

6816--A

Cal. No. 1408

I N S E N A T E

February 25, 2016

Introduced by Sens. DeFRANCISCO, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the alcoholic beverage control law, in relation to exempting certain parcels of land from the provisions of law which generally restrict manufacturers, wholesalers and retailers from sharing an interest in a liquor license

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

1 Section 1. Subparagraph (ix) of paragraph (a) of subdivision 1 of
2 section 101 of the alcoholic beverage control law, as amended by chapter
3 301 of the laws of 2014, is amended and a new subparagraph (x) is added
4 to read as follows:
5 (ix) any such premises or businesses located on that tract or parcel
6 of land situate lying and being in the Town of Oneonta, County of Otsego
7 and State of New York and being a portion of Otsego County Tax Map
8 Department Parcel Number 287.00-1-33 and bounded and described as
9 follows: Beginning at a point 2.12 feet off the northeasterly corner of
10 a one story building on the lands, now or formerly, of Abner Doubleday,
11 LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Brenda
12 Patton, which point lies N 87°55'13" W a distance of 149.37' from the
13 northeast corner of the Patton lands; thence N 74°30'18" W a distance of
14 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a
15 point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence
16 S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E
17 a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of
18 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point;
19 thence N 15°29'42" E a distance of 25.40 feet to a point to the point
20 and place of beginning.
21 Containing an area of 1576.06 square feet, or 0.036 acres with such
22 bearings referencing Magnetic North 1995.

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

LBD13556-10-6

1 This survey is subject to any rights of way or easements which may have
2 been granted to utility companies[.]; OR

3 (X) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE
4 STATE LIQUOR AUTHORITY MAY ISSUE A LICENSE UNDER SECTION FIFTY-ONE-A OF
5 THIS CHAPTER TO THE OWNER AND/OR OPERATOR OF THE PARCEL DESCRIBED IN
6 THIS SUBPARAGRAPH. THE LEGAL DESCRIPTION FOR THE PARCEL SO IDENTIFIED AS
7 THE SITE IS AS FOLLOWS:

8 ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE,
9 COUNTY OF ONONDAGA AND STATE OF NEW YORK BEING MORE PARTICULARLY
10 DESCRIBED AS FOLLOWS:

11 BEGINNING AT A POINT IN THE EASTERLY LINE OF NORTH CLINTON STREET,
12 SAID POINT BEING APPROXIMATELY 518.65 FEET SOUTHERLY ALONG THE EASTERLY
13 LINE OF NORTH CLINTON STREET FROM ITS INTERSECTION WITH THE SOUTHERLY
14 LINE OF DIVISION STREET; THENCE N. $76^{\circ} 43' 56''$ E. A DISTANCE OF 133.65
15 FEET TO A POINT; THENCE N. $53^{\circ} 11' 01''$ E. A DISTANCE OF 142.28 FEET TO A
16 POINT; THENCE N. $71^{\circ} 07' 02''$ E A DISTANCE OF 16.99 FEET TO A POINT IN
17 THE WESTERLY LINE OF GENANT DRIVE; THENCE SOUTHEASTERLY ALONG THE
18 WESTERLY LINE OF GENANT DRIVE ON A CURVE TO THE RIGHT WITH A RADIUS OF
19 643.94 FEET, AN ARC LENGTH OF 77.63 FEET AND A CHORD OF S. $16^{\circ} 43' 54''$
20 E. WITH A DISTANCE OF 77.58' TO THE POINT OF TANGENCY; THENCE S. $13^{\circ} 17'$
21 $52''$ E. A DISTANCE OF 265.92 FEET TO A POINT; THENCE ON A CURVE TO THE
22 RIGHT WITH A RADIUS OF 55 FEET, AN ARC LENGTH OF 57.02 FEET AND A CHORD
23 OF S. $16^{\circ} 23' 37''$ W. WITH A DISTANCE OF 54.53 FEET TO THE POINT OF
24 TANGENCY; THENCE S. $59^{\circ} 31' 29''$ W. A DISTANCE OF 24.64 FEET TO A POINT;
25 THENCE S. $71^{\circ} 26' 56''$ W. A DISTANCE OF 142.18 FEET TO A POINT IN THE
26 EASTERLY LINE OF N. CLINTON STREET; THENCE N. $28^{\circ} 09' 10''$ W. A DISTANCE
27 OF 364.86 FEET TO THE POINT AND PLACE OF BEGINNING. SAID PARCEL BEING
28 APPROXIMATELY 1.99 ACRES. THE AFORESAID DESCRIBED PARCEL IS ALSO SHOWN
29 AS LOT "1B" (331 GENANT DRIVE) ACCORDING TO A MAP ENTITLED "A MAP OF
30 RESUBDIVISION OF A PORTION OF BLOCK D IN THE ORIGINAL VILLAGE OF SYRA-
31 CUSE INTO LOTS 1A AND 1B, CITY OF SYRACUSE, ONONDAGA COUNTY, STATE OF
32 NEW YORK, KNOWN AS 431 AND 311 GENANT DRIVE" BY JAMES M. ZUCCOLOTTO,
33 LICENSED LAND SURVEYOR, DATED MARCH 20, 2001 AND LAST REVISED MAY 21,
34 2002, AND FILED IN THE ONONDAGA COUNTY CLERK'S OFFICE ON MAY 28, 2002 AS
35 MAP NO. 9408.

36 EXCEPTING AND RESERVING THEREFROM, A PERMANENT EASEMENT AND RIGHT-OF-
37 WAY BENEFITING NIAGARA MOHAWK POWER CORPORATION, ITS SUCCESSORS AND
38 ASSIGNS, UPON AND ACROSS THAT PORTION OF THE ABOVE DESCRIBED PREMISES
39 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

40 BEGINNING AT A POINT IN THE EASTERLY LINE OF NORTH CLINTON STREET, SAID
41 POINT BEING APPROXIMATELY 518.65 FEET SOUTHERLY ALONG THE EASTERLY LINE
42 OF NORTH CLINTON STREET FROM ITS INTERSECTION WITH THE SOUTHERLY LINE OF
43 DIVISION STREET; THENCE N. $76^{\circ} 43' 56''$ E. A DISTANCE OF 133.65 FEET TO A
44 POINT; THENCE N. $53^{\circ} 11' 01''$ E. A DISTANCE OF 142.28 FEET TO A POINT;
45 THENCE N. $71^{\circ} 07' 02''$ E A DISTANCE OF 16.99 FEET TO A POINT IN THE
46 WESTERLY LINE OF GENANT DRIVE; THENCE SOUTHEASTERLY ALONG THE WESTERLY
47 LINE OF GENANT DRIVE ON A CURVE TO THE RIGHT WITH A RADIUS OF 643.94
48 FEET, AN ARC LENGTH OF 68.17 FEET TO A POINT WHICH IS THE NORTHEAST
49 CORNER OF THE MULTI-STORY BRICK BUILDING LOCATED ON LOT "1B" (311 GENANT
50 DRIVE) AS SHOWN ON A MAP ENTITLED "A MAP OF A RESUBDIVISION OF A PORTION
51 OF BLOCK D IN THE ORIGINAL VILLAGE OF SYRACUSE INTO LOTS 1A AND 1B, CITY
52 OF SYRACUSE, ONONDAGA COUNTY, STATE OF NEW YORK, KNOWN AS 431 AND 311
53 GENANT DRIVE" BY JAMES M. ZUCCOLOTTO, LICENSED LAND SURVEYOR, DATED
54 MARCH 20, 2001 AND LAST REVISED MAY 21, 2002, AND FILED IN THE ONONDAGA
55 COUNTY CLERK'S OFFICE ON MAY 28, 2002 AS MAP NO. 9408 (THE "SUBDIVISION
56 MAP"); THENCE ALONG THE NORTHERLY LINE OF SAID MULTI-STORY BRICK BUILD-

1 ING S. 76° 52' 55" W. A DISTANCE 283.21 FEET TO THE EASTERLY LINE OF
2 NORTH CLINTON STREET; THENCE N. 27° 59' 42" W. A DISTANCE OF 9.8' TO THE
3 POINT AND PLACE OF BEGINNING. SAID EASEMENT AND RIGHT-OF-WAY SHALL BE A
4 PERMANENT EASEMENT APPURTENANT, CREATING A PROPERTY RIGHT WHICH SHALL
5 RUN WITH THE LAND, FOR THE PURPOSE OF INGRESS AND EGRESS BY NIAGARA
6 MOHAWK POWER CORPORATION, ITS SUCCESSORS AND ASSIGNS TO THE BENEFITED
7 PARCEL, IDENTIFIED AS THE ASH STREET SUBSTATION LOCATED ON LOT 1A (431
8 GENANT DRIVE) AS SHOWN ON THE SUBDIVISION MAP, AND TO ACCESS, MAINTAIN,
9 REPAIR, REPLACE AND REMOVE THE TRANSFORMER AND CONTAINMENT PAD AND THE
10 TWO VAULTS, SHOWN ON THE SUBDIVISION MAP, AND ANY APPURTENANT FACILITIES
11 OR OTHER PROPERTY OF NIAGARA MOHAWK POWER CORPORATION LOCATED WITHIN
12 SAID EASEMENT, PROVIDED THAT THE MULTI-STORY BRICK BUILDING, STAIRS AND
13 TWO AIR CONDITIONING UNITS SHOWN ON THE SUBDIVISION MAP AND LOCATED IN
14 THE EASEMENT AREA ARE PART OF THE REAL PROPERTY CONVEYED HEREIN AND
15 SHALL NOT BE DEEMED TO BE PROPERTY OF NIAGARA MOHAWK POWER CORPORATION.

16 ALSO EXCEPTING AND RESERVING TO NIAGARA MOHAWK POWER CORPORATION, ITS
17 SUCCESSORS AND ASSIGNS, FROM THE PARCEL(S) DESCRIBED IN THIS DEED, THE
18 PERMANENT RIGHT-OF-WAY AND EASEMENT TO OPERATE, MAINTAIN, REPLACE AND/OR
19 REMOVE ANY AND ALL EXISTING GAS AND ELECTRIC FACILITIES, AND ALL APPUR-
20 TENANT FACILITIES THERETO, AS ARE NOW ERECTED UPON THE PREMISES ABOVE
21 DESCRIBED, INCLUDING THE FULL RIGHT, PRIVILEGES AND AUTHORITY TO CROSS
22 LANDS OF THE PARTY OF THE SECOND PART TO GAIN ACCESS TO SAID FACILITIES,
23 AND ALSO INCLUDING THE FULL RIGHT, PRIVILEGES AND AUTHORITY TO CUT AND
24 REMOVE ALL TREES, STRUCTURES, AND OTHER OBSTRUCTIONS WITHIN THE PERMA-
25 NENT RIGHT-OF-WAY, TOGETHER WITH THE RIGHT TO CUT AND REMOVE ANY TREES
26 OUTSIDE THE PERMANENT RIGHT-OF-WAY WHICH IN THE SOLE OPINION OF NIAGARA
27 MOHAWK POWER CORPORATION, ITS SUCCESSORS AND ASSIGNS, ARE DEEMED LIKELY
28 TO INTERFERE WITH OR POSE A HAZARD TO THE FACILITIES, PROVIDED THAT THE
29 MULTI-STORY BRICK BUILDING, STAIRS AND TWO AIR CONDITIONING UNITS SHOWN
30 ON THE SUBDIVISION MAP SHALL NOT BE REMOVED OR MODIFIED BY NIAGARA
31 MOHAWK POWER CORPORATION, ITS SUCCESSORS AND ASSIGNS, PURSUANT TO THIS
32 RIGHT-OF-WAY AND EASEMENT.

33 ALSO, EXCEPTING AND RESERVING TO NIAGARA MOHAWK POWER CORPORATION, ITS
34 SUCCESSORS AND ASSIGNS, THE PERMANENT RIGHT-OF-WAY AND EASEMENT TO OPER-
35 ATE, MAINTAIN, BUILD, CONSTRUCT, REPLACE AND/OR REMOVE ELECTRIC AND GAS
36 DISTRIBUTION FACILITIES WITHIN TEN (10) FEET OF THE EDGE OF ANY
37 HIGHWAY(S) ABUTTING THE PREMISES HEREIN DEEMED NECESSARY BY SAID NIAGARA
38 MOHAWK POWER CORPORATION, ITS SUCCESSORS AND ASSIGNS, SAID EASEMENT TO
39 INCLUDE THE FULL RIGHT, PRIVILEGE AND AUTHORITY TO CUT AND REMOVE ALL
40 TREES, STRUCTURES, AND OBSTRUCTIONS WITHIN SAID EASEMENT DEEMED NECES-
41 SARY BY NIAGARA MOHAWK POWER CORPORATION, PROVIDED THAT THE MULTI-STORY
42 BRICK BUILDING SHOWN ON THE SUBDIVISION MAP SHALL NOT BE REMOVED OR
43 MODIFIED BY NIAGARA MOHAWK POWER CORPORATION, ITS SUCCESSORS AND
44 ASSIGNS, PURSUANT TO THIS RIGHT-OF-WAY AND EASEMENT.

45 S 2. Subdivision 13 of section 106 of the alcoholic beverage control
46 law, as separately amended by chapters 282 and 301 of the laws of 2014,
47 is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

1 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,
2 a distance of 1.2 feet to an intersection of building corner of Street
3 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"
4 East, along said brick wall, a distance of 14.47 feet to a point in the
5 corner of the brick wall, thence South 86 deg. 46' 45" East along said
6 brick wall a distance of 4.42 feet to the intersection of brick wall
7 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)
8 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,
9 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of
10 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler
11 and Donna Lee Wexler Pavlovic.

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

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

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

1 74°-19'-53" West, along said edge of concrete and the projection there-
2 of, a distance of 198.78 feet to a point on the easterly edge of pave-
3 ment of an existing campus drive; thence, the following two (2) courses
4 and distances along said edge of pavement: Northeasterly on a curve to
5 the left having a radius of 2221.65 feet, a chord bearing of North
6 30°-16'-39" East, a chord distance of 280.79, a central angle of
7 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;
8 thence, Northeasterly on a curve to the right having a radius of 843.42
9 feet, a chord bearing of North 45°-25'-09" East, a chord distance of
10 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a
11 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the
12 corner of the property acquired by Ontario County (Liber 766 of Deeds,
13 Page 1112), as shown on a map recorded in the Ontario County Clerk's
14 Office as Map No. 6313; thence, the following four (4) courses and
15 distances along said property line: South 30°-04'-59" East, a distance
16 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of
17 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of
18 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-
19 erty line, and the projection thereof, through the first said lands of
20 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,
21 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel
22 containing 7.834 acres, more or less, as shown on a map entitled
23 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts
24 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,
25 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-
26 erties are shown on the Map denominated "FLCC Campus Property, FLPAC
27 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the
28 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds
29 at page 9 and are comprised of the areas separately labeled as Parking
30 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the
31 Entry Roads; any such premises or businesses located on all that certain
32 piece or parcel of land situate in the City of Syracuse, County of Onon-
33 daga, State of New York, lying generally Northwesterly of the West
34 Hiawatha Boulevard, and generally Northeasterly of the New York State
35 Barge Canal, being a portion of Lot 11I and Lot 11J of the Carousel
36 Center Subdivision as shown on a resubdivision plan of the Carousel
37 Center Subdivision filed as Map No. 8743 in the Onondaga County Clerk's
38 Office, and as of May 20, 2014 identified as space L323 in a lease
39 between the liquor license applicant and property owner and on the third
40 level of the shopping center thereon, such shopping center land being
41 more particularly bounded and described as follows:

42 BEGINNING at the point of the intersection of the division line
43 between the Northeasterly boundary of the New York State Barge Canal,
44 Syracuse Terminal designated as "Parcel No. T-111" on the Southwest and
45 Lot 11I of the Carousel Center Subdivision on the Northeast with the
46 Northwesterly boundary of West Hiawatha Boulevard; thence North 50 deg.
47 26 min. 28 sec. West, along said division line, 690.72 feet; to a point;
48 thence through Lot 11I and 11J of said subdivision the following thir-
49 ty-five (35) courses and distances:

- 50 1) Thence North 40 deg. 22 min. 15 sec. East 191.79 feet to a point;
- 51 2) Thence South 82 deg. 04 min. 58 sec. East 294.58 feet to a point;
- 52 3) Thence North 07 deg. 52 min. 16 sec. East 314.89 feet to a point;
- 53 4) Thence South 82 deg. 07 min. 45 sec. East 53.96 feet to a point;
- 54 5) Thence North 07 deg. 52 min. 16 sec. East 70.18 feet to a point;
- 55 6) Thence South 82 deg. 07 min. 44 sec. East 40.81 feet to a point;
- 56 7) Thence North 07 deg. 52 min. 16 sec. East 35.49 feet to a point;

1 8) Thence South 82 deg. 07 min. 50 sec. East 1.52 feet to a point;
2 9) Thence North 07 deg. 52 min. 16 sec. East 45.53 feet to a point;
3 10) Thence South 82 deg. 07 min. 44 sec. East 92.67 feet to a point;
4 11) Thence North 07 deg. 52 min. 16 sec. East 194.00 feet to a point;
5 12) Thence North 82 deg. 07 min. 44 sec. West 121.00 feet to a point;
6 13) Thence North 07 deg. 52 min. 14 sec. East 408.67 feet to a point;
7 14) Thence South 82 deg. 07 min. 44 sec. East 168.50 feet to a point;
8 15) Thence North 07 deg. 52 min. 16 sec. East 34.33 feet to a point;
9 16) Thence South 82 deg. 07 min. 44 sec. East 15.33 feet to a point;
10 17) Thence North 07 deg. 52 min. 16 sec. East 341.67 feet to a point;
11 18) Thence North 82 deg. 07 min. 44 sec. West 199.44 feet to a point;
12 19) Thence North 07 deg. 52 min. 31 sec. East 0.97 feet to a point;
13 20) Thence North 52 deg. 50 min. 09 sec. East 11.22 feet to a point;
14 21) Thence North 07 deg. 52 min. 16 sec. East 20.77 feet to a point;
15 22) Thence North 37 deg. 05 min. 57 sec. West 30.86 feet to a point;
16 23) Thence North 82 deg. 07 min. 44 sec. West 21.02 feet to a point;
17 24) Thence South 52 deg. 13 min. 00 sec. West 5.85 feet to a point;
18 25) Thence North 82 deg. 07 min. 44 sec. West 7.41 feet to a point;
19 26) Thence North 07 deg. 52 min. 16 sec. East 108.15 feet to a point;
20 27) Thence South 82 deg. 07 min. 44 sec. East 0.75 feet to a point;
21 28) Thence North 07 deg. 52 min. 16 sec. East 22.46 feet to a point;
22 29) Thence North 82 deg. 07 min. 44 sec. West 0.75 feet to a point;
23 30) Thence North 07 deg. 52 min. 16 sec. East 43.48 feet to a point;
24 31) Thence North 52 deg. 52 min. 15 sec. East 7.78 feet to a point;
25 32) Thence North 07 deg. 52 min. 16 sec. East 47.79 feet to a point;
26 33) Thence North 37 deg. 07 min. 44 sec. West 7.78 feet to a point;
27 34) Thence North 07 deg. 52 min. 16 sec. East 198.11 feet to a point;
28 and
29 35) Thence South 82 deg. 07 min. 44 sec. East 207.07 feet to a point
30 on the westerly right of way line of Interstate Route 81, Thence along
31 the westerly and southwesterly right of way line of Interstate Route 81,
32 in a generally southeasterly direction, the following seven (7) courses
33 and distances:
34 1) Thence South 18 deg. 26 min. 44 sec. East 44.24 feet to a point;
35 2) Thence South 31 deg. 26 min. 40 sec. East 70.85 feet to a point;
36 3) Thence South 37 deg. 56 min. 38 sec. East 377.51 feet to a point;
37 4) Thence South 33 deg. 48 min. 10 sec. East 129.69 feet to a point;
38 5) Thence South 32 deg. 22 min. 13 sec. East 213.26 feet to a point;
39 6) Thence South 42 deg. 27 min. 42 sec. East 58.65 feet to a point;
40 and
41 7) Thence South 40 deg. 20 min. 45 sec. East 77.11 feet to its inter-
42 section with lands appropriated by the People of the State of New York
43 described as Map 1401 Parcel 1831 in Book 5256 of Deeds at Page 686 and
44 Book 5274 of Deeds at Page 836; Thence along the bounds of said Map 1401
45 Parcel 1831 the following fifteen (15) courses and distances:
46 1) South 07 deg. 30 min. 19 sec. East 39.16 feet to a point; thence
47 2) South 03 deg. 25 min. 41 sec. West 30.00 feet to a point; thence
48 3) South 12 deg. 49 min. 21 sec. West 30.00 feet to a point; thence
49 4) South 22 deg. 11 min. 30 sec. West 30.00 feet to a point; thence
50 5) South 31 deg. 35 min. 08 sec. West 30.00 feet to a point; thence
51 6) South 40 deg. 57 min. 25 sec. West 30.01 feet to a point; thence
52 7) South 48 deg. 44 min. 51 sec. West 20.00 feet to a point; thence
53 8) South 55 deg. 01 min. 19 sec. West 19.99 feet to a point; thence
54 9) South 65 deg. 30 min. 44 sec. West 8.49 feet to a point; thence
55 10) North 75 deg. 22 min. 31 sec. West 38.92 feet to a point; thence
56 11) North 29 deg. 08 min. 26 sec. West 25.83 feet to a point; thence

1 12) North 07 deg. 58 min. 33 sec. West 20.27 feet to a point; thence
2 13) North 07 deg. 40 min. 45 sec. East 100.00 feet to a point; thence
3 14) North 82 deg. 23 min. 04 sec. West 1.00 feet to a point; and
4 15) South 07 deg. 40 min. 49 sec. West 425.30 to its intersection with
5 the northerly bounds of Map 1402 Parcel 1836 of said appropriation;
6 Thence along the bounds of Map 1402 Parcel 1836 as described in Book
7 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836 the follow-
8 ing three (3) courses and distances:
9 1) South 07 deg. 40 min. 17 sec. West 70.35 feet to a point; thence
10 2) South 82 deg. 09 min. 26 sec. East 1.00 feet to a point; and
11 3) North 07 deg. 40 min. 37 sec. East 70.35 feet to its intersection
12 with the bounds of the hereinabove described Map 1401 Parcel 1831;
13 Thence along the bounds of said Map 1401 Parcel 1831 the following ten
14 (10) courses and distances:
15 1) North 07 deg. 40 min. 37 sec. East 100.00 feet to a point; thence
16 2) North 40 deg. 32 min. 01 sec. East 61.06 feet to a point; thence
17 3) North 50 deg. 26 min. 34 sec. East 110.76 feet to a point; thence
18 4) North 55 deg. 51 min. 53 sec. East 43.02 feet to a point; thence
19 5) North 66 deg. 11 min. 17 sec. East 30.00 feet to a point; thence
20 6) North 79 deg. 28 min. 24 sec. East 30.00 feet to a point; thence
21 7) South 87 deg. 12 min. 02 sec. East 30.00 feet to a point; thence
22 8) South 73 deg. 54 min. 22 sec. East 30.00 feet to a point; thence
23 9) South 59 deg. 56 min. 49 sec. East 33.00 feet to a point; and
24 10) South 47 deg. 06 min. 38 sec. East 95.11 feet to its intersection
25 with the division line between Lot 11J on the Northwest and the lands
26 now or formerly of Woodstead Enterprises Co. as described in Book 3530
27 of Deeds at Page 257 on the Southeast (formerly lands of Rome Watertown
28 and Oswego Railroad Company via Letters Patent, Book 292, Page 264);
29 thence South 28 deg. 12 min. 27 sec. West along said division line and
30 along the Northwesterly boundary of West Hiawatha Boulevard in part,
31 36.93 feet to its point of intersection with Northeasterly boundary of
32 West Hiawatha Boulevard; thence North 61 deg. 43 min. 58 sec. West along
33 said Northeasterly boundary 158.30 feet to its point of intersection
34 with the Northwesterly boundary of said West Hiawatha Boulevard; thence
35 West along said Northwesterly boundary the following three (3) courses:
36 1) South 30 deg. 39 min. 30 sec. West 599.46 feet to a point; thence 2)
37 South 30 deg. 30 min. 42 sec. West 62.49 feet to a point; and 3) South
38 23 deg. 40 min. 55 sec. West 220.04 feet to its point of intersection
39 with Southwesterly boundary of West Hiawatha Boulevard; thence South 49
40 deg. 30 min. 46 sec. East along said Southwesterly boundary, 0.30 feet
41 to its point of intersection with the first hereinabove described
42 Northwesterly boundary of West Hiawatha Boulevard; thence South 40 deg.
43 26 min. 20 sec. West, along said Northwesterly boundary, 98.08 feet to
44 its point of intersection with the division line between Lot 11J on the
45 Northeast and Lot 11H of the Carousel Center Subdivision on the South-
46 west; thence North 50 deg. 25 min. 12 sec. West, along said division
47 line, 147.85 feet to the Northwest corner of Lot 11H; thence South 40
48 deg. 26 min. 20 sec. West 217.47 feet to the Southwest corner of lot
49 11H; thence South 49 deg. 49 min. 16 sec. East 147.83 feet to a point on
50 the first hereinabove described Northwesterly boundary of West Hiawatha
51 Boulevard; thence along said Northwesterly boundary of West Hiawatha
52 Boulevard the following two (2) courses: 1) South 40 deg. 26 min. 20
53 sec. West 17.66 feet to a point; and 2) South 43 deg. 01 min. 50 sec.
54 West 468.25 feet to the point of beginning.
55 Excepting the following piece or parcel of land appropriated by the
56 People of the State of New York described as Map 1401 Parcel 1832 in

1 Book 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836:
2 Commencing at the southwest corner of herein above described Map 1402
3 Parcel 1836 said point having a proceeding course of South 07 deg. 40
4 min. 17 sec. West 70.35 feet in the premises describe hereinabove;
5 thence North 13 deg. 18 min. 48 sec. West 138.17 feet to the southeast
6 corner of Map 1401 Parcel 1832; thence along the bounds of said Map 1401
7 Parcel 1832 the following four (4) courses and distances:
8 1) North 82 deg. 09 min. 26 sec. West 1.00 feet to a point; thence
9 2) North 07 deg. 53 min. 50 sec. East 353.36 feet to a point; thence
10 3) South 81 deg. 54 min. 58 sec. East 1.00 feet to a point, and
11 4) South 07 deg. 53 min. 54 sec. West 353.36 feet to the point of
12 beginning; or such premises or businesses located on that tract or
13 parcel of land situate lying and being in the Town of Oneonta, County of
14 Otsego and State of New York and being a portion of Otsego County Tax
15 Map Department Parcel Number 287.00-1-33 and bounded and described as
16 follows: Beginning at a point 2.12 feet off the northeasterly corner of
17 a one story building on the lands, now or formerly, of Abner Doubleday,
18 LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Bren-
19 da Patton, which point lies N 87°55'13" W a distance of 149.37' from the
20 northeast corner of the Patton lands; thence N 74°30'18" W a distance of
21 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a
22 point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence
23 S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E
24 a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of
25 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point;
26 thence N 15°29'42" E a distance of 25.40 feet to a point to the point
27 and place of beginning or on premises or with respect to a business
28 constituting the overnight lodging facility located wholly within the
29 boundaries of that tract or parcel of land situated in the borough of
30 Manhattan, city and county of New York, beginning at a point on the
31 northerly side of west fifty-fourth street at a point one hundred feet
32 easterly from the intersection of the said northerly side of west
33 fifty-fourth street and the easterly side of seventh avenue; running
34 thence northerly and parallel with the easterly side of seventh avenue
35 one hundred feet five inches to the center line of the block; running
36 thence easterly and parallel with the northerly side of west fifty-
37 fourth street and along the center line of the block fifty feet to a
38 point; running thence northerly and parallel with the easterly side of
39 seventh avenue one hundred feet five inches to the southerly side of
40 west fifty-fifth street at a point distant one hundred fifty feet east-
41 erly from the intersection of the said southerly side of west fifty-
42 fifth street and the easterly side of seventh avenue; running thence
43 easterly along the southerly side of west fifty-fifth street thirty-one
44 feet three inches to a point; running thence southerly and parallel with
45 the easterly side of the seventh avenue one hundred feet five inches to
46 the center line of the block; running thence easterly along the center
47 line of the block and parallel with the southerly side of west fifty-
48 fifth street, one hundred feet; running thence northerly and parallel
49 with the easterly side of seventh avenue one hundred feet five inches to
50 the southerly side of west fifty-fifth street; running thence easterly
51 along the southerly side of west fifty-fifth street twenty-one feet ten
52 and one-half inches to a point; running thence southerly and parallel
53 with the easterly side of seventh avenue one hundred feet five inches to
54 the center line of the block; running thence westerly along the center
55 line of the block and parallel with the northerly side of west fifty-
56 fourth street three feet one and one-half inches; running thence south-

erly and parallel with the easterly side of seventh avenue one hundred feet five inches to the northerly side of west fifty-fourth street at a point distant three hundred feet easterly from the intersection of the said northerly side of west fifty-fourth street and the easterly side of seventh avenue; running thence westerly and along the northerly side of west fifty-fourth street two hundred feet to the point or place of beginning, provided that such facility maintains not less than four hundred guest rooms and suites for overnight lodging; OR ON SUCH PREMISES OR BUSINESS LOCATED ON ANY OF THE FOLLOWING FOUR PARCELS:

PARCEL A

ANY SUCH PREMISES OR BUSINESS CONSTITUTING THE OVERNIGHT LODGING AND RESORT FACILITY LOCATED WHOLLY WITHIN THE BOUNDARIES OF THE VILLAGE OF ALTMAR, COUNTY OF OSWEGO, GREAT LOT 19 BEGINNING AT A POINT ON CENTERLINE OF PULASKI STREET AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE LANDS NOW OR FORMERLY OF ALTMAR PARISH WILLIAMSTOWN CENTRAL SCHOOL DISTRICT (APW CSD) AS DESCRIBED IN BOOK 378 OF DEEDS AT PAGE 118 ON THE NORTHWEST AND THE LANDS NOW OR FORMERLY OF TOSTANOSKI AS DESCRIBED IN BOOK 1356 OF DEEDS AT PAGE 55 ON THE SOUTHEAST; THENCE ALONG SAID CENTERLINE THE FOLLOWING TWO (2) COURSES: 1) NORTH 37 DEG. 35 MIN. 00 SEC. WEST, A DISTANCE OF 803.88 FT. TO A POINT AND 2). NORTH 45 DEG. 48 MIN. 13 SEC. WEST, A DISTANCE OF 132.33 FT. TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF APW CSD ON THE SOUTHEAST AND THE LANDS NOW OR FORMERLY OF HAYWARD AS DESCRIBED IN BOOK 894 OF DEEDS AT PAGE 211 & DOC. #2006-9318 ON THE NORTHWEST; THENCE NORTH 23 DEG. 48 MIN. 43 SEC. EAST ALONG SAID DIVISION, A DISTANCE OF 131.66 FT. TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF APW CSD ON THE NORTH AND THE SAID LANDS OF HAYWARD ON THE SOUTH; THENCE SOUTH 73 DEG. 16 MIN. 17 SEC. WEST ALONG THE SAID DIVISION LINE, A DISTANCE OF 131.66 FT. TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF APW CSD AND THE LANDS NOW OR FORMERLY OF NATIONAL GRID AS DESCRIBED IN BOOK 282 OF DEEDS AT PAGE 552; THENCE ALONG SAID DIVISION LINE TO THE FOLLOWING SIX (6) COURSES: 1) NORTH 23 DEG. 43 MIN. 38 SEC. EAST, A DISTANCE OF 158.73 FT. TO A POINT; THENCE 2) NORTH 83 DEG. 39 MIN. 24 SEC. WEST, A DISTANCE OF 190.48 FT. TO A POINT; THENCE 3) NORTH 25 DEG. 39 MIN. 08 SEC. EAST, A DISTANCE OF 24.15 FT. TO A POINT; THENCE 4) NORTH 53 DEG. 32 MIN. 01 SEC. EAST, A DISTANCE OF 265.18 FT. TO A POINT; THENCE 5) NORTH 81 DEG. 24 MIN. 54 SEC. EAST A DISTANCE OF 475.00 FT. TO A POINT; AND 6) NORTH 81 DEG. 24 MIN. 54 SEC. EAST, A DISTANCE OF +/- 522 FT. TO ITS INTERSECTION WITH THE CENTER OF SALMON RIVER; THENCE UPSTREAM ALONG SAID CENTER, AND IN A GENERALLY SOUTHERLY DIRECTION, A DISTANCE OF +/- 1,455 FT. TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF APW CSD ON THE NORTHWEST AND THE LANDS NOW OR FORMERLY OF BENNETT AS DESCRIBED IN BOOK 927 OF DEEDS AT PAGE 65 ON THE SOUTHEAST; THENCE SOUTH 52 DEG. 19 MIN. 00 SEC. WEST ALONG SAID DIVISION LINE, A DISTANCE OF +/- 170 FT. TO A POINT; THENCE SOUTH 52 DEG. 19 MIN. 00 SEC. WEST, CONTINUING ALONG SAID DIVISION LINE, A DISTANCE OF 400.00 FT. TO ITS INTERSECTION WITH THE CENTERLINE OF PULASKI STREET; THENCE NORTH 37 DEG. 35 MIN. 00 SEC. WEST ALONG SAID CENTERLINE, A DISTANCE OF 53.65 FT. TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF APW CSD ON THE SOUTHEAST AND THE LANDS NOW OR FORMERLY OF PFLUGER AS DESCRIBED IN BOOK 922 OF DEEDS AT PAGE 187 ON THE NORTHWEST; THENCE NORTH 52 DEG. 25 MIN. 00 SEC. EAST ALONG SAID DIVISION LINE, A DISTANCE OF 330.00 FT. TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF APW CSD ON THE NORTH-EAST AND THE SAID LANDS OF PFLUGER, THE LANDS NOW OR FORMERLY OF ENDSLEY AS DESCRIBED IN BOOK 1520 OF DEEDS AT PAGE 5, AND THE HEREINABOVE SAID

LANDS OF TOSTANOSKI, IN PART BY EACH, ON THE SOUTHWEST; THENCE NORTH 37 DEG. 35 MIN. 00 SEC. WEST ALONG SAID DIVISION LINE, A DISTANCE OF 247.50 FT. TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE SAID LANDS OF APW CSD ON THE NORTHWEST AND THE SAID LANDS OF TOSTANOSKI ON THE SOUTHEAST; THENCE SOUTH 52 DEG. 25 MIN. 000 SEC. WEST ALONG SAID DIVISION LINE, A DISTANCE OF 330.00 FT. TO THE POINT OF BEGINNING; OR

PARCEL B

ANY SUCH PREMISES OR BUSINESS CONSTITUTING THE OVERNIGHT LODGING AND RESORT FACILITY LOCATED WHOLLY WITHIN THE BOUNDARIES OF THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA AND STATE OF NEW YORK, BEING PART OF BLOCK 366 IN SAID CITY AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF EAST GENESEE STREET WITH THE WESTERLY LINE OF UNIVERSITY AVENUE; RUNNING THENCE: SOUTH 00° 30' 30" WEST, ALONG SAID WESTERLY LINE OF UNIVERSITY AVENUE, A DISTANCE OF 75.16 FEET TO A POINT THEREIN; THENCE NORTH 89° 49' 00" WEST, A DISTANCE OF 140.00 FEET TO A POINT; THENCE SOUTH 00° 30' 30" WEST, A DISTANCE OF 271.55 FEET TO A POINT; THENCE NORTH 89° 49' 00" WEST, A DISTANCE OF 103.01 FEET TO A POINT; THENCE SOUTH 00° 11' 00" WEST, A DISTANCE OF 132.00 FEET TO A POINT IN THE NORTHERLY LINE OF MADISON STREET; THENCE NORTH 89° 49' 0" WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 141.36 FEET TO A POINT; THENCE NORTH 00° 25' 10" EAST, A DISTANCE OF 50 FEET TO A POINT IN THE WESTERLY LINE OF FARM LOT 200 OF THE SALT SPRINGS RESERVATION; THENCE NORTH 03° 26' 10" WEST ALONG SAID WESTERLY LINE, A DISTANCE OF 415.12 FEET TO A POINT IN THE SOUTHERLY LINE OF EAST GENESEE STREET; THENCE NORTH 88° 11' 00" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 412.50 FEET TO THE POINT OF BEGINNING. THE PREMISES ARE ALSO DESCRIBED AS FOLLOWS: ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA AND STATE OF NEW YORK, BEING KNOWN AS NEW LOT 1A AS IS MORE PARTICULARLY SHOWN ON A RESUBDIVISION MAP OF PART OF BLOCK 366 MADE BY CHRISTOPHERSON LAND SURVEYING AND FILED IN THE ONONDAGA COUNTY CLERK'S OFFICE OCTOBER 8, 2002 AS MAP NO. 9498; OR

PARCEL C

ANY SUCH PREMISES OR BUSINESS CONSTITUTING THE OVERNIGHT LODGING AND RESORT FACILITY LOCATED WHOLLY WITHIN THE BOUNDARIES OF ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA AND STATE OF NEW YORK, BEING A PART OF LOTS 200 AND 201, LOTS 2, 6, AND 7, BLOCK 368 IN THE CITY OF SYRACUSE AND BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT A DRILL HOLE SET AT THE INTERSECTION OF THE EASTERLY STREET MARGIN OF SOUTH CROUSE AVENUE AND THE SOUTHERLY STREET MARGIN OF HARRISON STREET; THENCE S. 89° 51' 36" E. (S 89° 49' 40" E MEASURED), ALONG THE SOUTHERLY STREET MARGIN OF HARRISON STREET, A DISTANCE OF 395.30 FEET TO A CAPPED IRON ROD SET AT THE WESTERLY LINE OF A PARCEL OF LAND CONVEYED TO SYRACUSE UNIVERSITY; THENCE S. 00° 28' 34" W. (S 00° 30' 30" W MEASURED), ALONG THE WESTERLY LINE OF THOSE PARCELS OF LAND CONVEYED TO SYRACUSE UNIVERSITY, A DISTANCE OF 132.00 FEET TO A CAPPED IRON ROD SET; THENCE N. 89° 51' 36" W. (N 89° 49' 40" W MEASURED), ALONG THE NORTHERLY LINE OF A PARCEL OF LAND CONVEYED TO SYRACUSE UNIVERSITY, A DISTANCE OF 132.00 FEET TO A CAPPED IRON ROD SET; THENCE N. 89° 51' 36" W. (N 89° 49' 40" W MEASURED), ALONG THE NORTHERLY LINE OF A PARCEL OF LAND CONVEYED TO SYRACUSE UNIVERSITY, A DISTANCE OF 66.00 FEET TO A CAPPED IRON ROD SET; THENCE S. 00° 28' 34" W. (S 00° 30' 30" W MEASURED), ALONG THE WESTERLY LINE OF THAT SYRACUSE UNIVERSITY PROPERTY, A DISTANCE OF 71.25 FEET TO A CAPPED IRON ROD SET; THENCE N 89° 55' 36" W. (89° 53' 39" W MEASURED), A DISTANCE OF 130.40 FEET TO A CAPPED IRON ROD SET AT THE EASTERLY LINE OF THAT PARCEL OF LAND CONVEYED TO CROUSE

1 HEALTH SYSTEMS, INC. BY DEED RECORDED IN THE ONONDAGA COUNTY CLERK'S
2 OFFICE IN LIBER 4800 AT PAGE 730; THENCE N. $03^{\circ} 44' 23''$ W. ($03^{\circ} 42' 26''$
3 W MEASURED), ALONG THE EASTERLY LINE OF THE CROUSE HEALTH SYSTEM, INC.
4 PROPERTY, A DISTANCE OF 37.99 FEET TO A MAGNETIC NAIL SET AT THE NORTH-
5 EAST CORNER OF THE AFOREMENTIONED CROUSE HEALTH SYSTEM, INC.; THENCE N.
6 $89^{\circ} 51' 36''$ W. (N $89^{\circ} 49' 40''$ W MEASURED), ALONG THE NORTHERLY LINE OF
7 THE CROUSE HEALTH SYSTEM, INC. PROPERTY, A DISTANCE OF 195.85 FEET TO A
8 CAPPED IRON ROD SET AT THE EASTERLY STREET MARGIN OF SOUTH CROUSE
9 AVENUE; THENCE N. $00^{\circ} 23' 14''$ E. (N $00^{\circ} 25' 10''$ E MEASURED), ALONG THE
10 EASTERLY STREET MARGIN OF SOUTH CROUSE AVENUE, A DISTANCE OF 165.50 FEET
11 TO THE POINT OF BEGINNING. TOGETHER WITH ALL THE RIGHT, TITLE AND INTER-
12 EST IN AND TO STROPS AND GORES OF LAND, IF ANY, ADJOINING OR ADJACENT TO
13 SAID PREMISES AND TO THE LANDS LYING IN THE BED OF ANY STREET, ROAD LAND
14 OR RIGHT OF WAY, AS THEY NOW EXIST, OR FORMERLY EXISTED IN, IN FRONT OF,
15 OR ADJOINING THE PREMISES ABOVE DESCRIBED OR USED IN CONNECTION WITH
16 SAID ABOVE DESCRIBED PREMISES. CONTAINING 1.55 ACRES OF LAND MORE OR
17 LESS. IT BEING THE INTENT OF THIS SURVEY DESCRIPTION TO DESCRIBE THOSE
18 PARCELS OF LAND CONVEYED BY TEMPLE ADATH YESHURUN, ALSO KNOWN AS THE
19 CONGREGATION ADATH YESHURUN, TO THE SYRACUSE URBAN RENEWAL AGENCY, BY A
20 WARRANTY DEED DATED SEPTEMBER 21, 1972, THAT WAS DULY RECORDED IN THE
21 ONONDAGA COUNTY CLERK'S OFFICE ON OCTOBER 10, 1972 IN DEED BOOK 2486 AT
22 PAGE 1137. BEING A PORTION OF THE PREMISES CONVEYED AT HOTEL SKYLAR,
23 LLC, F/K/A 908 HARRISON ST., LLC, BY DEED DATED JUNE 5, 2007, AND
24 RECORDED IN THE ONONDAGA COUNTY CLERK'S OFFICE ON JUNE 14, 2007 IN DEED
25 BOOK 04998 AT PAGE 0795 (INSTRUMENT: 0687909); OR

26 PARCEL D

27 ANY SUCH PREMISES OR BUSINESS CONSTITUTING THE OVERNIGHT LODGING AND
28 RESORT FACILITY LOCATED WHOLLY WITHIN THE BOUNDARIES OF ALL THAT TRACT
29 OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA,
30 BEING PART OF LOTS 13, 14 AND 15 OF BLOCK 233 IN SAID CITY, MORE PARTIC-
31 ULARLY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE
32 NORTHERLY LINE OF EAST GENESEE STREET, A DISTANCE OF 232.5 FEET EASTER-
33 LY, MEASURED ALONG SAID NORTHERLY LINE, FROM THE EASTERLY LINE OF ALMOND
34 STREET; RUNNING THENCE THE FOLLOWING 8 COURSES AND DISTANCES: (1.) S
35 $89^{\circ} 30' 50''$ E, ALONG SAID NORTHERLY LINE OF EAST GENESEE STREET, A
36 DISTANCE OF 109.5 FEET; (2.) N $00^{\circ} 20' 00''$ E, PARALLEL WITH SAID EASTERLY
37 LINE OF ALMOND STREET, A DISTANCE OF 158.69 FEET TO THE SOUTHERLY LINE
38 OF ORANGE ALLEY; (3.) N $89^{\circ} 30' 50''$ W, ALONG SAID SOUTHERLY LINE OF
39 ORANGE ALLEY, A DISTANCE OF 66 FEET TO A POINT; (4.) N $00^{\circ} 20' 00''$ E, PARAL-
40 LEL WITH SAID EASTERLY LINE OF ALMOND STREET, 20 FEET TO THE NORTHERLY
41 LINE OF ORANGE ALLEY; (5.) N $89^{\circ} 30' 50''$ W, ALONG SAID NORTHERLY LINE OF
42 ORANGE ALLEY, A DISTANCE OF 9 FEET; (6.) S $00^{\circ} 20' 00''$ W, PARALLEL WITH
43 SAID EASTERLY LINE OF ALMOND STREET, A DISTANCE OF 13.5 FEET TO A POINT;
44 (7.) N $89^{\circ} 30' 50''$ W, PARALLEL WITH THE AFORESAID NORTHERLY LINE OF
45 EAST GENESEE STREET, A DISTANCE OF 3 FEET TO A POINT; AND, (8.) S 00°
46 $20' 00''$ W, PARALLEL WITH SAID EASTERLY LINE OF ALMOND STREET, A DISTANCE OF
47 165.19 FEET TO THE POINT OF BEGINNING, CONTAINING 17,781+/- SQ. FT.
48 (0.41+/- ACRES OF LAND) AND; PARCEL II (#716-718 EAST FAYETTE STREET),
49 ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE, COUNTY
50 OF ONONDAGA AND STATE OF NEW YORK, BEING LOT 3 AND PART OF LOTS 4 AND 9
51 OF BLOCK 233 BEGINNING IN THE SOUTHERLY LINE OF EAST FAYETTE STREET, A
52 DISTANCE OF 132 FEET WESTERLY, MEASURED ALONG SAID SOUTHERLY LINE, FROM
53 THE WESTERLY LINE OF FORMAN AVENUE; RUNNING THENCE THE FOLLOWING 4
54 COURSES AND DISTANCES: (1.) N $89^{\circ} 30' 50''$ W, ALONG SAID SOUTHERLY LINE
55 OF EAST FAYETTE STREET, A DISTANCE OF 97 FEET; (2.) S $00^{\circ} 20' 20''$ W,
56 PARALLEL WITH SAID WESTERLY LINE OF FORMAN AVENUE, A DISTANCE OF 178.69

1 FEET TO THE NORTHERLY LINE OF ORANGE ALLEY; (3.) S 89° 30' 50" E, ALONG
2 SAID NORTHERLY LINE OF ORANGE ALLEY, A DISTANCE OF 97 FEET TO A POINT;
3 AND, (4.) N 00° 20' 10" E, PARALLEL WITH SAID WESTERLY LINE OF FORMAN
4 AVENUE, A DISTANCE OF 178.69 FEET TO THE POINT OF BEGINNING. Any lien,
5 mortgage or other interest or estate now held by said retail licensee on
6 or in the personal or real property of such manufacturer or wholesaler,
7 which mortgage, lien, interest or estate was acquired on or before
8 December thirty-first, nineteen hundred thirty-two, shall not be
9 included within the provisions of this subdivision; provided, however,
10 the burden of establishing the time of the accrual of the interest,
11 comprehended by this subdivision shall be upon the person who claims to
12 be entitled to the protection and exemption afforded hereby.
13 S 3. This act shall take effect immediately.