

9008

I N A S S E M B L Y

March 6, 2014

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

AN ACT to amend the alcoholic beverage control law, in relation to
exempting certain premises in the county of Warren from the prohibi-
tion 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 ASSEM-
BLY, 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
26 a point in the northerly line of village lot nine where it meets with

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

LBD14273-01-4

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

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

1 of Deeds at Page 186; thence S 81° 45' 28" E along a portion of the
2 southerly bounds of said Salerno Plastic Corp., 441.32 feet to an iron
3 pin found marking the northeasterly corner of the parcel herein being
4 described and also marking the northwest corner of the remaining lands
5 now or formerly owned by said Marx and DeLaura; thence S 07° 45' 40" W
6 along the Westerly bounds of lands now of formerly of said Marx and
7 DeLaura and along the easterly bounds of the parcel herein being
8 described, 560.49 feet to an iron pin; thence N 83° 43' 21" W along a
9 portion of the remaining lands of said Marx and DeLaura, 41.51 feet to
10 an iron pin; thence S 08° 31' 30" W, along a portion of the remaining
11 lands of said Marx and DeLaura, 75.01 feet to an iron pin marking
12 northeasterly corner of lands currently owned by the Joint Council for
13 Economic Opportunity of Plattsburgh and Clinton County, Inc. as
14 described in Book 963 of Deeds at Page 313; thence N 82° 20' 32" W along
15 a portion of the northerly bounds of said J.C.E.O., 173.50 feet to an
16 iron pin; thence 61° 21' 12" W, continuing along a portion of the north-
17 erly bounds of said J.C.E.O., 134.14 feet to an iron pin; thence S 07°
18 45' 42" W along the westerly bounds of said J.C.E.O., 50 feet to an iron
19 pin; thence S 66° 48' 56" W along a portion of the northerly bounds of
20 remaining lands of said Marx and DeLaura, 100.00 feet to an iron pipe
21 found on the easterly bounds of the aforesaid highway, said from pipe
22 also being located on a curve concave to the west; thence running and
23 running northerly along the easterly bounds of the aforesaid highway and
24 being along said curve, with the curve having a radius of 987.93 feet,
25 60.00 feet to the point of beginning and containing 6.905 acres of land.
26 Being the same premises as conveyed to Ronald Marx and Alice Marx by
27 deed of CIT Small Business Lending Corp., as agent of the administrator,
28 U.S. Small Business Administration, an agency of the United States
29 Government dated September 10, 2001 and recorded in the office of the
30 Clinton County Clerk on September 21, 2001 as Instrument #135020; [or]
31 (vi) any such premises or business located on the west side of New York
32 state route 414 in military lots 64 and 75 located wholly within the
33 boundaries of that tract or parcel of land situated in the town of Lodi,
34 county of Seneca beginning at an iron pin on the assumed west line of
35 New York State Route 414 on the apparent north line of lands reputedly
36 of White (lib. 420, page 155); said iron pin also being northerly a
37 distance of 1200 feet more or less from the centerline of South Miller
38 Road; Thence leaving the point of beginning north 85-17'-44" west along
39 said lands of White a distance of 2915.90 feet to an iron pin Thence
40 north 03-52'-48" east along said lands of White, passing through an iron
41 pin 338.36 feet distant, and continuing further along that same course a
42 distance of 13.64 feet farther, the total distance being 352.00 feet to
43 a point in the assumed centerline of Nellie Neal Creek; Thence in gener-
44 ally a north westerly direction the following courses and distances
45 along the assumed centerline of Nellie Neal Creek; north 69-25'-11" west
46 a distance of 189.56 feet to a point; north 63-40'-00" west a distance
47 of 156.00 feet to a point; north 49-25'-00" west a distance of 80.00
48 feet to a point; south 80-21'-00" west a distance of 90.00 feet to a
49 point; north 72-03'-00" west a distance of 566.00 feet to a point; north
50 68-15'-00" west a distance of 506.00 feet to a point; north 55-16'-00"
51 west a distance of 135.00 feet to a point; south 69-18'-00" west a
52 distance of 200.00 feet to a point; south 88-00'-00" west a distance of
53 170.00 feet to a point on a tie line at or near the high water line of
54 Seneca Lake; Thence north 25-17'-00" east along said tie line a distance
55 of 238.00 feet to an iron pipe; Thence south 82-04'-15" east along lands
56 reputedly of M. Wagner (lib. 464, page 133) a distance of 100.00 feet to

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

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

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

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

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

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

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

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

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

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

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

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

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

55 This survey also intends to describe a portion of the premises as
56 conveyed by Ruth V. Wagner to Stanley A. Wagner by deed recorded Febru-

ary 10, 1989 in Liber 450 of deeds, at Page 286. The provisions of this paragraph shall not apply to any premises or business located wholly within the following described parcel: ALL THAT TRACT OR PARCEL OF LAND situate in the City of Corning, County of Steuben and State of New York bounded and described as follows: Beginning at an iron pin situate at the terminus of the westerly line of Townley Avenue at its intersection with the southwesterly line of New York State Route 17; thence S 00° 45' 18" E along the westerly line of Townley Avenue, a distance of 256.09 feet to a point; thence S 89° 02' 07" W through an iron pin placed at a distance of 200.00 feet, a total distance of 300.00 feet to an iron pin; thence N 00° 59' 17" W a distance of 47.13 feet to an iron pin; thence S 89° 02' 07" W a distance of 114.56 feet to a point situate in the southeast corner of Parcel A-2 as set forth on a survey map hereinafter described; thence N 14° 18' 49" E a distance of 124.40 feet to an iron pin situate at the southeast corner of lands now or formerly of Cicci (Liber 923, Page 771); thence N 14° 18' 49" E a distance of 76.46 feet to an iron pin; thence N 00° 57' 53" W a distance of 26.25 feet to an iron pin marking the southeast corner of parcel A-1 as set forth on the hereinafter described survey map; thence N 00° 58' 01" W a distance of 166.00 to an iron pin situate at the northeast corner of said Parcel A-1, which pin also marks the southeast corner of lands now or formerly of Becraft (Liber 1048, Page 1086); thence N 00° 57' 53" W a distance of 106.00 feet to an iron pin situate in the southerly line of lands now or formerly of the United States Postal Service; thence N 89° 02' 07" E along the southerly line of said United States Postal Service a distance of 81.47 feet to a point; thence N 14° 18' 49" E along the easterly line of said United States Postal Service a distance of 114.29 feet to an iron pin situate in the southwesterly line of New York State Route 17; thence S 32° 00' 31" E along the southwesterly line of New York State Route 17, a distance of 358.93 feet to an iron pin; thence continuing along the southwesterly line of New York state Route 17, S 38° 30' 04" E a distance of 108.18 feet to the iron pin marking the place of beginning. Said premises are set forth and shown as approximately 4.026 acres of land designated as Parcel A (excluding Parcels A-1 and A-2) on a survey map entitled "As-Built Survey of Lands of New York Inn, LLC, City of Corning, Steuben County, New York" by Weiler Associates, dated December 27, 2001, designated Job No. 12462; [or] (vii) any such premises or businesses located on that certain plot, piece or parcel of land, situate, lying and being in the Second Ward of the City of Schenectady, on the Northerly side of Union Street, bounded and described as follows: to wit; Beginning at the Southeasterly corner of the lands lately owned by Elisha L. Freeman and now by Albert Shear; and running from thence Easterly along the line of Union Street, 44 feet to the lands now owned by or in the possession of James G. Van Vorst; thence Northerly in a straight line along the last mentioned lands and the lands of the late John Lake, 102 feet to the lands of one Miss Rodgers; thence Westerly along the line of the last mentioned lands of said Rodgers to the lands of the said Shear; and thence Southerly along the lands of said Shear 101 feet, 6 inches to Union Street, the place of beginning.

Also all that tract or parcel of land, with the buildings thereon, situate in the City of Schenectady, County of Schenectady, and State of New York, situate in the First, formerly the Second Ward of the said City, on the Northerly side of Union Street, which was conveyed by William Meeker and wife to Elisha L. Freeman by deed dated the second day of December 1843, and recorded in the Clerk's Office of Schenectady County on December 5, 1843, in Book V of Deeds at page 392, which lot in

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

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

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

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

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

38 Beginning at a point in the northerly line of Union Street, said point
39 being in the division line between lands now or formerly of Electric
40 Brew Pubs, Inc. (1506 of Deeds at page 763) on the West and lands now or
41 formerly of Margaret Wexler and Donna Lee Wexler Pavlovic, as trustees
42 under Will of Ruth F. Wexler (Street number 241 Union Street) on the
43 East; thence North 03 deg. 04' 10" East, along the building known as
44 Street No. 241 Union Street, a distance of 30.50 feet to a point; thence
45 North 88 deg. 45' 45" West, along said building and building eve, a
46 distance of 5.62 feet to a point; thence North 03 deg. 03' 30" East,
47 along said building eve of Street No. 241 Union Street, a distance of
48 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,
49 a distance of 1.2 feet to an intersection of building corner of Street
50 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"
51 East, along said brick wall, a distance of 14.47 feet to a point in the
52 corner of the brick wall, thence South 86 deg. 46' 45" East along said
53 brick wall a distance of 4.42 feet to the intersection of brick wall
54 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)
55 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,
56 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of

1 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler
2 and Donna Lee Wexler Pavlovic.

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

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

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

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

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

47 BEING THE SAME PREMISES CONVEYED FROM MALCOLM C. GREEN, INDIVIDUALLY,
48 AND NEIL D. KRUG AND CHRISTINA L. RIFKIN, AS TRUSTEES OF THE HARMON A.
49 RIFKIN TRUST, U/D/T DATED JUNE 2, 1994, BENEFICIARIES OF THE GLENS FALLS
50 CINEMA TRUST TO GARY WILSON AND JILL WILSON, HIS WIFE BY DEED DATED
51 AUGUST 14, 2003 AND RECORDED IN THE WARREN COUNTY CLERK'S OFFICE ON
52 AUGUST 27, 2003 IN BOOK 1336 OF DEEDS AT PAGE 194 AND FROM MALCOLM C.
53 GREEN AND NEIL D. KRUG, AS TRUSTEES OF THE GLENS FALLS CINEMA TRUST
54 U/D/T DATED AS OF JANUARY 17, 1979 BY DEED DATED AUGUST 14, 2003 AND
55 RECORDED IN THE WARREN COUNTY CLERK'S OFFICE ON AUGUST 27, 2003 IN BOOK
56 1336 OF DEEDS AT PAGE 199; OR (X) ANY SUCH PREMISES OR BUSINESS LOCATED

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

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

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

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

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

50 The provisions of this paragraph shall not apply to any premises
51 licensed under section sixty-four of this chapter in which a manufactur-
52 er or wholesaler holds a direct or indirect interest, provided that: (I)
53 said premises consist of an interactive entertainment facility which
54 predominantly offers interactive computer and video entertainment
55 attractions, and other games and also offers themed merchandise and food
56 and beverages, (II) the sale of alcoholic beverages within the premises

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

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

45 13. No retail licensee for on-premises consumption shall be inter-
46 ested, directly or indirectly, in any premises where liquors, wines or
47 beer are manufactured or sold at wholesale, by stock ownership, inter-
48 locking directors, mortgage or lien on any personal or real property or
49 by any other means, except that liquors, wines or beer may be manufac-
50 tured or sold wholesale by the person licensed as a manufacturer or
51 wholesaler thereof on real property owned by an interstate railroad
52 corporation or a United States certificated airline with a retail
53 license for on-premises consumption, or on premises or with respect to a
54 business constituting an overnight lodging and resort facility located
55 wholly within the boundaries of the town of North Elba, county of Essex,
56 township eleven, Richard's survey, great lot numbers two hundred seven-

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

1 being located 910.39 feet southeasterly, as measured along the easterly
2 bounds of said highway, from the southerly bounds of the roadway known
3 as Industrial Parkway West, THENCE running S 31° 54' 33" E along the
4 easterly bounds of said Old Military Turnpike Extension, 239.88 feet to
5 a point marking the beginning of a curve concave to the west; thence
6 southerly along said curve, having a radius of 987.99 feet, 248.12 feet
7 to an iron pipe found marking the point of beginning for the parcel
8 herein being described, said point also marked the southerly corner of
9 lands of Larry Garrow, et al, as described in Book 938 of Deeds at page
10 224; thence N 07° 45' 4" E along the easterly bounds of said Garrow,
11 748.16 feet to a 3"x4" concrete monument marking the northeasterly
12 corner of said Garrow, the northwesterly corner of the parcel herein
13 being described and said monument also marking the southerly bounds of
14 lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page
15 186; thence S 81° 45' 28" E along a portion of the southerly bounds of
16 said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the
17 northeasterly corner of the parcel herein being described and also mark-
18 ing the northwest corner of the remaining lands now or formerly owned by
19 said Marx and DeLaura; thence S 07° 45' 40" W along the Westerly bounds
20 of lands now of formerly of said Marx and DeLaura and along the easterly
21 bounds of the parcel herein being described, 560.49 feet to an iron pin;
22 thence N 83° 43' 21" W along a portion of the remaining lands of said
23 Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W,
24 along a portion of the remaining lands of said Marx and DeLaura, 75.01
25 feet to an iron pin marking northeasterly corner of lands currently
26 owned by the Joint Council for Economic Opportunity of Plattsburgh and
27 Clinton County, Inc. as described in Book 963 of Deeds at Page 313;
28 thence N 82° 20' 32" W along a portion of the northerly bounds of said
29 J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing
30 along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to
31 an iron pin; thence S 07° 45' 42" W along the westerly bounds of said
32 J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion
33 of the northerly bounds of remaining lands of said Marx and DeLaura,
34 100.00 feet to an iron pipe found on the easterly bounds of the afore-
35 said highway, said from pipe also being located on a curve concave to
36 the west; thence running and running northerly along the easterly bounds
37 of the aforesaid highway and being along said curve, with the curve
38 having a radius of 987.93 feet, 60.00 feet to the point of beginning and
39 containing 6.905 acres of land. Being the same premises as conveyed to
40 Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp.,
41 as agent of the administrator, U.S. Small Business Administration, an
42 agency of the United States Government dated September 10, 2001 and
43 recorded in the office of the Clinton County Clerk on September 21, 2001
44 as Instrument #135020, or any such premises or businesses located on
45 that certain plot, piece or parcel of land, situate, lying and being in
46 the Second Ward of the City of Schenectady, on the Northerly side of
47 Union Street, bounded and described as follows: to wit; Beginning at the
48 Southeasterly corner of the lands lately owned by Elisha L. Freeman and
49 now by Albert Shear; and running from thence Easterly along the line of
50 Union Street, 44 feet to the lands now owned by or in the possession of
51 James G. Van Vorst; thence Northerly in a straight line along the last
52 mentioned lands and the lands of the late John Lake, 102 feet to the
53 lands of one Miss Rodgers; thence Westerly along the line of the last
54 mentioned lands of said Rodgers to the lands of the said Shear; and
55 thence Southerly along the lands of said Shear 101 feet, 6 inches to
56 Union Street, the place of beginning.

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

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

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

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

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

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

1 East, along said brick wall, a distance of 14.47 feet to a point in the
2 corner of the brick wall, thence South 86 deg. 46' 45" East along said
3 brick wall a distance of 4.42 feet to the intersection of brick wall
4 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)
5 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,
6 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of
7 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler
8 and Donna Lee Wexler Pavlovic.

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

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

32 The two above parcels are together more particularly described as
33 follows: All that parcel of land in the City of Schenectady beginning at
34 a point in the northerly margin of Union Street and the northwesterly
35 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.
36 42' 20" W. 124.55 feet to the easterly margin of North College Street;
37 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to
38 the southeasterly corner of lands now or formerly of McCarthy (Deed Book
39 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or
40 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.
41 191.75 feet to the northwesterly margin of Erie Boulevard; thence along
42 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-
43 ning, any such premises or businesses located on that tract or parcel of
44 land situate in the Town of Hopewell, Ontario County, State of New York,
45 bounded and described as follows: Commencing at a 5/8" rebar found on
46 the division line between lands now or formerly of Ontario County -
47 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the
48 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,
49 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-
50 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,
51 North 43°-33'-40" West, continuing on said division line and through
52 said lands of Ontario County, a distance of 520.45 feet to a point on
53 the southeasterly edge of an existing concrete pad; thence, South
54 74°-19'-53" West, along said edge of concrete and the projection there-
55 of, a distance of 198.78 feet to a point on the easterly edge of pave-
56 ment of an existing campus drive; thence, the following two (2) courses

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

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

53 BEING THE SAME PREMISES CONVEYED FROM MALCOLM C. GREEN, INDIVIDUALLY,
54 AND NEIL D. KRUG AND CHRISTINA L. RIFKIN, AS TRUSTEES OF THE HARMON A.
55 RIFKIN TRUST, U/D/T DATED JUNE 2, 1994, BENEFICIARIES OF THE GLENS FALLS
56 CINEMA TRUST TO GARY WILSON AND JILL WILSON, HIS WIFE BY DEED DATED

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

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

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

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

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

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

45 S 3. This act shall take effect immediately.