

STATE OF NEW YORK

11210

IN ASSEMBLY

June 14, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. McDonald) --
read once and referred to the Committee on Economic Development

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 shar-
ing an interest in a liquor license

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

Section 1. Subparagraph (x) of paragraph (a) of subdivision 1 of
section 101 of the alcoholic beverage control law, as added by chapter
303 of the laws of 2016, is amended to read as follows:

(x) Notwithstanding any other provision of law to the contrary, the
state liquor authority may issue a license under section fifty-one-a of
this chapter to the owner and/or operator of the parcel described in
this subparagraph. The legal description for the parcel so identified as
the site is as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the city of Syracuse,
County of Onondaga and State of New York being more particularly
described as follows:

Beginning at a point in the easterly line of North Clinton Street,
said point being approximately 518.65 feet southerly along the easterly
line of North Clinton Street from its intersection with the southerly
line of Division Street; thence N. 76° 43' 56" E. a distance of 133.65
feet to a point; thence N. 53° 11' 01" E. a distance of 142.28 feet to a
point; thence N. 71° 07' 02" E a distance of 16.99 feet to a point in
the westerly line of Genant Drive; thence southeasterly along the
westerly line of Genant Drive on a curve to the right with a radius of
643.94 feet, an arc length of 77.63 feet and a chord of S. 16° 43' 54"
E. with a distance of 77.58' to the point of tangency; thence S. 13° 17'
52" E. a distance of 265.92 feet to a point; thence on a curve to the
right with a radius of 55 feet, an arc length of 57.02 feet and a chord
of S. 16° 23' 37" W. with a distance of 54.53 feet to the point of
tangency; thence S. 59° 31' 29" W. a distance of 24.64 feet to a point;
thence S. 71° 26' 56" W. a distance of 142.18 feet to a point in the

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

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1 easterly line of N. Clinton Street; thence N. 28° 09' 10" W. a distance
2 of 364.86 feet to the point and place of beginning. Said parcel being
3 approximately 1.99 acres. The aforesaid described parcel is also shown
4 as Lot "1B" (331 Genant Drive) according to a map entitled "A Map of
5 Resubdivision of a portion of Block D in the Original Village of Syra-
6 cuse into Lots 1A and 1B, City of Syracuse, Onondaga County, State of
7 New York, Known as 431 and 311 Genant Drive" by James M. Zuccolotto,
8 Licensed Land Surveyor, dated March 20, 2001 and last revised May 21,
9 2002, and filed in the Onondaga County Clerk's office on May 28, 2002 as
10 Map No. 9408.

11 EXCEPTING AND RESERVING THEREFROM, a permanent easement and right-of-
12 way benefiting Niagara Mohawk Power Corporation, its successors and
13 assigns, upon and across that portion of the above described premises
14 more particularly described as follows:

15 Beginning at a point in the easterly line of North Clinton Street,
16 said point being approximately 518.65 feet southerly along the easterly
17 line of North Clinton Street from its intersection with the southerly
18 line of Division Street; thence N. 76° 43' 56" E. a distance of 133.65
19 feet to a point; thence N. 53° 11' 01" E. a distance of 142.28 feet to a
20 point; thence N. 71° 07' 02" E a distance of 16.99 feet to a point in
21 the westerly line of Genant Drive; thence southeasterly along the
22 westerly line of Genant Drive on a curve to the right with a radius of
23 643.94 feet, an arc length of 68.17 feet to a point which is the north-
24 east corner of the Multi-Story Brick Building located on Lot "1B" (311
25 Genant Drive) as shown on a map entitled "A Map of a Resubdivision of a
26 portion Of Block D in the Original Village of Syracuse into Lots 1A and
27 1B, City of Syracuse, Onondaga County, State of New York, known as 431
28 and 311 Genant Drive" by James M. Zuccolotto, Licensed Land Surveyor,
29 dated March 20, 2001 and last revised May 21, 2002, and filed in the
30 Onondaga County Clerk's Office on May 28, 2002 as Map No. 9408 (the
31 "Subdivision Map"); thence along the northerly line of said Multi-Story
32 Brick Building S. 76° 52' 55" W. a distance 283.21 feet to the easterly
33 line of North Clinton Street; thence N. 27° 59' 42" W. a distance of
34 9.8' to the point and place of beginning. Said easement and right-of-way
35 shall be a permanent easement appurtenant, creating a property right
36 which shall run with the land, for the purpose of ingress and egress by
37 Niagara Mohawk Power Corporation, its successors and assigns to the
38 benefited parcel, identified as the Ash Street Substation located on lot
39 1A (431 Genant Drive) as shown on the Subdivision Map, and to access,
40 maintain, repair, replace and remove the transformer and containment pad
41 and the two vaults, shown on the Subdivision Map, and any appurtenant
42 facilities or other property of Niagara Mohawk Power Corporation located
43 within said easement, provided that the Multi-Story Brick Building,
44 stairs and two air conditioning units shown on the Subdivision Map and
45 located in the easement area are part of the real property conveyed
46 herein and shall not be deemed to be property of Niagara Mohawk Power
47 Corporation.

48 ALSO EXCEPTING AND RESERVING to Niagara Mohawk Power Corporation, its
49 successors and assigns, from the parcel(s) described in this deed, the
50 permanent right-of-way and easement to operate, maintain, replace and/or
51 remove any and all existing gas and electric facilities, and all appur-
52 tenant facilities thereto, as are now erected upon the premises above
53 described, including the full right, privileges and authority to cross
54 lands of the party of the second part to gain access to said facilities,
55 and also including the full right, privileges and authority to cut and
56 remove all trees, structures, and other obstructions within the perma-

1 nent right-of-way, together with the right to cut and remove any trees
2 outside the permanent right-of-way which in the sole opinion of Niagara
3 Mohawk Power Corporation, its successors and assigns, are deemed likely
4 to interfere with or pose a hazard to the facilities, provided that the
5 Multi-Story Brick Building, stairs and two air conditioning units shown
6 on the Subdivision Map shall not be removed or modified by Niagara
7 Mohawk Power Corporation, its successors and assigns, pursuant to this
8 Right-of-Way and Easement.

9 ALSO, EXCEPTING AND RESERVING to Niagara Mohawk Power Corporation, its
10 successors and assigns, the permanent right-of-way and easement to oper-
11 ate, maintain, build, construct, replace and/or remove electric and gas
12 distribution facilities within ten (10) feet of the edge of any
13 highway(s) abutting the premises herein deemed necessary by said Niagara
14 Mohawk Power Corporation, its successors and assigns, said easement to
15 include the full right, privilege and authority to cut and remove all
16 trees, structures, and obstructions within said easement deemed neces-
17 sary by Niagara Mohawk Power Corporation, provided that the Multi-Story
18 Brick Building shown on the Subdivision Map shall not be removed or
19 modified by Niagara Mohawk Power Corporation, its successors and
20 assigns, pursuant to this right-of-way and easement[~~+~~]; or

21 § 2. Subparagraph (x) of paragraph (a) of subdivision 1 of section 101
22 of the alcoholic beverage control law, as added by chapter 318 of the
23 laws of 2016, is amended and a new subparagraph (xii) is added to read
24 as follows:

25 [~~(x)~~] (xi) ALL that certain plot, piece or parcel of land, situate,
26 lying and being in the Town of Greenburgh, County of Westchester and
27 State of New York, being bounded and described as follows:

28 BEGINNING at a point on the easterly side of Saw Mill River Road where
29 the same is intersected by the division line between premises hereinaft-
30 er described and lands now or formerly of One Riverdale Ave. Develop-
31 ment Co., Inc., said point being North 11 Degrees 23' 24" West 22.83
32 feet from the former North East corner of Saw Mill River Road and Hunter
33 Lane;

34 THENCE along said division line, North 82 Degrees 18' 00" East 647.08
35 feet to land now or formerly of One Riverdale Ave. Development Co.,
36 Inc.;

37 THENCE northerly along same, North 7 Degrees 42' 00" West 351.52 feet
38 and North 10 Degrees 15' 00" West 282.50 feet to the southeast corner of
39 lands now or formerly of Hodes Daniels;

40 THENCE westerly along same, South 80 Degrees 34' 00" West 85.00 feet,
41 South 9 Degrees 26' 00" East 40.52 feet, South 80 Degrees 35' 00" West
42 120.56 feet, and South 81 Degrees 15' 00" West 485.74 feet to the east
43 side of Saw Mill River Road;

44 THENCE southerly along same, South 18 Degrees 17' 40" East 150.40 feet
45 and South 11 Degrees 23' 24" East 431.17 feet to the point of BEGIN-
46 NING[~~+~~]; or

47 (xii) ALSO ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Tenth
48 Ward of the City of Troy, County of Rensselaer and State of New York,
49 known as Lots Number Seven (7), A Seven (A7), Six (6), A Six (A6), Five
50 (5), A Five (A5) and the southerly portions of Lots Four (4) and A Four
51 (A4), as the same are laid down and described on a certain Map made by
52 Frederick W. Orr, dated August 15, 1918, filed in the Office of the
53 Clerk of the County of Rensselaer as Map No. 29 1/2, Drawer 18. The said
54 premises hereby intended to be conveyed are bounded and described as
55 follows:

1 COMMENCING at an iron rod in the westerly side of River Street at the
2 most southeasterly corner of premises heretofore conveyed by Harry Gold-
3 berg and Norman Goldberg to Arthur E. Collins and another, by Deed dated
4 November 8, 1940, recorded November 12, 1940 In the Office of the Clerk
5 of the County of Rensselaer in Book 633 of Deeds at page 400 and running
6 thence southerly along the westerly line of River Street 215.6 feet to a
7 pipe in the most southeasterly corner of Lot No. A7; thence westerly
8 along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to
9 the easterly shore of the Hudson River; thence northerly along the east-
10 erly shore of the Hudson River 216 feet more or less to the most south-
11 westerly corner of land heretofore conveyed by the said Harry Goldberg
12 and Norman Goldberg to Arthur E. Collins and another hereinbefore
13 recited; thence along the southerly line of lands heretofore conveyed to
14 said Collins and another easterly 31.75 feet; thence northerly 6.33
15 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence east-
16 erly 150.57 feet to the point or place of beginning.

17 EXCEPTING THEREFROM that portion of the above described premises as
18 were conveyed by John B. Garrett, Inc. to Cahill Orthopedic Laboratory,
19 Inc. by deed dated June 22, 1993 and recorded in the Rensselaer County
20 Clerk's Office on June 24, 1993 in Book 1690 of Deeds at Page 215,

21 Containing 17,600 square feet of land more or less.

22 BEARINGS refer to the magnetic meridian of 1993. Said premises are
23 also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage
24 and depth 115.60 x 220.00 being the same premises described in Book 6534
25 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being
26 the same premises in the 2009 City of Troy Assessment Rolls and
27 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA,
28 ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT).

29 § 3. Subdivision 13 of section 106 of the alcoholic beverage control
30 law, as separately amended by chapter 303 and 318 of the laws of 2016,
31 is amended to read as follows:

32 13. (a) No retail licensee for on-premises consumption shall be inter-
33 ested, directly or indirectly, in any premises where liquors, wines or
34 beer are manufactured or sold at wholesale, by stock ownership, inter-
35 locking directors, mortgage or lien on any personal or real property or
36 by any other means, except that liquors, wines or beer may be manufac-
37 tured or sold wholesale by the person licensed as a manufacturer or
38 wholesaler thereof:

39 (i) on real property owned by an interstate railroad corporation or a
40 United States certificated airline with a retail license for on-premises
41 consumption[~~7~~]; or

42 (ii) on premises or with respect to a business constituting an over-
43 night lodging and resort facility located wholly within the boundaries
44 of the town of North Elba, county of Essex, township eleven, Richard's
45 survey, great lot numbers two hundred seventy-eight, two hundred seven-
46 ty-nine, two hundred eight, two hundred ninety-eight, two hundred nine-
47 ty-nine, three hundred, three hundred eighteen, three hundred nineteen,
48 three hundred twenty, three hundred thirty-five and three hundred thir-
49 ty-six, and township twelve, Thorn's survey, great lot numbers one
50 hundred six and one hundred thirteen, as shown on the Adirondack map,
51 compiled by the conservation department of the state of New York - nine-
52 teen hundred sixty-four edition, in the Essex county atlas at page twen-
53 ty-seven in the Essex county clerk's office, Elizabethtown, New York,
54 provided that such facility maintains not less than two hundred fifty
55 rooms and suites for overnight lodging[~~7~~]; or

(iii) on premises or with respect to the operation of a restaurant in an office building located in a city having a population of five hundred thousand or more and in which is located the licensed premises of such manufacturer or wholesaler, provided that the building, the interior of the retail premise and the rental therefor fully comply with the criteria set forth in paragraph two of subdivision three of section one hundred one of this article[7]; or

(iv) any such premises or business located on that tract or parcel of land, or any subdivision thereof, situate in the Village of Lake Placid, Town of North Elba, Essex County, New York; it being also a part of Lot No. 279, Township No. 11, Old Military Tract, Richard's Survey; it being also all of Lot No. 23 and part of Lot No. 22 as shown and designated on a certain map entitled "Map of Building Sites for Sale by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being PARCEL No. 1 on a certain map of lands of Robert J. Mahoney and wife made by G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and filed in the Essex County Clerk's Office on August 27, 1964, and more particularly bounded and described as follows; BEGINNING at the intersection of the northerly bounds of Shore Drive (formerly Mirror Street) with the westerly bounds of Park Place (formerly Rider Street) which point is also the northeast corner of Lot No. 23, from thence South 21°50' East in the westerly bounds of Park Place a distance of 119 feet, more or less, to a lead plug in the edge of the sidewalk marking the southeast corner of Lot No. 23 and the northeast corner of Lot No. 24; from thence South 68°00'50" West a distance of 50.05 feet to an iron pipe set in concrete at the corner of Lots 23 and 22; from thence South 65°10'50" West a distance of 7.94 feet along the south line of Lot No. 22 to an iron pipe for a corner; from thence North 23°21'40" West and at 17.84 feet along said line passing over a drill hole in a concrete sidewalk, and at 68.04 feet further along said line passing over an iron pipe at the southerly edge of another sidewalk, and at 1.22 feet further along said line passing over another drill hole in a sidewalk, a total distance of 119 feet, more or less, to the northerly line of Lot No. 22; from thence easterly in the northerly line of Lot 22 and 23 to the northeast corner of Lot No. 23 and the point of beginning. Also including the lands to the center of Shore Drive included between the northerly straight line continuation of the side lines of the above described parcel, and to the center of Park Place, where they abut the above described premises SUBJECT to the use thereof for street purposes. Being the same premises conveyed by Morestuff, Inc. to Madeline Sellers by deed dated June 30, 1992, recorded in the Essex County Clerk's Office on July 10, 1992 in Book 1017 of Deeds at Page 318[7]; or

(v) any such premises or business located on that certain piece or parcel of land, or any subdivision thereof, situate, lying and being in the Town of Plattsburgh, County of Clinton, State of New York and being more particularly bounded and described as follows: Starting at an iron pipe found in the easterly bounds of the highway known as the Old Military Turnpike, said iron pipe being located 910.39 feet southeasterly, as measured along the easterly bounds of said highway, from the southerly bounds of the roadway known as Industrial Parkway West, THENCE running S 31° 54' 33" E along the easterly bounds of said Old Military Turnpike Extension, 239.88 feet to a point marking the beginning of a curve concave to the west; thence southerly along said curve, having a radius of 987.99 feet, 248.12 feet to an iron pipe found marking the point of beginning for the parcel herein being described, said point also marked the southerly corner of lands of Larry Garrow, et al, as

described in Book 938 of Deeds at page 224; thence N 07° 45' 4" E along the easterly bounds of said Garrow, 748.16 feet to a 3"x4" concrete monument marking the northeasterly corner of said Garrow, the northwesterly corner of the parcel herein being described and said monument also marking the southerly bounds of lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page 186; thence S 81° 45' 28" E along a portion of the southerly bounds of said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the northeasterly corner of the parcel herein being described and also marking the northwest corner of the remaining lands now or formerly owned by said Marx and DeLaura; thence S 07° 45' 40" W along the Westerly bounds of lands now of formerly of said Marx and DeLaura and along the easterly bounds of the parcel herein being described, 560.49 feet to an iron pin; thence N 83° 43' 21" W along a portion of the remaining lands of said Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W, along a portion of the remaining lands of said Marx and DeLaura, 75.01 feet to an iron pin marking northeasterly corner of lands currently owned by the Joint Council for Economic Opportunity of Plattsburgh and Clinton County, Inc. as described in Book 963 of Deeds at Page 313; thence N 82° 20' 32" W along a portion of the northerly bounds of said J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to an iron pin; thence S 07° 45' 42" W along the westerly bounds of said J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion of the northerly bounds of remaining lands of said Marx and DeLaura, 100.00 feet to an iron pipe found on the easterly bounds of the aforesaid highway, said from pipe also being located on a curve concave to the west; thence running and running northerly along the easterly bounds of the aforesaid highway and being along said curve, with the curve having a radius of 987.93 feet, 60.00 feet to the point of beginning and containing 6.905 acres of land. Being the same premises as conveyed to Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp., as agent of the administrator, U.S. Small Business Administration, an agency of the United States Government dated September 10, 2001 and recorded in the office of the Clinton County Clerk on September 21, 2001 as Instrument #135020[7]; or (vi) any such premises or businesses located on that certain plot, piece or parcel of land, situate, lying and being in the Second Ward of the City of Schenectady, on the Northerly side of Union Street, bounded and described as follows: to wit; Beginning at the Southeasterly corner of the lands lately owned by Elisha L. Freeman and now by Albert Shear; and running from thence Easterly along the line of Union Street, 44 feet to the lands now owned by or in the possession of James G. Van Vorst; thence Northerly in a straight line along the last mentioned lands and the lands of the late John Lake, 102 feet to the lands of one Miss Rodgers; thence Westerly along the line of the last mentioned lands of said Rodgers to the lands of the said Shear; and thence Southerly along the lands of said Shear 101 feet, 6 inches to Union Street, the place of beginning.

Also all that tract or parcel of land, with the buildings thereon, situate in the City of Schenectady, County of Schenectady, and State of New York, situate in the First, formerly the Second Ward of the said City, on the Northerly side of Union Street, which was conveyed by William Meeker and wife to Elisha L. Freeman by deed dated the second day of December 1843, and recorded in the Clerk's Office of Schenectady County on December 5, 1843, in Book V of Deeds at page 392, which lot in 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 Eighty-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 at 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' 56" W. 34.75 feet to a corner; thence
27 still along lands of SONYMA and lands now or formerly of Magee (Deed
28 Book 399 at page 165) S. 86 deg. 11' 52" E. 42.57 feet to a corner;
29 thence still along lands of Magee and Lands of Friedman first above
30 mentioned S. 03 deg. 10' 08" W. 102.00 feet to the point of beginning.

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

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

36 Beginning at a point in the northerly line of Union Street, said point
37 being in the division line between lands now or formerly of Electric
38 Brew Pubs, Inc. (1506 of Deeds at page 763) on the West and lands now or
39 formerly of Margaret Wexler and Donna Lee Wexler Pavlovic, as trustees
40 under Will of Ruth F. Wexler (Street number 241 Union Street) on the
41 East; thence North 03 deg. 04' 10" East, along the building known as
42 Street No. 241 Union Street, a distance of 30.50 feet to a point; thence
43 North 88 deg. 45' 45" West, along said building and building eve, a
44 distance of 5.62 feet to a point; thence North 03 deg. 03' 30" East,
45 along said building eve of Street No. 241 Union Street, a distance of
46 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,
47 a distance of 1.2 feet to an intersection of building corner of Street
48 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"
49 East, along said brick wall, a distance of 14.47 feet to a point in the
50 corner of the brick wall, thence South 86 deg. 46' 45" East along said
51 brick wall a distance of 4.42 feet to the intersection of brick wall
52 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)
53 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,
54 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of
55 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler
56 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 College Streets in the First Ward of the City and County of Schenectady and State of New York, more particularly bounded and described as follows: Beginning at a point in the Northerly street line of Union Street where it is intersected by the Easterly street line of North College Street, and runs thence Northerly along the Easterly street line of North College Street, one hundred seven and five-tenths (107.5) feet to a point, thence easterly at an angle of ninety (90) degrees, one hundred ninety-one and seventy-five hundredths (191.75) feet to a point in the Northwesterly street line of Erie Boulevard thence southwesterly along the Northwesterly street line of Erie Boulevard, one hundred twenty-three and eight-tenths (123.8) feet to its intersection with the Northerly street line of Union Street; thence Westerly along the Northerly street line of Union Street, one hundred twenty-four and fifty-five hundredths (124.55) feet to the point or place of beginning.

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

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 and the northwesterly margin of Erie Boulevard and runs thence along Union Street N. 86 deg. 42' 20" W. 124.55 feet to the easterly margin of North College Street; thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to the southeasterly corner of lands now or formerly of McCarthy (Deed Book 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E. 191.75 feet to the northwesterly margin of Erie Boulevard; thence along Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of beginning[7];

(vii) any such premises or businesses located on that tract or parcel of land situate in the Town of Hopewell, Ontario County, State of New York, bounded and described as follows: Commencing at a 5/8" rebar found on the division line between lands now or formerly of Ontario County - Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the north and lands now or formerly of James W. Baird (Liber 768 of Deeds, Page 1109) on the south; thence, North 43°-33'-40" West, on said division line, a distance of 77.32 feet to the Point of Beginning. Thence, North 43°-33'-40" West, continuing on said division line and through said lands of Ontario County, a distance of 520.45 feet to a point on the southeasterly edge of an existing concrete pad; thence, South 74°-19'-53" West, along said edge of concrete and the projection thereof, a distance of 198.78 feet to a point on the easterly edge of pavement of an existing campus drive; thence, the following two (2) courses and distances along said edge of pavement: Northeasterly on a curve to the left having a radius of 2221.65 feet, a chord bearing of North 30°-16'-39" East, a chord distance of 280.79, a central angle of 07°-14'-47", a length of 280.98 feet to a point of reverse curvature; thence, Northeasterly on a curve to the right having a radius of 843.42 feet, a chord bearing of North 45°-25'-09" East, a chord distance of 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a

1 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the
 2 corner of the property acquired by Ontario County (Liber 766 of Deeds,
 3 Page 1112), as shown on a map recorded in the Ontario County Clerk's
 4 Office as Map No. 6313; thence, the following four (4) courses and
 5 distances along said property line: South 30°-04'-59" East, a distance
 6 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of
 7 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of
 8 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-
 9 erty line, and the projection thereof, through the first said lands of
 10 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,
 11 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel
 12 containing 7.834 acres, more or less, as shown on a map entitled
 13 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts
 14 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,
 15 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-
 16 erties are shown on the Map denominated "FLCC Campus Property, FLPAC
 17 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the
 18 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds
 19 at page 9 and are comprised of the areas separately labeled as Parking
 20 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the
 21 Entry Roads;

22 (viii) any such premises or businesses located on all that certain
 23 piece or parcel of land situate in the City of Syracuse, County of Onon-
 24 daga, State of New York, lying generally Northwesterly of the West
 25 Hiawatha Boulevard, and generally Northeasterly of the New York State
 26 Barge Canal, being a portion of Lot 11I and Lot 11J of the Carousel
 27 Center Subdivision as shown on a resubdivision plan of the Carousel
 28 Center Subdivision filed as Map No. 8743 in the Onondaga County Clerk's
 29 Office, and as of May 20, 2014 identified as space L323 in a lease
 30 between the liquor license applicant and property owner and on the third
 31 level of the shopping center thereon, such shopping center land being
 32 more particularly bounded and described as follows:

33 BEGINNING at the point of the intersection of the division line
 34 between the Northeasterly boundary of the New York State Barge Canal,
 35 Syracuse Terminal designated as "Parcel No. T-111" on the Southwest and
 36 Lot 11I of the Carousel Center Subdivision on the Northeast with the
 37 Northwesterly boundary of West Hiawatha Boulevard; thence North 50 deg.
 38 26 min. 28 sec. West, along said division line, 690.72 feet; to a point;
 39 thence through Lot 11I and 11J of said subdivision the following thir-
 40 ty-five (35) courses and distances:

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

1 17) Thence North 07 deg. 52 min. 16 sec. East 341.67 feet to a point;
2 18) Thence North 82 deg. 07 min. 44 sec. West 199.44 feet to a point;
3 19) Thence North 07 deg. 52 min. 31 sec. East 0.97 feet to a point;
4 20) Thence North 52 deg. 50 min. 09 sec. East 11.22 feet to a point;
5 21) Thence North 07 deg. 52 min. 16 sec. East 20.77 feet to a point;
6 22) Thence North 37 deg. 05 min. 57 sec. West 30.86 feet to a point;
7 23) Thence North 82 deg. 07 min. 44 sec. West 21.02 feet to a point;
8 24) Thence South 52 deg. 13 min. 00 sec. West 5.85 feet to a point;
9 25) Thence North 82 deg. 07 min. 44 sec. West 7.41 feet to a point;
10 26) Thence North 07 deg. 52 min. 16 sec. East 108.15 feet to a point;
11 27) Thence South 82 deg. 07 min. 44 sec. East 0.75 feet to a point;
12 28) Thence North 07 deg. 52 min. 16 sec. East 22.46 feet to a point;
13 29) Thence North 82 deg. 07 min. 44 sec. West 0.75 feet to a point;
14 30) Thence North 07 deg. 52 min. 16 sec. East 43.48 feet to a point;
15 31) Thence North 52 deg. 52 min. 15 sec. East 7.78 feet to a point;
16 32) Thence North 07 deg. 52 min. 16 sec. East 47.79 feet to a point;
17 33) Thence North 37 deg. 07 min. 44 sec. West 7.78 feet to a point;
18 34) Thence North 07 deg. 52 min. 16 sec. East 198.11 feet to a point;

19 and

20 35) Thence South 82 deg. 07 min. 44 sec. East 207.07 feet to a point
21 on the westerly right of way line of Interstate Route 81, Thence along
22 the westerly and southwesterly right of way line of Interstate Route 81,
23 in a generally southeasterly direction, the following seven (7) courses
24 and distances:

25 1) Thence South 18 deg. 26 min. 44 sec. East 44.24 feet to a point;
26 2) Thence South 31 deg. 26 min. 40 sec. East 70.85 feet to a point;
27 3) Thence South 37 deg. 56 min. 38 sec. East 377.51 feet to a point;
28 4) Thence South 33 deg. 48 min. 10 sec. East 129.69 feet to a point;
29 5) Thence South 32 deg. 22 min. 13 sec. East 213.26 feet to a point;
30 6) Thence South 42 deg. 27 min. 42 sec. East 58.65 feet to a point;

31 and

32 7) Thence South 40 deg. 20 min. 45 sec. East 77.11 feet to its inter-
33 section with lands appropriated by the People of the State of New York
34 described as Map 1401 Parcel 1831 in Book 5256 of Deeds at Page 686 and
35 Book 5274 of Deeds at Page 836; Thence along the bounds of said Map 1401
36 Parcel 1831 the following fifteen (15) courses and distances:

37 1) South 07 deg. 30 min. 19 sec. East 39.16 feet to a point; thence
38 2) South 03 deg. 25 min. 41 sec. West 30.00 feet to a point; thence
39 3) South 12 deg. 49 min. 21 sec. West 30.00 feet to a point; thence
40 4) South 22 deg. 11 min. 30 sec. West 30.00 feet to a point; thence
41 5) South 31 deg. 35 min. 08 sec. West 30.00 feet to a point; thence
42 6) South 40 deg. 57 min. 25 sec. West 30.01 feet to a point; thence
43 7) South 48 deg. 44 min. 51 sec. West 20.00 feet to a point; thence
44 8) South 55 deg. 01 min. 19 sec. West 19.99 feet to a point; thence
45 9) South 65 deg. 30 min. 44 sec. West 8.49 feet to a point; thence
46 10) North 75 deg. 22 min. 31 sec. West 38.92 feet to a point; thence
47 11) North 29 deg. 08 min. 26 sec. West 25.83 feet to a point; thence
48 12) North 07 deg. 58 min. 33 sec. West 20.27 feet to a point; thence
49 13) North 07 deg. 40 min. 45 sec. East 100.00 feet to a point; thence
50 14) North 82 deg. 23 min. 04 sec. West 1.00 feet to a point; and

51 15) South 07 deg. 40 min. 49 sec. West 425.30 to its intersection with
52 the northerly bounds of Map 1402 Parcel 1836 of said appropriation;
53 Thence along the bounds of Map 1402 Parcel 1836 as described in Book
54 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836 the follow-
55 ing three (3) courses and distances:

56 1) South 07 deg. 40 min. 17 sec. West 70.35 feet to a point; thence

1 2) South 82 deg. 09 min. 26 sec. East 1.00 feet to a point; and
2 3) North 07 deg. 40 min. 37 sec. East 70.35 feet to its intersection
3 with the bounds of the hereinabove described Map 1401 Parcel 1831;
4 Thence along the bounds of said Map 1401 Parcel 1831 the following ten
5 (10) courses and distances:

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

46 Excepting the following piece or parcel of land appropriated by the
47 People of the State of New York described as Map 1401 Parcel 1832 in
48 Book 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836:
49 Commencing at the southwest corner of herein above described Map 1402
50 Parcel 1836 said point having a proceeding course of South 07 deg. 40
51 min. 17 sec. West 70.35 feet in the premises describe hereinabove;
52 thence North 13 deg. 18 min. 48 sec. West 138.17 feet to the southeast
53 corner of Map 1401 Parcel 1832; thence along the bounds of said Map 1401
54 Parcel 1832 the following four (4) courses and distances:

55 1) North 82 deg. 09 min. 26 sec. West 1.00 feet to a point; thence
56 2) North 07 deg. 53 min. 50 sec. East 353.36 feet to a point; thence

1 3) South 81 deg. 54 min. 58 sec. East 1.00 feet to a point, and

2 4) South 07 deg. 53 min. 54 sec. West 353.36 feet to the point of
3 beginning; or such premises or businesses located on that tract or
4 parcel of land situate lying and being in the Town of Oneonta, County of
5 Otsego and State of New York and being a portion of Otsego County Tax
6 Map Department Parcel Number 287.00-1-33 and bounded and described as
7 follows: Beginning at a point 2.12 feet off the northeasterly corner of
8 a one story building on the lands, now or formerly, of Abner Doubleday,
9 LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Bren-
10 da Patton, which point lies N 87°55'13" W a distance of 149.37' from the
11 northeast corner of the Patton lands; thence N 74°30'18" W a distance of
12 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a
13 point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence
14 S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E
15 a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of
16 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point;
17 thence N 15°29'42" E a distance of 25.40 feet to a point to the point
18 and place of beginning; or

19 (ix) on premises or with respect to a business constituting the over-
20 night lodging facility located wholly within the boundaries of that
21 tract or parcel of land situated in the borough of Manhattan, city and
22 county of New York, beginning at a point on the northerly side of west
23 fifty-fourth street at a point one hundred feet easterly from the inter-
24 section of the said northerly side of west fifty-fourth street and the
25 easterly side of seventh avenue; running thence northerly and parallel
26 with the easterly side of seventh avenue one hundred feet five inches to
27 the center line of the block; running thence easterly and parallel with
28 the northerly side of west fifty-fourth street and along the center line
29 of the block fifty feet to a point; running thence northerly and paral-
30 lel with the easterly side of seventh avenue one hundred feet five inch-
31 es to the southerly side of west fifty-fifth street at a point distant
32 one hundred fifty feet easterly from the intersection of the said south-
33 erly side of west fifty-fifth street and the easterly side of seventh
34 avenue; running thence easterly along the southerly side of west fifty-
35 fifth street thirty-one feet three inches to a point; running thence
36 southerly and parallel with the easterly side of the seventh avenue one
37 hundred feet five inches to the center line of the block; running thence
38 easterly along the center line of the block and parallel with the south-
39 erly side of west fifty-fifth street, one hundred feet; running thence
40 northerly and parallel with the easterly side of seventh avenue one
41 hundred feet five inches to the southerly side of west fifty-fifth
42 street; running thence easterly along the southerly side of west fifty-
43 fifth street twenty-one feet ten and one-half inches to a point; running
44 thence southerly and parallel with the easterly side of seventh avenue
45 one hundred feet five inches to the center line of the block; running
46 thence westerly along the center line of the block and parallel with the
47 northerly side of west fifty-fourth street three feet one and one-half
48 inches; running thence southerly and parallel with the easterly side of
49 seventh avenue one hundred feet five inches to the northerly side of
50 west fifty-fourth street at a point distant three hundred feet easterly
51 from the intersection of the said northerly side of west fifty-fourth
52 street and the easterly side of seventh avenue; running thence westerly
53 and along the northerly side of west fifty-fourth street two hundred
54 feet to the point or place of beginning, provided that such facility
55 maintains not less than four hundred guest rooms and suites for over-
56 night lodging; or

1 (x) on such premises or business located on any of the following four
2 parcels:

3 Parcel A

4 any such premises or business constituting the overnight lodging and
5 resort facility located wholly within the boundaries of the Village of
6 Altmar, County of Oswego, Great Lot 19 beginning at a point on center-
7 line of Pulaski Street at its intersection with the division line
8 between the lands now or formerly of Altmar Parish Williamstown Central
9 School District (APW CSD) as described in Book 378 of Deeds at Page 118
10 on the northwest and the lands now or formerly of Tostanoski as
11 described in Book 1356 of Deeds at Page 55 on the southeast; Thence
12 along said centerline the following two (2) courses: 1) North 37 deg. 35
13 min. 00 sec. West, a distance of 803.88 ft. to a point and 2). North 45
14 deg. 48 min. 13 sec. West, a distance of 132.33 ft. to its intersection
15 with the division line between the said lands of APW CSD on the south-
16 east and the lands now or formerly of Hayward as described in Book 894
17 of Deeds at Page 211 & Doc. #2006-9318 on the northwest; Thence North 23
18 deg. 48 min. 43 sec. East along said division, a distance of 131.66 ft.
19 to its intersection with the division line between the said lands of APW
20 CSD on the north and the said lands of Hayward on the south; Thence
21 South 73 deg. 16 min. 17 sec. West along the said division line, a
22 distance of 131.66 ft. to its intersection with the division line
23 between the said lands of APW CSD and the lands now or formerly of
24 National Grid as described in Book 282 of Deeds at Page 552; Thence
25 along said division line to the following six (6) courses: 1) North 23
26 deg. 43 min. 38 sec. East, a distance of 158.73 ft. to a point; thence
27 2) North 83 deg. 39 min. 24 sec. West, a distance of 190.48 ft. to a
28 point; thence 3) North 25 deg. 39 min. 08 sec. East, a distance of 24.15
29 ft. to a point; thence 4) North 53 deg. 32 min. 01 sec. East, a distance
30 of 265.18 ft. to a point; thence 5) North 81 deg. 24 min. 54 sec. East a
31 distance of 475.00 ft. to a point; and 6) North 81 deg. 24 min. 54 sec.
32 East, a distance of +/- 522 ft. to its intersection with the center of
33 Salmon River; Thence upstream along said center, and in a generally
34 southerly direction, a distance of +/- 1,455 ft. to its intersection
35 with the division line between the said lands of APW CSD on the north-
36 west and the lands now or formerly of Bennett as described in Book 927
37 of Deeds at Page 65 on the southeast; Thence South 52 deg. 19 min. 00
38 sec. West along said division line, a distance of +/- 170 ft. to a
39 point; Thence South 52 deg. 19 min. 00 sec. West, continuing along said
40 division line, a distance of 400.00 ft. to its intersection with the
41 centerline of Pulaski Street; Thence North 37 deg. 35 min. 00 sec. West
42 along said centerline, a distance of 53.65 ft. to its intersection with
43 the division line between the said lands of APW CSD on the southeast and
44 the lands now or formerly of Pfluger as described in Book 922 of Deeds
45 at Page 187 on the northwest; Thence North 52 deg. 25 min. 00 sec. East
46 along said division line, a distance of 330.00 ft. to its intersection
47 with the division line between the said lands of APW CSD on the north-
48 east and the said lands of Pfluger, the lands now or formerly of Endsley
49 as described in Book 1520 of Deeds at page 5, and the hereinabove said
50 lands of Tostanoski, in part by each, on the southwest; Thence North 37
51 deg. 35 min. 00 sec. West along said division line, a distance of 247.50
52 ft. to its intersection with the division line between the said lands of
53 APW CSD on the northwest and the said lands of Tostanoski on the south-
54 east; Thence South 52 deg. 25 min. 000 sec. West along said division
55 line, a distance of 330.00 ft. to the POINT OF BEGINNING; or

56 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 Health Systems, Inc. by deed recorded in the Onondaga County Clerk's Office in Liber 4800 at Page 730; Thence N. 03° 44' 23" W. (03° 42' 26" W measured), along the easterly line of the Crouse Health System, Inc. property, a distance of 37.99 feet to a magnetic nail set at the northeast corner of the aforementioned Crouse Health System, Inc.; Thence N. 89° 51' 36" W. (N 89° 49' 40" W measured), along the northerly line of the Crouse Health System, Inc. Property, a distance of 195.85 feet to a

1 capped iron rod set at the easterly street margin of South Crouse
2 Avenue; Thence N. 00° 23' 14" E. (N 00° 25' 10" E measured), along the
3 easterly street margin of South Crouse Avenue, a distance of 165.50 feet
4 to the point of beginning. Together with all the right, title and inter-
5 est in and to strops and gores of land, if any, adjoining or adjacent to
6 said premises and to the lands lying in the bed of any street, road land
7 or right of way, as they now exist, or formerly existed in, in front of,
8 or adjoining the premises above described or used in connection with
9 said above described premises. Containing 1.55 acres of land more or
10 less. It being the intent of this survey description to describe those
11 parcels of land conveyed by Temple Adath Yeshurun, also known as the
12 Congregation Adath Yeshurun, to the Syracuse Urban Renewal Agency, by a
13 Warranty Deed dated September 21, 1972, that was duly recorded in the
14 Onondaga County Clerk's Office on October 10, 1972 in Deed Book 2486 at
15 Page 1137. Being a portion of the premises conveyed at Hotel Skylar,
16 LLC, f/k/a 908 Harrison St., LLC, by deed dated June 5, 2007, and
17 recorded in the Onondaga County Clerk's Office on June 14, 2007 in Deed
18 Book 04998 at Page 0795 (Instrument: 0687909); or

19 Parcel D

20 any such premises or business constituting the overnight lodging and
21 resort facility located wholly within the boundaries of all that tract
22 or parcel of land situate in the city of Syracuse, County of Onondaga,
23 being part of Lots 13, 14 and 15 of Block 233 in said City, more partic-
24 ularly bounded and described as follows: beginning at a point in the
25 northerly line of East Genesee Street, a distance of 232.5 feet easter-
26 ly, measured along said northerly line, from the easterly line of Almond
27 Street; Running thence the following 8 courses and distances: (1.) S
28 89° 30' 50"E, along said northerly line of East Genesee Street, a
29 distance of 109.5 feet; (2.) N 00° 20' E, parallel with said easterly
30 line of Almond Street, a distance of 158.69 feet to the southerly line
31 of Orange Alley; (3.) N 89° 30' 50" W, along said southerly line of
32 Orange Alley, a distance of 66 feet to a point; (4.) N 00° 20' E, paral-
33 lel with said easterly line of Almond Street, 20 feet to the northerly
34 line of Orange Alley; (5.) N 89° 30' 50" W, along said northerly line of
35 Orange Alley, a distance of 9 feet; (6.) S 00° 20' W, parallel with said
36 easterly line of Almond Street, a distance of 13.5 feet to a point; (7.)
37 N 89° 30' 50" W, parallel with the aforesaid northerly line of East
38 Genesee Street, a distance of 3 feet to a point; and, (8.) S 00° 20' W,
39 parallel with said easterly line of Almond Street, a distance of 165.19
40 feet to the point of beginning, containing 17,781+/- sq. ft. (0.41+/-
41 Acres of Land) and; Parcel II (#716-718 East Fayette Street), All that
42 tract or parcel of land situate in the City of Syracuse, County of Onon-
43 daga and State of New York, being Lot 3 and part of lots 4 and 9 of
44 Block 233 beginning in the southerly line of East Fayette Street, a
45 distance of 132 feet westerly, measured along said southerly line, from
46 the westerly line of Forman Avenue; Running thence the following 4
47 courses and distances: (1.) N 89° 30' 50" W, along said southerly line
48 of East Fayette Street, a distance of 97 feet; (2.) S 00° 20' 20" W,
49 parallel with said westerly line of Forman Avenue, a distance of 178.69
50 feet to the northerly line of Orange Alley; (3.) S 89° 30' 50" E, along
51 said northerly line of Orange Alley, a distance of 97 feet to a point;
52 and, (4.) N 00° 20' 10" E, parallel with said westerly line of Forman
53 Avenue, a distance of 178.69 feet to the point of beginning; or

54 (xi) with respect to any premises or business located on all that
55 certain parcel of land situate in the City of Peekskill, County of West-
56 chester and State of New York, that is a portion of Parcel I as it is

1 shown on that certain map entitled, "Survey .. at Charles Point.." which
2 was filed in the Westchester County Clerk's Office on October 23, 1980
3 as Map No. 20407 that is bounded and described as follows:

4 BEGINNING at a point on the easterly shoreline of the Hudson River and
5 within the bounds of the said Parcel I as it is shown on the said Filed
6 Map No. 20407, which point occupies coordinate position:

7 North 464418.83 (y)

8 East 607401.00 (x)

9 of the New York State Coordinate System, East Zone and which point is
10 distant, the following courses from the southerly corner of the Parcel
11 shown on Map No. 20407 that occupies coordinate position

12 North 463520.804 (y)

13 East 608470.681 (x)

14 of the aforesaid New York State Coordinate System, East Zone:

15 North 47 degrees 30' 36" West 856.60 feet,

16 North 77 degrees 10' 53" West 488.18 feet,

17 North 41 degrees 17' 53" West 113.32 feet and

18 North 41 degrees 50' 16" East 169.08 feet;

19 THENCE from the said point of beginning along the said easterly shore-
20 line (high water mark) of the east bank of the Hudson River:

21 Due North 16.17 feet,

22 North 53 degrees 58' 22" West 13.60 feet,

23 North 73 degrees 04' 21" West 24.04 feet,

24 North 63 degrees 26' 06" West 22.36 feet,

25 North 82 degrees 18' 14" West 37.34 feet,

26 North 64 degrees 47' 56" West 37.58 feet,

27 South 82 degrees 52' 30" West 16.12 feet,

28 North 61 degrees 41' 57" West 14.76 feet and

29 South 21 degrees 48' 05" West 9.71 feet;

30 THENCE leaving the high water mark and running across a peninsula of
31 land and along the division line between Parcel I and Parcel II as shown
32 on said Filed Map No. 20407, North 65 degrees 32' 43" West 30.18 feet to
33 another point on the said easterly shoreline (high water mark) of the
34 East Bank of the Hudson River;

35 THENCE northerly along the said high water mark, the following cours-
36 es:

37 North 3 degrees 00' 46" West 17.54 feet,

38 North 13 degrees 45' 39" West 50.45 feet,

39 North 10 degrees 49' 23" West 69.23 feet,

40 North 0 degrees 47' 22" West 52.48 feet to a point which is the point
41 of beginning of the hereinafter described 40 foot easement which point
42 occupies coordinate position

43 North 464676.48 (y)

44 East 607189.28 (x)

45 of the New York State Coordinate System, East Zone;

46 THENCE continuing along the aforesaid easterly shoreline (high water
47 mark) of the East Bank of the Hudson, the following courses:

48 North 10 degrees 18' 17" West 23.91 feet,

49 North 39 degrees 04' 58" West 21.39 feet,

50 North 20 degrees 13' 30" West 21.74 feet,

51 North 39 degrees 02' 08" West 95.27 feet,

52 North 13 degrees 08' 02" West 30.81 feet,

53 North 18 degrees 26' 06" West 53.76 feet,

54 North 28 degrees 10' 43" West 63.53 feet,

55 North 18 degrees 26' 06" West 50.60 feet,

56 North 37 degrees 14' 05" West 31.40 feet,

1 North 21 degrees 15' 02" West 96.57 feet,
2 North 32 degrees 00' 19" West 47.17 feet,
3 North 1 degree 18' 07" West 44.01 feet and
4 North 17 degrees 14' 29" East 29.32 feet to a point on the southerly
5 line of lands under lease to the County of Westchester (Resco Site);

6 THENCE along the said County of Westchester (Resco Site) lands: Due
7 East 432.31 feet to a point on the westerly line of an easement and a
8 right-of-way leading to Charles Point Avenue;

9 THENCE along the said westerly and southwesterly line of the said
10 right-of-way leading to Charles Point Avenue: Due South 241.16 feet and
11 South 27 degrees 13' 00" East 406.90 feet to a point;

12 THENCE leaving the said easement and running along other lands now or
13 formerly of The City of Peekskill Industrial Development Agency, South
14 41 degrees 50' 16" West 270.01 feet to the aforementioned easterly
15 shoreline (high water mark) of the East Bank of the Hudson River and the
16 point or place of beginning.

17 TOGETHER with an easement over all that parcel of land situate in the
18 City of Peekskill, County of Westchester and State of New York that is
19 more particularly bounded and described as follows:

20 BEGINNING at a point on the westerly line of Charles Point Avenue with
21 the said westerly line is intersected by the line dividing the easement
22 herein described on the south from lands under lease to the County of
23 Westchester (Resco Site) on the north which point occupies coordinate
24 position:

25 North 464719.99 (y)

26 East 608004.15 (x)

27 of the New York State Coordinate System, East Zone;

28 THENCE from the said point of beginning southerly along the said
29 westerly line of Charles Point Avenue, South 14 degrees 54' 00" West
30 103.48 feet to a point;

31 THENCE westerly along other lands of the City of Peekskill Industrial
32 Development Agency: Due West 396.44 feet to a point which is the easterly
33 most corner of the lands of Point Associates, the grantee herein;

34 THENCE along the northeasterly line of the said Point Associates'
35 land, North 27 degrees 13' 00" West 406.90 feet and Due North 241.16
36 feet to a point on the southerly line of the aforementioned lands leased
37 to the County of Westchester (Resco Site);

38 THENCE easterly along the said southerly line Due East 75.00 feet to a
39 point;

40 THENCE southeasterly and easterly still along the said lands leased to
41 the County of Westchester (Resco Site) the following courses:

42 Due South 223.00 feet,

43 South 27 degrees 13' 00" East 314.87 feet and

44 Due East 390.14 feet to the aforementioned westerly line of Charles
45 Point Avenue and the point or place of BEGINNING.

46 TOGETHER WITH a non-exclusive easement for utilities, and ingress and
47 egress over that certain right of way leading from Charles Point Avenue,
48 now known as John E. Walsh Boulevard, in a westerly and northwesterly
49 direction to the above described premises and as more fully described in
50 the Declaration of Easement recorded in Liber 8888 cp 35[+]; or

51 (xii) all those tracts or parcels of land, situate in the Tenth Ward
52 of the City of Troy, County of Rensselaer and State of New York, known
53 as Lots Number Seven (7), A Seven (A7), Six (6), A Six (A6), Five (5), A
54 Five (A5) and the southerly portions of Lots Four (4) and A Four (A4),
55 as the same are laid down and described on a certain Map made by Freder-
56 ick W. Orr, dated August 15, 1918, filed in the Office of the Clerk of

1 the County of Rensselaer as Map No. 29 1/2, Drawer 18. The said premises
2 hereby intended to be conveyed are bounded and described as follows:

3 COMMENCING at an iron rod in the westerly side of River Street at the
4 most southeasterly corner of premises heretofore conveyed by Harry Gold-
5 berg and Norman Goldberg to Arthur E. Collins and another, by Deed dated
6 November 8, 1940, recorded November 12, 1940 In the Office of the Clerk
7 of the County of Rensselaer in Book 633 of Deeds at page 400 and running
8 thence southerly along the westerly line of River Street 215.6 feet to a
9 pipe in the most southeasterly corner of Lot No. A7; thence westerly
10 along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to
11 the easterly shore of the Hudson River; thence northerly along the east-
12 erly shore of the Hudson River 216 feet more or less to the most south-
13 westerly corner of land heretofore conveyed by the said Harry Goldberg
14 and Norman Goldberg to Arthur E. Collins and another hereinbefore
15 recited; thence along the southerly line of lands heretofore conveyed to
16 said Collins and another easterly 31.75 feet; thence northerly 6.33
17 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence east-
18 erly 150.57 feet to the point or place of beginning.

19 EXCEPTING THEREFROM that portion of the above described premises as
20 were conveyed by John B. Garrett, Inc. to Cahill Orthopedic Laboratory,
21 Inc. by deed dated June 22, 1993 and recorded in the Rensselaer County
22 Clerk's Office on June 24, 1993 in Book 1960 of Deeds at Page 215,
23 Containing 17,600 square feet of land more or less.

24 BEARINGS refer to the magnetic meridian of 1993. Said premises are
25 also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage
26 and depth 115.60 x 220.00 being the same premises described in Book 6534
27 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being
28 the same premises in the 2009 City of Troy Assessment Rolls and
29 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA,
30 ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT).

31 (b) Any lien, mortgage or other interest or estate now held by said
32 retail licensee on or in the personal or real property of such manufac-
33 turer or wholesaler, which mortgage, lien, interest or estate was
34 acquired on or before December thirty-first, nineteen hundred thirty-
35 two, shall not be included within the provisions of this subdivision;
36 provided, however, the burden of establishing the time of the accrual of
37 the interest, comprehended by this subdivision shall be upon the person
38 who claims to be entitled to the protection and exemption afforded here-
39 by.

40 § 4. This act shall take effect immediately.