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I N   S E N A T E

May 27, 2014

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Introduced by Sens. DeFRANCISCO, VALESKY -- 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 the exemption of certain parcels of land

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

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

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

LBD15338-02-4

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

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

1 southerly bounds of said Salerno Plastic Corp., 441.32 feet to an iron  
2 pin found marking the northeasterly corner of the parcel herein being  
3 described and also marking the northwest corner of the remaining lands  
4 now or formerly owned by said Marx and DeLaura; thence S 07° 45' 40" W  
5 along the Westerly bounds of lands now of formerly of said Marx and  
6 DeLaura and along the easterly bounds of the parcel herein being  
7 described, 560.49 feet to an iron pin; thence N 83° 43' 21" W along a  
8 portion of the remaining lands of said Marx and DeLaura, 41.51 feet to  
9 an iron pin; thence S 08° 31' 30" W, along a portion of the remaining  
10 lands of said Marx and DeLaura, 75.01 feet to an iron pin marking  
11 northeasterly corner of lands currently owned by the Joint Council for  
12 Economic Opportunity of Plattsburgh and Clinton County, Inc. as  
13 described in Book 963 of Deeds at Page 313; thence N 82° 20' 32" W along  
14 a portion of the northerly bounds of said J.C.E.O., 173.50 feet to an  
15 iron pin; thence 61° 21' 12" W, continuing along a portion of the north-  
16 erly bounds of said J.C.E.O., 134.14 feet to an iron pin; thence S 07°  
17 45' 42" W along the westerly bounds of said J.C.E.O., 50 feet to an iron  
18 pin; thence S 66° 48' 56" W along a portion of the northerly bounds of  
19 remaining lands of said Marx and DeLaura, 100.00 feet to an iron pipe  
20 found on the easterly bounds of the aforesaid highway, said from pipe  
21 also being located on a curve concave to the west; thence running and  
22 running northerly along the easterly bounds of the aforesaid highway and  
23 being along said curve, with the curve having a radius of 987.93 feet,  
24 60.00 feet to the point of beginning and containing 6.905 acres of land.  
25 Being the same premises as conveyed to Ronald Marx and Alice Marx by  
26 deed of CIT Small Business Lending Corp., as agent of the administrator,  
27 U.S. Small Business Administration, an agency of the United States  
28 Government dated September 10, 2001 and recorded in the office of the  
29 Clinton County Clerk on September 21, 2001 as Instrument #135020; or  
30 (vi) any such premises or business located on the west side of New York  
31 state route 414 in military lots 64 and 75 located wholly within the  
32 boundaries of that tract or parcel of land situated in the town of Lodi,  
33 county of Seneca beginning at an iron pin on the assumed west line of  
34 New York State Route 414 on the apparent north line of lands reputedly  
35 of White (lib. 420, page 155); said iron pin also being northerly a  
36 distance of 1200 feet more or less from the centerline of South Miller  
37 Road; Thence leaving the point of beginning north 85-17'-44" west along  
38 said lands of White a distance of 2915.90 feet to an iron pin Thence  
39 north 03-52'-48" east along said lands of White, passing through an iron  
40 pin 338.36 feet distant, and continuing further along that same course a  
41 distance of 13.64 feet farther, the total distance being 352.00 feet to  
42 a point in the assumed centerline of Nellie Neal Creek; Thence in gener-  
43 ally a north westerly direction the following courses and distances  
44 along the assumed centerline of Nellie Neal Creek; north 69-25'-11" west  
45 a distance of 189.56 feet to a point; north 63-40'-00" west a distance  
46 of 156.00 feet to a point; north 49-25'-00" west a distance of 80.00  
47 feet to a point; south 80-21'-00" west a distance of 90.00 feet to a  
48 point; north 72-03'-00" west a distance of 566.00 feet to a point; north  
49 68-15'-00" west a distance of 506.00 feet to a point; north 55-16'-00"  
50 west a distance of 135.00 feet to a point; south 69-18'-00" west a  
51 distance of 200.00 feet to a point; south 88-00'-00" west a distance of  
52 170.00 feet to a point on a tie line at or near the high water line of  
53 Seneca Lake; Thence north 25-17'-00" east along said tie line a distance  
54 of 238.00 feet to an iron pipe; Thence south 82-04'-15" east along lands  
55 reputedly of M. Wagner (lib. 464, page 133) a distance of 100.00 feet to  
56 an iron pin; Thence north 06-56'-47" east along said lands of M. Wagner

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

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

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

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

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

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

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

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

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

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

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

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

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

54 This survey also intends to describe a portion of the premises as  
55 conveyed by Ruth V. Wagner to Stanley A. Wagner by deed recorded Febru-  
56 ary 10, 1989 in Liber 450 of deeds, at Page 286. The provisions of this

1 paragraph shall not apply to any premises or business located wholly  
2 within the following described parcel: ALL THAT TRACT OR PARCEL OF LAND  
3 situate in the City of Corning, County of Steuben and State of New York  
4 bounded and described as follows: Beginning at an iron pin situate at  
5 the terminus of the westerly line of Townley Avenue at its intersection  
6 with the southwesterly line of New York State Route 17; thence S 00° 45'  
7 18" E along the westerly line of Townley Avenue, a distance of 256.09  
8 feet to a point; thence S 89° 02' 07" W through an iron pin placed at a  
9 distance of 200.00 feet, a total distance of 300.00 feet to an iron pin;  
10 thence N 00° 59' 17" W a distance of 47.13 feet to an iron pin; thence S  
11 89° 02' 07" W a distance of 114.56 feet to a point situate in the south-  
12 east corner of Parcel A-2 as set forth on a survey map hereinafter  
13 described; thence N 14° 18' 49" E a distance of 124.40 feet to an iron  
14 pin situate at the southeast corner of lands now or formerly of Cicci  
15 (Liber 923, Page 771); thence N 14° 18' 49" E a distance of 76.46 feet  
16 to an iron pin; thence N 00° 57' 53" W a distance of 26.25 feet to an  
17 iron pin marking the southeast corner of parcel A-1 as set forth on the  
18 hereinafter described survey map; thence N 00° 58' 01" W a distance of  
19 166.00 to an iron pin situate at the northeast corner of said Parcel  
20 A-1, which pin also marks the southeast corner of lands now or formerly  
21 of Becraft (Liber 1048, Page 1086); thence N 00° 57' 53" W a distance of  
22 106.00 feet to an iron pin situate in the southerly line of lands now or  
23 formerly of the United States Postal Service; thence N 89° 02' 07" E  
24 along the southerly line of said United States Postal Service a distance  
25 of 81.47 feet to a point; thence N 14° 18' 49" E along the easterly line  
26 of said United States Postal Service a distance of 114.29 feet to an  
27 iron pin situate in the southwesterly line of New York State Route 17;  
28 thence S 32° 00' 31" E along the southwesterly line of New York State  
29 Route 17, a distance of 358.93 feet to an iron pin; thence continuing  
30 along the southwesterly line of New York state Route 17, S 38° 30' 04" E  
31 a distance of 108.18 feet to the iron pin marking the place of begin-  
32 ning. Said premises are set forth and shown as approximately 4.026 acres  
33 of land designated as Parcel A (excluding Parcels A-1 and A-2) on a  
34 survey map entitled "As-Built Survey of Lands of New York Inn, LLC, City  
35 of Corning, Steuben County, New York" by Weiler Associates, dated Decem-  
36 ber 27, 2001, designated Job No. 12462; or (vii) any such premises or  
37 businesses located on that certain plot, piece or parcel of land, situ-  
38 ate, lying and being in the Second Ward of the City of Schenectady, on  
39 the Northerly side of Union Street, bounded and described as follows: to  
40 wit; Beginning at the Southeasterly corner of the lands lately owned by  
41 Elisha L. Freeman and now by Albert Shear; and running from thence East-  
42 erly along the line of Union Street, 44 feet to the lands now owned by  
43 or in the possession of James G. Van Vorst; thence Northerly in a  
44 straight line along the last mentioned lands and the lands of the late  
45 John Lake, 102 feet to the lands of one Miss Rodgers; thence Westerly  
46 along the line of the last mentioned lands of said Rodgers to the lands  
47 of the said Shear; and thence Southerly along the lands of said Shear  
48 101 feet, 6 inches to Union Street, the place of beginning.

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

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

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

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

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

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

37 Beginning at a point in the northerly line of Union Street, said point  
38 being in the division line between lands now or formerly of Electric  
39 Brew Pubs, Inc. (1506 of Deeds at page 763) on the West and lands now or  
40 formerly of Margaret Wexler and Donna Lee Wexler Pavlovic, as trustees  
41 under Will of Ruth F. Wexler (Street number 241 Union Street) on the  
42 East; thence North 03 deg. 04' 10" East, along the building known as  
43 Street No. 241 Union Street, a distance of 30.50 feet to a point; thence  
44 North 88 deg. 45' 45" West, along said building and building eve, a  
45 distance of 5.62 feet to a point; thence North 03 deg. 03' 30" East,  
46 along said building eve of Street No. 241 Union Street, a distance of  
47 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,  
48 a distance of 1.2 feet to an intersection of building corner of Street  
49 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"  
50 East, along said brick wall, a distance of 14.47 feet to a point in the  
51 corner of the brick wall, thence South 86 deg. 46' 45" East along said  
52 brick wall a distance of 4.42 feet to the intersection of brick wall  
53 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)  
54 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,  
55 (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 or  
38 parcel of land situate in the Town of Hopewell, Ontario County, State of  
39 New York, bounded and described as follows: Commencing at a 5/8" rebar  
40 found on the division line between lands now or formerly of Ontario  
41 County - Finger Lakes Community College (Liber 698 of Deeds, Page 466)  
42 on the north and lands now or formerly of James W. Baird (Liber 768 of  
43 Deeds, Page 1109) on the south; thence, North 43°-33'-40" West, on said  
44 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; OR (IX) ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN  
23 THE CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK, LYING  
24 GENERALLY NORTHWESTERLY OF THE WEST HIAWATHA BOULEVARD, AND GENERALLY  
25 NORTHEASTERLY OF THE NEW YORK STATE BARGE CANAL, BEING A PORTION OF LOT  
26 11I AND LOT 11J OF THE CAROUSEL CENTER SUBDIVISION AS SHOWN ON A RESUB-  
27 DIVISION PLAN OF THE CAROUSEL CENTER SUBDIVISION FILED AS MAP NO. 8743  
28 IN THE ONONDAGA COUNTY CLERK'S OFFICE, AND AS OF MAY 20, 2014 IDENTIFIED  
29 AS SPACE L323 IN A LEASE BETWEEN THE LIQUOR LICENSE APPLICANT AND PROP-  
30 erty owner and on the third level of the shopping center thereon, such  
31 shopping center land being more particularly bounded and described as  
32 follows:

33 BEGINNING AT THE POINT OF THE INTERSECTION OF THE DIVISION LINE  
34 BETWEEN THE NORTHEASTERLY BOUNDARY OF THE NEW YORK STATE BARGE CANAL,  
35 SYRACUSE TERMINAL DESIGNATED AS "PARCEL NO. T-111" ON THE SOUTHWEST AND  
36 LOT 11I OF THE CAROUSEL CENTER SUBDIVISION ON THE NORTHEAST WITH THE  
37 NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE NORTH 50 DEG.  
38 26 MIN. 28 SEC. WEST, ALONG SAID DIVISION LINE, 690.72 FEET; TO A POINT;  
39 THENCE THROUGH LOT 11I AND 11J OF SAID SUBDIVISION THE FOLLOWING THIR-  
40 TY-FIVE (35) COURSES AND DISTANCES:

- 41 1) THENCE NORTH 40 DEG. 22 MIN. 15 SEC. EAST 191.79 FEET TO A POINT;
- 42 2) THENCE SOUTH 82 DEG. 04 MIN. 58 SEC. EAST 294.58 FEET TO A POINT;
- 43 3) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 314.89 FEET TO A POINT;
- 44 4) THENCE SOUTH 82 DEG. 07 MIN. 45 SEC. EAST 53.96 FEET TO A POINT;
- 45 5) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 70.18 FEET TO A POINT;
- 46 6) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 40.81 FEET TO A POINT;
- 47 7) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 35.49 FEET TO A POINT;
- 48 8) THENCE SOUTH 82 DEG. 07 MIN. 50 SEC. EAST 1.52 FEET TO A POINT;
- 49 9) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 45.53 FEET TO A POINT;
- 50 10) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 92.67 FEET TO A POINT;
- 51 11) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 194.00 FEET TO A POINT;
- 52 12) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 121.00 FEET TO A POINT;
- 53 13) THENCE NORTH 07 DEG. 52 MIN. 14 SEC. EAST 408.67 FEET TO A POINT;
- 54 14) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 168.50 FEET TO A POINT;
- 55 15) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 34.33 FEET TO A POINT;
- 56 16) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 15.33 FEET TO A POINT;

1 17) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 341.67 FEET TO A POINT;  
2 18) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 199.44 FEET TO A POINT;  
3 19) THENCE NORTH 07 DEG. 52 MIN. 31 SEC. EAST 0.97 FEET TO A POINT;  
4 20) THENCE NORTH 52 DEG. 50 MIN. 09 SEC. EAST 11.22 FEET TO A POINT;  
5 21) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 20.77 FEET TO A POINT;  
6 22) THENCE NORTH 37 DEG. 05 MIN. 57 SEC. WEST 30.86 FEET TO A POINT;  
7 23) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 21.02 FEET TO A POINT;  
8 24) THENCE SOUTH 52 DEG. 13 MIN. 00 SEC. WEST 5.85 FEET TO A POINT;  
9 25) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 7.41 FEET TO A POINT;  
10 26) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 108.15 FEET TO A POINT;  
11 27) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 0.75 FEET TO A POINT;  
12 28) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 22.46 FEET TO A POINT;  
13 29) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 0.75 FEET TO A POINT;  
14 30) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 43.48 FEET TO A POINT;  
15 31) THENCE NORTH 52 DEG. 52 MIN. 15 SEC. EAST 7.78 FEET TO A POINT;  
16 32) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 47.79 FEET TO A POINT;  
17 33) THENCE NORTH 37 DEG. 07 MIN. 44 SEC. WEST 7.78 FEET TO A POINT;  
18 34) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 198.11 FEET TO A POINT;  
19 AND  
20 35) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 207.07 FEET TO A POINT  
21 ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 81, THENCE ALONG  
22 THE WESTERLY AND SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 81,  
23 IN A GENERALLY SOUTHEASTERLY DIRECTION, THE FOLLOWING SEVEN (7) COURSES  
24 AND DISTANCES:  
25 1) THENCE SOUTH 18 DEG. 26 MIN. 44 SEC. EAST 44.24 FEET TO A POINT;  
26 2) THENCE SOUTH 31 DEG. 26 MIN. 40 SEC. EAST 70.85 FEET TO A POINT;  
27 3) THENCE SOUTH 37 DEG. 56 MIN. 38 SEC. EAST 377.51 FEET TO A POINT;  
28 4) THENCE SOUTH 33 DEG. 48 MIN. 10 SEC. EAST 129.69 FEET TO A POINT;  
29 5) THENCE SOUTH 32 DEG. 22 MIN. 13 SEC. EAST 213.26 FEET TO A POINT;  
30 6) THENCE SOUTH 42 DEG. 27 MIN. 42 SEC. EAST 58.65 FEET TO A POINT;  
31 AND  
32 7) THENCE SOUTH 40 DEG. 20 MIN. 45 SEC. EAST 77.11 FEET TO ITS INTER-  
33 SECTION WITH LANDS APPROPRIATED BY THE PEOPLE OF THE STATE OF NEW YORK  
34 DESCRIBED AS MAP 1401 PARCEL 1831 IN BOOK 5256 OF DEEDS AT PAGE 686 AND  
35 BOOK 5274 OF DEEDS AT PAGE 836;  
36 THENCE ALONG THE BOUNDS OF SAID MAP 1401 PARCEL 1831 THE FOLLOWING  
37 FIFTEEN (15) COURSES AND DISTANCES:  
38 1) SOUTH 07 DEG. 30 MIN. 19 SEC. EAST 39.16 FEET TO A POINT; THENCE  
39 2) SOUTH 03 DEG. 25 MIN. 41 SEC. WEST 30.00 FEET TO A POINT; THENCE  
40 3) SOUTH 12 DEG. 49 MIN. 21 SEC. WEST 30.00 FEET TO A POINT; THENCE  
41 4) SOUTH 22 DEG. 11 MIN. 30 SEC. WEST 30.00 FEET TO A POINT; THENCE  
42 5) SOUTH 31 DEG. 35 MIN. 08 SEC. WEST 30.00 FEET TO A POINT; THENCE  
43 6) SOUTH 40 DEG. 57 MIN. 25 SEC. WEST 30.01 FEET TO A POINT; THENCE  
44 7) SOUTH 48 DEG. 44 MIN. 51 SEC. WEST 20.00 FEET TO A POINT; THENCE  
45 8) SOUTH 55 DEG. 01 MIN. 19 SEC. WEST 19.99 FEET TO A POINT; THENCE  
46 9) SOUTH 65 DEG. 30 MIN. 44 SEC. WEST 8.49 FEET TO A POINT; THENCE  
47 10) NORTH 75 DEG. 22 MIN. 31 SEC. WEST 38.92 FEET TO A POINT; THENCE  
48 11) NORTH 29 DEG. 08 MIN. 26 SEC. WEST 25.83 FEET TO A POINT; THENCE  
49 12) NORTH 07 DEG. 58 MIN. 33 SEC. WEST 20.27 FEET TO A POINT; THENCE  
50 13) NORTH 07 DEG. 40 MIN. 45 SEC. EAST 100.00 FEET TO A POINT; THENCE  
51 14) NORTH 82 DEG. 23 MIN. 04 SEC. WEST 1.00 FEET TO A POINT; AND  
52 15) SOUTH 07 DEG. 40 MIN. 49 SEC. WEST 425.30 TO ITS INTERSECTION WITH  
53 THE NORTHERLY BOUNDS OF MAP 1402 PARCEL 1836 OF SAID APPROPRIATION;  
54 THENCE ALONG THE BOUNDS OF MAP 1402 PARCEL 1836 AS DESCRIBED IN BOOK  
55 5256 OF DEEDS AT PAGE 686 AND BOOK 5274 OF DEEDS AT PAGE 836 THE FOLLOW-  
56 ING THREE (3) COURSES AND DISTANCES:

1 1) SOUTH 07 DEG. 40 MIN. 17 SEC. WEST 70.35 FEET TO A POINT; THENCE  
2 2) SOUTH 82 DEG. 09 MIN. 26 SEC. EAST 1.00 FEET TO A POINT; AND  
3 3) NORTH 07 DEG. 40 MIN. 37 SEC. EAST 70.35 FEET TO ITS INTERSECTION  
4 WITH THE BOUNDS OF THE HEREINABOVE DESCRIBED MAP 1401 PARCEL 1831;  
5 THENCE ALONG THE BOUNDS OF SAID MAP 1401 PARCEL 1831 THE FOLLOWING TEN  
6 (10) COURSES AND DISTANCES:  
7 1) NORTH 07 DEG. 40 MIN. 37 SEC. EAST 100.00 FEET TO A POINT; THENCE  
8 2) NORTH 40 DEG. 32 MIN. 01 SEC. EAST 61.06 FEET TO A POINT; THENCE  
9 3) NORTH 50 DEG. 26 MIN. 34 SEC. EAST 110.76 FEET TO A POINT; THENCE  
10 4) NORTH 55 DEG. 51 MIN. 53 SEC. EAST 43.02 FEET TO A POINT; THENCE  
11 5) NORTH 66 DEG. 11 MIN. 17 SEC. EAST 30.00 FEET TO A POINT; THENCE  
12 6) NORTH 79 DEG. 28 MIN. 24 SEC. EAST 30.00 FEET TO A POINT; THENCE  
13 7) SOUTH 87 DEG. 12 MIN. 02 SEC. EAST 30.00 FEET TO A POINT; THENCE  
14 8) SOUTH 73 DEG. 54 MIN. 22 SEC. EAST 30.00 FEET TO A POINT; THENCE  
15 9) SOUTH 59 DEG. 56 MIN. 49 SEC. EAST 33.00 FEET TO A POINT; AND  
16 10) SOUTH 47 DEG. 06 MIN. 38 SEC. EAST 95.11 FEET TO ITS INTERSECTION  
17 WITH THE DIVISION LINE BETWEEN LOT 11J ON THE NORTHWEST AND THE LANDS  
18 NOW OR FORMERLY OF WOODSTEAD ENTERPRISES CO. AS DESCRIBED IN BOOK 3530  
19 OF DEEDS AT PAGE 257 ON THE SOUTHEAST (FORMERLY LANDS OF ROME WATERTOWN  
20 AND OSWEGO RAILROAD COMPANY VIA LETTERS PATENT, BOOK 292, PAGE 264);  
21 THENCE SOUTH 28 DEG. 12 MIN. 27 SEC. WEST ALONG SAID DIVISION LINE AND  
22 ALONG THE NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD IN PART,  
23 36.93 FEET TO ITS POINT OF INTERSECTION WITH NORTHEASTERLY BOUNDARY OF  
24 WEST HIAWATHA BOULEVARD; THENCE NORTH 61 DEG. 43 MIN. 58 SEC. WEST ALONG  
25 SAID NORTHEASTERLY BOUNDARY 158.30 FEET TO ITS POINT OF INTERSECTION  
26 WITH THE NORTHWESTERLY BOUNDARY OF SAID WEST HIAWATHA BOULEVARD; THENCE  
27 WEST ALONG SAID NORTHWESTERLY BOUNDARY THE FOLLOWING THREE (3) COURSES:  
28 1) SOUTH 30 DEG. 39 MIN. 30 SEC. WEST 599.46 FEET TO A POINT; THENCE 2)  
29 SOUTH 30 DEG. 30 MIN. 42 SEC. WEST 62.49 FEET TO A POINT; AND 3) SOUTH  
30 23 DEG. 40 MIN. 55 SEC. WEST 220.04 FEET TO ITS POINT OF INTERSECTION  
31 WITH SOUTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE SOUTH 49  
32 DEG. 30 MIN. 46 SEC. EAST ALONG SAID SOUTHWESTERLY BOUNDARY, 0.30 FEET  
33 TO ITS POINT OF INTERSECTION WITH THE FIRST HEREINABOVE DESCRIBED  
34 NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE SOUTH 40 DEG.  
35 26 MIN. 20 SEC. WEST, ALONG SAID NORTHWESTERLY BOUNDARY, 98.08 FEET TO  
36 ITS POINT OF INTERSECTION WITH THE DIVISION LINE BETWEEN LOT 11J ON THE  
37 NORTHEAST AND LOT 11H OF THE CAROUSEL CENTER SUBDIVISION ON THE SOUTH-  
38 WEST; THENCE NORTH 50 DEG. 25 MIN. 12 SEC. WEST, ALONG SAID DIVISION  
39 LINE, 147.85 FEET TO THE NORTHWEST CORNER OF LOT 11H; THENCE SOUTH 40  
40 DEG. 26 MIN. 20 SEC. WEST 217.47 FEET TO THE SOUTHWEST CORNER OF LOT  
41 11H; THENCE SOUTH 49 DEG. 49 MIN. 16 SEC. EAST 147.83 FEET TO A POINT ON  
42 THE FIRST HEREINABOVE DESCRIBED NORTHWESTERLY BOUNDARY OF WEST HIAWATHA  
43 BOULEVARD; THENCE ALONG SAID NORTHWESTERLY BOUNDARY OF WEST HIAWATHA  
44 BOULEVARD THE FOLLOWING TWO (2) COURSES: 1) SOUTH 40 DEG. 26 MIN. 20  
45 SEC. WEST 17.66 FEET TO A POINT; AND 2) SOUTH 43 DEG. 01 MIN. 50 SEC.  
46 WEST 468.25 FEET TO THE POINT OF BEGINNING.  
47 EXCEPTING THE FOLLOWING PIECE OR PARCEL OF LAND APPROPRIATED BY THE  
48 PEOPLE OF THE STATE OF NEW YORK DESCRIBED AS MAP 1401 PARCEL 1832 IN  
49 BOOK 5256 OF DEEDS AT PAGE 686 AND BOOK 5274 OF DEEDS AT PAGE 836:  
50 COMMENCING AT THE SOUTHWEST CORNER OF HEREIN ABOVE DESCRIBED MAP 1402  
51 PARCEL 1836 SAID POINT HAVING A PROCEEDING COURSE OF SOUTH 07 DEG. 40  
52 MIN. 17 SEC. WEST 70.35 FEET IN THE PREMISES DESCRIBED HEREINABOVE;  
53 THENCE NORTH 13 DEG. 18 MIN. 48 SEC. WEST 138.17 FEET TO THE SOUTHEAST  
54 CORNER OF MAP 1401 PARCEL 1832; THENCE ALONG THE BOUNDS OF SAID MAP 1401  
55 PARCEL 1832 THE FOLLOWING FOUR (4) COURSES AND DISTANCES:  
56 1) NORTH 82 DEG. 09 MIN. 26 SEC. WEST 1.00 FEET TO A POINT; THENCE

1 2) NORTH 07 DEG. 53 MIN. 50 SEC. EAST 353.36 FEET TO A POINT; THENCE  
2 3) SOUTH 81 DEG. 54 MIN. 58 SEC. EAST 1.00 FEET TO A POINT, AND  
3 4) SOUTH 07 DEG. 53 MIN. 54 SEC. WEST 353.36 FEET TO THE POINT OF  
4 BEGINNING.

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

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

1 13. No retail licensee for on-premises consumption shall be inter-  
2 ested, directly or indirectly, in any premises where liquors, wines or  
3 beer are manufactured or sold at wholesale, by stock ownership, inter-  
4 locking directors, mortgage or lien on any personal or real property or  
5 by any other means, except that liquors, wines or beer may be manufac-  
6 tured or sold wholesale by the person licensed as a manufacturer or  
7 wholesaler thereof on real property owned by an interstate railroad  
8 corporation or a United States certificated airline with a retail  
9 license for on-premises consumption, or on premises or with respect to a  
10 business constituting an overnight lodging and resort facility located  
11 wholly within the boundaries of the town of North Elba, county of Essex,  
12 township eleven, Richard's survey, great lot numbers two hundred seven-  
13 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-  
14 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-  
15 teen, three hundred nineteen, three hundred twenty, three hundred  
16 thirty-five and three hundred thirty-six, and township twelve, Thorn's  
17 survey, great lot numbers one hundred six and one hundred thirteen, as  
18 shown on the Adirondack map, compiled by the conservation department of  
19 the state of New York - nineteen hundred sixty-four edition, in the  
20 Essex county atlas at page twenty-seven in the Essex county clerk's  
21 office, Elizabethtown, New York, provided that such facility maintains  
22 not less than two hundred fifty rooms and suites for overnight lodging,  
23 or on premises or with respect to the operation of a restaurant in an  
24 office building located in a city having a population of five hundred  
25 thousand or more and in which is located the licensed premises of such  
26 manufacturer or wholesaler, provided that the building, the interior of  
27 the retail premise and the rental therefor fully comply with the crite-  
28 ria set forth in paragraph two of subdivision three of section one  
29 hundred one of this article, any such premises or business located on  
30 that tract or parcel of land, or any subdivision thereof, situate in the  
31 Village of Lake Placid, Town of North Elba, Essex County, New York; it  
32 being also a part of Lot No. 279, Township No. 11, Old Military Tract,  
33 Richard's Survey; it being also all of Lot No. 23 and part of Lot No. 22  
34 as shown and designated on a certain map entitled "Map of Building Sites  
35 for Sale by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being  
36 PARCEL No. 1 on a certain map of lands of Robert J. Mahoney and wife  
37 made by G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and  
38 filed in the Essex County Clerk's Office on August 27, 1964, and more  
39 particularly bounded and described as follows; BEGINNING at the inter-  
40 section of the northerly bounds of Shore Drive (formerly Mirror Street)  
41 with the westerly bounds of Park Place (formerly Rider Street) which  
42 point is also the northeast corner of Lot No. 23, from thence South  
43 21°50' East in the westerly bounds of Park Place a distance of 119 feet,  
44 more or less, to a lead plug in the edge of the sidewalk marking the  
45 southeast corner of Lot No. 23 and the northeast corner of Lot No. 24;  
46 from thence South 68°00'50" West a distance of 50.05 feet to an iron  
47 pipe set in concrete at the corner of Lots 23 and 22; from thence South  
48 65°10'50" West a distance of 7.94 feet along the south line of Lot No.  
49 22 to an iron pipe for a corner; from thence North 23°21'40" West and at  
50 17.84 feet along said line passing over a drill hole in a concrete side-  
51 walk, and at 68.04 feet further along said line passing over an iron  
52 pipe at the southerly edge of another sidewalk, and at 1.22 feet further  
53 along said line passing over another drill hole in a sidewalk, a total  
54 distance of 119 feet, more or less, to the northerly line of Lot No. 22;  
55 from thence easterly in the northerly line of Lot 22 and 23 to the  
56 northeast corner of Lot No. 23 and the point of beginning. Also includ-

1 ing the lands to the center of Shore Drive included between the norther-  
2 ly straight line continuation of the side lines of the above described  
3 parcel, and to the center of Park Place, where they abut the above  
4 described premises SUBJECT to the use thereof for street purposes. Being  
5 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by  
6 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on  
7 July 10, 1992 in Book 1017 of Deeds at Page 318, or any such premises or  
8 business located on that certain piece or parcel of land, or any subdi-  
9 vision thereof, situate, lying and being in the Town of Plattsburgh,  
10 County of Clinton, State of New York and being more particularly bounded  
11 and described as follows: Starting at an iron pipe found in the easterly  
12 bounds of the highway known as the Old Military Turnpike, said iron pipe  
13 being located 910.39 feet southeasterly, as measured along the easterly  
14 bounds of said highway, from the southerly bounds of the roadway known  
15 as Industrial Parkway West, THENCE running S 31° 54' 33" E along the  
16 easterly bounds of said Old Military Turnpike Extension, 239.88 feet to  
17 a point marking the beginning of a curve concave to the west; thence  
18 southerly along said curve, having a radius of 987.99 feet, 248.12 feet  
19 to an iron pipe found marking the point of beginning for the parcel  
20 herein being described, said point also marked the southerly corner of  
21 lands of Larry Garrow, et al, as described in Book 938 of Deeds at page  
22 224; thence N 07° 45' 4" E along the easterly bounds of said Garrow,  
23 748.16 feet to a 3"x4" concrete monument marking the northeasterly  
24 corner of said Garrow, the northwesterly corner of the parcel herein  
25 being described and said monument also marking the southerly bounds of  
26 lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page  
27 186; thence S 81° 45' 28" E along a portion of the southerly bounds of  
28 said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the  
29 northeasterly corner of the parcel herein being described and also mark-  
30 ing the northwest corner of the remaining lands now or formerly owned by  
31 said Marx and Delaura; thence S 07° 45' 40" W along the Westerly bounds  
32 of lands now of formerly of said Marx and DeLaura and along the easterly  
33 bounds of the parcel herein being described, 560.49 feet to an iron pin;  
34 thence N 83° 43' 21" W along a portion of the remaining lands of said  
35 Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W,  
36 along a portion of the remaining lands of said Marx and Delaura, 75.01  
37 feet to an iron pin marking northeasterly corner of lands currently  
38 owned by the Joint Council for Economic Opportunity of Plattsburgh and  
39 Clinton County, Inc. as described in Book 963 of Deeds at Page 313;  
40 thence N 82° 20' 32" W along a portion of the northerly bounds of said  
41 J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing  
42 along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to  
43 an iron pin; thence S 07° 45' 42" W along the westerly bounds of said  
44 J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion  
45 of the northerly bounds of remaining lands of said Marx and DeLaura,  
46 100.00 feet to an iron pipe found on the easterly bounds of the afore-  
47 said highway, said from pipe also being located on a curve concave to  
48 the west; thence running and running northerly along the easterly bounds  
49 of the aforesaid highway and being along said curve, with the curve  
50 having a radius of 987.93 feet, 60.00 feet to the point of beginning and  
51 containing 6.905 acres of land. Being the same premises as conveyed to  
52 Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp.,  
53 as agent of the administrator, U.S. Small Business Administration, an  
54 agency of the United States Government dated September 10, 2001 and  
55 recorded in the office of the Clinton County Clerk on September 21, 2001  
56 as Instrument #135020, or any such premises or businesses located on

1 that certain plot, piece or parcel of land, situate, lying and being in  
2 the Second Ward of the City of Schenectady, on the Northerly side of  
3 Union Street, bounded and described as follows: to wit; Beginning at the  
4 Southeasterly corner of the lands lately owned by Elisha L. Freeman and  
5 now by Albert Shear; and running from thence Easterly along the line of  
6 Union Street, 44 feet to the lands now owned by or in the possession of  
7 James G. Van Vorst; thence Northerly in a straight line along the last  
8 mentioned lands and the lands of the late John Lake, 102 feet to the  
9 lands of one Miss Rodgers; thence Westerly along the line of the last  
10 mentioned lands of said Rodgers to the lands of the said Shear; and  
11 thence Southerly along the lands of said Shear 101 feet, 6 inches to  
12 Union Street, the place of beginning.

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

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

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

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

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



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

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

38 The above described parcel of property includes the Blue Line parcel  
39 of land, which is a portion of the abandoned Erie Canal Lands, located  
40 in the First Ward of the City of Schenectady, New York, and which Blue  
41 Line parcel lies between the Northwesterly line of Erie Boulevard as set  
42 forth in the above described premises and the Northeasterly lot line of  
43 the old Union Street School as it runs parallel with the Northwesterly  
44 line of Erie Boulevard as aforesaid.

45 The two above parcels are together more particularly described as  
46 follows: All that parcel of land in the City of Schenectady beginning at  
47 a point in the northerly margin of Union Street and the northwesterly  
48 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.  
49 42' 20" W. 124.55 feet to the easterly margin of North College Street;  
50 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to  
51 the southeasterly corner of lands now or formerly of McCarthy (Deed Book  
52 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or  
53 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.  
54 191.75 feet to the northwesterly margin of Erie Boulevard; thence along  
55 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-  
56 ning, any such premises or businesses located on that tract or parcel of

1 land situate in the Town of Hopewell, Ontario County, State of New York,  
2 bounded and described as follows: Commencing at a 5/8" rebar found on  
3 the division line between lands now or formerly of Ontario County -  
4 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the  
5 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,  
6 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-  
7 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,  
8 North 43°-33'-40" West, continuing on said division line and through  
9 said lands of Ontario County, a distance of 520.45 feet to a point on  
10 the southeasterly edge of an existing concrete pad; thence, South  
11 74°-19'-53" West, along said edge of concrete and the projection there-  
12 of, a distance of 198.78 feet to a point on the easterly edge of pave-  
13 ment of an existing campus drive; thence, the following two (2) courses  
14 and distances along said edge of pavement: Northeasterly on a curve to  
15 the left having a radius of 2221.65 feet, a chord bearing of North  
16 30°-16'-39" East, a chord distance of 280.79, a central angle of  
17 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;  
18 thence, Northeasterly on a curve to the right having a radius of 843.42  
19 feet, a chord bearing of North 45°-25'-09" East, a chord distance of  
20 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a  
21 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the  
22 corner of the property acquired by Ontario County (Liber 766 of Deeds,  
23 Page 1112), as shown on a map recorded in the Ontario County Clerk's  
24 Office as Map No. 6313; thence, the following four (4) courses and  
25 distances along said property line: South 30°-04'-59" East, a distance  
26 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of  
27 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of  
28 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-  
29 erty line, and the projection thereof, through the first said lands of  
30 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,  
31 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel  
32 containing 7.834 acres, more or less, as shown on a map entitled  
33 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts  
34 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,  
35 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-  
36 erties are shown on the Map denominated "FLCC Campus Property, FLPAC  
37 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the  
38 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds  
39 at page 9 and are comprised of the areas separately labeled as Parking  
40 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the  
41 Entry Roads; ANY SUCH PREMISES OR BUSINESSES LOCATED ON ALL THAT CERTAIN  
42 PIECE OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE, COUNTY OF ONON-  
43 DAGA, STATE OF NEW YORK, LYING GENERALLY NORTHWESTERLY OF THE WEST  
44 HIAWATHA BOULEVARD, AND GENERALLY NORTHEASTERLY OF THE NEW YORK STATE  
45 BARGE CANAL, BEING A PORTION OF LOT 11I AND LOT 11J OF THE CAROUSEL  
46 CENTER SUBDIVISION AS SHOWN ON A RESUBDIVISION PLAN OF THE CAROUSEL  
47 CENTER SUBDIVISION FILED AS MAP NO. 8743 IN THE ONONDAGA COUNTY CLERK'S  
48 OFFICE, AND AS OF MAY 20, 2014 IDENTIFIED AS SPACE L323 IN A LEASE  
49 BETWEEN THE LIQUOR LICENSE APPLICANT AND PROPERTY OWNER AND ON THE THIRD  
50 LEVEL OF THE SHOPPING CENTER THEREON, SUCH SHOPPING CENTER LAND BEING  
51 MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

52 BEGINNING AT THE POINT OF THE INTERSECTION OF THE DIVISION LINE  
53 BETWEEN THE NORTHEASTERLY BOUNDARY OF THE NEW YORK STATE BARGE CANAL,  
54 SYRACUSE TERMINAL DESIGNATED AS "PARCEL NO. T-111" ON THE SOUTHWEST AND  
55 LOT 11I OF THE CAROUSEL CENTER SUBDIVISION ON THE NORTHEAST WITH THE  
56 NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE NORTH 50 DEG.

1 26 MIN. 28 SEC. WEST, ALONG SAID DIVISION LINE, 690.72 FEET; TO A POINT;  
2 THENCE THROUGH LOT 11I AND 11J OF SAID SUBDIVISION THE FOLLOWING THIR-  
3 TY-FIVE (35) COURSES AND DISTANCES:  
4 1) THENCE NORTH 40 DEG. 22 MIN. 15 SEC. EAST 191.79 FEET TO A POINT;  
5 2) THENCE SOUTH 82 DEG. 04 MIN. 58 SEC. EAST 294.58 FEET TO A POINT;  
6 3) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 314.89 FEET TO A POINT;  
7 4) THENCE SOUTH 82 DEG. 07 MIN. 45 SEC. EAST 53.96 FEET TO A POINT;  
8 5) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 70.18 FEET TO A POINT;  
9 6) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 40.81 FEET TO A POINT;  
10 7) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 35.49 FEET TO A POINT;  
11 8) THENCE SOUTH 82 DEG. 07 MIN. 50 SEC. EAST 1.52 FEET TO A POINT;  
12 9) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 45.53 FEET TO A POINT;  
13 10) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 92.67 FEET TO A POINT;  
14 11) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 194.00 FEET TO A POINT;  
15 12) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 121.00 FEET TO A POINT;  
16 13) THENCE NORTH 07 DEG. 52 MIN. 14 SEC. EAST 408.67 FEET TO A POINT;  
17 14) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 168.50 FEET TO A POINT;  
18 15) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 34.33 FEET TO A POINT;  
19 16) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 15.33 FEET TO A POINT;  
20 17) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 341.67 FEET TO A POINT;  
21 18) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 199.44 FEET TO A POINT;  
22 19) THENCE NORTH 07 DEG. 52 MIN. 31 SEC. EAST 0.97 FEET TO A POINT;  
23 20) THENCE NORTH 52 DEG. 50 MIN. 09 SEC. EAST 11.22 FEET TO A POINT;  
24 21) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 20.77 FEET TO A POINT;  
25 22) THENCE NORTH 37 DEG. 05 MIN. 57 SEC. WEST 30.86 FEET TO A POINT;  
26 23) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 21.02 FEET TO A POINT;  
27 24) THENCE SOUTH 52 DEG. 13 MIN. 00 SEC. WEST 5.85 FEET TO A POINT;  
28 25) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 7.41 FEET TO A POINT;  
29 26) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 108.15 FEET TO A POINT;  
30 27) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 0.75 FEET TO A POINT;  
31 28) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 22.46 FEET TO A POINT;  
32 29) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 0.75 FEET TO A POINT;  
33 30) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 43.48 FEET TO A POINT;  
34 31) THENCE NORTH 52 DEG. 52 MIN. 15 SEC. EAST 7.78 FEET TO A POINT;  
35 32) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 47.79 FEET TO A POINT;  
36 33) THENCE NORTH 37 DEG. 07 MIN. 44 SEC. WEST 7.78 FEET TO A POINT;  
37 34) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 198.11 FEET TO A POINT;  
38 AND  
39 35) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 207.07 FEET TO A POINT  
40 ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 81, THENCE ALONG  
41 THE WESTERLY AND SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 81,  
42 IN A GENERALLY SOUTHEASTERLY DIRECTION, THE FOLLOWING SEVEN (7) COURSES  
43 AND DISTANCES:  
44 1) THENCE SOUTH 18 DEG. 26 MIN. 44 SEC. EAST 44.24 FEET TO A POINT;  
45 2) THENCE SOUTH 31 DEG. 26 MIN. 40 SEC. EAST 70.85 FEET TO A POINT;  
46 3) THENCE SOUTH 37 DEG. 56 MIN. 38 SEC. EAST 377.51 FEET TO A POINT;  
47 4) THENCE SOUTH 33 DEG. 48 MIN. 10 SEC. EAST 129.69 FEET TO A POINT;  
48 5) THENCE SOUTH 32 DEG. 22 MIN. 13 SEC. EAST 213.26 FEET TO A POINT;  
49 6) THENCE SOUTH 42 DEG. 27 MIN. 42 SEC. EAST 58.65 FEET TO A POINT;  
50 AND  
51 7) THENCE SOUTH 40 DEG. 20 MIN. 45 SEC. EAST 77.11 FEET TO ITS INTER-  
52 SECTION WITH LANDS APPROPRIATED BY THE PEOPLE OF THE STATE OF NEW YORK  
53 DESCRIBED AS MAP 1401 PARCEL 1831 IN BOOK 5256 OF DEEDS AT PAGE 686 AND  
54 BOOK 5274 OF DEEDS AT PAGE 836; THENCE ALONG THE BOUNDS OF SAID MAP 1401  
55 PARCEL 1831 THE FOLLOWING FIFTEEN (15) COURSES AND DISTANCES:  
56 1) SOUTH 07 DEG. 30 MIN. 19 SEC. EAST 39.16 FEET TO A POINT; THENCE

1 2) SOUTH 03 DEG. 25 MIN. 41 SEC. WEST 30.00 FEET TO A POINT; THENCE  
2 3) SOUTH 12 DEG. 49 MIN. 21 SEC. WEST 30.00 FEET TO A POINT; THENCE  
3 4) SOUTH 22 DEG. 11 MIN. 30 SEC. WEST 30.00 FEET TO A POINT; THENCE  
4 5) SOUTH 31 DEG. 35 MIN. 08 SEC. WEST 30.00 FEET TO A POINT; THENCE  
5 6) SOUTH 40 DEG. 57 MIN. 25 SEC. WEST 30.01 FEET TO A POINT; THENCE  
6 7) SOUTH 48 DEG. 44 MIN. 51 SEC. WEST 20.00 FEET TO A POINT; THENCE  
7 8) SOUTH 55 DEG. 01 MIN. 19 SEC. WEST 19.99 FEET TO A POINT; THENCE  
8 9) SOUTH 65 DEG. 30 MIN. 44 SEC. WEST 8.49 FEET TO A POINT; THENCE  
9 10) NORTH 75 DEG. 22 MIN. 31 SEC. WEST 38.92 FEET TO A POINT; THENCE  
10 11) NORTH 29 DEG. 08 MIN. 26 SEC. WEST 25.83 FEET TO A POINT; THENCE  
11 12) NORTH 07 DEG. 58 MIN. 33 SEC. WEST 20.27 FEET TO A POINT; THENCE  
12 13) NORTH 07 DEG. 40 MIN. 45 SEC. EAST 100.00 FEET TO A POINT; THENCE  
13 14) NORTH 82 DEG. 23 MIN. 04 SEC. WEST 1.00 FEET TO A POINT; AND  
14 15) SOUTH 07 DEG. 40 MIN. 49 SEC. WEST 425.30 TO ITS INTERSECTION WITH  
15 THE NORTHERLY BOUNDS OF MAP 1402 PARCEL 1836 OF SAID APPROPRIATION;  
16 THENCE ALONG THE BOUNDS OF MAP 1402 PARCEL 1836 AS DESCRIBED IN BOOK  
17 5256 OF DEEDS AT PAGE 686 AND BOOK 5274 OF DEEDS AT PAGE 836 THE FOLLOW-  
18 ING THREE (3) COURSES AND DISTANCES:  
19 1) SOUTH 07 DEG. 40 MIN. 17 SEC. WEST 70.35 FEET TO A POINT; THENCE  
20 2) SOUTH 82 DEG. 09 MIN. 26 SEC. EAST 1.00 FEET TO A POINT; AND  
21 3) NORTH 07 DEG. 40 MIN. 37 SEC. EAST 70.35 FEET TO ITS INTERSECTION  
22 WITH THE BOUNDS OF THE HEREINABOVE DESCRIBED MAP 1401 PARCEL 1831;  
23 THENCE ALONG THE BOUNDS OF SAID MAP 1401 PARCEL 1831 THE FOLLOWING TEN  
24 (10) COURSES AND DISTANCES:  
25 1) NORTH 07 DEG. 40 MIN. 37 SEC. EAST 100.00 FEET TO A POINT; THENCE  
26 2) NORTH 40 DEG. 32 MIN. 01 SEC. EAST 61.06 FEET TO A POINT; THENCE  
27 3) NORTH 50 DEG. 26 MIN. 34 SEC. EAST 110.76 FEET TO A POINT; THENCE  
28 4) NORTH 55 DEG. 51 MIN. 53 SEC. EAST 43.02 FEET TO A POINT; THENCE  
29 5) NORTH 66 DEG. 11 MIN. 17 SEC. EAST 30.00 FEET TO A POINT; THENCE  
30 6) NORTH 79 DEG. 28 MIN. 24 SEC. EAST 30.00 FEET TO A POINT; THENCE  
31 7) SOUTH 87 DEG. 12 MIN. 02 SEC. EAST 30.00 FEET TO A POINT; THENCE  
32 8) SOUTH 73 DEG. 54 MIN. 22 SEC. EAST 30.00 FEET TO A POINT; THENCE  
33 9) SOUTH 59 DEG. 56 MIN. 49 SEC. EAST 33.00 FEET TO A POINT; AND  
34 10) SOUTH 47 DEG. 06 MIN. 38 SEC. EAST 95.11 FEET TO ITS INTERSECTION  
35 WITH THE DIVISION LINE BETWEEN LOT 11J ON THE NORTHWEST AND THE LANDS  
36 NOW OR FORMERLY OF WOODSTEAD ENTERPRISES CO. AS DESCRIBED IN BOOK 3530  
37 OF DEEDS AT PAGE 257 ON THE SOUTHEAST (FORMERLY LANDS OF ROME WATERTOWN  
38 AND OSWEGO RAILROAD COMPANY VIA LETTERS PATENT, BOOK 292, PAGE 264);  
39 THENCE SOUTH 28 DEG. 12 MIN. 27 SEC. WEST ALONG SAID DIVISION LINE AND  
40 ALONG THE NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD IN PART,  
41 36.93 FEET TO ITS POINT OF INTERSECTION WITH NORTHEASTERLY BOUNDARY OF  
42 WEST HIAWATHA BOULEVARD; THENCE NORTH 61 DEG. 43 MIN. 58 SEC. WEST ALONG  
43 SAID NORTHEASTERLY BOUNDARY 158.30 FEET TO ITS POINT OF INTERSECTION  
44 WITH THE NORTHWESTERLY BOUNDARY OF SAID WEST HIAWATHA BOULEVARD; THENCE  
45 WEST ALONG SAID NORTHWESTERLY BOUNDARY THE FOLLOWING THREE (3) COURSES:  
46 1) SOUTH 30 DEG. 39 MIN. 30 SEC. WEST 599.46 FEET TO A POINT; THENCE 2)  
47 SOUTH 30 DEG. 30 MIN. 42 SEC. WEST 62.49 FEET TO A POINT; AND 3) SOUTH  
48 23 DEG. 40 MIN. 55 SEC. WEST 220.04 FEET TO ITS POINT OF INTERSECTION  
49 WITH SOUTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE SOUTH 49  
50 DEG. 30 MIN. 46 SEC. EAST ALONG SAID SOUTHWESTERLY BOUNDARY, 0.30 FEET  
51 TO ITS POINT OF INTERSECTION WITH THE FIRST HEREINABOVE DESCRIBED  
52 NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE SOUTH 40 DEG.  
53 26 MIN. 20 SEC. WEST, ALONG SAID NORTHWESTERLY BOUNDARY, 98.08 FEET TO  
54 ITS POINT OF INTERSECTION WITH THE DIVISION LINE BETWEEN LOT 11J ON THE  
55 NORTHEAST AND LOT 11H OF THE CAROUSEL CENTER SUBDIVISION ON THE SOUTH-  
56 WEST; THENCE NORTH 50 DEG. 25 MIN. 12 SEC. WEST, ALONG SAID DIVISION

1 LINE, 147.85 FEET TO THE NORTHWEST CORNER OF LOT 11H; THENCE SOUTH 40  
2 DEG. 26 MIN. 20 SEC. WEST 217.47 FEET TO THE SOUTHWEST CORNER OF LOT  
3 11H; THENCE SOUTH 49 DEG. 49 MIN. 16 SEC. EAST 147.83 FEET TO A POINT ON  
4 THE FIRST HEREINABOVE DESCRIBED NORTHWESTERLY BOUNDARY OF WEST HIAWATHA  
5 BOULEVARD; THENCE ALONG SAID NORTHWESTERLY BOUNDARY OF WEST HIAWATHA  
6 BOULEVARD THE FOLLOWING TWO (2) COURSES: 1) SOUTH 40 DEG. 26 MIN. 20  
7 SEC. WEST 17.66 FEET TO A POINT; AND 2) SOUTH 43 DEG. 01 MIN. 50 SEC.  
8 WEST 468.25 FEET TO THE POINT OF BEGINNING.

9 EXCEPTING THE FOLLOWING PIECE OR PARCEL OF LAND APPROPRIATED BY THE  
10 PEOPLE OF THE STATE OF NEW YORK DESCRIBED AS MAP 1401 PARCEL 1832 IN  
11 BOOK 5256 OF DEEDS AT PAGE 686 AND BOOK 5274 OF DEEDS AT PAGE 836:  
12 COMMENCING AT THE SOUTHWEST CORNER OF HEREIN ABOVE DESCRIBED MAP 1402  
13 PARCEL 1836 SAID POINT HAVING A PROCEEDING COURSE OF SOUTH 07 DEG. 40  
14 MIN. 17 SEC. WEST 70.35 FEET IN THE PREMISES DESCRIBE HEREINABOVE;  
15 THENCE NORTH 13 DEG. 18 MIN. 48 SEC. WEST 138.17 FEET TO THE SOUTHEAST  
16 CORNER OF MAP 1401 PARCEL 1832; THENCE ALONG THE BOUNDS OF SAID MAP 1401  
17 PARCEL 1832 THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

18 1) NORTH 82 DEG. 09 MIN. 26 SEC. WEST 1.00 FEET TO A POINT; THENCE  
19 2) NORTH 07 DEG. 53 MIN. 50 SEC. EAST 353.36 FEET TO A POINT; THENCE  
20 3) SOUTH 81 DEG. 54 MIN. 58 SEC. EAST 1.00 FEET TO A POINT, AND  
21 4) SOUTH 07 DEG. 53 MIN. 54 SEC. WEST 353.36 FEET TO THE POINT OF  
22 BEGINNING; or on premises or with respect to a business constituting the  
23 overnight 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. Any lien, mortgage or other interest or estate now held  
4 by said retail licensee on or in the personal or real property of such  
5 manufacturer or wholesaler, which mortgage, lien, interest or estate was  
6 acquired on or before December thirty-first, nineteen hundred thirty-  
7 two, shall not be included within the provisions of this subdivision;  
8 provided, however, the burden of establishing the time of the accrual of  
9 the interest, comprehended by this subdivision shall be upon the person  
10 who claims to be entitled to the protection and exemption afforded here-  
11 by.

12 S 3. This act shall take effect immediately.