (2) a manufacturer from  
9 acquiring any such premises if the liquor authority first consents ther-  
10 eto after determining, upon such proofs as it shall deem sufficient,  
11 that such premises is contiguous to the licensed premises of such  
12 manufacturer, and is reasonably necessary for the expansion of the  
13 facilities of such manufacturer. After any such acquisition, it shall be  
14 illegal for a manufacturer acquiring any such premises to sell or deliver  
15 alcoholic beverages manufactured by him to any licensee occupying  
16 such premises.

17 S 2. Subdivision 13 of section 106 of the alcoholic beverage control  
18 law, as amended by chapter 390 of the laws of 2010, is amended to read  
19 as follows:

20 13. No retail licensee for on-premises consumption shall be inter-  
21 ested, directly or indirectly, in any premises where liquors, wines or  
22 beer are manufactured or sold at wholesale, by stock ownership, inter-  
23 locking directors, mortgage or lien on any personal or real property or  
24 by any other means, except that liquors, wines or beer may be manufac-  
25 tured or sold wholesale by the person licensed as a manufacturer or  
26 wholesaler thereof on real property owned by an interstate railroad  
27 corporation or a United States certificated airline with a retail  
28 license for on-premises consumption, or on premises or with respect to a  
29 business constituting an overnight lodging and resort facility located  
30 wholly within the boundaries of the town of North Elba, county of Essex,  
31 township eleven, Richard's survey, great lot numbers two hundred seven-  
32 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-  
33 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-  
34 teen, three hundred nineteen, three hundred twenty, three hundred  
35 thirty-five and three hundred thirty-six, and township twelve, Thorn's  
36 survey, great lot numbers one hundred six and one hundred thirteen, as  
37 shown on the Adirondack map, compiled by the conservation department of  
38 the state of New York - nineteen hundred sixty-four edition, in the  
39 Essex county atlas at page twenty-seven in the Essex county clerk's  
40 office, Elizabethtown, New York, provided that such facility maintains  
41 not less than two hundred fifty rooms and suites for overnight lodging,  
42 or on premises or with respect to the operation of a restaurant in an  
43 office building located in a city having a population of five hundred  
44 thousand or more and in which is located the licensed premises of such  
45 manufacturer or wholesaler, provided that the building, the interior of  
46 the retail premise and the rental therefor fully comply with the crite-  
47 ria set forth in paragraph two of subdivision three of section one  
48 hundred one of this article, any such premises or business located on  
49 that tract or parcel of land, or any subdivision thereof, situate in the  
50 Village of Lake Placid, Town of North Elba, Essex County, New York; it  
51 being also a part of Lot No. 279, Township No. 11, Old Military Tract,  
52 Richard's Survey; it being also all of Lot No. 23 and part of Lot No. 22  
53 as shown and designated on a certain map entitled "Map of Building Sites  
54 for Sale by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being  
55 PARCEL No. 1 on a certain map of lands of Robert J. Mahoney and wife  
56 made by G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and

1 filed in the Essex County Clerk's Office on August 27, 1964, and more  
2 particularly bounded and described as follows; BEGINNING at the inter-  
3 section of the northerly bounds of Shore Drive (formerly Mirror Street)  
4 with the westerly bounds of Park Place (formerly Rider Street) which  
5 point is also the northeast corner of Lot No. 23, from thence South  
6 21°50' East in the westerly bounds of Park Place a distance of 119 feet,  
7 more or less, to a lead plug in the edge of the sidewalk marking the  
8 southeast corner of Lot No. 23 and the northeast corner of Lot No. 24;  
9 from thence South 68°00'50" West a distance of 50.05 feet to an iron  
10 pipe set in concrete at the corner of Lots 23 and 22; from thence South  
11 65°10'50" West a distance of 7.94 feet along the south line of Lot No.  
12 22 to an iron pipe for a corner; from thence North 23°21'40" West and at  
13 17.84 feet along said line passing over a drill hole in a concrete side-  
14 walk, and at 68.04 feet further along said line passing over an iron  
15 pipe at the southerly edge of another sidewalk, and at 1.22 feet further  
16 along said line passing over another drill hole in a sidewalk, a total  
17 distance of 119 feet, more or less, to the northerly line of Lot No. 22;  
18 from thence easterly in the northerly line of Lot 22 and 23 to the  
19 northeast corner of Lot No. 23 and the point of beginning. Also includ-  
20 ing the lands to the center of Shore Drive included between the norther-  
21 ly straight line continuation of the side lines of the above described  
22 parcel, and to the center of Park Place, where they abut the above  
23 described premises SUBJECT to the use thereof for street purposes. Being  
24 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by  
25 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on  
26 July 10, 1992 in Book 1017 of Deeds at Page 318, or any such premises or  
27 business located on that certain piece or parcel of land, or any subdi-  
28 vision thereof, situate, lying and being in the Town of Plattsburgh,  
29 County of Clinton, State of New York and being more particularly bounded  
30 and described as follows: Starting at an iron pipe found in the easterly  
31 bounds of the highway known as the Old Military Turnpike, said iron pipe  
32 being located 910.39 feet southeasterly, as measured along the easterly  
33 bounds of said highway, from the southerly bounds of the roadway known  
34 as Industrial Parkway West, THENCE running S 31° 54' 33" E along the  
35 easterly bounds of said Old Military Turnpike Extension, 239.88 feet to  
36 a point marking the beginning of a curve concave to the west; thence  
37 southerly along said curve, having a radius of 987.99 feet, 248.12 feet  
38 to an iron pipe found marking the point of beginning for the parcel  
39 herein being described, said point also marked the southerly corner of  
40 lands of Larry Garrow, et al, as described in Book 938 of Deeds at page  
41 224; thence N 07° 45' 4" E along the easterly bounds of said Garrow,  
42 748.16 feet to a 3"x4" concrete monument marking the northeasterly  
43 corner of said Garrow, the northwesterly corner of the parcel herein  
44 being described and said monument also marking the southerly bounds of  
45 lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page  
46 186; thence S 81° 45' 28" E along a portion of the southerly bounds of  
47 said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the  
48 northeasterly corner of the parcel herein being described and also mark-  
49 ing the northwest corner of the remaining lands now or formerly owned by  
50 said Marx and Delaura; thence S 07° 45' 40" W along the Westerly bounds  
51 of lands now of formerly of said Marx and DeLaura and along the easterly  
52 bounds of the parcel herein being described, 560.49 feet to an iron pin;  
53 thence N 83° 43' 21" W along a portion of the remaining lands of said  
54 Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W,  
55 along a portion of the remaining lands of said Marx and Delaura, 75.01  
56 feet to an iron pin marking northeasterly corner of lands currently

1 owned by the Joint Council for Economic Opportunity of Plattsburgh and  
2 Clinton County, Inc. as described in Book 963 of Deeds at Page 313;  
3 thence N 82° 20' 32" W along a portion of the northerly bounds of said  
4 J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing  
5 along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to  
6 an iron pin; thence S 07° 45' 42" W along the westerly bounds of said  
7 J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion  
8 of the northerly bounds of remaining lands of said Marx and DeLaura,  
9 100.00 feet to an iron pipe found on the easterly bounds of the afore-  
10 said highway, said from pipe also being located on a curve concave to  
11 the west; thence running and running northerly along the easterly bounds  
12 of the aforesaid highway and being along said curve, with the curve  
13 having a radius of 987.93 feet, 60.00 feet to the point of beginning and  
14 containing 6.905 acres of land. Being the same premises as conveyed to  
15 Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp.,  
16 as agent of the administrator, U.S. Small Business Administration, an  
17 agency of the United States Government dated September 10, 2001 and  
18 recorded in the office of the Clinton County Clerk on September 21, 2001  
19 as Instrument #135020, or any such premises or businesses located on  
20 that certain plot, piece or parcel of land, situate, lying and being in  
21 the Second Ward of the City of Schenectady, on the Northerly side of  
22 Union Street, bounded and described as follows: to wit; Beginning at the  
23 Southeasterly corner of the lands lately owned by Elisha L. Freeman and  
24 now by Albert Shear; and running from thence Easterly along the line of  
25 Union Street, 44 feet to the lands now owned by or in the possession of  
26 James G. Van Vorst; thence Northerly in a straight line along the last  
27 mentioned lands and the lands of the late John Lake, 102 feet to the  
28 lands of one Miss Rodgers; thence Westerly along the line of the last  
29 mentioned lands of said Rodgers to the lands of the said Shear; and  
30 thence Southerly along the lands of said Shear 101 feet, 6 inches to  
31 Union Street, the place of beginning.

32 Also all that tract or parcel of land, with the buildings thereon,  
33 situate in the City of Schenectady, County of Schenectady, and State of  
34 New York, situate in the First, formerly the Second Ward of the said  
35 City, on the Northerly side of Union Street, which was conveyed by  
36 William Meeker and wife to Elisha L. Freeman by deed dated the second  
37 day of December 1843, and recorded in the Clerk's Office of Schenectady  
38 County on December 5, 1843, in Book V of Deeds at page 392, which lot in  
39 said deed is bounded and described as follows: Beginning at a point in  
40 the Northerly line of Union Street where it is intersected by the East-  
41 erly line of property numbered 235 Union Street, which is hereby  
42 conveyed, and running thence Northerly along the Easterly line of said  
43 property, One Hundred Forty and Five-tenths (140.5) feet to a point  
44 sixteen (16) feet Southerly from the Southerly line of the new garage  
45 built upon land adjoining on the North; thence Westerly parallel with  
46 said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly  
47 One Hundred Forty and Eighty-tenths (140.8) feet to the Northerly margin  
48 of Union Street; thence Easterly along the Northerly margin of Union  
49 Street, about Forty-eight and three-tenths (48.3) feet to the point or  
50 place of beginning.

51 The two above parcels are together more particularly described as  
52 follows:

53 All that parcel of land in the City of Schenectady beginning at a  
54 point in the northerly margin of Union Street at the southwesterly  
55 corner of lands now or formerly of Friedman (Deed Book 636 at page 423)  
56 which point is about 60 feet westerly of the westerly line of North

1 College Street and runs thence N. 86 deg. 42' 20" W. 92.30 feet to the  
2 southeasterly corner of other lands now or formerly of Friedman (Deed  
3 Book 798 at page 498); thence N. 04 deg. 06' 48" E. 140.50 feet to the  
4 southwesterly corner of lands now or formerly of Stockade Associates  
5 (Deed Book 1038 at page 521); thence S. 87 deg. 05' 27" E. 46.70 feet to  
6 lands now or formerly at McCarthy (Deed Book 1129 at page 281); thence  
7 along McCarthy S. 00 deg. 52' 02" E. 3.69 feet to the northwesterly  
8 corner of lands now or formerly of SONYMA (Deed Book 1502 at page 621);  
9 thence along lands of SONYMA S. 02' 56" W. 34.75 feet to a corner; thence  
10 still along lands of SONYMA and lands now or formerly of Magee (Deed  
11 Book 399 at page 165) S. 86 deg. 11' 52" E. 42.57 feet to a corner;  
12 thence still along lands of Magee and Lands of Friedman first above  
13 mentioned S. 03 deg. 10' 08" W. 102.00 feet to the point of beginning.

14 Excepting and reserving all that portion of the above parcel lying  
15 easterly of a line described as follows:

16 All that tract or parcel of land, situated in the City of Schenectady  
17 and County of Schenectady and State of New York, on the Northerly side  
18 of Union Street bounded and described as follows:

19 Beginning at a point in the northerly line of Union Street, said point  
20 being in the division line between lands now or formerly of Electric  
21 Brew Pubs, Inc. (1506 of Deeds at page 763) on the West and lands now or  
22 formerly of Margaret Wexler and Donna Lee Wexler Pavlovic, as trustees  
23 under Will of Ruth F. Wexler (Street number 241 Union Street) on the  
24 East; thence North 03 deg. 04' 10" East, along the building known as  
25 Street No. 241 Union Street, a distance of 30.50 feet to a point; thence  
26 North 88 deg. 45' 45" West, along said building and building eve, a  
27 distance of 5.62 feet to a point; thence North 03 deg. 03' 30" East,  
28 along said building eve of Street No. 241 Union Street, a distance of  
29 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,  
30 a distance of 1.2 feet to an intersection of building corner of Street  
31 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"  
32 East, along said brick wall, a distance of 14.47 feet to a point in the  
33 corner of the brick wall, thence South 86 deg. 46' 45" East along said  
34 brick wall a distance of 4.42 feet to the intersection of brick wall  
35 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)  
36 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,  
37 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of  
38 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler  
39 and Donna Lee Wexler Pavlovic.

40 Also all that tract or parcel of land commonly known as the Union  
41 Street School, located on the Northeasterly corner of Union and North  
42 College Streets in the First Ward of the City and County of Schenectady  
43 and State of New York, more particularly bounded and described as  
44 follows: Beginning at a point in the Northerly street line of Union  
45 Street where it is intersected by the Easterly street line of North  
46 College Street, and runs thence Northerly along the Easterly street line  
47 of North College Street, one hundred seven and five-tenths (107.5) feet  
48 to a point, thence easterly at an angle of ninety (90) degrees, one  
49 hundred ninety-one and seventy-five hundredths (191.75) feet to a point  
50 in the Northwesterly street line of Erie Boulevard thence southwesterly  
51 along the Northwesterly street line of Erie Boulevard, one hundred twen-  
52 ty-three and eight-tenths (123.8) feet to its intersection with the  
53 Northerly street line of Union Street; thence Westerly along the North-  
54 erly street line of Union Street, one hundred twenty-four and fifty-five  
55 hundredths (124.55) feet to the point or place of beginning.

1 The above described parcel of property includes the Blue Line parcel  
2 of land, which is a portion of the abandoned Erie Canal Lands, located  
3 in the First Ward of the City of Schenectady, New York, and which Blue  
4 Line parcel lies between the Northwesterly line of Erie Boulevard as set  
5 forth in the above described premises and the Northeasterly lot line of  
6 the old Union Street School as it runs parallel with the Northwesterly  
7 line of Erie Boulevard as aforesaid.

8 The two above parcels are together more particularly described as  
9 follows: All that parcel of land in the City of Schenectady beginning at  
10 a point in the northerly margin of Union Street and the northwesterly  
11 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.  
12 42' 20" W. 124.55 feet to the easterly margin of North College Street;  
13 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to  
14 the southeasterly corner of lands now or formerly of McCarthy (Deed Book  
15 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or  
16 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.  
17 191.75 feet to the northwesterly margin of Erie Boulevard; thence along  
18 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-  
19 ning, ANY SUCH PREMISES OR BUSINESSES LOCATED ON THAT TRACT OR PARCEL OF  
20 LAND SITUATE IN THE TOWN OF HOPEWELL, ONTARIO COUNTY, STATE OF NEW YORK,  
21 BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A 5/8" REBAR FOUND ON  
22 THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF ONTARIO COUNTY -  
23 FINGER LAKES COMMUNITY COLLEGE (LIBER 698 OF DEEDS, PAGE 466) ON THE  
24 NORTH AND LANDS NOW OR FORMERLY OF JAMES W. BAIRD (LIBER 768 OF DEEDS,  
25 PAGE 1109) ON THE SOUTH; THENCE, NORTH 43°-33'-40" WEST, ON SAID DIVI-  
26 SION LINE, A DISTANCE OF 77.32 FEET TO THE POINT OF BEGINNING. THENCE,  
27 NORTH 43°-33'-40" WEST, CONTINUING ON SAID DIVISION LINE AND THROUGH  
28 SAID LANDS OF ONTARIO COUNTY, A DISTANCE OF 520.45 FEET TO A POINT ON  
29 THE SOUTHEASTERLY EDGE OF AN EXISTING CONCRETE PAD; THENCE, SOUTH  
30 74°-19'-53" WEST, ALONG SAID EDGE OF CONCRETE AND THE PROJECTION THERE-  
31 OF, A DISTANCE OF 198.78 FEET TO A POINT ON THE EASTERLY EDGE OF PAVE-  
32 MENT OF AN EXISTING CAMPUS DRIVE; THENCE, THE FOLLOWING TWO (2) COURSES  
33 AND DISTANCES ALONG SAID EDGE OF PAVEMENT: NORTHEASTERLY ON A CURVE TO  
34 THE LEFT HAVING A RADIUS OF 2221.65 FEET, A CHORD BEARING OF NORTH  
35 30°-16'-39" EAST, A CHORD DISTANCE OF 280.79, A CENTRAL ANGLE OF  
36 07°-14'-47", A LENGTH OF 280.98 FEET TO A POINT OF REVERSE CURVATURE;  
37 THENCE, NORTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 843.42  
38 FEET, A CHORD BEARING OF NORTH 45°-25'-09" EAST, A CHORD DISTANCE OF  
39 534.08, A CENTRAL ANGLE OF 36°-55'-01", A LENGTH OF 543.43 FEET TO A  
40 POINT; THENCE, SOUTH 30°-04'-59" EAST, A DISTANCE OF 18.28 FEET TO THE  
41 CORNER OF THE PROPERTY ACQUIRED BY ONTARIO COUNTY (LIBER 766 OF DEEDS,  
42 PAGE 1112), AS SHOWN ON A MAP RECORDED IN THE ONTARIO COUNTY CLERK'S  
43 OFFICE AS MAP NO. 6313; THENCE, THE FOLLOWING FOUR (4) COURSES AND  
44 DISTANCES ALONG SAID PROPERTY LINE: SOUTH 30°-04'-59" EAST, A DISTANCE  
45 OF 177.17 FEET TO A POINT; THENCE, SOUTH 02°-20'-33" EAST, A DISTANCE OF  
46 147.53 FEET TO A POINT; THENCE, SOUTH 41°-31'-35" EAST, A DISTANCE OF  
47 200.93 FEET TO A POINT; THENCE, SOUTH 23°-48'-53" WEST, ALONG SAID PROP-  
48 erty line, AND THE PROJECTION THEREOF, THROUGH THE FIRST SAID LANDS OF  
49 ONTARIO COUNTY - FINGER LAKES COMMUNITY COLLEGE (LIBER 698 OF DEEDS,  
50 PAGE 466), A DISTANCE OF 517.96 FEET TO POINT OF BEGINNING. SAID PARCEL  
51 CONTAINING 7.834 ACRES, MORE OR LESS, AS SHOWN ON A MAP ENTITLED  
52 "PROPOSED LEASE AREA - FRIENDS OF THE FINGER LAKES PERFORMING ARTS  
53 CENTER, HOPEWELL, NY", PREPARED BY BERGMANN ASSOCIATES, DRAWING LM-01,  
54 DATED JUNE 10, 2005, LAST REVISED AUGUST 17, 2005. THE RELATED PAC PROP-  
55 erties ARE SHOWN ON THE MAP DENOMINATED "FLCC CAMPUS PROPERTY, FLPAC  
56 GROUND LEASE, PARKING, VEHICULAR & PEDESTRIAN ACCESS", RECORDED IN THE

1 ONTARIO COUNTY CLERK'S OFFICE ON DECEMBER 10, 2009 IN BOOK 1237 OF DEEDS  
2 AT PAGE 9 AND ARE COMPRISED OF THE AREAS SEPARATELY LABELED AS PARKING  
3 LOT 'A', PARKING LOT 'G', THE TICKET BOOTH AREA, THE SIDEWALKS, AND THE  
4 ENTRY ROADS; or on premises or with respect to a business constituting  
5 the overnight lodging facility located wholly within the boundaries of  
6 that tract or parcel of land situated in the borough of Manhattan, city  
7 and county of New York, beginning at a point on the northerly side of  
8 west fifty-fourth street at a point one hundred feet easterly from the  
9 intersection of the said northerly side of west fifty-fourth street and  
10 the easterly side of seventh avenue; running thence northerly and paral-  
11 lel with the easterly side of seventh avenue one hundred feet five inch-  
12 es to the center line of the block; running thence easterly and parallel  
13 with the northerly side of west fifty-fourth street and along the center  
14 line of the block fifty feet to a point; running thence northerly and  
15 parallel with the easterly side of seventh avenue one hundred feet five  
16 inches to the southerly side of west fifty-fifth street at a point  
17 distant one hundred fifty feet easterly from the intersection of the  
18 said southerly side of west fifty-fifth street and the easterly side of  
19 seventh avenue; running thence easterly along the southerly side of west  
20 fifty-fifth street thirty-one feet three inches to a point; running  
21 thence southerly and parallel with the easterly side of the seventh  
22 avenue one hundred feet five inches to the center line of the block;  
23 running thence easterly along the center line of the block and parallel  
24 with the southerly side of west fifty-fifth street, one hundred feet;  
25 running thence northerly and parallel with the easterly side of seventh  
26 avenue one hundred feet five inches to the southerly side of west  
27 fifty-fifth street; running thence easterly along the southerly side of  
28 west fifty-fifth street twenty-one feet ten and one-half inches to a  
29 point; running thence southerly and parallel with the easterly side of  
30 seventh avenue one hundred feet five inches to the center line of the  
31 block; running thence westerly along the center line of the block and  
32 parallel with the northerly side of west fifty-fourth street three feet  
33 one and one-half inches; running thence southerly and parallel with the  
34 easterly side of seventh avenue one hundred feet five inches to the  
35 northerly side of west fifty-fourth street at a point distant three  
36 hundred feet easterly from the intersection of the said northerly side  
37 of west fifty-fourth street and the easterly side of seventh avenue;  
38 running thence westerly and along the northerly side of west fifty-  
39 fourth street two hundred feet to the point or place of beginning,  
40 provided that such facility maintains not less than four hundred guest  
41 rooms and suites for overnight lodging. Any lien, mortgage or other  
42 interest or estate now held by said retail licensee on or in the  
43 personal or real property of such manufacturer or wholesaler, which  
44 mortgage, lien, interest or estate was acquired on or before December  
45 thirty-first, nineteen hundred thirty-two, shall not be included within  
46 the provisions of this subdivision; provided, however, the burden of  
47 establishing the time of the accrual of the interest, comprehended by  
48 this subdivision shall be upon the person who claims to be entitled to  
49 the protection and exemption afforded hereby.

50 S 3. This act shall take effect immediately.