

# STATE OF NEW YORK

9095

## IN SENATE

June 16, 2018

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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. Subdivision 13 of section 106 of the alcoholic beverage  
2 control law, as separately amended by chapters 303 and 318 of the laws  
3 of 2016, is amended to read as follows:

4 13. No retail licensee for on-premises consumption shall be inter-  
5 ested, directly or indirectly, in any premises where liquors, wines or  
6 beer are manufactured or sold at wholesale, by stock ownership, inter-  
7 locking directors, mortgage or lien on any personal or real property or  
8 by any other means, except that liquors, wines or beer may be manufac-  
9 tured or sold wholesale by the person licensed as a manufacturer or  
10 wholesaler thereof on real property owned by an interstate railroad  
11 corporation or a United States certificated airline with a retail  
12 license for on-premises consumption, or on premises or with respect to a  
13 business constituting an overnight lodging and resort facility located  
14 wholly within the boundaries of the town of North Elba, county of Essex,  
15 township eleven, Richard's survey, great lot numbers two hundred seven-  
16 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-  
17 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-  
18 teen, three hundred nineteen, three hundred twenty, three hundred  
19 thirty-five and three hundred thirty-six, and township twelve, Thorn's  
20 survey, great lot numbers one hundred six and one hundred thirteen, as  
21 shown on the Adirondack map, compiled by the conservation department of  
22 the state of New York - nineteen hundred sixty-four edition, in the  
23 Essex county atlas at page twenty-seven in the Essex county clerk's  
24 office, Elizabethtown, New York, provided that such facility maintains  
25 not less than two hundred fifty rooms and suites for overnight lodging,  
26 or on premises or with respect to the operation of a restaurant in an  
27 office building located in a city having a population of five hundred  
28 thousand or more and in which is located the licensed premises of such

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

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

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

44 Also all that tract or parcel of land, with the buildings thereon,  
45 situate in the City of Schenectady, County of Schenectady, and State of  
46 New York, situate in the First, formerly the Second Ward of the said  
47 City, on the Northerly side of Union Street, which was conveyed by  
48 William Meeker and wife to Elisha L. Freeman by deed dated the second  
49 day of December 1843, and recorded in the Clerk's Office of Schenectady  
50 County on December 5, 1843, in Book V of Deeds at page 392, which lot in  
51 said deed is bounded and described as follows: Beginning at a point in  
52 the Northerly line of Union Street where it is intersected by the East-  
53 erly line of property numbered 235 Union Street, which is hereby  
54 conveyed, and running thence Northerly along the Easterly line of said  
55 property, One Hundred Forty and Five-tenths (140.5) feet to a point  
56 sixteen (16) feet Southerly from the Southerly line of the new garage

1 built upon land adjoining on the North; thence Westerly parallel with  
2 said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly  
3 One Hundred Forty and Eighty-tenths (140.8) feet to the Northerly margin  
4 of Union Street; thence Easterly along the Northerly margin of Union  
5 Street, about Forty-eight and three-tenths (48.3) feet to the point or  
6 place of beginning.

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

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

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

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

31 Beginning at a point in the northerly line of Union Street, said point  
32 being in the division line between lands now or formerly of Electric  
33 Brew Pubs, Inc. (1506 of Deeds at page 763) on the West and lands now or  
34 formerly of Margaret Wexler and Donna Lee Wexler Pavlovic, as trustees  
35 under Will of Ruth F. Wexler (Street number 241 Union Street) on the  
36 East; thence North 03 deg. 04' 10" East, along the building known as  
37 Street No. 241 Union Street, a distance of 30.50 feet to a point; thence  
38 North 88 deg. 45' 45" West, along said building and building eve, a  
39 distance of 5.62 feet to a point; thence North 03 deg. 03' 30" East,  
40 along said building eve of Street No. 241 Union Street, a distance of  
41 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,  
42 a distance of 1.2 feet to an intersection of building corner of Street  
43 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"  
44 East, along said brick wall, a distance of 14.47 feet to a point in the  
45 corner of the brick wall, thence South 86 deg. 46' 45" East along said  
46 brick wall a distance of 4.42 feet to the intersection of brick wall  
47 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)  
48 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,  
49 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of  
50 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler  
51 and Donna Lee Wexler Pavlovic.

52 Also all that tract or parcel of land commonly known as the Union  
53 Street School, located on the Northeasterly corner of Union and North  
54 College Streets in the First Ward of the City and County of Schenectady  
55 and State of New York, more particularly bounded and described as  
56 follows: Beginning at a point in the Northerly street line of Union

1 Street where it is intersected by the Easterly street line of North  
2 College Street, and runs thence Northerly along the Easterly street line  
3 of North College Street, one hundred seven and five-tenths (107.5) feet  
4 to a point, thence easterly at an angle of ninety (90) degrees, one  
5 hundred ninety-one and seventy-five hundredths (191.75) feet to a point  
6 in the Northwesterly street line of Erie Boulevard thence southwesterly  
7 along the Northwesterly street line of Erie Boulevard, one hundred twen-  
8 ty-three and eight-tenths (123.8) feet to its intersection with the  
9 Northerly street line of Union Street; thence Westerly along the North-  
10 erly street line of Union Street, one hundred twenty-four and fifty-five  
11 hundredths (124.55) feet to the point or place of beginning.

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

19 The two above parcels are together more particularly described as  
20 follows: All that parcel of land in the City of Schenectady beginning at  
21 a point in the northerly margin of Union Street and the northwesterly  
22 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.  
23 42' 20" W. 124.55 feet to the easterly margin of North College Street;  
24 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to  
25 the southeasterly corner of lands now or formerly of McCarthy (Deed Book  
26 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or  
27 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.  
28 191.75 feet to the northwesterly margin of Erie Boulevard; thence along  
29 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-  
30 ning, any such premises or businesses located on that tract or parcel of  
31 land situate in the Town of Hopewell, Ontario County, State of New York,  
32 bounded and described as follows: Commencing at a 5/8" rebar found on  
33 the division line between lands now or formerly of Ontario County -  
34 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the  
35 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,  
36 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-  
37 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,  
38 North 43°-33'-40" West, continuing on said division line and through  
39 said lands of Ontario County, a distance of 520.45 feet to a point on  
40 the southeasterly edge of an existing concrete pad; thence, South  
41 74°-19'-53" West, along said edge of concrete and the projection there-  
42 of, a distance of 198.78 feet to a point on the easterly edge of pave-  
43 ment of an existing campus drive; thence, the following two (2) courses  
44 and distances along said edge of pavement: Northeasterly on a curve to  
45 the left having a radius of 2221.65 feet, a chord bearing of North  
46 30°-16'-39" East, a chord distance of 280.79, a central angle of  
47 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;  
48 thence, Northeasterly on a curve to the right having a radius of 843.42  
49 feet, a chord bearing of North 45°-25'-09" East, a chord distance of  
50 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a  
51 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the  
52 corner of the property acquired by Ontario County (Liber 766 of Deeds,  
53 Page 1112), as shown on a map recorded in the Ontario County Clerk's  
54 Office as Map No. 6313; thence, the following four (4) courses and  
55 distances along said property line: South 30°-04'-59" East, a distance  
56 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of

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

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

- 34 1) Thence North 40 deg. 22 min. 15 sec. East 191.79 feet to a point;
- 35 2) Thence South 82 deg. 04 min. 58 sec. East 294.58 feet to a point;
- 36 3) Thence North 07 deg. 52 min. 16 sec. East 314.89 feet to a point;
- 37 4) Thence South 82 deg. 07 min. 45 sec. East 53.96 feet to a point;
- 38 5) Thence North 07 deg. 52 min. 16 sec. East 70.18 feet to a point;
- 39 6) Thence South 82 deg. 07 min. 44 sec. East 40.81 feet to a point;
- 40 7) Thence North 07 deg. 52 min. 16 sec. East 35.49 feet to a point;
- 41 8) Thence South 82 deg. 07 min. 50 sec. East 1.52 feet to a point;
- 42 9) Thence North 07 deg. 52 min. 16 sec. East 45.53 feet to a point;
- 43 10) Thence South 82 deg. 07 min. 44 sec. East 92.67 feet to a point;
- 44 11) Thence North 07 deg. 52 min. 16 sec. East 194.00 feet to a point;
- 45 12) Thence North 82 deg. 07 min. 44 sec. West 121.00 feet to a point;
- 46 13) Thence North 07 deg. 52 min. 14 sec. East 408.67 feet to a point;
- 47 14) Thence South 82 deg. 07 min. 44 sec. East 168.50 feet to a point;
- 48 15) Thence North 07 deg. 52 min. 16 sec. East 34.33 feet to a point;
- 49 16) Thence South 82 deg. 07 min. 44 sec. East 15.33 feet to a point;
- 50 17) Thence North 07 deg. 52 min. 16 sec. East 341.67 feet to a point;
- 51 18) Thence North 82 deg. 07 min. 44 sec. West 199.44 feet to a point;
- 52 19) Thence North 07 deg. 52 min. 31 sec. East 0.97 feet to a point;
- 53 20) Thence North 52 deg. 50 min. 09 sec. East 11.22 feet to a point;
- 54 21) Thence North 07 deg. 52 min. 16 sec. East 20.77 feet to a point;
- 55 22) Thence North 37 deg. 05 min. 57 sec. West 30.86 feet to a point;
- 56 23) Thence North 82 deg. 07 min. 44 sec. West 21.02 feet to a point;

1 24) Thence South 52 deg. 13 min. 00 sec. West 5.85 feet to a point;  
2 25) Thence North 82 deg. 07 min. 44 sec. West 7.41 feet to a point;  
3 26) Thence North 07 deg. 52 min. 16 sec. East 108.15 feet to a point;  
4 27) Thence South 82 deg. 07 min. 44 sec. East 0.75 feet to a point;  
5 28) Thence North 07 deg. 52 min. 16 sec. East 22.46 feet to a point;  
6 29) Thence North 82 deg. 07 min. 44 sec. West 0.75 feet to a point;  
7 30) Thence North 07 deg. 52 min. 16 sec. East 43.48 feet to a point;  
8 31) Thence North 52 deg. 52 min. 15 sec. East 7.78 feet to a point;  
9 32) Thence North 07 deg. 52 min. 16 sec. East 47.79 feet to a point;  
10 33) Thence North 37 deg. 07 min. 44 sec. West 7.78 feet to a point;  
11 34) Thence North 07 deg. 52 min. 16 sec. East 198.11 feet to a point;

12 and

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

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

24 and

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

30 1) South 07 deg. 30 min. 19 sec. East 39.16 feet to a point; thence  
31 2) South 03 deg. 25 min. 41 sec. West 30.00 feet to a point; thence  
32 3) South 12 deg. 49 min. 21 sec. West 30.00 feet to a point; thence  
33 4) South 22 deg. 11 min. 30 sec. West 30.00 feet to a point; thence  
34 5) South 31 deg. 35 min. 08 sec. West 30.00 feet to a point; thence  
35 6) South 40 deg. 57 min. 25 sec. West 30.01 feet to a point; thence  
36 7) South 48 deg. 44 min. 51 sec. West 20.00 feet to a point; thence  
37 8) South 55 deg. 01 min. 19 sec. West 19.99 feet to a point; thence  
38 9) South 65 deg. 30 min. 44 sec. West 8.49 feet to a point; thence  
39 10) North 75 deg. 22 min. 31 sec. West 38.92 feet to a point; thence  
40 11) North 29 deg. 08 min. 26 sec. West 25.83 feet to a point; thence  
41 12) North 07 deg. 58 min. 33 sec. West 20.27 feet to a point; thence  
42 13) North 07 deg. 40 min. 45 sec. East 100.00 feet to a point; thence  
43 14) North 82 deg. 23 min. 04 sec. West 1.00 feet to a point; and  
44 15) South 07 deg. 40 min. 49 sec. West 425.30 to its intersection with

45 the northerly bounds of Map 1402 Parcel 1836 of said appropriation;  
46 Thence along the bounds of Map 1402 Parcel 1836 as described in Book  
47 5256 of Deeds at Page 686 and Book 5274 of Deeds at Page 836 the follow-  
48 ing three (3) courses and distances:

49 1) South 07 deg. 40 min. 17 sec. West 70.35 feet to a point; thence  
50 2) South 82 deg. 09 min. 26 sec. East 1.00 feet to a point; and

51 3) North 07 deg. 40 min. 37 sec. East 70.35 feet to its intersection  
52 with the bounds of the hereinabove described Map 1401 Parcel 1831;  
53 Thence along the bounds of said Map 1401 Parcel 1831 the following ten  
54 (10) courses and distances:

55 1) North 07 deg. 40 min. 37 sec. East 100.00 feet to a point; thence  
56 2) North 40 deg. 32 min. 01 sec. East 61.06 feet to a point; thence

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

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

1) North 82 deg. 09 min. 26 sec. West 1.00 feet to a point; thence  
2) North 07 deg. 53 min. 50 sec. East 353.36 feet to a point; thence  
3) South 81 deg. 54 min. 58 sec. East 1.00 feet to a point, and  
4) South 07 deg. 53 min. 54 sec. West 353.36 feet to the point of  
beginning; or such premises or businesses located on that tract or  
parcel of land situate lying and being in the Town of Oneonta, County of  
Otsego and State of New York and being a portion of Otsego County Tax  
Map Department Parcel Number 287.00-1-33 and bounded and described as  
follows: Beginning at a point 2.12 feet off the northeasterly corner of



1 a one story building on the lands, now or formerly, of Abner Doubleday,  
2 LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Bren-  
3 da Patton, which point lies N 87°55'13" W a distance of 149.37' from the  
4 northeast corner of the Patton lands; thence N 74°30'18" W a distance of  
5 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a  
6 point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence  
7 S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E  
8 a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of  
9 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point;  
10 thence N 15°29'42" E a distance of 25.40 feet to a point to the point  
11 and place of beginning or on premises or with respect to a business  
12 constituting the overnight lodging facility located wholly within the  
13 boundaries of that tract or parcel of land situated in the borough of  
14 Manhattan, city and county of New York, beginning at a point on the  
15 northerly side of west fifty-fourth street at a point one hundred feet  
16 easterly from the intersection of the said northerly side of west  
17 fifty-fourth street and the easterly side of seventh avenue; running  
18 thence northerly and parallel with the easterly side of seventh avenue  
19 one hundred feet five inches to the center line of the block; running  
20 thence easterly and parallel with the northerly side of west fifty-  
21 fourth street and along the center line of the block fifty feet to a  
22 point; running thence northerly and parallel with the easterly side of  
23 seventh avenue one hundred feet five inches to the southerly side of  
24 west fifty-fifth street at a point distant one hundred fifty feet east-  
25 erly from the intersection of the said southerly side of west fifty-  
26 fifth street and the easterly side of seventh avenue; running thence  
27 easterly along the southerly side of west fifty-fifth street thirty-one  
28 feet three inches to a point; running thence southerly and parallel with  
29 the easterly side of the seventh avenue one hundred feet five inches to  
30 the center line of the block; running thence easterly along the center  
31 line of the block and parallel with the southerly side of west fifty-  
32 fifth street, one hundred feet; running thence northerly and parallel  
33 with the easterly side of seventh avenue one hundred feet five inches to  
34 the southerly side of west fifty-fifth street; running thence easterly  
35 along the southerly side of west fifty-fifth street twenty-one feet ten  
36 and one-half inches to a point; running thence southerly and parallel  
37 with the easterly side of seventh avenue one hundred feet five inches to  
38 the center line of the block; running thence westerly along the center  
39 line of the block and parallel with the northerly side of west fifty-  
40 fourth street three feet one and one-half inches; running thence south-  
41 erly and parallel with the easterly side of seventh avenue one hundred  
42 feet five inches to the northerly side of west fifty-fourth street at a  
43 point distant three hundred feet easterly from the intersection of the  
44 said northerly side of west fifty-fourth street and the easterly side of  
45 seventh avenue; running thence westerly and along the northerly side of  
46 west fifty-fourth street two hundred feet to the point or place of  
47 beginning, provided that such facility maintains not less than four  
48 hundred guest rooms and suites for overnight lodging; or on such prem-  
49 ises or business located on any of the following four parcels:

50 Parcel A

51 any such premises or business constituting the overnight lodging and  
52 resort facility located wholly within the boundaries of the Village of  
53 Altmar, County of Oswego, Great Lot 19 beginning at a point on center-  
54 line of Pulaski Street at its intersection with the division line  
55 between the lands now or formerly of Altmar Parish Williamstown Central  
56 School District (APW CSD) as described in Book 378 of Deeds at Page 118

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

47 Parcel B

48 any such premises or business constituting the overnight lodging and  
49 resort facility located wholly within the boundaries of that tract or  
50 parcel of land situate in the city of Syracuse, County of Onondaga and  
51 State of New York, being part of Block 366 in said City and more partic-  
52 ularly bounded and described as follows: beginning at a point at the  
53 intersection of the southerly line of East Genesee Street with the  
54 westerly line of University Avenue; running thence: South 00° 30' 30"  
55 West, along said Westerly line of University Avenue, a distance of 75.16  
56 feet to a point therein; Thence North 89° 49' 00" West, a distance of

1 140.00 feet to a point; thence South 00° 30' 30" West, a distance of  
2 271.55 feet to a point; Thence North 89° 49' 00" West, a distance of  
3 103.01 feet to a point; Thence South 00° 11' 00" West, a distance of  
4 132.00 feet to a point in the northerly line of Madison Street; Thence  
5 North 89° 49' 0" West along said northerly line, a distance of 141.36  
6 feet to a point; Thence North 00° 25' 10" East, a distance of 50 feet to  
7 a point in the westerly line of Farm Lot 200 of the Salt Springs Reser-  
8 vation; Thence North 03° 26' 10" West along said westerly line, a  
9 distance of 415.12 feet to a point in the southerly line of East Genesee  
10 Street; Thence North 88° 11' 00" East, along said southerly line, a  
11 distance of 412.50 feet to the point of beginning. The premises are also  
12 described as follows: All that tract or parcel of land, situate in the  
13 City of Syracuse, County of Onondaga and State of New York, being known  
14 as new Lot 1A as is more particularly shown on a Resubdivision Map of  
15 Part of Block 366 made by Christopherson Land Surveying and filed in the  
16 Onondaga County Clerk's Office October 8, 2002 as Map No. 9498; or

17 Parcel C

18 any such premises or business constituting the overnight lodging and  
19 resort facility located wholly within the boundaries of all that tract  
20 or parcel of land situate in the city of Syracuse, County of Onondaga  
21 and State of New York, being a part of Lots 200 and 201, Lots 2, 6, and  
22 7, Block 368 in the City of Syracuse and being further described as  
23 follows: Beginning at a drill hole set at the intersection of the east-  
24 erly street margin of South Crouse Avenue and the southerly street  
25 margin of Harrison Street; Thence S. 89° 51' 36" E. (S 89° 49' 40" E  
26 measured), along the southerly street margin of Harrison Street, a  
27 distance of 395.30 feet to a capped iron rod set at the westerly line of  
28 a parcel of land conveyed to Syracuse University; Thence S. 00° 28' 34"  
29 W. (S 00° 30' 30" W measured), along the westerly line of those parcels  
30 of land conveyed to Syracuse University, a distance of 132.00 feet to a  
31 capped iron rod set; Thence N. 89° 51' 36" W. (N 89° 49' 40" W meas-  
32 ured), along the northerly line of a parcel of land conveyed to Syracuse  
33 University, a distance of 132.00 feet to a capped iron rod set; Thence  
34 N. 89° 51' 36" W. (N 89° 49' 40" W measured), along the northerly line  
35 of a parcel of land conveyed to Syracuse University, a distance of 66.00  
36 feet to a capped iron rod set; Thence S. 00° 28' 34" W. (S 00° 30' 30" W  
37 measured), along the westerly line of that Syracuse University Property,  
38 a distance of 71.25 feet to a capped iron rod set; Thence N 89° 55' 36"  
39 W. (89° 53' 39" W measured), a distance of 130.40 feet to a capped iron  
40 rod set at the easterly line of that parcel of land conveyed to Crouse  
41 Health Systems, Inc. by deed recorded in the Onondaga County Clerk's  
42 Office in Liber 4800 at Page 730; Thence N. 03° 44' 23" W. (03° 42' 26"  
43 W measured), along the easterly line of the Crouse Health System, Inc.  
44 property, a distance of 37.99 feet to a magnetic nail set at the north-  
45 east corner of the aforementioned Crouse Health System, Inc.; Thence N.  
46 89° 51' 36" W. (N 89° 49' 40" W measured), along the northerly line of  
47 the Crouse Health System, Inc. Property, a distance of 195.85 feet to a  
48 capped iron rod set at the easterly street margin of South Crouse  
49 Avenue; Thence N. 00° 23' 14" E. (N 00° 25' 10" E measured), along the  
50 easterly street margin of South Crouse Avenue, a distance of 165.50 feet  
51 to the point of beginning. Together with all the right, title and inter-  
52 est in and to strops and gores of land, if any, adjoining or adjacent to  
53 said premises and to the lands lying in the bed of any street, road land  
54 or right of way, as they now exist, or formerly existed in, in front of,  
55 or adjoining the premises above described or used in connection with  
56 said above described premises. Containing 1.55 acres of land more or

less. It being the intent of this survey description to describe those parcels of land conveyed by Temple Adath Yeshurun, also known as the Congregation Adath Yeshurun, to the Syracuse Urban Renewal Agency, by a Warranty Deed dated September 21, 1972, that was duly recorded in the Onondaga County Clerk's Office on October 10, 1972 in Deed Book 2486 at Page 1137. Being a portion of the premises conveyed at Hotel Skylar, LLC, f/k/a 908 Harrison St., LLC, by deed dated June 5, 2007, and recorded in the Onondaga County Clerk's Office on June 14, 2007 in Deed Book 04998 at Page 0795 (Instrument: 0687909); or

Parcel D

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, being part of Lots 13, 14 and 15 of Block 233 in said City, more particularly bounded and described as follows: beginning at a point in the northerly line of East Genesee Street, a distance of 232.5 feet easterly, measured along said northerly line, from the easterly line of Almond Street; Running thence the following 8 courses and distances: (1.) S 89° 30' 50"E, along said northerly line of East Genesee Street, a distance of 109.5 feet; (2.) N 00° 20' E, parallel with said easterly line of Almond Street, a distance of 158.69 feet to the southerly line of Orange Alley; (3.) N 89° 30' 50" W, along said southerly line of Orange Alley, a distance of 66 feet to a point; (4.) N 00° 20' E, parallel with said easterly line of Almond Street, 20 feet to the northerly line of Orange Alley; (5.) N 89° 30' 50" W, along said northerly line of Orange Alley, a distance of 9 feet; (6.) S 00° 20' W, parallel with said easterly line of Almond Street, a distance of 13.5 feet to a point; (7.) N 89° 30' 50" W, parallel with the aforesaid northerly line of East Genesee Street, a distance of 3 feet to a point; and, (8.) S 00° 20' W, parallel with said easterly line of Almond Street, a distance of 165.19 feet to the point of beginning, containing 17,781+/- sq. ft. (0.41+/- Acres of Land) and; Parcel II (#716-718 East Fayette Street), All that tract or parcel of land situate in the City of Syracuse, County of Onondaga and State of New York, being Lot 3 and part of lots 4 and 9 of Block 233 beginning in the southerly line of East Fayette Street, a distance of 132 feet westerly, measured along said southerly line, from the westerly line of Forman Avenue; Running thence the following 4 courses and distances: (1.) N 89° 30' 50" W, along said southerly line of East Fayette Street, a distance of 97 feet; (2.) S 00° 20' 20" W, parallel with said westerly line of Forman Avenue, a distance of 178.69 feet to the northerly line of Orange Alley; (3.) S 89° 30' 50" E, along said northerly line of Orange Alley, a distance of 97 feet to a point; and, (4.) N 00° 20' 10" E, parallel with said westerly line of Forman Avenue, a distance of 178.69 feet to the point of beginning or with respect to any premises or business located on all that certain parcel of land situate in the City of Peekskill, County of Westchester and State of New York, that is a portion of Parcel I as it is shown on that certain map entitled, "Survey .. at Charles Point.." which was filed in the Westchester County Clerk's Office on October 23, 1980 as Map No. 20407 that is bounded and described as follows:

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

North 464418.83 (y)

East 607401.00 (x)

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

4 North 463520.804 (y)

5 East 608470.681 (x)

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

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

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

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

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

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

13 Due North 16.17 feet,

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

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

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

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

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

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

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

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

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

27 THENCE northerly along the said high water mark, the following cours-  
28 es:

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

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

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

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

35 North 464676.48 (y)

36 East 607189.28 (x)

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

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

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

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

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

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

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

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

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

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

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

49 North 21 degrees 15' 02" West 96.57 feet,

50 North 32 degrees 00' 19" West 47.17 feet,

51 North 1 degree 18' 07" West 44.01 feet and

52 North 17 degrees 14' 29" East 29.32 feet to a point on the southerly  
53 line of lands under lease to the County of Westchester (Resco Site);

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

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

4 THENCE leaving the said easement and running along other lands now or  
5 formerly of The City of Peekskill Industrial Development Agency, South  
6 41 degrees 50' 16" West 270.01 feet to the aforementioned easterly  
7 shoreline (high water mark) of the East Bank of the Hudson River and the  
8 point or place of beginning.

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

12 BEGINNING at a point on the westerly line of Charles Point Avenue with  
13 the said westerly line is intersected by the line dividing the easement  
14 herein described on the south from lands under lease to the County of  
15 Westchester (Resco Site) on the north which point occupies coordinate  
16 position:

17 North 464719.99 (y)

18 East 608004.15 (x)

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

20 THENCE from the said point of beginning southerly along the said  
21 westerly line of Charles Point Avenue, South 14 degrees 54' 00" West  
22 103.48 feet to a point;

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

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

30 THENCE easterly along the said southerly line Due East 75.00 feet to a  
31 point;

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

34 Due South 223.00 feet,

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

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

38 TOGETHER WITH a non-exclusive easement for utilities, and ingress and  
39 egress over that certain right of way leading from Charles Point Avenue,  
40 now known as John E. Walsh Boulevard, in a westerly and northwesterly  
41 direction to the above described premises and as more fully described in  
42 the Declaration of Easement recorded in Liber 8888 cp 35. Any lien,  
43 mortgage or other interest or estate now held by said retail licensee on  
44 or in the personal or real property of such manufacturer or wholesaler,  
45 which mortgage, lien, interest or estate was acquired on or before  
46 December thirty-first, nineteen hundred thirty-two, shall not be  
47 included within the provisions of this subdivision; provided, however,  
48 the burden of establishing the time of the accrual of the interest,  
49 comprehended by this subdivision shall be upon the person who claims to  
50 be entitled to the protection and exemption afforded hereby; or any such  
51 premises or business located on that certain piece or parcel of land, or  
52 any subdivision thereof, situate, lying and being in the Village of  
53 Suffern, Town of Ramapo, County of Rockland and State of New York,  
54 addressed as 97-99 Lafayette Avenue, Suffern, New York, identified for  
55 tax purposes by the Town of Ramapo - 2000 County/Town Tax Bill, Tax Map

No. 07/016-B-0239-B-0000 and New Parcel Tax Identification No. 54.35-2-54, bounded and described as follows:

BEGINNING at a point on the Westerly side of Washington Avenue, where the same is intersected by the Northerly line of lands now or formerly of the Village of Suffern (Sect. 168, Lot 284), said point also being the Southeasterly corner of the premises herein intended to be described.

RUNNING THENCE North 76 degrees 15 minutes West along the Northerly line of lands now or formerly of the Village of Suffern a distance of 210.30 feet to a point; THENCE South 13 degrees 45 minutes West along the Westerly line of lands now or formerly of the Village of Suffern a distance of 78.75 feet to a point; THENCE North 76 degrees 28 minutes West along the Northerly line of lands now or formerly of the Village of Suffern a distance of 96.30 feet to a point; THENCE North 13 degrees 32 minutes East a distance of 117.60 feet to a point; THENCE South 76 degrees 15 minutes East a distance of 6.00 feet to a point; THENCE North 13 degrees 32 minutes East a distance of 54.80 feet to a point; THENCE South 76 degrees 15 minutes East a distance of 91.00 feet to a point; THENCE North 13 degrees 45 minutes East along the Easterly line of lands now or formerly of Mirando (Sect. 168, Lot 239A) a distance of 123.25 feet to a point on the Southerly side of Lafayette Avenue; THENCE South 59 degrees 56 minutes 42 seconds East along the Southerly side of Lafayette Avenue a distance of 176.92 feet to a point; THENCE Southeasterly along the Southerly side of Lafayette Avenue, on a curve to the right having a radius of 58.97 feet an arc distance of 76.88 feet to a point; THENCE South 14 degrees 45 minutes West along the Westerly side of Washington Avenue a distance of 109.22 feet to the point or place of BEGINNING.

Being the same premises described in a deed dated June 11, 1999 from Westchester Realty Group LLC to Marandy Realty Associates, LLC and recorded in the Rockland County Clerk's Office on June 24, 1999 Instrument ID # 1999-00033893.

The premises described above are more particularly described after field survey by A.R. Sparaco, Jr., P.L.S. dated June 13, 2000, as follows:

ALL THAT TRACT, piece or parcel of land with the buildings and improvements thereon in the Village of Suffern, Town of Ramapo, Rockland County, New York, Tax Map Reference Section 16B; Lots 239 B and 254, bounded and described as follows:

BEGINNING at a cross-cut in the westerly line of Washington Ave. (50 feet wide) where the same is intersected by the northerly line of lands of the Village of Suffern (formerly Washington Ave. School) and running thence; North 78° 42' 52" West 211.11' along the northerly line of lands of the Village of Suffern to an iron pipe; thence, South 11° 03' 40" West 78.38' continuing along said lands to a PK nail; thence, North 79° 21' 20" West 96.30' continuing along said lands to an iron pipe; thence, North 10° 21' 09" E 117.12' along lands now or formerly of Meadows to a point; thence, South 79°00'00" East 6.00' to a point in the centerline of an old right of way; thence, North 12°50'10" East 55.32' along the centerline of an old right of way to an iron pipe; thence, South 79°00'00" East 91.04' crossing through said right of way and continuing along the southerly line of lands now or formerly of Miranda to a cross cut; thence, North 11°15'34" East 123.37' along the easterly line of said lands to a cross cut in the southerly line of Lafayette Ave.; thence, South 62°34'00" East 165.97' along the assumed southerly line of Lafayette Ave. to a point of curvature; thence, Southeasterly along a

1 curve to the right having a radius of 72.00' and an arc distance of  
2 93.43' continuing along the same to a point of tangency in the westerly  
3 line of Washington Ave; thence, South 11°47'00" West 100.86' along the  
4 westerly line of Washington Ave. to the point or place of BEGINNING.

5 Containing 1.267 acres of land more or less.

6 SUBJECT to utility easements described in Uber 1016, page 487, Liber  
7 1038, page 977, Book 340, page 1277.

8 SUBJECT TO a 6' wide easement for ingress and egress as described in  
9 Liber 318, page 4.

10 TOGETHER with a 6' wide and 12' wide right of way as described in  
11 Liber 318, page 4.

12 SUBJECT TO any other easements, rights of ways or restrictions of  
13 record.

14 Being the same premises described in a deed dated June 11, 1999 from  
15 Westchester Realty Group LLC to Marandy Realty Associates, LLC and  
16 recorded in the Rockland County Clerk's Office on June 24, 1999 Instru-  
17 ment ID #1999-00033893.

18 § 2. This act shall take effect immediately.