

6747

I N S E N A T E

March 5, 2014

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

AN ACT to amend the alcoholic beverage control law, in relation to exempting certain premises in the county of Warren from the prohibition on manufacturers and wholesalers having an interest in premises selling alcoholic beverages at retail

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

1 Section 1. Paragraph (a) of subdivision 1 of section 101 of the alco-
2 holic beverage control law, as amended by chapter 22 of the laws of
3 2011, is amended to read as follows:
4 (a) Be interested directly or indirectly in any premises where any
5 alcoholic beverage is sold at retail; or in any business devoted wholly
6 or partially to the sale of any alcoholic beverage at retail by stock
7 ownership, interlocking directors, mortgage or lien or any personal or
8 real property, or by any other means. The provisions of this paragraph
9 shall not apply to (i) any such premises or business constituting the
10 overnight lodging and resort facility located wholly within the bounda-
11 ries of the town of North Elba, county of Essex, township eleven,
12 Richard's survey, great lot numbers two hundred seventy-eight, two
13 hundred seventy-nine, two hundred eighty, two hundred ninety-eight, two
14 hundred ninety-nine, three hundred, three hundred eighteen, three
15 hundred nineteen, three hundred twenty, three hundred thirty-five and
16 three hundred thirty-six, and township twelve, Thorn's survey, great lot
17 numbers one hundred six and one hundred thirteen, as shown on the
18 Adirondack map, compiled by the conservation department of the state of
19 New York - nineteen hundred sixty-four edition, in the Essex county
20 atlas at page twenty-seven in the Essex county clerk's office, Eliza-
21 bethtown, New York, provided that such facility maintains not less than
22 two hundred fifty rooms and suites for overnight lodging[,]; (ii) any
23 such 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.

LBD14273-01-4

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 over-
24 night lodging facility located wholly within the boundaries of that
25 tract or parcel of land situated in the borough of Manhattan, city and
26 county of New York, beginning at a point on the northerly side of west
27 fifty-fourth street at a point one hundred feet easterly from the inter-
28 section of the said northerly side of west fifty-fourth street and the
29 easterly side of seventh avenue; running thence northerly and parallel
30 with the easterly side of seventh avenue one hundred feet five inches to
31 the center line of the block; running thence easterly and parallel with
32 the northerly side of west fifty-fourth street and along the center line
33 of the block fifty feet to a point; running thence northerly and paral-
34 lel with the easterly side of seventh avenue one hundred feet five inch-
35 es to the southerly side of west fifty-fifth street at a point distant
36 one hundred fifty feet easterly from the intersection of the said south-
37 erly side of west fifty-fifth street and the easterly side of seventh
38 avenue; running thence easterly along the southerly side of west fifty-
39 fifth street thirty-one feet three inches to a point; running thence
40 southerly and parallel with the easterly side of the seventh avenue one
41 hundred feet five inches to the center line of the block; running thence
42 easterly along the center line of the block and parallel with the south-
43 erly side of west fifty-fifth street, one hundred feet; running thence
44 northerly and parallel with the easterly side of seventh avenue one
45 hundred feet five inches to the southerly side of west fifty-fifth
46 street; running thence easterly along the southerly side of west fifty-
47 fifth 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
5 tract or parcel of land, or any subdivision thereof, situate in the
6 Village of Lake Placid, Town of North Elba, Essex County, New York; it
7 being also a part of Lot No. 279, Township No. 11, Old Military Tract,
8 Richard's Survey; it being also all of Lot No. 23 and part of Lot No. 22
9 as shown and designated on a certain map entitled "Map of Building Sites
10 for Sale by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being
11 PARCEL No. 1 on a certain map of lands of Robert J. Mahoney and wife
12 made by G.C. Sylvester, P.E. & L.S. #21300, dated August 4, 1964, and
13 filed in the Essex County Clerk's Office on August 27, 1964, and more
14 particularly bounded and described as follows; BEGINNING at the inter-
15 section of the northerly bounds of Shore Drive (formerly Mirror Street)
16 with the westerly bounds of Park Place (formerly Rider Street) which
17 point is also the northeast corner of Lot No. 23, from thence South
18 21°50' East in the westerly bounds of Park Place a distance of 119 feet,
19 more or less, to a lead plug in the edge of the sidewalk marking the
20 southeast corner of Lot No. 23 and the northeast corner of Lot No. 24;
21 from thence South 68°00'50" West a distance of 50.05 feet to an iron
22 pipe set in concrete at the corner of Lots 23 and 22; from thence South
23 65°10'50" West a distance of 7.94 feet along the south line of Lot No.
24 22 to an iron pipe for a corner; from thence North 23°21'40" West and at
25 17.84 feet along said line passing over a drill hole in a concrete side-
26 walk, and at 68.04 feet further along said line passing over an iron
27 pipe at the southerly edge of another sidewalk, and at 1.22 feet further
28 along 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 twenty-
17 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; (IX) ANY SUCH PREMISES OR BUSINESSES LOCATED ON THAT TRACT
25 OR PARCEL OF LAND SITUATE IN THE TOWN OF QUEENSBURY, WARREN COUNTY,
26 BEING PART OF LOTS 51 AND 58 OF THE FIRST DIVISION OF THE TOWN OF
27 QUEENSBURY, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN
28 THE WESTERLY BOUNDS OF NEW YORK STATE ROUTE #9, AT A DISTANCE OF 300.07
29 FEET ON A COURSE OF NORTH 34-40 WEST MEASURED ALONG SAID WESTERLY BOUNDS
30 FROM THE DIVISION LINE BETWEEN LANDS OF NOW OR FORMERLY NORTHWAY SPORTS
31 INC ON THE NORTH AND LANDS NOW OR FORMERLY OF MARCUS BRUCE ON THE SOUTH,
32 RUNNING THENCE FROM THE PLACE OF BEGINNING SOUTH 55 DEGREES 20 MINUTES
33 WEST ON A LINE WHICH IS PARALLEL TO AND 55 FEET DISTANCE NORTHERLY, AT
34 RIGHT ANGLES, FROM THE NORTHERLY FACE OF THE CONCRETE BUILDING, KNOWN AS
35 SKATELAND, FOR A DISTANCE OF 532.37 FEET; THENCE SOUTH 70 DEGREES 03
36 MINUTES WEST ON A LINE WHICH IS PARALLEL TO AND 155.00 FEET DISTANCE
37 NORTHERLY, AT RIGHT ANGLES, FROM THE SOUTHERLY LINE OF LANDS NOW OR
38 FORMERLY OF NORTHWAY SPORTS INC., FOR A DISTANCE OF 107.63 FEET, THENCE
39 NORTH 29 DEGREES 04 MINUTES WEST FOR A DISTANCE OF 315.43 FEET; THENCE
40 NORTH 70 DEGREES 17 MINUTES 30 SECONDS EAST ALONG THE SOUTHERLY BOUNDS
41 OF AN EXISTING ROAD, FOR A DISTANCE OF 445.47 FEET TO AN ANGLE POINT
42 THEREIN; THENCE NORTH 67 DEGREES 35 MINUTES EAST ALONG SAID ROAD BOUNDS
43 FOR A DISTANCE OF 92.32 FEET; THENCE NORTH 68 DEGREES 02 MINUTES EAST
44 ALONG SAID ROAD BOUNDS FOR A DISTANCE OF 87.24 FEET TO THE WESTERLY
45 BOUNDS OF NEW YORK STATE ROUTE #9; THENCE SOUTH 34 DEGREES 40 MINUTES
46 EAST ALONG SAID ROUTE #9 BOUNDARY FOR A DISTANCE OF 187.50 FEET TO THE
47 PLACE OF BEGINNING, CONTAINING 3.735 ACRES.

48 SUBJECT TO ALL COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

49 BEING THE SAME PREMISES CONVEYED FROM MALCOLM C. GREEN, INDIVIDUALLY,
50 AND NEIL D. KRUG AND CHRISTINA L. RIFKIN, AS TRUSTEES OF THE HARMON A.
51 RIFKIN TRUST, U/D/T DATED JUNE 2, 1994, BENEFICIARIES OF THE GLENS FALLS
52 CINEMA TRUST TO GARY WILSON AND JILL WILSON, HIS WIFE BY DEED DATED
53 AUGUST 14, 2003 AND RECORDED IN THE WARREN COUNTY CLERK'S OFFICE ON
54 AUGUST 27, 2003 IN BOOK 1336 OF DEEDS AT PAGE 194 AND FROM MALCOLM C.
55 GREEN AND NEIL D. KRUG, AS TRUSTEES OF THE GLENS FALLS CINEMA TRUST
56 U/D/T DATED AS OF JANUARY 17, 1979 BY DEED DATED AUGUST 14, 2003 AND

1 RECORDED IN THE WARREN COUNTY CLERK'S OFFICE ON AUGUST 27, 2003 IN BOOK
2 1336 OF DEEDS AT PAGE 199; OR (X) ANY SUCH PREMISES OR BUSINESS LOCATED
3 ON THAT TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF GLENS FALLS,
4 WARREN COUNTY, COMMONLY KNOWN AS 182-184 GLEN STREET, BOUNDED AND
5 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY SIDE OF GLEN
6 STREET IN RANGE WITH THE NORTHERLY SIDE OF THE STORE FORMERLY KNOWN AS
7 FOLSOMS BRICK STORE, NOW OR FORMERLY KNOWN AS "ERLANGERS", RUNNING
8 THENCE SOUTH FORTY-FIVE DEGREES WEST ALONG THE SOUTHERLY SIDE OF
9 EXCHANGE STREET ONE HUNDRED AND FIFTY THREE FEET (153'), THENCE SOUTH
10 THIRTY THREE DEGREES AND THIRTY MINUTES EAST TWENTY ONE FEET AND THREE
11 INCHES TO LAND FORMERLY OWNED BY ADAMS W. FLACK, THENCE NORTH FORTY FOUR
12 DEGREES EAST ALONG THE LINE OF SAID FLACK LAND AND THE LAND FORMERLY
13 OWNED BY H.W. PARINE ONE HUNDRED AND FIFTY THREE FEET TO GLEN STREET
14 AFORESAID THENCE NORTH FORTY THREE DEGREES AND THIRTY MINUTES WEST ALONG
15 THE LINE OF SAID GLEN STREET TWENTY TWO FEET TO THE PLACE OF BEGINNING.

16 EXCEPTING A STRIP OF LAND SIXTEEN FEET WIDE AND TWENTY ONE FEET DEEP
17 ON THE SOUTH WESTWARDLY END OF ABOVE MENTIONED LOT WHICH STRIP OF LAND
18 WAS CONVEYED BY CHARLES RICO TO W.S. CARPENTER AND W. D. LOVELESS ON THE
19 FIRST DAY OF MAY 1860 (DEED REFERENCE LIBER 4 PAGE 210).

20 ALSO A RIGHT OF WAY UPON AND ACROSS SAID PARCEL CONVEYED BY RICO TO
21 CARPENTER AND LOVELESS SIXTEEN FEET IN WIDTH AND ALONG THE WHOLE EXTENT
22 FROM EXCHANGE STREET.

23 AS AND FOR A MORE MODERN DESCRIPTION, ALL THAT CERTAIN PARCEL OF LAND
24 SITUATE IN THE CITY OF GLENS FALLS, WARREN COUNTY, NEW YORK, LOCATED ON
25 THE SOUTHWESTERLY SIDE OF GLEN STREET IN SAID CITY, AND WHICH PARCEL IS
26 BOUNDED AND DESCRIBED AS FOLLOWS:

27 BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF GLEN STREET AT THE
28 NORTHWESTERLY CORNER OF LANDS OF RUSSELL & WAITE, INC., SAID POINT OF
29 BEGINNING BEING ALSO THE NORTHWESTERLY CORNER OF THE 3-STORY BRICK
30 BUILDING OWNED BY RUSSELL & WAITE, INC. AND THE NORTHEASTERLY CORNER OF
31 THE 3-STORY BUILDING OWNED NOW OR FORMERLY BY SAID SILVER BOW LEASING
32 CORP., AND WHICH POINT OF BEGINNING IS ALSO SITUATE AT A DISTANCE OF
33 22.07 FEET SOUTHEASTERLY, MEASURED ALONG THE SOUTHWESTERLY LINE OF GLEN
34 STREET FROM THE NORTHEASTERLY CORNER OF A PARCEL OF LAND WHICH WAS
35 FORMERLY KNOWN AS EXCHANGE STREET; RUNNING THENCE FROM THE POINT OF
36 BEGINNING, SOUTH 22 DEGREES 12 MINUTES 20 SECONDS WEST ALONG THE WESTER-
37 LY LINE OF THE 3-STORY BRICK BUILDING OWNED BY RUSSELL & WAITE, INC.,
38 AND THE EASTERLY LINE OF THE 3-STORY BRICK BUILDING OWNED BY SAID SILVER
39 BOW LEASING CORP., FOR A DISTANCE OF 120.47 FEET TO THE SOUTHEASTERLY
40 CORNER OF SAID 3-STORY BRICK BUILDING OWNED BY SAID SILVER BOW LEASING
41 CORP., THENCE NORTH 57 DEGREES 35 MINUTES WEST ALONG THE SOUTHERLY FACE
42 OF SAID 3-STORY BRICK BUILDING, FOR A DISTANCE OF 22.25 FEET TO THE
43 SOUTHWESTERLY CORNER OF SAID BUILDINGS THENCE NORTH 32 DEGREES 17
44 MINUTES 40 SECONDS EAST ALONG THE EASTERLY LINE OF LAND FORMERLY KNOWN
45 AS EXCHANGE STREET TO THE NORTHWESTERLY CORNER OF THE 3-STORY BRICK
46 BUILDING CONVEYED BY ROBERT L. BUCK, JR. TO SILVER BOW LEASING CORP. BY
47 DEED DATED SEPTEMBER 30, 1900 AND RECORDED IN THE WARREN COUNTY CLERK'S
48 OFFICE IN BOOK 727 OF DEEDS AT PAGE 267; THENCE SOUTH 57 DEGREES 31
49 MINUTES 40 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF GLEN STREET AND
50 THE NORTHERLY FACE OF SAID BUILDING, FOR A DISTANCE OF 22.07 FEET TO THE
51 POINT OF BEGINNING.

52 The provisions of this paragraph shall not apply to any premises
53 licensed under section sixty-four of this chapter in which a manufactur-
54 er or wholesaler holds a direct or indirect interest, provided that: (I)
55 said premises consist of an interactive entertainment facility which
56 predominantly offers interactive computer and video entertainment

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

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

47 13. No retail licensee for on-premises consumption shall be inter-
48 ested, directly or indirectly, in any premises where liquors, wines or
49 beer are manufactured or sold at wholesale, by stock ownership, inter-
50 locking directors, mortgage or lien on any personal or real property or
51 by any other means, except that liquors, wines or beer may be manufac-
52 tured or sold wholesale by the person licensed as a manufacturer or
53 wholesaler thereof on real property owned by an interstate railroad
54 corporation or a United States certificated airline with a retail
55 license for on-premises consumption, or on premises or with respect to a
56 business constituting an overnight lodging and resort facility located

1 wholly within the boundaries of the town of North Elba, county of Essex,
2 township eleven, Richard's survey, great lot numbers two hundred seven-
3 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-
4 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-
5 teen, three hundred nineteen, three hundred twenty, three hundred
6 thirty-five and three hundred thirty-six, and township twelve, Thorn's
7 survey, great lot numbers one hundred six and one hundred thirteen, as
8 shown on the Adirondack map, compiled by the conservation department of
9 the state of New York - nineteen hundred sixty-four edition, in the
10 Essex county atlas at page twenty-seven in the Essex county clerk's
11 office, Elizabethtown, New York, provided that such facility maintains
12 not less than two hundred fifty rooms and suites for overnight lodging,
13 or on premises or with respect to the operation of a restaurant in an
14 office building located in a city having a population of five hundred
15 thousand or more and in which is located the licensed premises of such
16 manufacturer or wholesaler, provided that the building, the interior of
17 the retail premise and the rental therefor fully comply with the crite-
18 ria set forth in paragraph two of subdivision three of section one
19 hundred one of this article, any such premises or business located on
20 that tract or parcel of land, or any subdivision thereof, situate in the
21 Village of Lake Placid, Town of North Elba, Essex County, New York; it
22 being also a part of Lot No. 279, Township No. 11, Old Military Tract,
23 Richard's Survey; it being also all of Lot No. 23 and part of Lot No. 22
24 as shown and designated on a certain map entitled "Map of Building Sites
25 for Sale by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being
26 PARCEL No. 1 on a certain map of lands of Robert J. Mahoney and wife
27 made by G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and
28 filed in the Essex County Clerk's Office on August 27, 1964, and more
29 particularly bounded and described as follows; BEGINNING at the inter-
30 section of the northerly bounds of Shore Drive (formerly Mirror Street)
31 with the westerly bounds of Park Place (formerly Rider Street) which
32 point is also the northeast corner of Lot No. 23, from thence South
33 21°50' East in the westerly bounds of Park Place a distance of 119 feet,
34 more or less, to a lead plug in the edge of the sidewalk marking the
35 southeast corner of Lot No. 23 and the northeast corner of Lot No. 24;
36 from thence South 68°00'50" West a distance of 50.05 feet to an iron
37 pipe set in concrete at the corner of Lots 23 and 22; from thence South
38 65°10'50" West a distance of 7.94 feet along the south line of Lot No.
39 22 to an iron pipe for a corner; from thence North 23°21'40" West and at
40 17.84 feet along said line passing over a drill hole in a concrete side-
41 walk, and at 68.04 feet further along said line passing over an iron
42 pipe at the southerly edge of another sidewalk, and at 1.22 feet further
43 along said line passing over another drill hole in a sidewalk, a total
44 distance of 119 feet, more or less, to the northerly line of Lot No. 22;
45 from thence easterly in the northerly line of Lot 22 and 23 to the
46 northeast corner of Lot No. 23 and the point of beginning. Also includ-
47 ing the lands to the center of Shore Drive included between the norther-
48 ly straight line continuation of the side lines of the above described
49 parcel, and to the center of Park Place, where they abut the above
50 described premises SUBJECT to the use thereof for street purposes. Being
51 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by
52 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on
53 July 10, 1992 in Book 1017 of Deeds at Page 318, or any such premises or
54 business located on that certain piece or parcel of land, or any subdivi-
55 sion thereof, situate, lying and being in the Town of Plattsburgh,
56 County of Clinton, State of New York and being more particularly bounded

1 and described as follows: Starting at an iron pipe found in the easterly
2 bounds of the highway known as the Old Military Turnpike, said iron pipe
3 being located 910.39 feet southeasterly, as measured along the easterly
4 bounds of said highway, from the southerly bounds of the roadway known
5 as Industrial Parkway West, THENCE running S 31° 54' 33" E along the
6 easterly bounds of said Old Military Turnpike Extension, 239.88 feet to
7 a point marking the beginning of a curve concave to the west; thence
8 southerly along said curve, having a radius of 987.99 feet, 248.12 feet
9 to an iron pipe found marking the point of beginning for the parcel
10 herein being described, said point also marked the southerly corner of
11 lands of Larry Garrow, et al, as described in Book 938 of Deeds at page
12 224; thence N 07° 45' 4" E along the easterly bounds of said Garrow,
13 748.16 feet to a 3"x4" concrete monument marking the northeasterly
14 corner of said Garrow, the northwesterly corner of the parcel herein
15 being described and said monument also marking the southerly bounds of
16 lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page
17 186; thence S 81° 45' 28" E along a portion of the southerly bounds of
18 said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the
19 northeasterly corner of the parcel herein being described and also mark-
20 ing the northwest corner of the remaining lands now or formerly owned by
21 said Marx and Delaura; thence S 07° 45' 40" W along the Westerly bounds
22 of lands now of formerly of said Marx and DeLaura and along the easterly
23 bounds of the parcel herein being described, 560.49 feet to an iron pin;
24 thence N 83° 43' 21" W along a portion of the remaining lands of said
25 Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W,
26 along a portion of the remaining lands of said Marx and Delaura, 75.01
27 feet to an iron pin marking northeasterly corner of lands currently
28 owned by the Joint Council for Economic Opportunity of Plattsburgh and
29 Clinton County, Inc. as described in Book 963 of Deeds at Page 313;
30 thence N 82° 20' 32" W along a portion of the northerly bounds of said
31 J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing
32 along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to
33 an iron pin; thence S 07° 45' 42" W along the westerly bounds of said
34 J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion
35 of the northerly bounds of remaining lands of said Marx and DeLaura,
36 100.00 feet to an iron pipe found on the easterly bounds of the afore-
37 said highway, said from pipe also being located on a curve concave to
38 the west; thence running and running northerly along the easterly bounds
39 of the aforesaid highway and being along said curve, with the curve
40 having a radius of 987.93 feet, 60.00 feet to the point of beginning and
41 containing 6.905 acres of land. Being the same premises as conveyed to
42 Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp.,
43 as agent of the administrator, U.S. Small Business Administration, an
44 agency of the United States Government dated September 10, 2001 and
45 recorded in the office of the Clinton County Clerk on September 21, 2001
46 as Instrument #135020, or any such premises or businesses located on
47 that certain plot, piece or parcel of land, situate, lying and being in
48 the Second Ward of the City of Schenectady, on the Northerly side of
49 Union Street, bounded and described as follows: to wit; Beginning at the
50 Southeasterly corner of the lands lately owned by Elisha L. Freeman and
51 now by Albert Shear; and running from thence Easterly along the line of
52 Union Street, 44 feet to the lands now owned by or in the possession of
53 James G. Van Vorst; thence Northerly in a straight line along the last
54 mentioned lands and the lands of the late John Lake, 102 feet to the
55 lands of one Miss Rodgers; thence Westerly along the line of the last
56 mentioned lands of said Rodgers to the lands of the said Shear; and

1 thence Southerly along the lands of said Shear 101 feet, 6 inches to
2 Union Street, the place of beginning.

3 Also all that tract or parcel of land, with the buildings thereon,
4 situate in the City of Schenectady, County of Schenectady, and State of
5 New York, situate in the First, formerly the Second Ward of the said
6 City, on the Northerly side of Union Street, which was conveyed by
7 William Meeker and wife to Elisha L. Freeman by deed dated the second
8 day of December 1843, and recorded in the Clerk's Office of Schenectady
9 County on December 5, 1843, in Book V of Deeds at page 392, which lot in
10 said deed is bounded and described as follows: Beginning at a point in
11 the Northerly line of Union Street where it is intersected by the East-
12 erly line of property numbered 235 Union Street, which is hereby
13 conveyed, and running thence Northerly along the Easterly line of said
14 property, One Hundred Forty and Five-tenths (140.5) feet to a point
15 sixteen (16) feet Southerly from the Southerly line of the new garage
16 built upon land adjoining on the North; thence Westerly parallel with
17 said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly
18 One Hundred Forty and Eighty-tenths (140.8) feet to the Northerly margin
19 of Union Street; thence Easterly along the Northerly margin of Union
20 Street, about Forty-eight and three-tenths (48.3) feet to the point or
21 place of beginning.

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

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

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

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

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

1 a distance of 1.2 feet to an intersection of building corner of Street
2 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"
3 East, along said brick wall, a distance of 14.47 feet to a point in the
4 corner of the brick wall, thence South 86 deg. 46' 45" East along said
5 brick wall a distance of 4.42 feet to the intersection of brick wall
6 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)
7 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,
8 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of
9 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler
10 and Donna Lee Wexler Pavlovic.

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

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

34 The two above parcels are together more particularly described as
35 follows: All that parcel of land in the City of Schenectady beginning at
36 a point in the northerly margin of Union Street and the northwesterly
37 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.
38 42' 20" W. 124.55 feet to the easterly margin of North College Street;
39 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to
40 the southeasterly corner of lands now or formerly of McCarthy (Deed Book
41 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or
42 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.
43 191.75 feet to the northwesterly margin of Erie Boulevard; thence along
44 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-
45 ning, any such premises or businesses located on that tract or parcel of
46 land situate in the Town of Hopewell, Ontario County, State of New York,
47 bounded and described as follows: Commencing at a 5/8" rebar found on
48 the division line between lands now or formerly of Ontario County -
49 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the
50 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,
51 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-
52 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,
53 North 43°-33'-40" West, continuing on said division line and through
54 said lands of Ontario County, a distance of 520.45 feet to a point on
55 the southeasterly edge of an existing concrete pad; thence, South
56 74°-19'-53" West, along said edge of concrete and the projection there-

1 of, a distance of 198.78 feet to a point on the easterly edge of pave-
2 ment of an existing campus drive; thence, the following two (2) courses
3 and distances along said edge of pavement: Northeasterly on a curve to
4 the left having a radius of 2221.65 feet, a chord bearing of North
5 30°-16'-39" East, a chord distance of 280.79, a central angle of
6 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;
7 thence, Northeasterly on a curve to the right having a radius of 843.42
8 feet, a chord bearing of North 45°-25'-09" East, a chord distance of
9 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a
10 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the
11 corner of the property acquired by Ontario County (Liber 766 of Deeds,
12 Page 1112), as shown on a map recorded in the Ontario County Clerk's
13 Office as Map No. 6313; thence, the following four (4) courses and
14 distances along said property line: South 30°-04'-59" East, a distance
15 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of
16 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of
17 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-
18 erty line, and the projection thereof, through the first said lands of
19 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,
20 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel
21 containing 7.834 acres, more or less, as shown on a map entitled
22 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts
23 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,
24 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-
25 erties are shown on the Map denominated "FLCC Campus Property, FLPAC
26 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the
27 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds
28 at page 9 and are comprised of the areas separately labeled as Parking
29 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the
30 Entry Roads; ANY SUCH PREMISES OR BUSINESSES LOCATED ON THAT TRACT OR
31 PARCEL OF LAND SITUATE IN THE TOWN OF QUEENSBURY, WARREN COUNTY, BEING
32 PART OF LOTS 51 AND 58 OF THE FIRST DIVISION OF THE TOWN OF QUEENSBURY,
33 BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WESTERLY
34 BOUNDS OF NEW YORK STATE ROUTE # 9, AT A DISTANCE OF 300.07 FEET ON A
35 COURSE OF NORTH 34-40 WEST MEASURED ALONG SAID WESTERLY BOUNDS FROM THE
36 DIVISION LINE BETWEEN LANDS OF NOW OR FORMERLY NORTHWAY SPORTS INC ON
37 THE NORTH AND LANDS NOW OR FORMERLY OF MARCUS BRUCE ON THE SOUTH,
38 RUNNING THENCE FROM THE PLACE OF BEGINNING SOUTH 55 DEGREES 20 MINUTES
39 WEST ON A LINE WHICH IS PARALLEL TO AND 55 FEET DISTANCE NORTHERLY, AT
40 RIGHT ANGLES, FROM THE NORTHERLY FACE OF THE CONCRETE BUILDING, KNOWN AS
41 SKATELAND, FOR A DISTANCE OF 532.37 FEET; THENCE SOUTH 70 DEGREES 03
42 MINUTES WEST ON A LINE WHICH IS PARALLEL TO AND 155.00 FEET DISTANCE
43 NORTHERLY, AT RIGHT ANGLES, FROM THE SOUTHERLY LINE OF LANDS NOW OR
44 FORMERLY OF NORTHWAY SPORTS INC., FOR A DISTANCE OF 107.63 FEET, THENCE
45 NORTH 29 DEGREES 04 MINUTES WEST FOR A DISTANCE OF 315.43 FEET; THENCE
46 NORTH 70 DEGREES 17 MINUTES 30 SECONDS EAST ALONG THE SOUTHERLY BOUNDS
47 OF AN EXISTING ROAD, FOR A DISTANCE OF 445.47 FEET TO AN ANGLE POINT
48 THEREIN; THENCE NORTH 67 DEGREES 35 MINUTES EAST ALONG SAID ROAD BOUNDS
49 FOR A DISTANCE OF 92.32 FEET; THENCE NORTH 68 DEGREES 02 MINUTES EAST
50 ALONG SAID ROAD BOUNDS FOR A DISTANCE OF 87.24 FEET TO THE WESTERLY
51 BOUNDS OF NEW YORK STATE ROUTE #9, THENCE SOUTH 34 DEGREES 40 MINUTES
52 EAST ALONG SAID ROUTE #9 BOUNDARY FOR A DISTANCE OF 187.50 FEET TO THE
53 PLACE OF BEGINNING, CONTAINING 3.735 ACRES.

54 SUBJECT TO ALL COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

55 BEING THE SAME PREMISES CONVEYED FROM MALCOLM C. GREEN, INDIVIDUALLY,
56 AND NEIL D. KRUG AND CHRISTINA L. RIFKIN, AS TRUSTEES OF THE HARMON A.

1 RIFKIN TRUST, U/D/T DATED JUNE 2, 1994, BENEFICIARIES OF THE GLENS FALLS
2 CINEMA TRUST TO GARY WILSON AND JILL WILSON, HIS WIFE BY DEED DATED
3 AUGUST 14, 2003 AND RECORDED IN THE WARREN COUNTY CLERK'S OFFICE ON
4 AUGUST 27, 2003 IN BOOK 1336 OF DEEDS AT PAGE 194 AND FROM MALCOLM C.
5 GREEN AND NEIL D. KRUG, AS TRUSTEES OF THE GLENS FALLS CINEMA TRUST
6 U/D/T DATED AS OF JANUARY 17, 1979 BY DEED DATED AUGUST 14, 2003 AND
7 RECORDED IN THE WARREN COUNTY CLERK'S OFFICE ON AUGUST 27, 2003 IN BOOK
8 1336 OF DEEDS AT PAGE 199; ANY SUCH PREMISES OR BUSINESSES LOCATED ON
9 THAT TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF GLENS FALLS, WARREN
10 COUNTY, COMMONLY KNOWN AS 182-184 GLEN STREET, BOUNDED AND DESCRIBED AS
11 FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY SIDE OF GLEN STREET IN
12 RANGE WITH THE NORTHERLY SIDE OF THIS STORE FORMERLY KNOWN AS FOLSONS
13 BRICK STORE, NOW OR FORMERLY KNOWN AS "ERLANGERS", RUNNING THENCE SOUTH
14 FORTY-FIVE DEGREES WEST ALONG THE SOUTHERLY SIDE OF EXCHANGE STREET ONE
15 HUNDRED AND FIFTY THREE FEET (153'), THENCE SOUTH THIRTY THREE DEGREES
16 AND THIRTY MINUTES EAST TWENTY ONE FEET AND THREE INCHES TO LAND FORMER-
17 LY OWNED BY ADAMS W. FLACK, THENCE NORTH FORTY FOUR DEGREES EAST ALONG
18 THE LINE OF SAID FLACK LAND AND THE LAND FORMERLY OWNED BY H.W. PARINE
19 ONE HUNDRED AND FIFTY THREE FEET TO GLEN STREET AFORESAID THENCE NORTH
20 FORTY THREE DEGREES AND THIRTY MINUTES WEST ALONG THE LINE OF SAID GLEN
21 STREET TWENTY TWO FEET TO THE PLACE OF BEGINNING.

22 EXCEPTING A STRIP OF LAND SIXTEEN FEET WIDE AND TWENTY ONE FEET DEEP
23 ON THE SOUTH WESTWARDLY END OF ABOVE MENTIONED LOT WHICH STRIP OF LAND
24 WAS CONVEYED BY CHARLES RICO TO W.S. CARPENTER AND W. D. LOVELESS ON THE
25 FIRST DAY OF MAY 1860 (DEED REFERENCE LIBER 4 PAGE 210).

26 ALSO A RIGHT OF WAY UPON AND ACROSS SAID PARCEL CONVEYED BY RICO TO
27 CARPENTER AND LOVELESS SIXTEEN FEET IN WIDTH AND ALONG THE WHOLE EXTENT
28 FROM EXCHANGE STREET.

29 AS AND FOR A MORE MODERN DESCRIPTION, ALL THAT CERTAIN PARCEL OF LAND
30 SITUATE IN THE CITY OF GLENS FALLS, WARREN COUNTY, NEW YORK, LOCATED ON
31 THE SOUTHWESTERLY SIDE OF GLEN STREET IN SAID CITY, AND WHICH PARCEL IN
32 BOUNDED AND DESCRIBED AS FOLLOWS:

33 BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF GLEN STREET AT THE
34 NORTHWESTERLY CORNER OF LANDS OF RUSSELL & WAITE, INC.; SAID POINT OF
35 BEGINNING BEING ALSO THE NORTHWESTERLY CORNER OF THE 3-STORY BRICK
36 BUILDING OWNED BY RUSSELL & WAITE, INC. AND THE NORTHEASTERLY CORNER OF
37 THE 3-STORY BUILDING OWNED NOW OR FORMERLY BY SAID SILVER BOW LEASING
38 CORP., AND WHICH POINT OF BEGINNING IS ALSO SITUATE AT A DISTANCE OF
39 22.07 FEET SOUTHEASTERLY, MEASURED ALONG THE SOUTHWESTERLY LINE OF GLEN
40 STREET FROM THE NORTHEASTERLY CORNER OF A PARCEL OF LAND WHICH WAS
41 FORMERLY KNOWN AS EXCHANGE STREET; RUNNING THENCE FROM THE POINT OF
42 BEGINNING, SOUTH 22 DEGREES 12 MINUTES 20 SECONDS WEST ALONG THE WESTER-
43 LY LINE OF THE 3-STORY BRICK BUILDING OWNED BY RUSSELL & WAITE, INC.,
44 AND THE WESTERLY LINE OF THE 3-STORY BRICK BUILDING OWNED BY SAID SILVER
45 BOW LEASING CORP. FOR A DISTANCE OF 120.47 FEET TO THE SOUTHEASTERLY
46 CORNER OF SAID 3-STORY BRICK BUILDING OWNED BY SAID SILVER BOW LEASING
47 CORP., THENCE NORTH 57 DEGREES 35 MINUTES WEST ALONG THE SOUTHERLY FACE
48 OF SAID 3-STORY BRICK BUILDING, FOR A DISTANCE OF 22.25 FEET TO THE
49 SOUTHWESTERLY CORNER OF SAID BUILDINGS THENCE NORTH 32 DEGREES 17
50 MINUTES 40 SECONDS EAST ALONG THE EASTERLY LINE OF LAND FORMERLY KNOWN
51 AS EXCHANGE STREET TO THE NORTHWESTERLY CORNER OF THE 3-STORY BRICK
52 BUILDING CONVEYED BY ROBERT L. BUCK, JR. TO SILVER BOW LEASING CORP. BY
53 DEED DATED SEPTEMBER 30, 1900 AND RECORDED IN THE WARREN COUNTY CLERK'S
54 OFFICE IN BOOK 717 OF DEEDS AT PAGE 247; THENCE SOUTH 57 DEGREES 31
55 MINUTES 40 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF GLEN STREET AND
56 THE NORTHERLY FACE OF SAID BUILDING, FOR A DISTANCE OF 22.07 FEET TO THE

1 POINT OF BEGINNING; or on premises or with respect to a business consti-
2 tuting the overnight lodging facility located wholly within the bounda-
3 ries of that tract or parcel of land situated in the borough of Manhat-
4 tan, city and county of New York, beginning at a point on the northerly
5 side of west fifty-fourth street at a point one hundred feet easterly
6 from the intersection of the said northerly side of west fifty-fourth
7 street and the easterly side of seventh avenue; running thence northerly
8 and parallel with the easterly side of seventh avenue one hundred feet
9 five inches to the center line of the block; running thence easterly and
10 parallel with the northerly side of west fifty-fourth street and along
11 the center line of the block fifty feet to a point; running thence
12 northerly and parallel with the easterly side of seventh avenue one
13 hundred feet five inches to the southerly side of west fifty-fifth
14 street at a point distant one hundred fifty feet easterly from the
15 intersection of the said southerly side of west fifty-fifth street and
16 the easterly side of seventh avenue; running thence easterly along the
17 southerly side of west fifty-fifth street thirty-one feet three inches
18 to a point; running thence southerly and parallel with the easterly side
19 of the seventh avenue one hundred feet five inches to the center line of
20 the block; running thence easterly along the center line of the block
21 and parallel with the southerly side of west fifty-fifth street, one
22 hundred feet; running thence northerly and parallel with the easterly
23 side of seventh avenue one hundred feet five inches to the southerly
24 side of west fifty-fifth street; running thence easterly along the
25 southerly side of west fifty-fifth street twenty-one feet ten and one-
26 half inches to a point; running thence southerly and parallel with the
27 easterly side of seventh avenue one hundred feet five inches to the
28 center line of the block; running thence westerly along the center line
29 of the block and parallel with the northerly side of west fifty-fourth
30 street three feet one and one-half inches; running thence southerly and
31 parallel with the easterly side of seventh avenue one hundred feet five
32 inches to the northerly side of west fifty-fourth street at a point
33 distant three hundred feet easterly from the intersection of the said
34 northerly side of west fifty-fourth street and the easterly side of
35 seventh avenue; running thence westerly and along the northerly side of
36 west fifty-fourth street two hundred feet to the point or place of
37 beginning, provided that such facility maintains not less than four
38 hundred guest rooms and suites for overnight lodging. Any lien, mortgage
39 or other interest or estate now held by said retail licensee on or in
40 the personal or real property of such manufacturer or wholesaler, which
41 mortgage, lien, interest or estate was acquired on or before December
42 thirty-first, nineteen hundred thirty-two, shall not be included within
43 the provisions of this subdivision; provided, however, the burden of
44 establishing the time of the accrual of the interest, comprehended by
45 this subdivision shall be upon the person who claims to be entitled to
46 the protection and exemption afforded hereby.

47 S 3. This act shall take effect immediately.