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I N   S E N A T E

March 3, 2016

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Introduced by Sens. STEWART-COUSINS, MURPHY -- 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 301 of the laws of  
3     2014, 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.

LBD14268-01-6

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) any such premises or businesses located on that  
23 tract or parcel of land situate lying and being in the Town of Oneonta,  
24 County of Otsego and State of New York and being a portion of Otsego  
25 County Tax Map Department Parcel Number 287.00-1-33 and bounded and  
26 described as follows: Beginning at a point 2.12 feet off the northeast-  
27 erly corner of a one story building on the lands, now or formerly, of  
28 Abner Doubleday, LLC, aka Cooperstown All Star Village, LLC, as owned by  
29 Martin and Brenda Patton, which point lies N 87°55'13" W a distance of  
30 149.37' from the northeast corner of the Patton lands; thence N  
31 74°30'18" W a distance of 51.50 feet to a point; thence S 15°29'42" W a  
32 distance of 2.00 feet to a point; thence N 74°30'18" W a distance of  
33 14.00 feet to a point; thence S 15°29'42" W a distance of 19.20 feet to  
34 a point; thence S 74°30'18" E a distance of 14.20 feet to a point;  
35 thence S 15°29'42" W a distance of 4.20 feet; thence S 74°30'18" E a  
36 distance of 51.30 feet to a point; thence N 15°29'42" E a distance of  
37 25.40 feet to a point to the point and place of beginning.  
38 Containing an area of 1576.06 square feet, or 0.036 acres with such  
39 bearings referencing Magnetic North 1995.  
40 This survey is subject to any rights of way or easements which may have  
41 been granted to utility companies; OR (X) ANY SUCH PREMISES OR BUSINESS  
42 LOCATED ON ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE CITY OF PEEKS-  
43 KILL, COUNTY OF WESTCHESTER AND STATE OF NEW YORK, THAT IS A PORTION OF  
44 PARCEL I AS IT IS SHOWN ON THAT CERTAIN MAP ENTITLED, "SURVEY . . AT  
45 CHARLES POINT . . " WHICH WAS FILED IN THE WESTCHESTER COUNTY CLERK'S  
46 OFFICE ON OCTOBER 23, 1980 AS MAP NO. 20407 THAT IS BOUNDED AND  
47 DESCRIBED AS FOLLOWS:  
48 BEGINNING AT A POINT ON THE EASTERLY SHORELINE OF THE HUDSON RIVER AND  
49 WITHIN THE BOUNDS OF THE SAID PARCEL I AS IT IS SHOWN ON THE SAID FILED  
50 MAP NO. 20407, WHICH POINT OCCUPIES COORDINATE POSITION:  
51 NORTH 464418.83 (Y)  
52 EAST 607401.00 (X)  
53 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE AND WHICH POINT IS  
54 DISTANT, THE FOLLOWING COURSES FROM THE SOUTHERLY CORNER OF THE PARCEL  
55 SHOWN ON MAP NO. 20407 THAT OCCUPIES COORDINATE POSITION  
56 NORTH 463520.804 (Y)

1 EAST 608470.681 (X)  
2 OF THE AFORESAID NEW YORK STATE COORDINATE SYSTEM, EAST ZONE:  
3 NORTH 47 DEGREES 30' 36" WEST 856.60 FEET,  
4 NORTH 77 DEGREES 10' 53" WEST 488.18 FEET,  
5 NORTH 41 DEGREES 17' 53" WEST 113.32 FEET AND  
6 NORTH 41 DEGREES 50' 16" EAST 169.08 FEET;  
7 THENCE FROM THE SAID POINT OF BEGINNING ALONG THE SAID EASTERLY SHORE-  
8 LINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER:  
9 DUE NORTH 16.17 FEET,  
10 NORTH 53 DEGREES 58' 22" WEST 13.60 FEET,  
11 NORTH 73 DEGREES 04' 21" WEST 24.04 FEET,  
12 NORTH 63 DEGREES 26' 06" WEST 22.36 FEET,  
13 NORTH 82 DEGREES 18' 14" WEST 37.34 FEET,  
14 NORTH 64 DEGREES 47' 56" WEST 37.58 FEET,  
15 SOUTH 82 DEGREES 52' 30" WEST 16.12 FEET,  
16 NORTH 61 DEGREES 41' 57" WEST 14.76 FEET AND  
17 SOUTH 21 DEGREES 48' 05" WEST 9.71 FEET;  
18 THENCE LEAVING THE HIGH WATER MARK AND RUNNING ACROSS A PENINSULA OF  
19 LAND AND ALONG THE DIVISION LINE BETWEEN PARCEL I AND PARCEL II AS SHOWN  
20 ON SAID FILED MAP NO. 20407, NORTH 65 DEGREES 32' 43" WEST 30.18 FEET TO  
21 ANOTHER POINT ON THE SAID EASTERLY SHORELINE (HIGH WATER MARK) OF THE  
22 EAST BANK OF THE HUDSON RIVER;  
23 THENCE NORTHERLY ALONG THE SAID HIGH WATER MARK, THE FOLLOWING COURSES:  
24 ES:  
25 NORTH 3 DEGREES 00' 46" WEST 17.54 FEET,  
26 NORTH 13 DEGREES 45' 39" WEST 50.45 FEET,  
27 NORTH 10 DEGREES 49' 23" WEST 69.23 FEET,  
28 NORTH 0 DEGREES 47' 22" WEST 52.48 FEET TO A POINT WHICH IS THE POINT  
29 OF BEGINNING OF THE HEREINAFTER DESCRIBED 40 FOOT EASEMENT WHICH POINT  
30 OCCUPIES COORDINATE POSITION  
31 NORTH 464676.48 (Y)  
32 EAST 607189.28 (X)  
33 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;  
34 THENCE CONTINUING ALONG THE AFORESAID EASTERLY SHORELINE (HIGH WATER  
35 MARK) OF THE EAST BANK OF THE HUDSON, THE FOLLOWING COURSES:  
36 NORTH 10 DEGREES 18' 17" WEST 23.91 FEET,  
37 NORTH 39 DEGREES 04' 58" WEST 21.39 FEET,  
38 NORTH 20 DEGREES 13' 30" WEST 21.74 FEET,  
39 NORTH 39 DEGREES 02' 08" WEST 95.27 FEET,  
40 NORTH 13 DEGREES 08' 02" WEST 30.81 FEET,  
41 NORTH 18 DEGREES 26' 06" WEST 53.76 FEET,  
42 NORTH 28 DEGREES 10' 43" WEST 63.53 FEET,  
43 NORTH 18 DEGREES 26' 06" WEST 50.60 FEET,  
44 NORTH 37 DEGREES 14' 05" WEST 31.40 FEET,  
45 NORTH 21 DEGREES 15' 02" WEST 96.57 FEET,  
46 NORTH 32 DEGREES 00' 19" WEST 47.17 FEET,  
47 NORTH 1 DEGREE 18' 07" WEST 44.01 FEET AND  
48 NORTH 17 DEGREES 14' 29" EAST 29.32 FEET TO A POINT ON THE SOUTHERLY  
49 LINE OF LANDS UNDER LEASE TO THE COUNTY OF WESTCHESTER (RESCO SITE);  
50 THENCE ALONG THE SAID COUNTY OF WESTCHESTER (RESCO SITE) LANDS:  
51 DUE EAST 432.31 FEET TO A POINT ON THE WESTERLY LINE OF AN EASEMENT  
52 AND A RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE;  
53 THENCE ALONG THE SAID WESTERLY AND SOUTHWESTERLY LINE OF THE SAID  
54 RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE:  
55 DUE SOUTH 241.16 FEET AND SOUTH 27 DEGREES 13' 00" EAST 406.90 FEET TO  
56 A POINT;

1 THENCE LEAVING THE SAID EASEMENT AND RUNNING ALONG OTHER LANDS NOW OR  
2 FORMERLY OF THE CITY OF PEEKSKILL INDUSTRIAL DEVELOPMENT AGENCY, SOUTH  
3 41 DEGREES 50' 16" WEST 270.01 FEET TO THE AFOREMENTIONED EASTERLY  
4 SHORELINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER AND THE  
5 POINT OR PLACE OF BEGINNING.

6 TOGETHER WITH AN EASEMENT OVER ALL THAT PARCEL OF LAND SITUATE IN THE  
7 CITY OF PEEKSKILL, COUNTY OF WESTCHESTER AND STATE OF NEW YORK THAT IS  
8 MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

9 BEGINNING AT A POINT ON THE WESTERLY LINE OF CHARLES POINT AVENUE WITH  
10 THE SAID WESTERLY LINE IS INTERSECTED BY THE LINE DIVIDING THE EASEMENT  
11 HEREIN DESCRIBED ON THE SOUTH FROM LANDS UNDER LEASE TO THE COUNTY OF  
12 WESTCHESTER (RESCO SITE) ON THE NORTH WHICH POINT OCCUPIES COORDINATE  
13 POSITION:

14 NORTH 464719.99 (Y)

15 EAST 608004.15 (X)

16 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;

17 THENCE FROM THE SAID POINT OF BEGINNING SOUTHERLY ALONG THE SAID  
18 WESTERLY LINE OF CHARLES POINT AVENUE, SOUTH 14 DEGREES 54' 00" WEST  
19 103.48 FEET TO A POINT;

20 THENCE WESTERLY ALONG OTHER LANDS OF THE CITY OF PEEKSKILL INDUSTRIAL  
21 DEVELOPMENT AGENCY: DUE WEST 396.44 FEET TO A POINT WHICH IS THE EAST-  
22 ERLY MOST CORNER OF THE LANDS OF POINT ASSOCIATES, THE GRANTEE HEREIN;

23 THENCE ALONG THE NORTHEASTERLY LINE OF THE SAID POINT ASSOCIATES'  
24 LAND, NORTH 27 DEGREES 13' 00" WEST 406.90 FEET AND DUE NORTH 241.16  
25 FEET TO A POINT ON THE SOUTHERLY LINE OF THE AFOREMENTIONED LANDS LEASED  
26 TO THE COUNTY OF WESTCHESTER (RESCO SITE);

27 THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE DUE EAST 75.00 FEET TO A  
28 POINT;

29 THENCE SOUTHEASTERLY AND EASTERLY STILL ALONG THE SAID LANDS LEASED TO  
30 THE COUNTY OF WESTCHESTER (RESCO SITE) THE FOLLOWING COURSES:

31 DUE SOUTH 223.00 FEET,

32 SOUTH 27 DEGREES 13' 00" EAST 314.87 FEET AND

33 DUE EAST 390.14 FEET TO THE AFOREMENTIONED WESTERLY LINE OF CHARLES  
34 POINT AVENUE AND THE POINT OR PLACE OF BEGINNING.

35 TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR UTILITIES, AND INGRESS AND  
36 EGRESS OVER THAT CERTAIN RIGHT OF WAY LEADING FROM CHARLES POINT AVENUE,  
37 NOW KNOWN AS JOHN E. WALSH BOULEVARD, IN A WESTERLY AND NORTHWESTERLY  
38 DIRECTION TO THE ABOVE DESCRIBED PREMISES AND AS MORE FULLY DESCRIBED IN  
39 THE DECLARATION OF EASEMENT RECORDED IN LIBER 8888 CP 35.

40 The provisions of this paragraph shall not apply to any premises  
41 licensed under section sixty-four of this chapter in which a manufactur-  
42 er or wholesaler holds a direct or indirect interest, provided that: (I)  
43 said premises consist of an interactive entertainment facility which  
44 predominantly offers interactive computer and video entertainment  
45 attractions, and other games and also offers themed merchandise and food  
46 and beverages, (II) the sale of alcoholic beverages within the premises  
47 shall be restricted to an area consisting of not more than twenty-five  
48 percent of the total interior floor area of the premises, (III) the  
49 retail licenses shall derive not less than sixty-five percent of the  
50 total revenue generated by the facility from interactive video enter-  
51 tainment activities and other games, including related attractions and  
52 sales of merchandise other than food and alcoholic beverages, (IV) the  
53 interested manufacturer or wholesaler, or its parent company, shall be  
54 listed on a national securities exchange and its direct or indirect  
55 equity interest in the retail licensee shall not exceed twenty-five  
56 percent, (V) no more than fifteen percent of said licensee's purchases

1 of alcoholic beverages for sale in the premises shall be products  
2 produced or distributed by the manufacturer or wholesaler, (VI) neither  
3 the name of the manufacturer or wholesaler nor the name of any brand of  
4 alcoholic beverage produced or distributed by said manufacturer or  
5 wholesaler shall be part of the name of the premises, (VII) the name of  
6 the manufacturer or wholesaler or the name of products sold or distrib-  
7 uted by such manufacturer or wholesaler shall not be identified on  
8 signage affixed to either the interior or the exterior of the premises  
9 in any fashion, (VIII) promotions involving alcoholic beverages produced  
10 or distributed by the manufacturer or wholesaler are not held in such  
11 premises and further, retail and consumer advertising specialties bear-  
12 ing the name of the manufacturer or wholesaler or the name of alcoholic  
13 beverages produced or distributed by the manufacturer or wholesaler are  
14 not utilized in any fashion, given away or sold in said premises, and  
15 (IX) except to the extent provided in this paragraph, the licensing of  
16 each premises covered by this exception is subject to all provisions of  
17 section sixty-four of this chapter, including but not limited to liquor  
18 authority approval of the specific location thereof. The provisions of  
19 this paragraph shall not prohibit (1) a manufacturer or wholesaler, if  
20 an individual, or a partner, of a partnership, or, if a corporation, an  
21 officer or director thereof, from being an officer or director of a duly  
22 licensed charitable organization which is the holder of a license for  
23 on-premises consumption under this chapter, nor (2) a manufacturer from  
24 acquiring any such premises if the liquor authority first consents ther-  
25 eto after determining, upon such proofs as it shall deem sufficient,  
26 that such premises is contiguous to the licensed premises of such  
27 manufacturer, and is reasonably necessary for the expansion of the  
28 facilities of such manufacturer. After any such acquisition, it shall be  
29 illegal for a manufacturer acquiring any such premises to sell or deliver  
30 alcoholic beverages manufactured by him to any licensee occupying  
31 such premises.

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

35 13. No retail licensee for on-premises consumption shall be inter-  
36 ested, directly or indirectly, in any premises where liquors, wines or  
37 beer are manufactured or sold at wholesale, by stock ownership, inter-  
38 locking directors, mortgage or lien on any personal or real property or  
39 by any other means, except that liquors, wines or beer may be manufac-  
40 tured or sold wholesale by the person licensed as a manufacturer or  
41 wholesaler thereof on real property owned by an interstate railroad  
42 corporation or a United States certificated airline with a retail  
43 license for on-premises consumption, or on premises or with respect to a  
44 business constituting an overnight lodging and resort facility located  
45 wholly within the boundaries of the town of North Elba, county of Essex,  
46 township eleven, Richard's survey, great lot numbers two hundred seven-  
47 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-  
48 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-  
49 teen, three hundred nineteen, three hundred twenty, three hundred  
50 thirty-five and three hundred thirty-six, and township twelve, Thorn's  
51 survey, great lot numbers one hundred six and one hundred thirteen, as  
52 shown on the Adirondack map, compiled by the conservation department of  
53 the state of New York - nineteen hundred sixty-four edition, in the  
54 Essex county atlas at page twenty-seven in the Essex county clerk's  
55 office, Elizabethtown, New York, provided that such facility maintains  
56 not less than two hundred fifty rooms and suites for overnight lodging,

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

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

47 Also all that tract or parcel of land, with the buildings thereon,  
48 situate in the City of Schenectady, County of Schenectady, and State of  
49 New York, situate in the First, formerly the Second Ward of the said  
50 City, on the Northerly side of Union Street, which was conveyed by  
51 William Meeker and wife to Elisha L. Freeman by deed dated the second  
52 day of December 1843, and recorded in the Clerk's Office of Schenectady  
53 County on December 5, 1843, in Book V of Deeds at page 392, which lot in  
54 said deed is bounded and described as follows: Beginning at a point in  
55 the Northerly line of Union Street where it is intersected by the East-  
56 erly line of property numbered 235 Union Street, which is hereby

conveyed, and running thence Northerly along the Easterly line of said property, One Hundred Forty and Five-tenths (140.5) feet to a point sixteen (16) feet Southerly from the Southerly line of the new garage built upon land adjoining on the North; thence Westerly parallel with said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly One Hundred Forty and Eighty-tenths (140.8) feet to the Northerly margin of Union Street; thence Easterly along the Northerly margin of Union Street, about Forty-eight and three-tenths (48.3) feet to the point or place of beginning.

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

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

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

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

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

Also all that tract or parcel of land commonly known as the Union Street School, located on the Northeasterly corner of Union and North



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

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

22 The two above parcels are together more particularly described as  
23 follows: All that parcel of land in the City of Schenectady beginning at  
24 a point in the northerly margin of Union Street and the northwesterly  
25 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.  
26 42' 20" W. 124.55 feet to the easterly margin of North College Street;  
27 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to  
28 the southeasterly corner of lands now or formerly of McCarthy (Deed Book  
29 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or  
30 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.  
31 191.75 feet to the northwesterly margin of Erie Boulevard; thence along  
32 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-  
33 ning, any such premises or businesses located on that tract or parcel of  
34 land situate in the Town of Hopewell, Ontario County, State of New York,  
35 bounded and described as follows: Commencing at a 5/8" rebar found on  
36 the division line between lands now or formerly of Ontario County -  
37 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the  
38 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,  
39 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-  
40 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,  
41 North 43°-33'-40" West, continuing on said division line and through  
42 said lands of Ontario County, a distance of 520.45 feet to a point on  
43 the southeasterly edge of an existing concrete pad; thence, South  
44 74°-19'-53" West, along said edge of concrete and the projection there-  
45 of, a distance of 198.78 feet to a point on the easterly edge of pave-  
46 ment of an existing campus drive; thence, the following two (2) courses  
47 and distances along said edge of pavement: Northeasterly on a curve to  
48 the left having a radius of 2221.65 feet, a chord bearing of North  
49 30°-16'-39" East, a chord distance of 280.79, a central angle of  
50 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;  
51 thence, Northeasterly on a curve to the right having a radius of 843.42  
52 feet, a chord bearing of North 45°-25'-09" East, a chord distance of  
53 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a  
54 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the  
55 corner of the property acquired by Ontario County (Liber 766 of Deeds,  
56 Page 1112), as shown on a map recorded in the Ontario County Clerk's

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

29 BEGINNING at the point of the intersection of the division line  
30 between the Northeasterly boundary of the New York State Barge Canal,  
31 Syracuse Terminal designated as "Parcel No. T-111" on the Southwest and  
32 Lot 11I of the Carousel Center Subdivision on the Northeast with the  
33 Northwesterly boundary of West Hiawatha Boulevard; thence North 50 deg.  
34 26 min. 28 sec. West, along said division line, 690.72 feet; to a point;  
35 thence through Lot 11I and 11J of said subdivision the following thir-  
36 ty-five (35) courses and distances:

- 37 1) Thence North 40 deg. 22 min. 15 sec. East 191.79 feet to a point;
- 38 2) Thence South 82 deg. 04 min. 58 sec. East 294.58 feet to a point;
- 39 3) Thence North 07 deg. 52 min. 16 sec. East 314.89 feet to a point;
- 40 4) Thence South 82 deg. 07 min. 45 sec. East 53.96 feet to a point;
- 41 5) Thence North 07 deg. 52 min. 16 sec. East 70.18 feet to a point;
- 42 6) Thence South 82 deg. 07 min. 44 sec. East 40.81 feet to a point;
- 43 7) Thence North 07 deg. 52 min. 16 sec. East 35.49 feet to a point;
- 44 8) Thence South 82 deg. 07 min. 50 sec. East 1.52 feet to a point;
- 45 9) Thence North 07 deg. 52 min. 16 sec. East 45.53 feet to a point;
- 46 10) Thence South 82 deg. 07 min. 44 sec. East 92.67 feet to a point;
- 47 11) Thence North 07 deg. 52 min. 16 sec. East 194.00 feet to a point;
- 48 12) Thence North 82 deg. 07 min. 44 sec. West 121.00 feet to a point;
- 49 13) Thence North 07 deg. 52 min. 14 sec. East 408.67 feet to a point;
- 50 14) Thence South 82 deg. 07 min. 44 sec. East 168.50 feet to a point;
- 51 15) Thence North 07 deg. 52 min. 16 sec. East 34.33 feet to a point;
- 52 16) Thence South 82 deg. 07 min. 44 sec. East 15.33 feet to a point;
- 53 17) Thence North 07 deg. 52 min. 16 sec. East 341.67 feet to a point;
- 54 18) Thence North 82 deg. 07 min. 44 sec. West 199.44 feet to a point;
- 55 19) Thence North 07 deg. 52 min. 31 sec. East 0.97 feet to a point;
- 56 20) Thence North 52 deg. 50 min. 09 sec. East 11.22 feet to a point;

1 21) Thence North 07 deg. 52 min. 16 sec. East 20.77 feet to a point;  
2 22) Thence North 37 deg. 05 min. 57 sec. West 30.86 feet to a point;  
3 23) Thence North 82 deg. 07 min. 44 sec. West 21.02 feet to a point;  
4 24) Thence South 52 deg. 13 min. 00 sec. West 5.85 feet to a point;  
5 25) Thence North 82 deg. 07 min. 44 sec. West 7.41 feet to a point;  
6 26) Thence North 07 deg. 52 min. 16 sec. East 108.15 feet to a point;  
7 27) Thence South 82 deg. 07 min. 44 sec. East 0.75 feet to a point;  
8 28) Thence North 07 deg. 52 min. 16 sec. East 22.46 feet to a point;  
9 29) Thence North 82 deg. 07 min. 44 sec. West 0.75 feet to a point;  
10 30) Thence North 07 deg. 52 min. 16 sec. East 43.48 feet to a point;  
11 31) Thence North 52 deg. 52 min. 15 sec. East 7.78 feet to a point;  
12 32) Thence North 07 deg. 52 min. 16 sec. East 47.79 feet to a point;  
13 33) Thence North 37 deg. 07 min. 44 sec. West 7.78 feet to a point;  
14 34) Thence North 07 deg. 52 min. 16 sec. East 198.11 feet to a point;  
15 and  
16 35) Thence South 82 deg. 07 min. 44 sec. East 207.07 feet to a point  
17 on the westerly right of way line of Interstate Route 81, Thence along  
18 the westerly and southwesterly right of way line of Interstate Route 81,  
19 in a generally southeasterly direction, the following seven (7) courses  
20 and distances:  
21 1) Thence South 18 deg. 26 min. 44 sec. East 44.24 feet to a point;  
22 2) Thence South 31 deg. 26 min. 40 sec. East 70.85 feet to a point;  
23 3) Thence South 37 deg. 56 min. 38 sec. East 377.51 feet to a point;  
24 4) Thence South 33 deg. 48 min. 10 sec. East 129.69 feet to a point;  
25 5) Thence South 32 deg. 22 min. 13 sec. East 213.26 feet to a point;  
26 6) Thence South 42 deg. 27 min. 42 sec. East 58.65 feet to a point;  
27 and  
28 7) Thence South 40 deg. 20 min. 45 sec. East 77.11 feet to its inter-  
29 section with lands appropriated by the People of the State of New York  
30 described as Map 1401 Parcel 1831 in Book 5256 of Deeds at Page 686 and  
31 Book 5274 of Deeds at Page 836; Thence along the bounds of said Map 1401  
32 Parcel 1831 the following fifteen (15) courses and distances:  
33 1) South 07 deg. 30 min. 19 sec. East 39.16 feet to a point; thence  
34 2) South 03 deg. 25 min. 41 sec. West 30.00 feet to a point; thence  
35 3) South 12 deg. 49 min. 21 sec. West 30.00 feet to a point; thence  
36 4) South 22 deg. 11 min. 30 sec. West 30.00 feet to a point; thence  
37 5) South 31 deg. 35 min. 08 sec. West 30.00 feet to a point; thence  
38 6) South 40 deg. 57 min. 25 sec. West 30.01 feet to a point; thence  
39 7) South 48 deg. 44 min. 51 sec. West 20.00 feet to a point; thence  
40 8) South 55 deg. 01 min. 19 sec. West 19.99 feet to a point; thence  
41 9) South 65 deg. 30 min. 44 sec. West 8.49 feet to a point; thence  
42 10) North 75 deg. 22 min. 31 sec. West 38.92 feet to a point; thence  
43 11) North 29 deg. 08 min. 26 sec. West 25.83 feet to a point; thence  
44 12) North 07 deg. 58 min. 33 sec. West 20.27 feet to a point; thence  
45 13) North 07 deg. 40 min. 45 sec. East 100.00 feet to a point; thence  
46 14) North 82 deg. 23 min. 04 sec. West 1.00 feet to a point; and  
47 15) South 07 deg. 40 min. 49 sec. West 425.30 to its intersection with  
48 the northerly bounds of Map 1402 Parcel 1836 of said appropriation;  
49 Thence along the bounds of Map 1402 Parcel 1836 as described in Book  
50 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836 the follow-  
51 ing three (3) courses and distances:  
52 1) South 07 deg. 40 min. 17 sec. West 70.35 feet to a point; thence  
53 2) South 82 deg. 09 min. 26 sec. East 1.00 feet to a point; and  
54 3) North 07 deg. 40 min. 37 sec. East 70.35 feet to its intersection  
55 with the bounds of the hereinabove described Map 1401 Parcel 1831;

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

43 Excepting the following piece or parcel of land appropriated by the  
44 People of the State of New York described as Map 1401 Parcel 1832 in  
45 Book 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836:  
46 Commencing at the southwest corner of herein above described Map 1402  
47 Parcel 1836 said point having a proceeding course of South 07 deg. 40  
48 min. 17 sec. West 70.35 feet in the premises describe hereinabove;  
49 thence North 13 deg. 18 min. 48 sec. West 138.17 feet to the southeast  
50 corner of Map 1401 Parcel 1832; thence along the bounds of said Map 1401  
51 Parcel 1832 the following four (4) courses and distances:  
52 1) North 82 deg. 09 min. 26 sec. West 1.00 feet to a point; thence  
53 2) North 07 deg. 53 min. 50 sec. East 353.36 feet to a point; thence  
54 3) South 81 deg. 54 min. 58 sec. East 1.00 feet to a point, and  
55 4) South 07 deg. 53 min. 54 sec. West 353.36 feet to the point of  
56 beginning; or such premises or businesses located on that tract or

1 parcel of land situate lying and being in the Town of Oneonta, County of  
2 Otsego and State of New York and being a portion of Otsego County Tax  
3 Map Department Parcel Number 287.00-1-33 and bounded and described as  
4 follows: Beginning at a point 2.12 feet off the northeasterly corner of  
5 a one story building on the lands, now or formerly, of Abner Doubleday,  
6 LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Bren-  
7 da Patton, which point lies N 87°55'13" W a distance of 149.37' from the  
8 northeast corner of the Patton lands; thence N 74°30'18" W a distance of  
9 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a  
10 point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence  
11 S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E  
12 a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of  
13 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point;  
14 thence N 15°29'42" E a distance of 25.40 feet to a point to the point  
15 and place of beginning; OR ANY SUCH PREMISES OR BUSINESS LOCATED ON THAT  
16 CERTAIN PARCEL OF LAND SITUATE IN THE CITY OF PEEKSKILL, COUNTY OF WEST-  
17 CHESTER AND STATE OF NEW YORK, THAT IS A PORTION OF PARCEL I AS IT IS  
18 SHOWN ON THAT CERTAIN MAP ENTITLED, "SURVEY . . AT CHARLES POINT . . "  
19 WHICH WAS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON OCTOBER 23,  
20 1980 AS MAP NO. 20407 THAT IS BOUNDED AND DESCRIBED AS FOLLOWS:

21 BEGINNING AT A POINT ON THE EASTERLY SHORELINE OF THE HUDSON RIVER AND  
22 WITHIN THE BOUNDS OF THE SAID PARCEL I AS IT IS SHOWN ON THE SAID FILED  
23 MAP NO. 20407, WHICH POINT OCCUPIES COORDINATE POSITION:

24 NORTH 464418.83 (Y)

25 EAST 607401.00 (X)

26 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE AND WHICH POINT IS  
27 DISTANT, THE FOLLOWING COURSES FROM THE SOUTHERLY CORNER OF THE PARCEL  
28 SHOWN ON MAP NO. 20407 THAT OCCUPIES COORDINATE POSITION

29 NORTH 463520.804 (Y)

30 EAST 608470.681 (X)

31 OF THE AFORESAID NEW YORK STATE COORDINATE SYSTEM, EAST ZONE:

32 NORTH 47 DEGREES 30' 36" WEST 856.60 FEET,

33 NORTH 77 DEGREES 10' 53" WEST 488.18 FEET,

34 NORTH 41 DEGREES 17' 53" WEST 113.32 FEET AND

35 NORTH 41 DEGREES 50' 16" EAST 169.08 FEET;

36 THENCE FROM THE SAID POINT OF BEGINNING ALONG THE SAID EASTERLY SHORE-  
37 LINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER:

38 DUE NORTH 16.17 FEET,

39 NORTH 53 DEGREES 58' 22" WEST 13.60 FEET,

40 NORTH 73 DEGREES 04' 21" WEST 24.04 FEET,

41 NORTH 63 DEGREES 26' 06" WEST 22.36 FEET,

42 NORTH 82 DEGREES 18' 14" WEST 37.34 FEET,

43 NORTH 64 DEGREES 47' 56" WEST 37.58 FEET,

44 SOUTH 82 DEGREES 52' 30" WEST 16.12 FEET,

45 NORTH 61 DEGREES 41' 57" WEST 14.76 FEET AND

46 SOUTH 21 DEGREES 48' 05" WEST 9.71 FEET;

47 THENCE LEAVING THE HIGH WATER MARK AND RUNNING ACROSS A PENINSULA OF  
48 LAND AND ALONG THE DIVISION LINE BETWEEN PARCEL I AND PARCEL II AS SHOWN  
49 ON SAID FILED MAP NO. 20407, NORTH 65 DEGREES 32' 43" WEST 30.18 FEET TO  
50 ANOTHER POINT ON THE SAID EASTERLY SHORELINE (HIGH WATER MARK) OF THE  
51 EAST BANK OF THE HUDSON RIVER;

52 THENCE NORTHERLY ALONG THE SAID HIGH WATER MARK, THE FOLLOWING COURS-  
53 ES:

54 NORTH 3 DEGREES 00' 46" WEST 17.54 FEET,

55 NORTH 13 DEGREES 45' 39" WEST 50.45 FEET,

56 NORTH 10 DEGREES 49' 23" WEST 69.23 FEET,

1 NORTH 0 DEGREES 47' 22" WEST 52.48 FEET TO A POINT WHICH IS THE POINT  
2 OF BEGINNING OF THE HEREINAFTER DESCRIBED 40 FOOT EASEMENT WHICH POINT  
3 OCCUPIES COORDINATE POSITION  
4 NORTH 464676.48 (Y)  
5 EAST 607189.28 (X)  
6 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;  
7 THENCE CONTINUING ALONG THE AFORESAID EASTERLY SHORELINE (HIGH WATER  
8 MARK) OF THE EAST BANK OF THE HUDSON, THE FOLLOWING COURSES:  
9 NORTH 10 DEGREES 18' 17" WEST 23.91 FEET,  
10 NORTH 39 DEGREES 04' 58" WEST 21.39 FEET,  
11 NORTH 20 DEGREES 13' 30" WEST 21.74 FEET,  
12 NORTH 39 DEGREES 02' 08" WEST 95.27 FEET,  
13 NORTH 13 DEGREES 08' 02" WEST 30.81 FEET,  
14 NORTH 18 DEGREES 26' 06" WEST 53.76 FEET,  
15 NORTH 28 DEGREES 10' 43" WEST 63.53 FEET,  
16 NORTH 18 DEGREES 26' 06" WEST 50.60 FEET,  
17 NORTH 37 DEGREES 14' 05" WEST 31.40 FEET,  
18 NORTH 21 DEGREES 15' 02" WEST 96.57 FEET,  
19 NORTH 32 DEGREES 00' 19" WEST 47.17 FEET,  
20 NORTH 1 DEGREE 18' 07" WEST 44.01 FEET AND  
21 NORTH 17 DEGREES 14' 29" EAST 29.32 FEET TO A POINT ON THE SOUTHERLY  
22 LINE OF LANDS UNDER LEASE TO THE COUNTY OF WESTCHESTER (RESCO SITE);  
23 THENCE ALONG THE SAID COUNTY OF WESTCHESTER (RESCO SITE) LANDS:  
24 DUE EAST 432.31 FEET TO A POINT ON THE WESTERLY LINE OF AN EASEMENT  
25 AND A RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE;  
26 THENCE ALONG THE SAID WESTERLY AND SOUTHWESTERLY LINE OF THE SAID  
27 RIGHT-OF-WAY LEADING TO CHARLES POINT AVENUE:  
28 DUE SOUTH 241.16 FEET AND SOUTH 27 DEGREES 13' 00" EAST 406.90 FEET TO  
29 A POINT;  
30 THENCE LEAVING THE SAID EASEMENT AND RUNNING ALONG OTHER LANDS NOW OR  
31 FORMERLY OF THE CITY OF PEEKSKILL INDUSTRIAL DEVELOPMENT AGENCY, SOUTH  
32 41 DEGREES 50' 16" WEST 270.01 FEET TO THE AFOREMENTIONED EASTERLY  
33 SHORELINE (HIGH WATER MARK) OF THE EAST BANK OF THE HUDSON RIVER AND THE  
34 POINT OR PLACE OF BEGINNING.  
35 TOGETHER WITH AN EASEMENT OVER ALL THAT PARCEL OF LAND SITUATE IN THE  
36 CITY OF PEEKSKILL, COUNTY OF WESTCHESTER AND STATE OF NEW YORK THAT IS  
37 MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:  
38 BEGINNING AT A POINT ON THE WESTERLY LINE OF CHARLES POINT AVENUE WITH  
39 THE SAID WESTERLY LINE IS INTERSECTED BY THE LINE DIVIDING THE EASEMENT  
40 HEREIN DESCRIBED ON THE SOUTH FROM LANDS UNDER LEASE TO THE COUNTY OF  
41 WESTCHESTER (RESCO SITE) ON THE NORTH WHICH POINT OCCUPIES COORDINATE  
42 POSITION:  
43 NORTH 464719.99 (Y)  
44 EAST 608004.15 (X)  
45 OF THE NEW YORK STATE COORDINATE SYSTEM, EAST ZONE;  
46 THENCE FROM THE SAID POINT OF BEGINNING SOUTHERLY ALONG THE SAID  
47 WESTERLY LINE OF CHARLES POINT AVENUE, SOUTH 14 DEGREES 54' 00" WEST  
48 103.48 FEET TO A POINT;  
49 THENCE WESTERLY ALONG OTHER LANDS OF THE CITY OF PEEKSKILL INDUSTRIAL  
50 DEVELOPMENT AGENCY: DUE WEST 396.44 FEET TO A POINT WHICH IS THE EAST-  
51 ERLY MOST CORNER OF THE LANDS OF POINT ASSOCIATES, THE GRANTEE HEREIN;  
52 THENCE ALONG THE NORTHEASTERLY LINE OF THE SAID POINT ASSOCIATES'  
53 LAND, NORTH 27 DEGREES 13' 00" WEST 406.90 FEET AND DUE NORTH 241.16  
54 FEET TO A POINT ON THE SOUTHERLY LINE OF THE AFOREMENTIONED LANDS LEASED  
55 TO THE COUNTY OF WESTCHESTER (RESCO SITE);

1 THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE DUE EAST 75.00 FEET TO A  
2 POINT;

3 THENCE SOUTHEASTERLY AND EASTERLY STILL ALONG THE SAID LANDS LEASED TO  
4 THE COUNTY OF WESTCHESTER (RESCO SITE) THE FOLLOWING COURSES:

5 DUE SOUTH 223.00 FEET,

6 SOUTH 27 DEGREES 13' 00" EAST 314.87 FEET AND

7 DUE EAST 390.14 FEET TO THE AFOREMENTIONED WESTERLY LINE OF CHARLES  
8 POINT AVENUE AND THE POINT OR PLACE OF BEGINNING.

9 TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR UTILITIES, AND INGRESS AND  
10 EGRESS OVER THAT CERTAIN RIGHT OF WAY LEADING FROM CHARLES POINT AVENUE,  
11 NOW KNOWN AS JOHN E. WALSH BOULEVARD, IN A WESTERLY AND NORTHWESTERLY  
12 DIRECTION TO THE ABOVE DESCRIBED PREMISES AND AS MORE FULLY DESCRIBED IN  
13 THE DECLARATION OF EASEMENT RECORDED IN LIBER 8888 CP 35 or on premises  
14 or with respect to a business constituting the overnight lodging facili-  
15 ty located wholly within the boundaries of that tract or parcel of land  
16 situated in the borough of Manhattan, city and county of New York,  
17 beginning at a point on the northerly side of west fifty-fourth street  
18 at a point one hundred feet easterly from the intersection of the said  
19 northerly side of west fifty-fourth street and the easterly side of  
20 seventh avenue; running thence northerly and parallel with the easterly  
21 side of seventh avenue one hundred feet five inches to the center line  
22 of the block; running thence easterly and parallel with the northerly  
23 side of west fifty-fourth street and along the center line of the block  
24 fifty feet to a point; running thence northerly and parallel with the  
25 easterly side of seventh avenue one hundred feet five inches to the  
26 southerly side of west fifty-fifth street at a point distant one hundred  
27 fifty feet easterly from the intersection of the said southerly side of  
28 west fifty-fifth street and the easterly side of seventh avenue; running  
29 thence easterly along the southerly side of west fifty-fifth street  
30 thirty-one feet three inches to a point; running thence southerly and  
31 parallel with the easterly side of the seventh avenue one hundred feet  
32 five inches to the center line of the block; running thence easterly  
33 along the center line of the block and parallel with the southerly side  
34 of west fifty-fifth street, one hundred feet; running thence northerly  
35 and parallel with the easterly side of seventh avenue one hundred feet  
36 five inches to the southerly side of west fifty-fifth street; running  
37 thence easterly along the southerly side of west fifty-fifth street  
38 twenty-one feet ten and one-half inches to a point; running thence  
39 southerly and parallel with the easterly side of seventh avenue one  
40 hundred feet five inches to the center line of the block; running thence  
41 westerly along the center line of the block and parallel with the north-  
42 erly side of west fifty-fourth street three feet one and one-half inch-  
43 es; running thence southerly and parallel with the easterly side of  
44 seventh avenue one hundred feet five inches to the northerly side of  
45 west fifty-fourth street at a point distant three hundred feet easterly  
46 from the intersection of the said northerly side of west fifty-fourth  
47 street and the easterly side of seventh avenue; running thence westerly  
48 and along the northerly side of west fifty-fourth street two hundred  
49 feet to the point or place of beginning, provided that such facility  
50 maintains not less than four hundred guest rooms and suites for over-  
51 night lodging. Any lien, mortgage or other interest or estate now held  
52 by said retail licensee on or in the personal or real property of such  
53 manufacturer or wholesaler, which mortgage, lien, interest or estate was  
54 acquired on or before December thirty-first, nineteen hundred thirty-  
55 two, shall not be included within the provisions of this subdivision;  
56 provided, however, the burden of establishing the time of the accrual of

1 the interest, comprehended by this subdivision shall be upon the person  
2 who claims to be entitled to the protection and exemption afforded here-  
3 by.  
4 S 3. This act shall take effect immediately.