

9674--B

I N A S S E M B L Y

March 29, 2016

Introduced by M. of A. GALEF, BUCHWALD -- read once and referred to the Committee on Economic Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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 301 of the laws of
3 2014, 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

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

LBD14268-11-6

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

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

erly bounds of lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page 186; thence S 81° 45' 28" E along a portion of the southerly bounds of said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the northeasterly corner of the parcel herein being described and also marking the northwest corner of the remaining lands now or formerly owned by said Marx and DeLaura; thence S 07° 45' 40" W along the Westerly bounds of lands now of formerly of said Marx and DeLaura and along the easterly bounds of the parcel herein being described, 560.49 feet to an iron pin; thence N 83° 43' 21" W along a portion of the remaining lands of said Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W, along a portion of the remaining lands of said Marx and DeLaura, 75.01 feet to an iron pin marking northeasterly corner of lands currently owned by the Joint Council for Economic Opportunity of Plattsburgh and Clinton County, Inc. as described in Book 963 of Deeds at Page 313; thence N 82° 20' 32" W along a portion of the northerly bounds of said J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to an iron pin; thence S 07° 45' 42" W along the westerly bounds of said J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion of the northerly bounds of remaining lands of said Marx and DeLaura, 100.00 feet to an iron pipe found on the easterly bounds of the aforesaid highway, said from pipe also being located on a curve concave to the west; thence running and running northerly along the easterly bounds of the aforesaid highway and being along said curve, with the curve having a radius of 987.93 feet, 60.00 feet to the point of beginning and containing 6.905 acres of land. Being the same premises as conveyed to Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp., as agent of the administrator, U.S. Small Business Administration, an agency of the United States Government dated September 10, 2001 and recorded in the office of the Clinton County Clerk on September 21, 2001 as Instrument #135020; or (vi) any such premises or business located on the west side of New York state route 414 in military lots 64 and 75 located wholly within the boundaries of that tract or parcel of land situated in the town of Lodi, county of Seneca beginning at an iron pin on the assumed west line of New York State Route 414 on the apparent north line of lands reputedly of White (lib. 420, page 155); said iron pin also being northerly a distance of 1200 feet more or less from the centerline of South Miller Road; Thence leaving the point of beginning north 85-17'-44" west along said lands of White a distance of 2915.90 feet to an iron pin Thence north 03-52'-48" east along said lands of White, passing through an iron pin 338.36 feet distant, and continuing further along that same course a distance of 13.64 feet farther, the total distance being 352.00 feet to a point in the assumed centerline of Nellie Neal Creek; Thence in generally a north westerly direction the following courses and distances along the assumed centerline of Nellie Neal Creek; north 69-25'-11" west a distance of 189.56 feet to a point; north 63-40'-00" west a distance of 156.00 feet to a point; north 49-25'-00" west a distance of 80.00 feet to a point; south 80-21'-00" west a distance of 90.00 feet to a point; north 72-03'-00" west a distance of 566.00 feet to a point; north 68-15'-00" west a distance of 506.00 feet to a point; north 55-16'-00" west a distance of 135.00 feet to a point; south 69-18'-00" west a distance of 200.00 feet to a point; south 88-00'-00" west a distance of 170.00 feet to a point on a tie line at or near the high water line of Seneca Lake; Thence north 25-17'-00" east along said tie line a distance of 238.00 feet to an iron pipe; Thence south 82-04'-15" east along lands

1 reputedly of M. Wagner (lib. 464, page 133) a distance of 100.00 feet to
2 an iron pin; Thence north 06-56'-47" east along said lands of M. Wagner
3 a distance of 100.00 feet to an iron pipe; Thence north 09-34'-28" east
4 along lands reputedly of Schneider (lib. 429, page 37) a distance of
5 50.10 feet to an iron pipe; Thence north 07-49'-11" east along lands
6 reputedly of Oney (lib. 484, page 24) a distance of 50.00 feet to an
7 iron pipe; Thence north 82-29'-40" west along said lands of Oney a
8 distance of 95.30 feet to an iron pipe on a tie line at or near the
9 highwater line of Seneca Lake; Thence north 08-15'-22" east along said
10 tie line a distance of 25.00 feet to an iron pin; Thence south
11 82-28'-00" east along lands reputedly of Yu (lib. 405, page 420) a
12 distance of 96.53 feet to an iron pipe; Thence north 34-36'-59" east
13 along said lands of Yu a distance of 95.00 feet to a point in the
14 assumed centerline of Van Liew Creek; Thence in generally an easterly
15 direction the following courses and distances along the assumed center-
16 line of Van Liew Creek; north 72-46'-37" east a distance of 159.98 feet
17 to a point; north 87-53'-00" east a distance of 94.00 feet to a point;
18 south 71-12'-00" east a distance of 52.00 feet to a point; south
19 84-10'-00" east a distance of 158.00 feet to a point; south 59-51'-00"
20 east a distance of 160.00 feet to a point; south 83-29'-00" east a
21 distance of 187.00 feet to a point; Thence north 01-33'-40" east along
22 lands reputedly of Hansen (lib. 515, page 205) passing through an iron
23 pipe 32.62 feet distant, and continuing further along that same course
24 passing through an iron pin 205.38 feet farther, and continuing still
25 further along that same course a distance of 21.45 feet farther, the
26 total distance being 259.45 feet to the assumed remains of a White Oak
27 stump; Thence north 69-16'-11" east along lands reputedly of Schwartz
28 (lib. 374, page 733) being tie lines along the top of the south bank of
29 Campbell Creek a distance of 338.00 feet to a point; Thence south
30 57-17'32" east along said tie line a distance of 136.60 feet to a point;
31 Thence south 74-45'-00" east along said tie line a distance of 100.00
32 feet to an iron pin; Thence north 04-46'-00" east along said lands of
33 Schwartz a distance of 100.00 feet to a point in the assumed centerline
34 of Campbell Creek; Thence in generally an easterly direction the follow-
35 ing courses and distances along the assumed centerline of Campbell
36 Creek; south 71-34'-00" east a distance of 330.00 feet to a point; north
37 76-53'-00" east a distance of 180.00 feet to a point; north 83-05'00"
38 east a distance of 230.00 feet to a point; south 66-44'-00" east a
39 distance of 90.00 feet to a point; south 81-10'-00" east a distance of
40 240.00 feet to a point; south 45-29'-15" east a distance of 73.18 feet
41 to a point; Thence south 05-25'-50" west along lands reputedly of Stan-
42 ley Wagner (lib. 450, page 276) a distance of 135.00 feet to a point on
43 the assumed north line of Military Lot 75; Thence south 84-34'-10" east
44 along said lands of Wagner and the assumed north line of Military Lot 75
45 a distance of 1195.06 feet to an iron pin; Thence south 06-57'52" west
46 along said lands of M. Wagner (lib. 414, page 267) passing through an
47 iron pin 215.58 feet distant, and continuing further along that same
48 course a distance of 20.59 feet farther, the total distance being 236.17
49 feet to a point in the assumed centerline of Campbell Creek; Thence in
50 generally a south easterly direction the following course and distances
51 along the assumed centerline of Campbell Creek; north 78-23'-09" east a
52 distance of 29.99 feet to a point; south 46-09'-15" east a distance of
53 65.24 feet to a point; north 85-55'-09" east a distance of 60.10 feet to
54 a point; south 61-59'-50" east a distance of 206.91 feet to a point;
55 north 63-58'-27" east a distance of 43.12 feet to a point; south
56 28-51'-21" east a distance of 47.72 feet to a point; south 15-14'-08"

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

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

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

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

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

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

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

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

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

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

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

52 This survey intends to describe the same premises as conveyed by Henry
53 W. Eighmey as executor of the Last Will and Testament of Mary C. Eighmey
54 to Stanley A. Wagner by deed recorded July 2, 1996 in liber 542, page
55 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 or
40 parcel of land situate in the Town of Hopewell, Ontario County, State of
41 New York, bounded and described as follows: Commencing at a 5/8" rebar
42 found on the division line between lands now or formerly of Ontario
43 County - Finger Lakes Community College (Liber 698 of Deeds, Page 466)
44 on the north and lands now or formerly of James W. Baird (Liber 768 of
45 Deeds, Page 1109) on the south; thence, North 43°-33'-40" West, on said
46 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; or (ix) any such premises or businesses located on that
25 tract or parcel of land situate lying and being in the Town of Oneonta,
26 County of Otsego and State of New York and being a portion of Otsego
27 County Tax Map Department Parcel Number 287.00-1-33 and bounded and
28 described as follows: Beginning at a point 2.12 feet off the northeast-
29 erly corner of a one story building on the lands, now or formerly, of
30 Abner Doubleday, LLC, aka Cooperstown All Star Village, LLC, as owned by
31 Martin and Brenda Patton, which point lies N 87°55'13" W a distance of
32 149.37' from the northeast corner of the Patton lands; thence N
33 74°30'18" W a distance of 51.50 feet to a point; thence S 15°29'42" W a
34 distance of 2.00 feet to a point; thence N 74°30'18" W a distance of
35 14.00 feet to a point; thence S 15°29'42" W a distance of 19.20 feet to
36 a point; thence S 74°30'18" E a distance of 14.20 feet to a point;
37 thence S 15°29'42" W a distance of 4.20 feet; thence S 74°30'18" E a
38 distance of 51.30 feet to a point; thence N 15°29'42" E a distance of
39 25.40 feet to a point to the point and place of beginning.
40 Containing an area of 1576.06 square feet, or 0.036 acres with such
41 bearings referencing Magnetic North 1995.
42 This survey is subject to any rights of way or easements which may have
43 been granted to utility companies; OR (X) ALL THAT CERTAIN PLOT, PIECE
44 OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF GREENBURGH,
45 COUNTY OF WESTCHESTER AND STATE OF NEW YORK, BEING BOUNDED AND DESCRIBED
46 AS FOLLOWS:
47 BEGINNING AT A POINT ON THE EASTERLY SIDE OF SAW MILL RIVER ROAD WHERE
48 THE SAME IS INTERSECTED BY THE DIVISION LINE BETWEEN PREMISES HEREINAFT-
49 ER DESCRIBED AND LANDS NOW OR FORMERLY OF ONE RIVERDALE AVE. DEVELOP-
50 MENT CO., INC., SAID POINT BEING NORTH 11 DEGREES 23' 24" WEST 22.83
51 FEET FROM THE FORMER NORTH EAST CORNER OF SAW MILL RIVER ROAD AND HUNTER
52 LANE;
53 THENCE ALONG SAID DIVISION LINE, NORTH 82 DEGREES 18' 00" EAST 647.08
54 FEET TO LAND NOW OR FORMERLY OF ONE RIVERDALE AVE. DEVELOPMENT CO.,
55 INC.;

1 THENCE NORTHERLY ALONG SAME, NORTH 7 DEGREES 42' 00" WEST 351.52 FEET
2 AND NORTH 10 DEGREES 15' 00" WEST 282.50 FEET TO THE SOUTHEAST CORNER OF
3 LANDS NOW OR FORMERLY OF HODES DANIELS;

4 THENCE WESTERLY ALONG SAME, SOUTH 80 DEGREES 34' 00" WEST 85.00 FEET,
5 SOUTH 9 DEGREES 26' 00" EAST 40.52 FEET, SOUTH 80 DEGREES 35' 00" WEST
6 120.56 FEET, AND SOUTH 81 DEGREES 15' 00" WEST 485.74 FEET TO THE EAST
7 SIDE OF SAW MILL RIVER ROAD;

8 THENCE SOUTHERLY ALONG SAME, SOUTH 18 DEGREES 17' 40" EAST 150.40 FEET
9 AND SOUTH 11 DEGREES 23' 24" EAST 431.17 FEET TO THE POINT OF BEGINNING.

10 The provisions of this paragraph shall not apply to any premises
11 licensed under section sixty-four of this chapter in which a manufactur-
12 er or wholesaler holds a direct or indirect interest, provided that: (I)
13 said premises consist of an interactive entertainment facility which
14 predominantly offers interactive computer and video entertainment
15 attractions, and other games and also offers themed merchandise and food
16 and beverages, (II) the sale of alcoholic beverages within the premises
17 shall be restricted to an area consisting of not more than twenty-five
18 percent of the total interior floor area of the premises, (III) the
19 retail licenses shall derive not less than sixty-five percent of the
20 total revenue generated by the facility from interactive video enter-
21 tainment activities and other games, including related attractions and
22 sales of merchandise other than food and alcoholic beverages, (IV) the
23 interested manufacturer or wholesaler, or its parent company, shall be
24 listed on a national securities exchange and its direct or indirect
25 equity interest in the retail licensee shall not exceed twenty-five
26 percent, (V) no more than fifteen percent of said licensee's purchases
27 of alcoholic beverages for sale in the premises shall be products
28 produced or distributed by the manufacturer or wholesaler, (VI) neither
29 the name of the manufacturer or wholesaler nor the name of any brand of
30 alcoholic beverage produced or distributed by said manufacturer or
31 wholesaler shall be part of the name of the premises, (VII) the name of
32 the manufacturer or wholesaler or the name of products sold or distrib-
33 uted by such manufacturer or wholesaler shall not be identified on
34 signage affixed to either the interior or the exterior of the premises
35 in any fashion, (VIII) promotions involving alcoholic beverages produced
36 or distributed by the manufacturer or wholesaler are not held in such
37 premises and further, retail and consumer advertising specialties bear-
38 ing the name of the manufacturer or wholesaler or the name of alcoholic
39 beverages produced or distributed by the manufacturer or wholesaler are
40 not utilized in any fashion, given away or sold in said premises, and
41 (IX) except to the extent provided in this paragraph, the licensing of
42 each premises covered by this exception is subject to all provisions of
43 section sixty-four of this chapter, including but not limited to liquor
44 authority approval of the specific location thereof. The provisions of
45 this paragraph shall not prohibit (1) a manufacturer or wholesaler, if
46 an individual, or a partner, of a partnership, or, if a corporation, an
47 officer or director thereof, from being an officer or director of a duly
48 licensed charitable organization which is the holder of a license for
49 on-premises consumption under this chapter, nor (2) a manufacturer from
50 acquiring any such premises if the liquor authority first consents ther-
51 eto after determining, upon such proofs as it shall deem sufficient,
52 that such premises is contiguous to the licensed premises of such
53 manufacturer, and is reasonably necessary for the expansion of the
54 facilities of such manufacturer. After any such acquisition, it shall be
55 illegal for a manufacturer acquiring any such premises to sell or deliv-

1 er alcoholic beverages manufactured by him to any licensee occupying
2 such premises.

3 S 2. Section 64-c of the alcoholic beverage control law is amended by
4 adding a new subdivision 19 to read as follows:

5 19. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION SIX OF THIS SECTION
6 OR OF SUBDIVISION THIRTEEN OF SECTION ONE HUNDRED SIX OF THIS CHAPTER,
7 THE AUTHORITY MAY ISSUE A RESTAURANT BREWER'S LICENSE PURSUANT TO THIS
8 SECTION FOR A PREMISES WHICH SHALL BE LOCATED WHOLLY WITHIN THE CITY OF
9 PEEKSKILL, COUNTY OF WESTCHESTER, STATE OF NEW YORK, BOUNDED AND
10 DESCRIBED AS FOLLOWS:

11 ANY SUCH PREMISES OR BUSINESS LOCATED ON ALL THAT CERTAIN PARCEL OF
12 LAND SITUATE IN THE CITY OF PEEKSKILL, COUNTY OF WESTCHESTER AND STATE
13 OF NEW YORK, THAT IS A PORTION OF PARCEL I AS IT IS SHOWN ON THAT
14 CERTAIN MAP ENTITLED, "SURVEY . . AT CHARLES POINT . . " WHICH WAS FILED
15 IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON OCTOBER 23, 1980 AS MAP NO.
16 20407 THAT IS BOUNDED AND DESCRIBED AS FOLLOWS:

17 BEGINNING AT A POINT ON THE EASTERLY SHORELINE OF THE HUDSON RIVER AND
18 WITHIN THE BOUNDS OF THE SAID PARCEL I AS IT IS SHOWN ON THE SAID FILED
19 MAP NO. 20407, WHICH POINT OCCUPIES COORDINATE POSITION:

20 NORTH 464418.83 (Y)

21 EAST 607401.00 (X)

22 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE AND WHICH POINT IS
23 DISTANT, THE FOLLOWING COURSES FROM THE SOUTHERLY CORNER OF THE PARCEL
24 SHOWN ON MAP NO. 20407 THAT OCCUPIES COORDINATE POSITION

25 NORTH 463520.804 (Y)

26 EAST 608470.681 (X)

27 OF THE AFORESAID NEW YORK STATE COORDINATE SYSTEM, EAST ZONE:

28 NORTH 47 DEGREES 30' 36" WEST 856.60 FEET,

29 NORTH 77 DEGREES 10' 53" WEST 488.18 FEET,

30 NORTH 41 DEGREES 17' 53" WEST 113.32 FEET AND

31 NORTH 41 DEGREES 50' 16" EAST 169.08 FEET;

32 THENCE FROM THE SAID POINT OF BEGINNING ALONG THE SAID EASTERLY SHORE-
33 LINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER:

34 DUE NORTH 16.17 FEET,

35 NORTH 53 DEGREES 58' 22" WEST 13.60 FEET,

36 NORTH 73 DEGREES 04' 21" WEST 24.04 FEET,

37 NORTH 63 DEGREES 26' 06" WEST 22.36 FEET,

38 NORTH 82 DEGREES 18' 14" WEST 37.34 FEET,

39 NORTH 64 DEGREES 47' 56" WEST 37.58 FEET,

40 SOUTH 82 DEGREES 52' 30" WEST 16.12 FEET,

41 NORTH 61 DEGREES 41' 57" WEST 14.76 FEET AND

42 SOUTH 21 DEGREES 48' 05" WEST 9.71 FEET;

43 THENCE LEAVING THE HIGH WATER MARK AND RUNNING ACROSS A PENINSULA OF
44 LAND AND ALONG THE DIVISION LINE BETWEEN PARCEL I AND PARCEL II AS SHOWN
45 ON SAID FILED MAP NO. 20407, NORTH 65 DEGREES 32' 43" WEST 30.18 FEET TO
46 ANOTHER POINT ON THE SAID EASTERLY SHORELINE (HIGH WATER MARK) OF THE
47 EAST BANK OF THE HUDSON RIVER;

48 THENCE NORTHERLY ALONG THE SAID HIGH WATER MARK, THE FOLLOWING COURS-
49 ES:

50 NORTH 3 DEGREES 00' 46" WEST 17.54 FEET,

51 NORTH 13 DEGREES 45' 39" WEST 50.45 FEET,

52 NORTH 10 DEGREES 49' 23" WEST 69.23 FEET,

53 NORTH 0 DEGREES 47' 22" WEST 52.48 FEET TO A POINT WHICH IS THE POINT
54 OF BEGINNING OF THE HEREINAFTER DESCRIBED 40 FOOT EASEMENT WHICH POINT
55 OCCUPIES COORDINATE POSITION

56 NORTH 464676.48 (Y)

1 EAST 607189.28 (X)
2 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;
3 THENCE CONTINUING ALONG THE AFORESAID EASTERLY SHORELINE (HIGH WATER
4 MARK) OF THE EAST BANK OF THE HUDSON, THE FOLLOWING COURSES:
5 NORTH 10 DEGREES 18' 17" WEST 23.91 FEET,
6 NORTH 39 DEGREES 04' 58" WEST 21.39 FEET,
7 NORTH 20 DEGREES 13' 30" WEST 21.74 FEET,
8 NORTH 39 DEGREES 02' 08" WEST 95.27 FEET,
9 NORTH 13 DEGREES 08' 02" WEST 30.81 FEET,
10 NORTH 18 DEGREES 26' 06" WEST 53.76 FEET,
11 NORTH 28 DEGREES 10' 43" WEST 63.53 FEET,
12 NORTH 18 DEGREES 26' 06" WEST 50.60 FEET,
13 NORTH 37 DEGREES 14' 05" WEST 31.40 FEET,
14 NORTH 21 DEGREES 15' 02" WEST 96.57 FEET,
15 NORTH 32 DEGREES 00' 19" WEST 47.17 FEET,
16 NORTH 1 DEGREE 18' 07" WEST 44.01 FEET AND
17 NORTH 17 DEGREES 14' 29" EAST 29.32 FEET TO A POINT ON THE SOUTHERLY
18 LINE OF LANDS UNDER LEASE TO THE COUNTY OF WESTCHESTER (RESCO SITE);
19 THENCE ALONG THE SAID COUNTY OF WESTCHESTER (RESCO SITE) LANDS: DUE
20 EAST 432.31 FEET TO A POINT ON THE WESTERLY LINE OF AN EASEMENT AND A
21 RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE;
22 THENCE ALONG THE SAID WESTERLY AND SOUTHWESTERLY LINE OF THE SAID
23 RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE: DUE SOUTH 241.16 FEET AND
24 SOUTH 27 DEGREES 13' 00" EAST 406.90 FEET TO A POINT;
25 THENCE LEAVING THE SAID EASEMENT AND RUNNING ALONG OTHER LANDS NOW OR
26 FORMERLY OF THE CITY OF PEEKSKILL INDUSTRIAL DEVELOPMENT AGENCY, SOUTH
27 41 DEGREES 50' 16" WEST 270.01 FEET TO THE AFOREMENTIONED EASTERLY
28 SHORELINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER AND THE
29 POINT OR PLACE OF BEGINNING.
30 TOGETHER WITH AN EASEMENT OVER ALL THAT PARCEL OF LAND SITUATE IN THE
31 CITY OF PEEKSKILL, COUNTY OF WESTCHESTER AND STATE OF NEW YORK THAT IS
32 MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:
33 BEGINNING AT A POINT ON THE WESTERLY LINE OF CHARLES POINT AVENUE WITH
34 THE SAID WESTERLY LINE IS INTERSECTED BY THE LINE DIVIDING THE EASEMENT
35 HEREIN DESCRIBED ON THE SOUTH FROM LANDS UNDER LEASE TO THE COUNTY OF
36 WESTCHESTER (RESCO SITE) ON THE NORTH WHICH POINT OCCUPIES COORDINATE
37 POSITION:
38 NORTH 464719.99 (Y)
39 EAST 608004.15 (X)
40 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;
41 THENCE FROM THE SAID POINT OF BEGINNING SOUTHERLY ALONG THE SAID
42 WESTERLY LINE OF CHARLES POINT AVENUE, SOUTH 14 DEGREES 54' 00" WEST
43 103.48 FEET TO A POINT;
44 THENCE WESTERLY ALONG OTHER LANDS OF THE CITY OF PEEKSKILL INDUSTRIAL
45 DEVELOPMENT AGENCY: DUE WEST 396.44 FEET TO A POINT WHICH IS THE EAST-
46 ERLY MOST CORNER OF THE LANDS OF POINT ASSOCIATES, THE GRANTEE HEREIN;
47 THENCE ALONG THE NORTHEASTERLY LINE OF THE SAID POINT ASSOCIATES'
48 LAND, NORTH 27 DEGREES 13' 00" WEST 406.90 FEET AND DUE NORTH 241.16
49 FEET TO A POINT ON THE SOUTHERLY LINE OF THE AFOREMENTIONED LANDS LEASED
50 TO THE COUNTY OF WESTCHESTER (RESCO SITE);
51 THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE DUE EAST 75.00 FEET TO A
52 POINT;
53 THENCE SOUTHEASTERLY AND EASTERLY STILL ALONG THE SAID LANDS LEASED TO
54 THE COUNTY OF WESTCHESTER (RESCO SITE) THE FOLLOWING COURSES:
55 DUE SOUTH 223.00 FEET,
56 SOUTH 27 DEGREES 13' 00" EAST 314.87 FEET AND

1 DUE EAST 390.14 FEET TO THE AFOREMENTIONED WESTERLY LINE OF CHARLES
2 POINT AVENUE AND THE POINT OR PLACE OF BEGINNING.

3 TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR UTILITIES, AND INGRESS AND
4 EGRESS OVER THAT CERTAIN RIGHT OF WAY LEADING FROM CHARLES POINT AVENUE,
5 NOW KNOWN AS JOHN E. WALSH BOULEVARD, IN A WESTERLY AND NORTHWESTERLY
6 DIRECTION TO THE ABOVE DESCRIBED PREMISES AND AS MORE FULLY DESCRIBED IN
7 THE DECLARATION OF EASEMENT RECORDED IN LIBER 8888 CP 35.

8 S 3. Subdivision 13 of section 106 of the alcoholic beverage control
9 law, as separately amended by chapters 282 and 301 of the laws of 2014,
10 is amended to read as follows:

11 13. No retail licensee for on-premises consumption shall be inter-
12 ested, directly or indirectly, in any premises where liquors, wines or
13 beer are manufactured or sold at wholesale, by stock ownership, inter-
14 locking directors, mortgage or lien on any personal or real property or
15 by any other means, except that liquors, wines or beer may be manufac-
16 tured or sold wholesale by the person licensed as a manufacturer or
17 wholesaler thereof on real property owned by an interstate railroad
18 corporation or a United States certificated airline with a retail
19 license for on-premises consumption, or on premises or with respect to a
20 business constituting an overnight lodging and resort facility located
21 wholly within the boundaries of the town of North Elba, county of Essex,
22 township eleven, Richard's survey, great lot numbers two hundred seven-
23 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-
24 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-
25 teen, three hundred nineteen, three hundred twenty, three hundred
26 thirty-five and three hundred thirty-six, and township twelve, Thorn's
27 survey, great lot numbers one hundred six and one hundred thirteen, as
28 shown on the Adirondack map, compiled by the conservation department of
29 the state of New York - nineteen hundred sixty-four edition, in the
30 Essex county atlas at page twenty-seven in the Essex county clerk's
31 office, Elizabethtown, New York, provided that such facility maintains
32 not less than two hundred fifty rooms and suites for overnight lodging,
33 or on premises or with respect to the operation of a restaurant in an
34 office building located in a city having a population of five hundred
35 thousand or more and in which is located the licensed premises of such
36 manufacturer or wholesaler, provided that the building, the interior of
37 the retail premise and the rental therefor fully comply with the crite-
38 ria set forth in paragraph two of subdivision three of section one
39 hundred one of this article, any such premises or business located on
40 that tract or parcel of land, or any subdivision thereof, situate in the
41 Village of Lake Placid, Town of North Elba, Essex County, New York; it
42 being also a part of Lot No. 279, Township No. 11, Old Military Tract,
43 Richard's Survey; it being also all of Lot No. 23 and part of Lot No. 22
44 as shown and designated on a certain map entitled "Map of Building Sites
45 for Sale by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being
46 PARCEL No. 1 on a certain map of lands of Robert J. Mahoney and wife
47 made by G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and
48 filed in the Essex County Clerk's Office on August 27, 1964, and more
49 particularly bounded and described as follows; BEGINNING at the inter-
50 section of the northerly bounds of Shore Drive (formerly Mirror Street)
51 with the westerly bounds of Park Place (formerly Rider Street) which
52 point is also the northeast corner of Lot No. 23, from thence South
53 21°50' East in the westerly bounds of Park Place a distance of 119 feet,
54 more or less, to a lead plug in the edge of the sidewalk marking the
55 southeast corner of Lot No. 23 and the northeast corner of Lot No. 24;
56 from thence South 68°00'50" West a distance of 50.05 feet to an iron

1 pipe set in concrete at the corner of Lots 23 and 22; from thence South
2 65°10'50" West a distance of 7.94 feet along the south line of Lot No.
3 22 to an iron pipe for a corner; from thence North 23°21'40" West and at
4 17.84 feet along said line passing over a drill hole in a concrete side-
5 walk, and at 68.04 feet further along said line passing over an iron
6 pipe at the southerly edge of another sidewalk, and at 1.22 feet further
7 along said line passing over another drill hole in a sidewalk, a total
8 distance of 119 feet, more or less, to the northerly line of Lot No. 22;
9 from thence easterly in the northerly line of Lot 22 and 23 to the
10 northeast corner of Lot No. 23 and the point of beginning. Also includ-
11 ing the lands to the center of Shore Drive included between the norther-
12 ly straight line continuation of the side lines of the above described
13 parcel, and to the center of Park Place, where they abut the above
14 described premises SUBJECT to the use thereof for street purposes. Being
15 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by
16 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on
17 July 10, 1992 in Book 1017 of Deeds at Page 318, or any such premises or
18 business located on that certain piece or parcel of land, or any subdi-
19 vision thereof, situate, lying and being in the Town of Plattsburgh,
20 County of Clinton, State of New York and being more particularly bounded
21 and described as follows: Starting at an iron pipe found in the easterly
22 bounds of the highway known as the Old Military Turnpike, said iron pipe
23 being located 910.39 feet southeasterly, as measured along the easterly
24 bounds of said highway, from the southerly bounds of the roadway known
25 as Industrial Parkway West, THENCE running S 31° 54' 33" E along the
26 easterly bounds of said Old Military Turnpike Extension, 239.88 feet to
27 a point marking the beginning of a curve concave to the west; thence
28 southerly along said curve, having a radius of 987.99 feet, 248.12 feet
29 to an iron pipe found marking the point of beginning for the parcel
30 herein being described, said point also marked the southerly corner of
31 lands of Larry Garrow, et al, as described in Book 938 of Deeds at page
32 224; thence N 07° 45' 4" E along the easterly bounds of said Garrow,
33 748.16 feet to a 3"x4" concrete monument marking the northeasterly
34 corner of said Garrow, the northwesterly corner of the parcel herein
35 being described and said monument also marking the southerly bounds of
36 lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page
37 186; thence S 81° 45' 28" E along a portion of the southerly bounds of
38 said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the
39 northeasterly corner of the parcel herein being described and also mark-
40 ing the northwest corner of the remaining lands now or formerly owned by
41 said Marx and Delaura; thence S 07° 45' 40" W along the Westerly bounds
42 of lands now of formerly of said Marx and DeLaura and along the easterly
43 bounds of the parcel herein being described, 560.49 feet to an iron pin;
44 thence N 83° 43' 21" W along a portion of the remaining lands of said
45 Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W,
46 along a portion of the remaining lands of said Marx and Delaura, 75.01
47 feet to an iron pin marking northeasterly corner of lands currently
48 owned by the Joint Council for Economic Opportunity of Plattsburgh and
49 Clinton County, Inc. as described in Book 963 of Deeds at Page 313;
50 thence N 82° 20' 32" W along a portion of the northerly bounds of said
51 J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing
52 along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to
53 an iron pin; thence S 07° 45' 42" W along the westerly bounds of said
54 J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion
55 of the northerly bounds of remaining lands of said Marx and DeLaura,
56 100.00 feet to an iron pipe found on the easterly bounds of the afore-

1 said highway, said from pipe also being located on a curve concave to
2 the west; thence running and running northerly along the easterly bounds
3 of the aforesaid highway and being along said curve, with the curve
4 having a radius of 987.93 feet, 60.00 feet to the point of beginning and
5 containing 6.905 acres of land. Being the same premises as conveyed to
6 Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp.,
7 as agent of the administrator, U.S. Small Business Administration, an
8 agency of the United States Government dated September 10, 2001 and
9 recorded in the office of the Clinton County Clerk on September 21, 2001
10 as Instrument #135020, or any such premises or businesses located on
11 that certain plot, piece or parcel of land, situate, lying and being in
12 the Second Ward of the City of Schenectady, on the Northerly side of
13 Union Street, bounded and described as follows: to wit; Beginning at the
14 Southeasterly corner of the lands lately owned by Elisha L. Freeman and
15 now by Albert Shear; and running from thence Easterly along the line of
16 Union Street, 44 feet to the lands now owned by or in the possession of
17 James G. Van Vorst; thence Northerly in a straight line along the last
18 mentioned lands and the lands of the late John Lake, 102 feet to the
19 lands of one Miss Rodgers; thence Westerly along the line of the last
20 mentioned lands of said Rodgers to the lands of the said Shear; and
21 thence Southerly along the lands of said Shear 101 feet, 6 inches to
22 Union Street, the place of beginning.

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

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

44 All that parcel of land in the City of Schenectady beginning at a
45 point in the northerly margin of Union Street at the southwesterly
46 corner of lands now or formerly of Friedman (Deed Book 636 at page 423)
47 which point is about 60 feet westerly of the westerly line of North
48 College Street and runs thence N. 86 deg. 42' 20" W. 92.30 feet to the
49 southeasterly corner of other lands now or formerly of Friedman (Deed
50 Book 798 at page 498); thence N. 04 deg. 06' 48" E. 140.50 feet to the
51 southwesterly corner of lands now or formerly of Stockade Associates
52 (Deed Book 1038 at page 521); thence S. 87 deg. 05' 27" E. 46.70 feet to
53 lands now or formerly at McCarthy (Deed Book 1129 at page 281); thence
54 along McCarthy S. 00 deg. 52' 02" E. 3.69 feet to the northwesterly
55 corner of lands now or formerly of SONYMA (Deed Book 1502 at page 621);
56 thence along lands of SONYMA S. 02' 56" W. 34.75 feet to a corner; thence

1 still along lands of SONYMA and lands now or formerly of Magee (Deed
2 Book 399 at page 165) S. 86 deg. 11' 52" E. 42.57 feet to a corner;
3 thence still along lands of Magee and Lands of Friedman first above
4 mentioned S. 03 deg. 10' 08" W. 102.00 feet to the point of beginning.

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

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

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

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

47 The above described parcel of property includes the Blue Line parcel
48 of land, which is a portion of the abandoned Erie Canal Lands, located
49 in the First Ward of the City of Schenectady, New York, and which Blue
50 Line parcel lies between the Northwesterly line of Erie Boulevard as set
51 forth in the above described premises and the Northeasterly lot line of
52 the old Union Street School as it runs parallel with the Northwesterly
53 line of Erie Boulevard as aforesaid.

54 The two above parcels are together more particularly described as
55 follows: All that parcel of land in the City of Schenectady beginning at
56 a point in the northerly margin of Union Street and the northwesterly

1 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.
2 42' 20" W. 124.55 feet to the easterly margin of North College Street;
3 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to
4 the southeasterly corner of lands now or formerly of McCarthy (Deed Book
5 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or
6 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.
7 191.75 feet to the northwesterly margin of Erie Boulevard; thence along
8 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-
9 ning, any such premises or businesses located on that tract or parcel of
10 land situate in the Town of Hopewell, Ontario County, State of New York,
11 bounded and described as follows: Commencing at a 5/8" rebar found on
12 the division line between lands now or formerly of Ontario County -
13 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the
14 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,
15 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-
16 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,
17 North 43°-33'-40" West, continuing on said division line and through
18 said lands of Ontario County, a distance of 520.45 feet to a point on
19 the southeasterly edge of an existing concrete pad; thence, South
20 74°-19'-53" West, along said edge of concrete and the projection there-
21 of, a distance of 198.78 feet to a point on the easterly edge of pave-
22 ment of an existing campus drive; thence, the following two (2) courses
23 and distances along said edge of pavement: Northeasterly on a curve to
24 the left having a radius of 2221.65 feet, a chord bearing of North
25 30°-16'-39" East, a chord distance of 280.79, a central angle of
26 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;
27 thence, Northeasterly on a curve to the right having a radius of 843.42
28 feet, a chord bearing of North 45°-25'-09" East, a chord distance of
29 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a
30 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the
31 corner of the property acquired by Ontario County (Liber 766 of Deeds,
32 Page 1112), as shown on a map recorded in the Ontario County Clerk's
33 Office as Map No. 6313; thence, the following four (4) courses and
34 distances along said property line: South 30°-04'-59" East, a distance
35 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of
36 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of
37 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-
38 erty line, and the projection thereof, through the first said lands of
39 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,
40 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel
41 containing 7.834 acres, more or less, as shown on a map entitled
42 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts
43 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,
44 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-
45 erties are shown on the Map denominated "FLCC Campus Property, FLPAC
46 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the
47 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds
48 at page 9 and are comprised of the areas separately labeled as Parking
49 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the
50 Entry Roads; any such premises or businesses located on all that certain
51 piece or parcel of land situate in the City of Syracuse, County of Onon-
52 daga, State of New York, lying generally Northwesterly of the West
53 Hiawatha Boulevard, and generally Northeasterly of the New York State
54 Barge Canal, being a portion of Lot 11I and Lot 11J of the Carousel
55 Center Subdivision as shown on a resubdivision plan of the Carousel
56 Center Subdivision filed as Map No. 8743 in the Onondaga County Clerk's

1 Office, and as of May 20, 2014 identified as space L323 in a lease
2 between the liquor license applicant and property owner and on the third
3 level of the shopping center thereon, such shopping center land being
4 more particularly bounded and described as follows:

5 BEGINNING at the point of the intersection of the division line
6 between the Northeasterly boundary of the New York State Barge Canal,
7 Syracuse Terminal designated as "Parcel No. T-111" on the Southwest and
8 Lot 11I of the Carousel Center Subdivision on the Northeast with the
9 Northwesterly boundary of West Hiawatha Boulevard; thence North 50 deg.
10 26 min. 28 sec. West, along said division line, 690.72 feet; to a point;
11 thence through Lot 11I and 11J of said subdivision the following thir-
12 ty-five (35) courses and distances:

13 1) Thence North 40 deg. 22 min. 15 sec. East 191.79 feet to a point;
14 2) Thence South 82 deg. 04 min. 58 sec. East 294.58 feet to a point;
15 3) Thence North 07 deg. 52 min. 16 sec. East 314.89 feet to a point;
16 4) Thence South 82 deg. 07 min. 45 sec. East 53.96 feet to a point;
17 5) Thence North 07 deg. 52 min. 16 sec. East 70.18 feet to a point;
18 6) Thence South 82 deg. 07 min. 44 sec. East 40.81 feet to a point;
19 7) Thence North 07 deg. 52 min. 16 sec. East 35.49 feet to a point;
20 8) Thence South 82 deg. 07 min. 50 sec. East 1.52 feet to a point;
21 9) Thence North 07 deg. 52 min. 16 sec. East 45.53 feet to a point;
22 10) Thence South 82 deg. 07 min. 44 sec. East 92.67 feet to a point;
23 11) Thence North 07 deg. 52 min. 16 sec. East 194.00 feet to a point;
24 12) Thence North 82 deg. 07 min. 44 sec. West 121.00 feet to a point;
25 13) Thence North 07 deg. 52 min. 14 sec. East 408.67 feet to a point;
26 14) Thence South 82 deg. 07 min. 44 sec. East 168.50 feet to a point;
27 15) Thence North 07 deg. 52 min. 16 sec. East 34.33 feet to a point;
28 16) Thence South 82 deg. 07 min. 44 sec. East 15.33 feet to a point;
29 17) Thence North 07 deg. 52 min. 16 sec. East 341.67 feet to a point;
30 18) Thence North 82 deg. 07 min. 44 sec. West 199.44 feet to a point;
31 19) Thence North 07 deg. 52 min. 31 sec. East 0.97 feet to a point;
32 20) Thence North 52 deg. 50 min. 09 sec. East 11.22 feet to a point;
33 21) Thence North 07 deg. 52 min. 16 sec. East 20.77 feet to a point;
34 22) Thence North 37 deg. 05 min. 57 sec. West 30.86 feet to a point;
35 23) Thence North 82 deg. 07 min. 44 sec. West 21.02 feet to a point;
36 24) Thence South 52 deg. 13 min. 00 sec. West 5.85 feet to a point;
37 25) Thence North 82 deg. 07 min. 44 sec. West 7.41 feet to a point;
38 26) Thence North 07 deg. 52 min. 16 sec. East 108.15 feet to a point;
39 27) Thence South 82 deg. 07 min. 44 sec. East 0.75 feet to a point;
40 28) Thence North 07 deg. 52 min. 16 sec. East 22.46 feet to a point;
41 29) Thence North 82 deg. 07 min. 44 sec. West 0.75 feet to a point;
42 30) Thence North 07 deg. 52 min. 16 sec. East 43.48 feet to a point;
43 31) Thence North 52 deg. 52 min. 15 sec. East 7.78 feet to a point;
44 32) Thence North 07 deg. 52 min. 16 sec. East 47.79 feet to a point;
45 33) Thence North 37 deg. 07 min. 44 sec. West 7.78 feet to a point;
46 34) Thence North 07 deg. 52 min. 16 sec. East 198.11 feet to a point;

47 and

48 35) Thence South 82 deg. 07 min. 44 sec. East 207.07 feet to a point
49 on the westerly right of way line of Interstate Route 81, Thence along
50 the westerly and southwesterly right of way line of Interstate Route 81,
51 in a generally southeasterly direction, the following seven (7) courses
52 and distances:

53 1) Thence South 18 deg. 26 min. 44 sec. East 44.24 feet to a point;
54 2) Thence South 31 deg. 26 min. 40 sec. East 70.85 feet to a point;
55 3) Thence South 37 deg. 56 min. 38 sec. East 377.51 feet to a point;
56 4) Thence South 33 deg. 48 min. 10 sec. East 129.69 feet to a point;

1 5) Thence South 32 deg. 22 min. 13 sec. East 213.26 feet to a point;
2 6) Thence South 42 deg. 27 min. 42 sec. East 58.65 feet to a point;
3 and
4 7) Thence South 40 deg. 20 min. 45 sec. East 77.11 feet to its inter-
5 section with lands appropriated by the People of the State of New York
6 described as Map 1401 Parcel 1831 in Book 5256 of Deeds at Page 686 and
7 Book 5274 of Deeds at Page 836; Thence along the bounds of said Map 1401
8 Parcel 1831 the following fifteen (15) courses and distances:
9 1) South 07 deg. 30 min. 19 sec. East 39.16 feet to a point; thence
10 2) South 03 deg. 25 min. 41 sec. West 30.00 feet to a point; thence
11 3) South 12 deg. 49 min. 21 sec. West 30.00 feet to a point; thence
12 4) South 22 deg. 11 min. 30 sec. West 30.00 feet to a point; thence
13 5) South 31 deg. 35 min. 08 sec. West 30.00 feet to a point; thence
14 6) South 40 deg. 57 min. 25 sec. West 30.01 feet to a point; thence
15 7) South 48 deg. 44 min. 51 sec. West 20.00 feet to a point; thence
16 8) South 55 deg. 01 min. 19 sec. West 19.99 feet to a point; thence
17 9) South 65 deg. 30 min. 44 sec. West 8.49 feet to a point; thence
18 10) North 75 deg. 22 min. 31 sec. West 38.92 feet to a point; thence
19 11) North 29 deg. 08 min. 26 sec. West 25.83 feet to a point; thence
20 12) North 07 deg. 58 min. 33 sec. West 20.27 feet to a point; thence
21 13) North 07 deg. 40 min. 45 sec. East 100.00 feet to a point; thence
22 14) North 82 deg. 23 min. 04 sec. West 1.00 feet to a point; and
23 15) South 07 deg. 40 min. 49 sec. West 425.30 to its intersection with
24 the northerly bounds of Map 1402 Parcel 1836 of said appropriation;
25 Thence along the bounds of Map 1402 Parcel 1836 as described in Book
26 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836 the follow-
27 ing three (3) courses and distances:
28 1) South 07 deg. 40 min. 17 sec. West 70.35 feet to a point; thence
29 2) South 82 deg. 09 min. 26 sec. East 1.00 feet to a point; and
30 3) North 07 deg. 40 min. 37 sec. East 70.35 feet to its intersection
31 with the bounds of the hereinabove described Map 1401 Parcel 1831;
32 Thence along the bounds of said Map 1401 Parcel 1831 the following ten
33 (10) courses and distances:
34 1) North 07 deg. 40 min. 37 sec. East 100.00 feet to a point; thence
35 2) North 40 deg. 32 min. 01 sec. East 61.06 feet to a point; thence
36 3) North 50 deg. 26 min. 34 sec. East 110.76 feet to a point; thence
37 4) North 55 deg. 51 min. 53 sec. East 43.02 feet to a point; thence
38 5) North 66 deg. 11 min. 17 sec. East 30.00 feet to a point; thence
39 6) North 79 deg. 28 min. 24 sec. East 30.00 feet to a point; thence
40 7) South 87 deg. 12 min. 02 sec. East 30.00 feet to a point; thence
41 8) South 73 deg. 54 min. 22 sec. East 30.00 feet to a point; thence
42 9) South 59 deg. 56 min. 49 sec. East 33.00 feet to a point; and
43 10) South 47 deg. 06 min. 38 sec. East 95.11 feet to its intersection
44 with the division line between Lot 11J on the Northwest and the lands
45 now or formerly of Woodstead Enterprises Co. as described in Book 3530
46 of Deeds at Page 257 on the Southeast (formerly lands of Rome Watertown
47 and Oswego Railroad Company via Letters Patent, Book 292, Page 264);
48 thence South 28 deg. 12 min. 27 sec. West along said division line and
49 along the Northwesterly boundary of West Hiawatha Boulevard in part,
50 36.93 feet to its point of intersection with Northeasterly boundary of
51 West Hiawatha Boulevard; thence North 61 deg. 43 min. 58 sec. West along
52 said Northeasterly boundary 158.30 feet to its point of intersection
53 with the Northwesterly boundary of said West Hiawatha Boulevard; thence
54 West along said Northwesterly boundary the following three (3) courses:
55 1) South 30 deg. 39 min. 30 sec. West 599.46 feet to a point; thence 2)
56 South 30 deg. 30 min. 42 sec. West 62.49 feet to a point; and 3) South

1 23 deg. 40 min. 55 sec. West 220.04 feet to its point of intersection
2 with Southwesterly boundary of West Hiawatha Boulevard; thence South 49
3 deg. 30 min. 46 sec. East along said Southwesterly boundary, 0.30 feet
4 to its point of intersection with the first hereinabove described
5 Northwesterly boundary of West Hiawatha Boulevard; thence South 40 deg.
6 26 min. 20 sec. West, along said Northwesterly boundary, 98.08 feet to
7 its point of intersection with the division line between Lot 11J on the
8 Northeast and Lot 11H of the Carousel Center Subdivision on the South-
9 west; thence North 50 deg. 25 min. 12 sec. West, along said division
10 line, 147.85 feet to the Northwest corner of Lot 11H; thence South 40
11 deg. 26 min. 20 sec. West 217.47 feet to the Southwest corner of lot
12 11H; thence South 49 deg. 49 min. 16 sec. East 147.83 feet to a point on
13 the first hereinabove described Northwesterly boundary of West Hiawatha
14 Boulevard; thence along said Northwesterly boundary of West Hiawatha
15 Boulevard the following two (2) courses: 1) South 40 deg. 26 min. 20
16 sec. West 17.66 feet to a point; and 2) South 43 deg. 01 min. 50 sec.
17 West 468.25 feet to the point of beginning.

18 Excepting the following piece or parcel of land appropriated by the
19 People of the State of New York described as Map 1401 Parcel 1832 in
20 Book 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836:
21 Commencing at the southwest corner of herein above described Map 1402
22 Parcel 1836 said point having a proceeding course of South 07 deg. 40
23 min. 17 sec. West 70.35 feet in the premises describe hereinabove;
24 thence North 13 deg. 18 min. 48 sec. West 138.17 feet to the southeast
25 corner of Map 1401 Parcel 1832; thence along the bounds of said Map 1401
26 Parcel 1832 the following four (4) courses and distances:

27 1) North 82 deg. 09 min. 26 sec. West 1.00 feet to a point; thence
28 2) North 07 deg. 53 min. 50 sec. East 353.36 feet to a point; thence
29 3) South 81 deg. 54 min. 58 sec. East 1.00 feet to a point, and
30 4) South 07 deg. 53 min. 54 sec. West 353.36 feet to the point of
31 beginning; or such premises or businesses located on that tract or
32 parcel of land situate lying and being in the Town of Oneonta, County of
33 Otsego and State of New York and being a portion of Otsego County Tax
34 Map Department Parcel Number 287.00-1-33 and bounded and described as
35 follows: Beginning at a point 2.12 feet off the northeasterly corner of
36 a one story building on the lands, now or formerly, of Abner Doubleday,
37 LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Bren-
38 da Patton, which point lies N 87°55'13" W a distance of 149.37' from the
39 northeast corner of the Patton lands; thence N 74°30'18" W a distance of
40 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a
41 point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence
42 S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E
43 a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of
44 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point;
45 thence N 15°29'42" E a distance of 25.40 feet to a point to the point
46 and place of beginning or on premises or with respect to a business
47 constituting the overnight lodging facility located wholly within the
48 boundaries of that tract or parcel of land situated in the borough of
49 Manhattan, city and county of New York, beginning at a point on the
50 northerly side of west fifty-fourth street at a point one hundred feet
51 easterly from the intersection of the said northerly side of west
52 fifty-fourth street and the easterly side of seventh avenue; running
53 thence northerly and parallel with the easterly side of seventh avenue
54 one hundred feet five inches to the center line of the block; running
55 thence easterly and parallel with the northerly side of west fifty-
56 fourth street and along the center line of the block fifty feet to a

1 point; running thence northerly and parallel with the easterly side of
2 seventh avenue one hundred feet five inches to the southerly side of
3 west fifty-fifth street at a point distant one hundred fifty feet east-
4 erly from the intersection of the said southerly side of west fifty-
5 fifth street and the easterly side of seventh avenue; running thence
6 easterly along the southerly side of west fifty-fifth street thirty-one
7 feet three inches to a point; running thence southerly and parallel with
8 the easterly side of the seventh avenue one hundred feet five inches to
9 the center line of the block; running thence easterly along the center
10 line of the block and parallel with the southerly side of west fifty-
11 fifth street, one hundred feet; running thence northerly and parallel
12 with the easterly side of seventh avenue one hundred feet five inches to
13 the southerly side of west fifty-fifth street; running thence easterly
14 along the southerly side of west fifty-fifth street twenty-one feet ten
15 and one-half inches to a point; running thence southerly and parallel
16 with the easterly side of seventh avenue one hundred feet five inches to
17 the center line of the block; running thence westerly along the center
18 line of the block and parallel with the northerly side of west fifty-
19 fourth street three feet one and one-half inches; running thence south-
20 erly and parallel with the easterly side of seventh avenue one hundred
21 feet five inches to the northerly side of west fifty-fourth street at a
22 point distant three hundred feet easterly from the intersection of the
23 said northerly side of west fifty-fourth street and the easterly side of
24 seventh avenue; running thence westerly and along the northerly side of
25 west fifty-fourth street two hundred feet to the point or place of
26 beginning, provided that such facility maintains not less than four
27 hundred guest rooms and suites for overnight lodging OR WITH RESPECT TO
28 ANY PREMISES OR BUSINESS LOCATED ON ALL THAT CERTAIN PARCEL OF LAND
29 SITUATE IN THE CITY OF PEEKSKILL, COUNTY OF WESTCHESTER AND STATE OF NEW
30 YORK, THAT IS A PORTION OF PARCEL I AS IT IS SHOWN ON THAT CERTAIN MAP
31 ENTITLED, "SURVEY .. AT CHARLES POINT .." WHICH WAS FILED IN THE WEST-
32 CHESTER COUNTY CLERK'S OFFICE ON OCTOBER 23, 1980 AS MAP NO. 20407 THAT
33 IS BOUNDED AND DESCRIBED AS FOLLOWS:

34 BEGINNING AT A POINT ON THE EASTERLY SHORELINE OF THE HUDSON RIVER AND
35 WITHIN THE BOUNDS OF THE SAID PARCEL I AS IT IS SHOWN ON THE SAID FILED
36 MAP NO. 20407, WHICH POINT OCCUPIES COORDINATE POSITION:

37 NORTH 464418.83 (Y)

38 EAST 607401.00 (X)

39 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE AND WHICH POINT IS
40 DISTANT, THE FOLLOWING COURSES FROM THE SOUTHERLY CORNER OF THE PARCEL
41 SHOWN ON MAP NO. 20407 THAT OCCUPIES COORDINATE POSITION

42 NORTH 463520.804 (Y)

43 EAST 608470.681 (X)

44 OF THE AFORESAID NEW YORK STATE COORDINATE SYSTEM, EAST ZONE:

45 NORTH 47 DEGREES 30' 36" WEST 856.60 FEET,

46 NORTH 77 DEGREES 10' 53" WEST 488.18 FEET,

47 NORTH 41 DEGREES 17' 53" WEST 113.32 FEET AND

48 NORTH 41 DEGREES 50' 16" EAST 169.08 FEET;

49 THENCE FROM THE SAID POINT OF BEGINNING ALONG THE SAID EASTERLY SHORE-
50 LINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER:

51 DUE NORTH 16.17 FEET,

52 NORTH 53 DEGREES 58' 22" WEST 13.60 FEET,

53 NORTH 73 DEGREES 04' 21" WEST 24.04 FEET,

54 NORTH 63 DEGREES 26' 06" WEST 22.36 FEET,

55 NORTH 82 DEGREES 18' 14" WEST 37.34 FEET,

56 NORTH 64 DEGREES 47' 56" WEST 37.58 FEET,

1 SOUTH 82 DEGREES 52' 30" WEST 16.12 FEET,
2 NORTH 61 DEGREES 41' 57" WEST 14.76 FEET AND
3 SOUTH 21 DEGREES 48' 05" WEST 9.71 FEET;
4 THENCE LEAVING THE HIGH WATER MARK AND RUNNING ACROSS A PENINSULA OF
5 LAND AND ALONG THE DIVISION LINE BETWEEN PARCEL I AND PARCEL II AS SHOWN
6 ON SAID FILED MAP NO. 20407, NORTH 65 DEGREES 32' 43" WEST 30.18 FEET TO
7 ANOTHER POINT ON THE SAID EASTERLY SHORELINE (HIGH WATER MARK) OF THE
8 EAST BANK OF THE HUDSON RIVER;
9 THENCE NORTHERLY ALONG THE SAID HIGH WATER MARK, THE FOLLOWING COURSES:
10 ES:
11 NORTH 3 DEGREES 00' 46" WEST 17.54 FEET,
12 NORTH 13 DEGREES 45' 39" WEST 50.45 FEET,
13 NORTH 10 DEGREES 49' 23" WEST 69.23 FEET,
14 NORTH 0 DEGREES 47' 22" WEST 52.48 FEET TO A POINT WHICH IS THE POINT
15 OF BEGINNING OF THE HEREINAFTER DESCRIBED 40 FOOT EASEMENT WHICH POINT
16 OCCUPIES COORDINATE POSITION
17 NORTH 464676.48 (Y)
18 EAST 607189.28 (X)
19 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;
20 THENCE CONTINUING ALONG THE AFORESAID EASTERLY SHORELINE (HIGH WATER
21 MARK) OF THE EAST BANK OF THE HUDSON, THE FOLLOWING COURSES:
22 NORTH 10 DEGREES 18' 17" WEST 23.91 FEET,
23 NORTH 39 DEGREES 04' 58" WEST 21.39 FEET,
24 NORTH 20 DEGREES 13' 30" WEST 21.74 FEET,
25 NORTH 39 DEGREES 02' 08" WEST 95.27 FEET,
26 NORTH 13 DEGREES 08' 02" WEST 30.81 FEET,
27 NORTH 18 DEGREES 26' 06" WEST 53.76 FEET,
28 NORTH 28 DEGREES 10' 43" WEST 63.53 FEET,
29 NORTH 18 DEGREES 26' 06" WEST 50.60 FEET,
30 NORTH 37 DEGREES 14' 05" WEST 31.40 FEET,
31 NORTH 21 DEGREES 15' 02" WEST 96.57 FEET,
32 NORTH 32 DEGREES 00' 19" WEST 47.17 FEET,
33 NORTH 1 DEGREE 18' 07" WEST 44.01 FEET AND
34 NORTH 17 DEGREES 14' 29" EAST 29.32 FEET TO A POINT ON THE SOUTHERLY
35 LINE OF LANDS UNDER LEASE TO THE COUNTY OF WESTCHESTER (RESCO SITE);
36 THENCE ALONG THE SAID COUNTY OF WESTCHESTER (RESCO SITE) LANDS: DUE
37 EAST 432.31 FEET TO A POINT ON THE WESTERLY LINE OF AN EASEMENT AND A
38 RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE;
39 THENCE ALONG THE SAID WESTERLY AND SOUTHWESTERLY LINE OF THE SAID
40 RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE: DUE SOUTH 241.16 FEET AND
41 SOUTH 27 DEGREES 13' 00" EAST 406.90 FEET TO A POINT;
42 THENCE LEAVING THE SAID EASEMENT AND RUNNING ALONG OTHER LANDS NOW OR
43 FORMERLY OF THE CITY OF PEEKSKILL INDUSTRIAL DEVELOPMENT AGENCY, SOUTH
44 41 DEGREES 50' 16" WEST 270.01 FEET TO THE AFOREMENTIONED EASTERLY
45 SHORELINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER AND THE
46 POINT OR PLACE OF BEGINNING.
47 TOGETHER WITH AN EASEMENT OVER ALL THAT PARCEL OF LAND SITUATE IN THE
48 CITY OF PEEKSKILL, COUNTY OF WESTCHESTER AND STATE OF NEW YORK THAT IS
49 MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:
50 BEGINNING AT A POINT ON THE WESTERLY LINE OF CHARLES POINT AVENUE WITH
51 THE SAID WESTERLY LINE IS INTERSECTED BY THE LINE DIVIDING THE EASEMENT
52 HEREIN DESCRIBED ON THE SOUTH FROM LANDS UNDER LEASE TO THE COUNTY OF
53 WESTCHESTER (RESCO SITE) ON THE NORTH WHICH POINT OCCUPIES COORDINATE
54 POSITION:
55 NORTH 464719.99 (Y)
56 EAST 608004.15 (X)

1 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;
2 THENCE FROM THE SAID POINT OF BEGINNING SOUTHERLY ALONG THE SAID
3 WESTERLY LINE OF CHARLES POINT AVENUE, SOUTH 14 DEGREES 54' 00" WEST
4 103.48 FEET TO A POINT;
5 THENCE WESTERLY ALONG OTHER LANDS OF THE CITY OF PEEKSKILL INDUSTRIAL
6 DEVELOPMENT AGENCY: DUE WEST 396.44 FEET TO A POINT WHICH IS THE EAST-
7 ERLY MOST CORNER OF THE LANDS OF POINT ASSOCIATES, THE GRANTEE HEREIN;
8 THENCE ALONG THE NORTHEASTERLY LINE OF THE SAID POINT ASSOCIATES'
9 LAND, NORTH 27 DEGREES 13' 00" WEST 406.90 FEET AND DUE NORTH 241.16
10 FEET TO A POINT ON THE SOUTHERLY LINE OF THE AFOREMENTIONED LANDS
11 LEASED TO THE COUNTY OF WESTCHESTER (RESCO SITE);
12 THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE DUE EAST 75.00 FEET TO A
13 POINT;
14 THENCE SOUTHEASTERLY AND EASTERLY STILL ALONG THE SAID LANDS LEASED TO
15 THE COUNTY OF WESTCHESTER (RESCO SITE) THE FOLLOWING COURSES:
16 DUE SOUTH 223.00 FEET,
17 SOUTH 27 DEGREES 13' 00" EAST 314.87 FEET AND
18 DUE EAST 390.14 FEET TO THE AFOREMENTIONED WESTERLY LINE OF CHARLES
19 POINT AVENUE AND THE POINT OR PLACE OF BEGINNING.
20 TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR UTILITIES, AND INGRESS AND
21 EGRESS OVER THAT CERTAIN RIGHT OF WAY LEADING FROM CHARLES POINT
22 AVENUE, NOW KNOWN AS JOHN E. WALSH BOULEVARD, IN A WESTERLY AND
23 NORTHWESTERLY DIRECTION TO THE ABOVE DESCRIBED PREMISES AND AS MORE
24 FULLY DESCRIBED IN THE DECLARATION OF EASEMENT RECORDED IN LIBER 8888 CP
25 35. Any lien, mortgage or other interest or estate now held by said
26 retail licensee on or in the personal or real property of such manufac-
27 turer or wholesaler, which mortgage, lien, interest or estate was
28 acquired on or before December thirty-first, nineteen hundred thirty-
29 two, shall not be included within the provisions of this subdivision;
30 provided, however, the burden of establishing the time of the accrual of
31 the interest, comprehended by this subdivision shall be upon the person
32 who claims to be entitled to the protection and exemption afforded here-
33 by.
34 S 4. This act shall take effect immediately.