

5150

2011-2012 Regular Sessions

I N A S S E M B L Y

February 14, 2011

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

LBD08919-01-1

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°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°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°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°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 ° 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° 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
40 OR PARCEL OF LAND SITUATE IN THE TOWN OF HOPEWELL, ONTARIO COUNTY, STATE
41 OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A 5/8"
42 REBAR FOUND ON THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF ONTAR-
43 IO COUNTY - FINGER LAKES COMMUNITY COLLEGE (LIBER 698 OF DEEDS, PAGE
44 466) ON THE NORTH AND LANDS NOW OR FORMERLY OF JAMES W. BAIRD (LIBER 768
45 OF DEEDS, PAGE 1109) ON THE SOUTH; THENCE, NORTH 43°-33'-40" WEST, ON
46 SAID DIVISION LINE, A DISTANCE OF 77.32 FEET TO THE POINT OF BEGINNING.
47 THENCE, NORTH 43°-33'-40" WEST, CONTINUING ON SAID DIVISION LINE AND
48 THROUGH SAID LANDS OF ONTARIO COUNTY, A DISTANCE OF 520.45 FEET TO A
49 POINT ON THE SOUTHEASTERLY EDGE OF AN EXISTING CONCRETE PAD; THENCE,
50 SOUTH 74°-19'-53" WEST, ALONG SAID EDGE OF CONCRETE AND THE PROJECTION
51 THEREOF, A DISTANCE OF 198.78 FEET TO A POINT ON THE EASTERLY EDGE OF
52 PAVEMENT OF AN EXISTING CAMPUS DRIVE; THENCE, THE FOLLOWING TWO (2)
53 COURSES AND DISTANCES ALONG SAID EDGE OF PAVEMENT: NORTHEASTERLY ON A
54 CURVE TO THE LEFT HAVING A RADIUS OF 2221.65 FEET, A CHORD BEARING OF
55 NORTH 30°-16'-39" EAST, A CHORD DISTANCE OF 280.79, A CENTRAL ANGLE OF
56 07°-14'-47", A LENGTH OF 280.98 FEET TO A POINT OF REVERSE CURVATURE;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

50 S 3. This act shall take effect immediately.