

8579

I N A S S E M B L Y

January 23, 2014

Introduced by M. of A. MAGEE -- read once and referred to the Committee
on Economic Development

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 22 of the laws of
3 2011, 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
25 land situate in the city of Canandaigua, county of Ontario, beginning at
26 a point in the northerly line of village lot nine where it meets with
27 South Main Street, thence south sixty-nine degrees fifty-four minutes
28 west a distance of nine hundred sixteen and twenty-three hundredths feet

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

LBD13385-01-3

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

1 night lodging, (iv) any such premises or business located on that tract
2 or parcel of land, or any subdivision thereof, situate in the Village of
3 Lake Placid, Town of North Elba, Essex County, New York; it being also a
4 part of Lot No. 279, Township No. 11, Old Military Tract, Richard's
5 Survey; it being also all of Lot No. 23 and part of Lot No. 22 as shown
6 and designated on a certain map entitled "Map of Building Sites for Sale
7 by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being PARCEL
8 No. 1 on a certain map of lands of Robert J. Mahoney and wife made by
9 G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and filed
10 in the Essex County Clerk's Office on August 27, 1964, and more partic-
11 ularly bounded and described as follows; BEGINNING at the intersection
12 of the northerly bounds of Shore Drive (formerly Mirror Street) with the
13 westerly bounds of Park Place (formerly Rider Street) which point is
14 also the northeast corner of Lot No. 23, from thence South $21^{\circ}50'$ East
15 in the westerly bounds of Park Place a distance of 119 feet, more or
16 less, to a lead plug in the edge of the sidewalk marking the southeast
17 corner of Lot No. 23 and the northeast corner of Lot No. 24; from thence
18 South $68^{\circ}00'50''$ West a distance of 50.05 feet to an iron pipe set in
19 concrete at the corner of Lots 23 and 22; from thence South $65^{\circ}10'50''$
20 West a distance of 7.94 feet along the south line of Lot No. 22 to an
21 iron pipe for a corner; from thence North $23^{\circ}21'40''$ West and at 17.84
22 feet along said line passing over a drill hole in a concrete sidewalk,
23 and at 68.04 feet further along said line passing over an iron pipe at
24 the southerly edge of another sidewalk, and at 1.22 feet further along
25 said line passing over another drill hole in a sidewalk, a total
26 distance of 119 feet, more or less, to the northerly line of Lot. No.
27 22; from thence easterly in the northerly line of Lot 22 and 23 to the
28 northeast corner of Lot No. 23 and the point of beginning. Also includ-
29 ing the lands to the center of Shore Drive included between the norther-
30 ly straight line continuation of the side lines of the above described
31 parcel, and to the center of Park Place, where they abut the above
32 described premises SUBJECT to the use thereof for street purposes. Being
33 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by
34 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on
35 July 10, 1992 in Book 1017 of Deeds at Page 318; (v) any such premises
36 or business located on that certain piece or parcel of land, or any
37 subdivision thereof, situate, lying and being in the Town of Platts-
38 burgh, County of Clinton, State of New York and being more particularly
39 bounded and described as follows: Starting at an iron pipe found in the
40 easterly bounds of the highway known as the Old Military Turnpike, said
41 iron pipe being located 910.39 feet southeasterly, as measured along the
42 easterly bounds of said highway, from the southerly bounds of the road-
43 way known as Industrial Parkway West, THENCE running $S 31^{\circ} 54' 33'' E$
44 along the easterly bounds of said Old Military Turnpike Extension,
45 239.88 feet to a point marking the beginning of a curve concave to the
46 west; thence southerly along said curve, having a radius of 987.99 feet,
47 248.12 feet to an iron pipe found marking the point of beginning for the
48 parcel herein being described, said point also marked the southerly
49 corner of lands of Larry Garrow, et al, as described in Book 938 of
50 Deeds at page 224; thence $N 07^{\circ} 45' 4'' E$ along the easterly bounds of
51 said Garrow, 748.16 feet to a 3"x4" concrete monument marking the
52 northeasterly corner of said Garrow, the northwesterly corner of the
53 parcel herein being described and said monument also marking the south-
54 erly bounds of lands of Salerno Plastic Corp. as described in Book 926
55 of Deeds at Page 186; thence $S 81^{\circ} 45' 28'' E$ along a portion of the
56 southerly bounds of said Salerno Plastic Corp., 441.32 feet to an iron

1 pin found marking the northeasterly corner of the parcel herein being
2 described and also marking the northwest corner of the remaining lands
3 now or formerly owned by said Marx and DeLaura; thence S 07° 45' 40" W
4 along the Westerly bounds of lands now of formerly of said Marx and
5 DeLaura and along the easterly bounds of the parcel herein being
6 described, 560.49 feet to an iron pin; thence N 83° 43' 21" W along a
7 portion of the remaining lands of said Marx and DeLaura, 41.51 feet to
8 an iron pin; thence S 08° 31' 30" W, along a portion of the remaining
9 lands of said Marx and DeLaura, 75.01 feet to an iron pin marking
10 northeasterly corner of lands currently owned by the Joint Council for
11 Economic Opportunity of Plattsburgh and Clinton County, Inc. as
12 described in Book 963 of Deeds at Page 313; thence N 82° 20' 32" W along
13 a portion of the northerly bounds of said J.C.E.O., 173.50 feet to an
14 iron pin; thence 61° 21' 12" W, continuing along a portion of the north-
15 erly bounds of said J.C.E.O., 134.14 feet to an iron pin; thence S 07°
16 45' 42" W along the westerly bounds of said J.C.E.O., 50 feet to an iron
17 pin; thence S 66° 48' 56" W along a portion of the northerly bounds of
18 remaining lands of said Marx and DeLaura, 100.00 feet to an iron pipe
19 found on the easterly bounds of the aforesaid highway, said from pipe
20 also being located on a curve concave to the west; thence running and
21 running northerly along the easterly bounds of the aforesaid highway and
22 being along said curve, with the curve having a radius of 987.93 feet,
23 60.00 feet to the point of beginning and containing 6.905 acres of land.
24 Being the same premises as conveyed to Ronald Marx and Alice Marx by
25 deed of CIT Small Business Lending Corp., as agent of the administrator,
26 U.S. Small Business Administration, an agency of the United States
27 Government dated September 10, 2001 and recorded in the office of the
28 Clinton County Clerk on September 21, 2001 as Instrument #135020; or
29 (vi) any such premises or business located on the west side of New York
30 state route 414 in military lots 64 and 75 located wholly within the
31 boundaries of that tract or parcel of land situated in the town of Lodi,
32 county of Seneca beginning at an iron pin on the assumed west line of
33 New York State Route 414 on the apparent north line of lands reputedly
34 of White (lib. 420, page 155); said iron pin also being northerly a
35 distance of 1200 feet more or less from the centerline of South Miller
36 Road; Thence leaving the point of beginning north 85-17'-44" west along
37 said lands of White a distance of 2915.90 feet to an iron pin Thence
38 north 03-52'-48" east along said lands of White, passing through an iron
39 pin 338.36 feet distant, and continuing further along that same course a
40 distance of 13.64 feet farther, the total distance being 352.00 feet to
41 a point in the assumed centerline of Nellie Neal Creek; Thence in gener-
42 ally a north westerly direction the following courses and distances
43 along the assumed centerline of Nellie Neal Creek; north 69-25'-11" west
44 a distance of 189.56 feet to a point; north 63-40'-00" west a distance
45 of 156.00 feet to a point; north 49-25'-00" west a distance of 80.00
46 feet to a point; south 80-21'-00" west a distance of 90.00 feet to a
47 point; north 72-03'-00" west a distance of 566.00 feet to a point; north
48 68-15'-00" west a distance of 506.00 feet to a point; north 55-16'-00"
49 west a distance of 135.00 feet to a point; south 69-18'-00" west a
50 distance of 200.00 feet to a point; south 88-00'-00" west a distance of
51 170.00 feet to a point on a tie line at or near the high water line of
52 Seneca Lake; Thence north 25-17'-00" east along said tie line a distance
53 of 238.00 feet to an iron pipe; Thence south 82-04'-15" east along lands
54 reputedly of M. Wagner (lib. 464, page 133) a distance of 100.00 feet to
55 an iron pin; Thence north 06-56'-47" east along said lands of M. Wagner
56 a distance of 100.00 feet to an iron pipe; Thence north 09-34'-28" east

1 along lands reputedly of Schneider (lib. 429, page 37) a distance of
2 50.10 feet to an iron pipe; Thence north 07-49'-11" east along lands
3 reputedly of Oney (lib. 484, page 24) a distance of 50.00 feet to an
4 iron pipe; Thence north 82-29'-40" west along said lands of Oney a
5 distance of 95.30 feet to an iron pipe on a tie line at or near the
6 highwater line of Seneca Lake; Thence north 08-15'-22" east along said
7 tie line a distance of 25.00 feet to an iron pin; Thence south
8 82-28'-00" east along lands reputedly of Yu (lib. 405, page 420) a
9 distance of 96.53 feet to an iron pipe; Thence north 34-36'-59" east
10 along said lands of Yu a distance of 95.00 feet to a point in the
11 assumed centerline of Van Liew Creek; Thence in generally an easterly
12 direction the following courses and distances along the assumed center-
13 line of Van Liew Creek; north 72-46'-37" east a distance of 159.98 feet
14 to a point; north 87-53'-00" east a distance of 94.00 feet to a point;
15 south 71-12'-00" east a distance of 52.00 feet to a point; south
16 84-10'-00" east a distance of 158.00 feet to a point; south 59-51'-00"
17 east a distance of 160.00 feet to a point; south 83-29'-00" east a
18 distance of 187.00 feet to a point; Thence north 01-33'-40" east along
19 lands reputedly of Hansen (lib. 515, page 205) passing through an iron
20 pipe 32.62 feet distant, and continuing further along that same course
21 passing through an iron pin 205.38 feet farther, and continuing still
22 further along that same course a distance of 21.45 feet farther, the
23 total distance being 259.45 feet to the assumed remains of a White Oak
24 stump; Thence north 69-16'-11" east along lands reputedly of Schwartz
25 (lib. 374, page 733) being tie lines along the top of the south bank of
26 Campbell Creek a distance of 338.00 feet to a point; Thence south
27 57-17'32" east along said tie line a distance of 136.60 feet to a point;
28 Thence south 74-45'-00" east along said tie line a distance of 100.00
29 feet to an iron pin; Thence north 04-46'-00" east along said lands of
30 Schwartz a distance of 100.00 feet to a point in the assumed centerline
31 of Campbell Creek; Thence in generally an easterly direction the follow-
32 ing courses and distances along the assumed centerline of Campbell
33 Creek; south 71-34'-00" east a distance of 330.00 feet to a point; north
34 76-53'-00" east a distance of 180.00 feet to a point; north 83-05'00"
35 east a distance of 230.00 feet to a point; south 66-44'-00" east a
36 distance of 90.00 feet to a point; south 81-10'-00" east a distance of
37 240.00 feet to a point; south 45-29'-15" east a distance of 73.18 feet
38 to a point; Thence south 05-25'-50" west along lands reputedly of Stan-
39 ley Wagner (lib. 450, page 276) a distance of 135.00 feet to a point on
40 the assumed north line of Military Lot 75; Thence south 84-34'-10" east
41 along said lands of Wagner and the assumed north line of Military Lot 75
42 a distance of 1195.06 feet to an iron pin; Thence south 06-57'52" west
43 along said lands of M. Wagner (lib. 414, page 267) passing through an
44 iron pin 215.58 feet distant, and continuing further along that same
45 course a distance of 20.59 feet farther, the total distance being 236.17
46 feet to a point in the assumed centerline of Campbell Creek; Thence in
47 generally a south easterly direction the following course and distances
48 along the assumed centerline of Campbell Creek; north 78-23'-09" east a
49 distance of 29.99 feet to a point; south 46-09'-15" east a distance of
50 65.24 feet to a point; north 85-55'-09" east a distance of 60.10 feet to
51 a point; south 61-59'-50" east a distance of 206.91 feet to a point;
52 north 63-58'-27" east a distance of 43.12 feet to a point; south
53 28-51'-21" east a distance of 47.72 feet to a point; south 15-14'-08"
54 west a distance of 33.42 feet to a point; south 79-16'-32" east a
55 distance of 255.15 feet to a point; south 62-19'-46" east a distance of
56 75.82 feet to a point; north 76-10'-42" east a distance of 99.60 feet to

1 a point; north 82-12'55" east a distance of 86.00 feet to a point; south
2 44-13'53" east a distance of 64.08 feet to a point; north 67-52'-46"
3 east a distance of 73.98 feet to a point; north 88-13'-13" east a
4 distance of 34.64 feet to a point on the assumed west line of New York
5 State Route 414; Thence south 20-13'-30" east along the assumed west
6 line of New York State Route 414 a distance of 248.04 feet to a concrete
7 monument; Thence south 02-10'-30" west along said road line a distance
8 of 322.90 feet to an iron pin; Thence 13-14'-50" west along said road
9 line a distance of 487.41 feet to an iron pin, said iron pin being the
10 point and place of beginning;

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

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

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

18 This survey intends to describe a portion of the premises as conveyed
19 by Ruth V. Wagner to Stanley A. Wagner by deed recorded February 10,
20 1989 in Liber 450 of deeds, at Page 286.

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

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

27 Beginning at an iron pin on the assumed east line of New York State
28 Route 414, said iron pin being north 50-44'-57" east a distance of
29 274.92 feet from the south east corner of the parcel of land herein
30 above described; Thence leaving the point of beginning north 00-26'01"
31 east along a mathematical tie line a distance of 504.91 feet to an iron
32 pin; Thence south 37-00'-20" east along lands reputedly of Tomberelli
33 (lib. 419, page 243) passing through an iron pin 176.00 feet distant,
34 and continuing further along that same course a distance of 2.01 feet
35 farther, the total distance being 178.01 feet to a point; Thence south
36 09-03'-55" west along lands reputedly of M. Wagner (lib. 491, page 181)
37 a distance of 68.19 feet to an iron pipe; Thence south 15-36'-04" west
38 along said lands of M. Wagner a distance of 300.15 feet to an iron pipe;
39 Thence south 72-04'-59" west along said lands of M. Wagner a distance of
40 20.49 feet to an iron pin, said iron pin being the point and place of
41 beginning.

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

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

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

49 This survey intends to describe the same premises as conveyed by Henry
50 W. Eighmey as executor of the Last Will and Testament of Mary C. Eighmey
51 to Stanley A. Wagner by deed recorded July 2, 1996 in liber 542, page
52 92.

53 This survey also intends to describe a portion of the premises as
54 conveyed by Ruth V. Wagner to Stanley A. Wagner by deed recorded Febru-
55 ary 10, 1989 in Liber 450 of deeds, at Page 286. The provisions of this
56 paragraph shall not apply to any premises or business located wholly

1 within the following described parcel: ALL THAT TRACT OR PARCEL OF LAND
2 situate in the City of Corning, County of Steuben and State of New York
3 bounded and described as follows: Beginning at an iron pin situate at
4 the terminus of the westerly line of Townley Avenue at its intersection
5 with the southwesterly line of New York State Route 17; thence S 00° 45'
6 18" E along the westerly line of Townley Avenue, a distance of 256.09
7 feet to a point; thence S 89° 02' 07" W through an iron pin placed at a
8 distance of 200.00 feet, a total distance of 300.00 feet to an iron pin;
9 thence N 00° 59' 17" W a distance of 47.13 feet to an iron pin; thence S
10 89° 02' 07" W a distance of 114.56 feet to a point situate in the south-
11 east corner of Parcel A-2 as set forth on a survey map hereinafter
12 described; thence N 14° 18' 49" E a distance of 124.40 feet to an iron
13 pin situate at the southeast corner of lands now or formerly of Cicci
14 (Liber 923, Page 771); thence N 14° 18' 49" E a distance of 76.46 feet
15 to an iron pin; thence N 00° 57' 53" W a distance of 26.25 feet to an
16 iron pin marking the southeast corner of parcel A-1 as set forth on the
17 hereinafter described survey map; thence N 00° 58' 01" W a distance of
18 166.00 to an iron pin situate at the northeast corner of said Parcel
19 A-1, which pin also marks the southeast corner of lands now or formerly
20 of Becraft (Liber 1048, Page 1086); thence N 00° 57' 53" W a distance of
21 106.00 feet to an iron pin situate in the southerly line of lands now or
22 formerly of the United States Postal Service; thence N 89° 02' 07" E
23 along the southerly line of said United States Postal Service a distance
24 of 81.47 feet to a point; thence N 14° 18' 49" E along the easterly line
25 of said United States Postal Service a distance of 114.29 feet to an
26 iron pin situate in the southwesterly line of New York State Route 17;
27 thence S 32° 00' 31" E along the southwesterly line of New York State
28 Route 17, a distance of 358.93 feet to an iron pin; thence continuing
29 along the southwesterly line of New York state Route 17, S 38° 30' 04" E
30 a distance of 108.18 feet to the iron pin marking the place of begin-
31 ning. Said premises are set forth and shown as approximately 4.026 acres
32 of land designated as Parcel A (excluding Parcels A-1 and A-2) on a
33 survey map entitled "As-Built Survey of Lands of New York Inn, LLC, City
34 of Corning, Steuben County, New York" by Weiler Associates, dated Decem-
35 ber 27, 2001, designated Job No. 12462; or (vii) any such premises or
36 businesses located on that certain plot, piece or parcel of land, situ-
37 ate, lying and being in the Second Ward of the City of Schenectady, on
38 the Northerly side of Union Street, bounded and described as follows: to
39 wit; Beginning at the Southeasterly corner of the lands lately owned by
40 Elisha L. Freeman and now by Albert Shear; and running from thence East-
41 erly along the line of Union Street, 44 feet to the lands now owned by
42 or in the possession of James G. Van Vorst; thence Northerly in a
43 straight line along the last mentioned lands and the lands of the late
44 John Lake, 102 feet to the lands of one Miss Rodgers; thence Westerly
45 along the line of the last mentioned lands of said Rodgers to the lands
46 of the said Shear; and thence Southerly along the lands of said Shear
47 101 feet, 6 inches to Union Street, the place of beginning.

48 Also all that tract or parcel of land, with the buildings thereon,
49 situate in the City of Schenectady, County of Schenectady, and State of
50 New York, situate in the First, formerly the Second Ward of the said
51 City, on the Northerly side of Union Street, which was conveyed by
52 William Meeker and wife to Elisha L. Freeman by deed dated the second
53 day of December 1843, and recorded in the Clerk's Office of Schenectady
54 County on December 5, 1843, in Book V of Deeds at page 392, which lot in
55 said deed is bounded and described as follows: Beginning at a point in
56 the Northerly line of Union Street where it is intersected by the East-

erly line of property numbered 235 Union Street, which is hereby conveyed, and running thence Northerly along the Easterly line of said property, One Hundred Forty and Five-tenths (140.5) feet to a point sixteen (16) feet Southerly from the Southerly line of the new garage built upon land adjoining on the North; thence Westerly parallel with said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly One Hundred Forty and Eight-tenths (140.8) feet to the Northerly margin of Union Street; thence Easterly along the Northerly margin of Union Street, about Forty-eight and three-tenths (48.3) feet to the point or place of beginning.

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

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

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

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

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

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

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

24 The two above parcels are together more particularly described as
25 follows: All that parcel of land in the City of Schenectady beginning at
26 a point in the northerly margin of Union Street and the northwesterly
27 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.
28 42' 20" W. 124.55 feet to the easterly margin of North College Street;
29 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to
30 the southeasterly corner of lands now or formerly of McCarthy (Deed Book
31 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or
32 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.
33 191.75 feet to the northwesterly margin of Erie Boulevard; thence along
34 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-
35 ning; or (viii) any such premises or businesses located on that tract or
36 parcel of land situate in the Town of Hopewell, Ontario County, State of
37 New York, bounded and described as follows: Commencing at a 5/8" rebar
38 found on the division line between lands now or formerly of Ontario
39 County - Finger Lakes Community College (Liber 698 of Deeds, Page 466)
40 on the north and lands now or formerly of James W. Baird (Liber 768 of
41 Deeds, Page 1109) on the south; thence, North 43°-33'-40" West, on said
42 division line, a distance of 77.32 feet to the Point of Beginning.
43 Thence, North 43°-33'-40" West, continuing on said division line and
44 through said lands of Ontario County, a distance of 520.45 feet to a
45 point on the southeasterly edge of an existing concrete pad; thence,
46 South 74°-19'-53" West, along said edge of concrete and the projection
47 thereof, a distance of 198.78 feet to a point on the easterly edge of
48 pavement of an existing campus drive; thence, the following two (2)
49 courses and distances along said edge of pavement: Northeasterly on a
50 curve to the left having a radius of 2221.65 feet, a chord bearing of
51 North 30°-16'-39" East, a chord distance of 280.79, a central angle of
52 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;
53 thence, Northeasterly on a curve to the right having a radius of 843.42
54 feet, a chord bearing of North 45°-25'-09" East, a chord distance of
55 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a
56 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the

1 corner of the property acquired by Ontario County (Liber 766 of Deeds,
2 Page 1112), as shown on a map recorded in the Ontario County Clerk's
3 Office as Map No. 6313; thence, the following four (4) courses and
4 distances along said property line: South 30°-04'-59" East, a distance
5 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of
6 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of
7 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-
8 erty line, and the projection thereof, through the first said lands of
9 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,
10 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel
11 containing 7.834 acres, more or less, as shown on a map entitled
12 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts
13 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,
14 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-
15 erties are shown on the Map denominated "FLCC Campus Property, FLPAC
16 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the
17 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds
18 at page 9 and are comprised of the areas separately labeled as Parking
19 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the
20 Entry Roads; OR (IX) ANY SUCH PREMISES OR BUSINESSES LOCATED ON THAT
21 TRACT OR PARCEL OF LAND SITUATE LYING AND BEING IN THE TOWN OF ONEONTA,
22 COUNTY OF OTSEGO AND STATE OF NEW YORK AND BEING A PORTION OF OTSEGO
23 COUNTY TAX MAP DEPARTMENT PARCEL NUMBER 287.00-1-33 AND BOUNDED AND
24 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 2.12 FEET OFF THE NORTHEAST-
25 ERLY CORNER OF A ONE STORY BUILDING ON THE LANDS, NOW OR FORMERLY, OF
26 ABNER DOUBLEDAY, LLC, AKA COOPERSTOWN ALL STAR VILLAGE, LLC, AS OWNED BY
27 MARTIN AND BRENDA PATTON, WHICH POINT LIES N 87°55'13" W A DISTANCE OF
28 149.37' FROM THE NORTHEAST CORNER OF THE PATTON LANDS; THENCE N
29 74°30'18" W A DISTANCE OF 51.50 FEET TO A POINT; THENCE S 15°29'42" W A
30 DISTANCE OF 2.00 FEET TO A POINT; THENCE N 74°30'18" W A DISTANCE OF
31 14.00 FEET TO A POINT; THENCE S 15°29'42" W A DISTANCE OF 19.20 FEET TO
32 A POINT; THENCE S 74°30'18" E A DISTANCE OF 14.20 FEET TO A POINT;
33 THENCE S 15°29'42" W A DISTANCE OF 4.20 FEET; THENCE S 74°30'18" E A
34 DISTANCE OF 51.30 FEET TO A POINT; THENCE N 15°29'42" E A DISTANCE OF
35 25.40 FEET TO A POINT TO THE POINT AND PLACE OF BEGINNING.
36 CONTAINING AN AREA OF 1576.06 SQUARE FEET, OR 0.036 ACRES WITH SUCH
37 BEARINGS REFERENCING MAGNETIC NORTH 1995.
38 THIS SURVEY IS SUBJECT TO ANY RIGHTS OF WAY OR EASEMENTS WHICH MAY HAVE
39 BEEN GRANTED TO UTILITY COMPANIES.

40 The provisions of this paragraph shall not apply to any premises
41 licensed under section sixty-four of this chapter in which a manufactur-
42 er or wholesaler holds a direct or indirect interest, provided that: (I)
43 said premises consist of an interactive entertainment facility which
44 predominantly offers interactive computer and video entertainment
45 attractions, and other games and also offers themed merchandise and food
46 and beverages, (II) the sale of alcoholic beverages within the premises
47 shall be restricted to an area consisting of not more than twenty-five
48 percent of the total interior floor area of the premises, (III) the
49 retail licenses shall derive not less than sixty-five percent of the
50 total revenue generated by the facility from interactive video enter-
51 tainment activities and other games, including related attractions and
52 sales of merchandise other than food and alcoholic beverages, (IV) the
53 interested manufacturer or wholesaler, or its parent company, shall be
54 listed on a national securities exchange and its direct or indirect
55 equity interest in the retail licensee shall not exceed twenty-five
56 percent, (V) no more than fifteen percent of said licensee's purchases

1 of alcoholic beverages for sale in the premises shall be products
2 produced or distributed by the manufacturer or wholesaler, (VI) neither
3 the name of the manufacturer or wholesaler nor the name of any brand of
4 alcoholic beverage produced or distributed by said manufacturer or
5 wholesaler shall be part of the name of the premises, (VII) the name of
6 the manufacturer or wholesaler or the name of products sold or distrib-
7 uted by such manufacturer or wholesaler shall not be identified on
8 signage affixed to either the interior or the exterior of the premises
9 in any fashion, (VIII) promotions involving alcoholic beverages produced
10 or distributed by the manufacturer or wholesaler are not held in such
11 premises and further, retail and consumer advertising specialties bear-
12 ing the name of the manufacturer or wholesaler or the name of alcoholic
13 beverages produced or distributed by the manufacturer or wholesaler are
14 not utilized in any fashion, given away or sold in said premises, and
15 (IX) except to the extent provided in this paragraph, the licensing of
16 each premises covered by this exception is subject to all provisions of
17 section sixty-four of this chapter, including but not limited to liquor
18 authority approval of the specific location thereof. The provisions of
19 this paragraph shall not prohibit (1) a manufacturer or wholesaler, if
20 an individual, or a partner, of a partnership, or, if a corporation, an
21 officer or director thereof, from being an officer or director of a duly
22 licensed charitable organization which is the holder of a license for
23 on-premises consumption under this chapter, nor (2) a manufacturer from
24 acquiring any such premises if the liquor authority first consents ther-
25 eto after determining, upon such proofs as it shall deem sufficient,
26 that such premises is contiguous to the licensed premises of such
27 manufacturer, and is reasonably necessary for the expansion of the
28 facilities of such manufacturer. After any such acquisition, it shall be
29 illegal for a manufacturer acquiring any such premises to sell or deliver
30 alcoholic beverages manufactured by him to any licensee occupying
31 such premises.

32 S 2. Subdivision 13 of section 106 of the alcoholic beverage control
33 law, as amended by chapter 22 of the laws of 2011, is amended to read as
34 follows:

35 13. No retail licensee for on-premises consumption shall be inter-
36 ested, directly or indirectly, in any premises where liquors, wines or
37 beer are manufactured or sold at wholesale, by stock ownership, inter-
38 locking directors, mortgage or lien on any personal or real property or
39 by any other means, except that liquors, wines or beer may be manufac-
40 tured or sold wholesale by the person licensed as a manufacturer or
41 wholesaler thereof on real property owned by an interstate railroad
42 corporation or a United States certificated airline with a retail
43 license for on-premises consumption, or on premises or with respect to a
44 business constituting an overnight lodging and resort facility located
45 wholly within the boundaries of the town of North Elba, county of Essex,
46 township eleven, Richard's survey, great lot numbers two hundred seven-
47 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-
48 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-
49 teen, three hundred nineteen, three hundred twenty, three hundred
50 thirty-five and three hundred thirty-six, and township twelve, Thorn's
51 survey, great lot numbers one hundred six and one hundred thirteen, as
52 shown on the Adirondack map, compiled by the conservation department of
53 the state of New York - nineteen hundred sixty-four edition, in the
54 Essex county atlas at page twenty-seven in the Essex county clerk's
55 office, Elizabethtown, New York, provided that such facility maintains
56 not less than two hundred fifty rooms and suites for overnight lodging,

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

1 748.16 feet to a 3"x4" concrete monument marking the northeasterly
2 corner of said Garrow, the northwesterly corner of the parcel herein
3 being described and said monument also marking the southerly bounds of
4 lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page
5 186; thence S 81° 45' 28" E along a portion of the southerly bounds of
6 said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the
7 northeasterly corner of the parcel herein being described and also mark-
8 ing the northwest corner of the remaining lands now or formerly owned by
9 said Marx and Delaura; thence S 07° 45' 40" W along the Westerly bounds
10 of lands now of formerly of said Marx and DeLaura and along the easterly
11 bounds of the parcel herein being described, 560.49 feet to an iron pin;
12 thence N 83° 43' 21" W along a portion of the remaining lands of said
13 Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W,
14 along a portion of the remaining lands of said Marx and Delaura, 75.01
15 feet to an iron pin marking northeasterly corner of lands currently
16 owned by the Joint Council for Economic Opportunity of Plattsburgh and
17 Clinton County, Inc. as described in Book 963 of Deeds at Page 313;
18 thence N 82° 20' 32" W along a portion of the northerly bounds of said
19 J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing
20 along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to
21 an iron pin; thence S 07° 45' 42" W along the westerly bounds of said
22 J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion
23 of the northerly bounds of remaining lands of said Marx and DeLaura,
24 100.00 feet to an iron pipe found on the easterly bounds of the afore-
25 said highway, said from pipe also being located on a curve concave to
26 the west; thence running and running northerly along the easterly bounds
27 of the aforesaid highway and being along said curve, with the curve
28 having a radius of 987.93 feet, 60.00 feet to the point of beginning and
29 containing 6.905 acres of land. Being the same premises as conveyed to
30 Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp.,
31 as agent of the administrator, U.S. Small Business Administration, an
32 agency of the United States Government dated September 10, 2001 and
33 recorded in the office of the Clinton County Clerk on September 21, 2001
34 as Instrument #135020, or any such premises or businesses located on
35 that certain plot, piece or parcel of land, situate, lying and being in
36 the Second Ward of the City of Schenectady, on the Northerly side of
37 Union Street, bounded and described as follows: to wit; Beginning at the
38 Southeasterly corner of the lands lately owned by Elisha L. Freeman and
39 now by Albert Shear; and running from thence Easterly along the line of
40 Union Street, 44 feet to the lands now owned by or in the possession of
41 James G. Van Vorst; thence Northerly in a straight line along the last
42 mentioned lands and the lands of the late John Lake, 102 feet to the
43 lands of one Miss Rodgers; thence Westerly along the line of the last
44 mentioned lands of said Rodgers to the lands of the said Shear; and
45 thence Southerly along the lands of said Shear 101 feet, 6 inches to
46 Union Street, the place of beginning.

47 Also all that tract or parcel of land, with the buildings thereon,
48 situate in the City of Schenectady, County of Schenectady, and State of
49 New York, situate in the First, formerly the Second Ward of the said
50 City, on the Northerly side of Union Street, which was conveyed by
51 William Meeker and wife to Elisha L. Freeman by deed dated the second
52 day of December 1843, and recorded in the Clerk's Office of Schenectady
53 County on December 5, 1843, in Book V of Deeds at page 392, which lot in
54 said deed is bounded and described as follows: Beginning at a point in
55 the Northerly line of Union Street where it is intersected by the East-
56 erly line of property numbered 235 Union Street, which is hereby

conveyed, and running thence Northerly along the Easterly line of said property, One Hundred Forty and Five-tenths (140.5) feet to a point sixteen (16) feet Southerly from the Southerly line of the new garage built upon land adjoining on the North; thence Westerly parallel with said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly One Hundred Forty and Eighty-tenths (140.8) feet to the Northerly margin of Union Street; thence Easterly along the Northerly margin of Union Street, about Forty-eight and three-tenths (48.3) feet to the point or place of beginning.

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

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

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

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

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

Also all that tract or parcel of land commonly known as the Union Street School, located on the Northeasterly corner of Union and North

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

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

22 The two above parcels are together more particularly described as
23 follows: All that parcel of land in the City of Schenectady beginning at
24 a point in the northerly margin of Union Street and the northwesterly
25 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.
26 42' 20" W. 124.55 feet to the easterly margin of North College Street;
27 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to
28 the southeasterly corner of lands now or formerly of McCarthy (Deed Book
29 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or
30 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.
31 191.75 feet to the northwesterly margin of Erie Boulevard; thence along
32 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-
33 ning, any such premises or businesses located on that tract or parcel of
34 land situate in the Town of Hopewell, Ontario County, State of New York,
35 bounded and described as follows: Commencing at a 5/8" rebar found on
36 the division line between lands now or formerly of Ontario County -
37 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the
38 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,
39 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-
40 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,
41 North 43°-33'-40" West, continuing on said division line and through
42 said lands of Ontario County, a distance of 520.45 feet to a point on
43 the southeasterly edge of an existing concrete pad; thence, South
44 74°-19'-53" West, along said edge of concrete and the projection there-
45 of, a distance of 198.78 feet to a point on the easterly edge of pave-
46 ment of an existing campus drive; thence, the following two (2) courses
47 and distances along said edge of pavement: Northeasterly on a curve to
48 the left having a radius of 2221.65 feet, a chord bearing of North
49 30°-16'-39" East, a chord distance of 280.79, a central angle of
50 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;
51 thence, Northeasterly on a curve to the right having a radius of 843.42
52 feet, a chord bearing of North 45°-25'-09" East, a chord distance of
53 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a
54 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the
55 corner of the property acquired by Ontario County (Liber 766 of Deeds,
56 Page 1112), as shown on a map recorded in the Ontario County Clerk's

1 Office as Map No. 6313; thence, the following four (4) courses and
2 distances along said property line: South 30°-04'-59" East, a distance
3 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of
4 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of
5 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-
6 erty line, and the projection thereof, through the first said lands of
7 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,
8 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel
9 containing 7.834 acres, more or less, as shown on a map entitled
10 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts
11 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,
12 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-
13 erties are shown on the Map denominated "FLCC Campus Property, FLPAC
14 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the
15 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds
16 at page 9 and are comprised of the areas separately labeled as Parking
17 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the
18 Entry Roads; OR SUCH PREMISES OR BUSINESSES LOCATED ON THAT TRACT OR
19 PARCEL OF LAND SITUATE LYING AND BEING IN THE TOWN OF ONEONTA, COUNTY OF
20 OTSEGO AND STATE OF NEW YORK AND BEING A PORTION OF OTSEGO COUNTY TAX
21 MAP DEPARTMENT PARCEL NUMBER 287.00-1-33 AND BOUNDED AND DESCRIBED AS
22 FOLLOWS: BEGINNING AT A POINT 2.12 FEET OFF THE NORTHEASTERLY CORNER OF
23 A ONE STORY BUILDING ON THE LANDS, NOW OR FORMERLY, OF ABNER DOUBLEDAY,
24 LLC, AKA COOPERSTOWN ALL STAR VILLAGE, LLC, AS OWNED BY MARTIN AND BREN-
25 DA PATTON, WHICH POINT LIES N 87°55'13" W A DISTANCE OF 149.37' FROM THE
26 NORTHEAST CORNER OF THE PATTON LANDS; THENCE N 74°30'18" W A DISTANCE OF
27 51.50 FEET TO A POINT; THENCE S 15°29'42" W A DISTANCE OF 2.00 FEET TO A
28 POINT; THENCE N 74°30'18" W A DISTANCE OF 14.00 FEET TO A POINT; THENCE
29 S 15°29'42" W A DISTANCE OF 19.20 FEET TO A POINT; THENCE S 74°30'18" E
30 A DISTANCE OF 14.20 FEET TO A POINT; THENCE S 15°29'42" W A DISTANCE OF
31 4.20 FEET; THENCE S 74°30'18" E A DISTANCE OF 51.30 FEET TO A POINT;
32 THENCE N 15°29'42" E A DISTANCE OF 25.40 FEET TO A POINT TO THE POINT
33 AND PLACE OF BEGINNING or on premises or with respect to a business
34 constituting the overnight lodging facility located wholly within the
35 boundaries of that tract or parcel of land situated in the borough of
36 Manhattan, city and county of New York, beginning at a point on the
37 northerly side of west fifty-fourth street at a point one hundred feet
38 easterly from the intersection of the said northerly side of west
39 fifty-fourth street and the easterly side of seventh avenue; running
40 thence northerly and parallel with the easterly side of seventh avenue
41 one hundred feet five inches to the center line of the block; running
42 thence easterly and parallel with the northerly side of west fifty-
43 fourth street and along the center line of the block fifty feet to a
44 point; running thence northerly and parallel with the easterly side of
45 seventh avenue one hundred feet five inches to the southerly side of
46 west fifty-fifth street at a point distant one hundred fifty feet east-
47 erly from the intersection of the said southerly side of west fifty-
48 fifth street and the easterly side of seventh avenue; running thence
49 easterly along the southerly side of west fifty-fifth street thirty-one
50 feet three inches to a point; running thence southerly and parallel with
51 the easterly side of the seventh avenue one hundred feet five inches to
52 the center line of the block; running thence easterly along the center
53 line of the block and parallel with the southerly side of west fifty-
54 fifth street, one hundred feet; running thence northerly and parallel
55 with the easterly side of seventh avenue one hundred feet five inches to
56 the southerly side of west fifty-fifth street; running thence easterly

1 along the southerly side of west fifty-fifth street twenty-one feet ten
2 and one-half inches to a point; running thence southerly and parallel
3 with the easterly side of seventh avenue one hundred feet five inches to
4 the center line of the block; running thence westerly along the center
5 line of the block and parallel with the northerly side of west fifty-
6 fourth street three feet one and one-half inches; running thence south-
7 erly and parallel with the easterly side of seventh avenue one hundred
8 feet five inches to the northerly side of west fifty-fourth street at a
9 point distant three hundred feet easterly from the intersection of the
10 said northerly side of west fifty-fourth street and the easterly side of
11 seventh avenue; running thence westerly and along the northerly side of
12 west fifty-fourth street two hundred feet to the point or place of
13 beginning, provided that such facility maintains not less than four
14 hundred guest rooms and suites for overnight lodging. Any lien, mortgage
15 or other interest or estate now held by said retail licensee on or in
16 the personal or real property of such manufacturer or wholesaler, which
17 mortgage, lien, interest or estate was acquired on or before December
18 thirty-first, nineteen hundred thirty-two, shall not be included within
19 the provisions of this subdivision; provided, however, the burden of
20 establishing the time of the accrual of the interest, comprehended by
21 this subdivision shall be upon the person who claims to be entitled to
22 the protection and exemption afforded hereby.
23 S 3. This act shall take effect immediately.