

STATE OF NEW YORK

10083

IN ASSEMBLY

March 9, 2020

Introduced by M. of A. SCHIMMINGER -- (at request of the State Liquor Authority) -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to the approval, issuance and renewal of license and permit applications, notices of arrests for certain offenses committed at licensed premises, the sale of alcoholic beverages, the posting of required signs, and geographic exceptions to prohibitions on the issuance of licenses and permits; and to repeal certain provisions of such law relating thereto

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

Section 1. The alcoholic beverage control law is amended by adding a new section 20 to read as follows:

§ 20. Standard for approval. Except as provided for in subdivision six of section sixty-three, paragraph (f) of subdivision seven of section sixty-four, paragraph (d) of subdivision seven of section sixty-four-a, paragraph (c) of subdivision five of section sixty-four-b, paragraph (c) of subdivision eleven of section sixty-four-c, paragraph (e) of subdivision eight of section sixty-four-d, and subdivision four of section seventy-nine of this chapter, an application for any license or permit under this chapter shall be approved except for good cause shown.

§ 2. Subdivision 1 of section 64 of the alcoholic beverage control law, as amended by chapter 531 of the laws of 1964, is amended to read as follows:

1. Notwithstanding the provisions of subdivision two of section seventeen of this chapter, any person may make an application to the [~~appropriate board~~] authority for a license to sell liquor at retail to be consumed on the premises where sold[~~, and such licenses shall be issued to all applicants except for good cause shown~~].

§ 3. The section heading of section 63 of the alcoholic beverage control law, as amended by section 3 of part K of chapter 60 of the laws of 2004, is amended to read as follows

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

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1 ~~[Seven-day license]~~ License to sell liquor at retail for consumption
2 off the premises.

3 § 4. The section heading of section 79 of the alcoholic beverage
4 control law, as amended by section 5 of part K of chapter 60 of the laws
5 of 2004, is amended to read as follows:

6 ~~[Seven-day license]~~ License to sell wine at retail for consumption off
7 the premises.

8 § 5. Sections 82, 85 and 131 of the alcoholic beverage control law are
9 REPEALED.

10 § 6. Section 106-a of the alcoholic beverage control law, as added by
11 chapter 919 of the laws of 1976, subdivision 1 as amended by chapter 420
12 of the laws of 1997 and subdivision 2 as amended by chapter 383 of the
13 laws of 1998, is amended to read as follows:

14 § 106-a. Notice of arrest and convictions. ~~[1.]~~ When an arrest for
15 gambling activity, illicit drug activity, prostitution activity, or for
16 a breach of the peace or for a crime of a violent nature, or for a crime
17 of weapons possession occurs or where the activity or crime has taken
18 place in a licensed premises, the arresting agency shall notify in writ-
19 ing, the authority and the district attorney of the county in which the
20 licensed premises are located within two weeks of the arrest and set
21 forth therein the name of the arrestee, the date of the arrest, the time
22 of the arrest, the exact place of the arrest, the name of the licensee,
23 the name and address of the licensed premises, the offense or offenses
24 allegedly committed by the arrestee, the factual circumstances of the
25 arrest, the name or names of the arresting officer, and such other
26 information as may reasonably be required by the authority.

27 ~~[2. Such district attorney shall maintain a written record of all
28 notices forwarded as required by subdivision one of this section and
29 where the arrestee named in said notice is convicted of either the
30 offense charged or a lesser included offense as defined by the penal
31 law, the district attorney shall so notify the authority in writing. In
32 addition, where a person is convicted of a violation of paragraph (b) of
33 subdivision one of section sixty-five-b of this chapter or of a
34 violation of subdivision one of section sixty-five of this chapter, the
35 district attorney shall promptly notify the authority of such conviction
36 in writing and shall include in such notification the information
37 required to be provided pursuant to subdivision one of this section.]~~

38 § 7. Subdivision 2 of section 109 of the alcoholic beverage control
39 law, as amended by chapter 83 of the laws of 1995 and renumbered by
40 chapter 560 of the laws of 2011, is amended to read as follows:

41 2. The authority shall provide each licensee with instructions on how
42 to file an application for renewal of [a] the license ~~[issued under~~
43 ~~section sixty-four or sixty-four-a of this chapter]~~ not less than sixty
44 days prior to the expiration of the current license.

45 § 8. Subdivision 1 of section 97 of the alcoholic beverage control
46 law, as amended by section 19 of part Z of chapter 85 of the laws of
47 2002, is amended to read as follows:

48 1. The liquor authority is hereby authorized to issue temporary
49 permits effective for a period not to exceed twenty-four consecutive
50 hours to authorize the sale of beer, cider, mead and wine ~~[manufactured~~
51 ~~in New York state]~~ at outdoor or indoor gatherings, functions, occasions
52 or events, within the hours fixed by or pursuant to subdivision five of
53 section one hundred six of this chapter, during which alcoholic beverag-
54 es may lawfully be sold or served upon premises licensed to sell alco-
55 holic beverages at retail for on-premises consumption in the community
56 in which is located the premises in which such gathering, function,

1 occasion or event is held. The fee for such permit shall be twenty-six
2 dollars. Such permit and the exercise of the privilege granted thereby
3 shall be subject to such rules of the liquor authority as it deems
4 necessary.

5 § 9. Paragraph a of subdivision 4 of section 81-a of the alcoholic
6 beverage control law, as added by chapter 666 of the laws of 1987, is
7 amended to read as follows:

8 a. No such license shall be issued to any person for any premises
9 other than premises for which a license may be issued under section
10 ~~[sixty-four]~~ sixty-four-a of this chapter ~~[or a hotel]~~ or premises which
11 are kept, used, maintained, advertised or held out to the public to be a
12 place where food is prepared and served for consumption on the premises
13 in such quantities as to satisfy the liquor authority that the sale of
14 wine intended is incidental to and not the prime source of revenue from
15 the operation of such premises. Such license may also include such suit-
16 able space outside the licensed premises and adjoining it as may be
17 approved by the liquor authority.

18 § 10. Subdivision 10 of section 105 of the alcoholic beverage control
19 law, paragraph (a) as amended by chapter 679 of the laws of 1950, is
20 amended to read as follows:

21 10. (a) ~~[Each retail licensee of liquor and/or wine for off-premises~~
22 ~~consumption shall have conspicuously displayed within the interior of~~
23 ~~the licensed premises where sales are made and where it can be readily~~
24 ~~inspected by consumers a printed price list of the liquors and/or wines~~
25 ~~offered for sale therein; and no liquor and/or wine shall be sold except~~
26 ~~at the price set forth in such list;~~

27 ~~(b)]~~ No screen, blind, curtain, partition, article or thing shall be
28 permitted in the windows or upon the doors of such licensed premises,
29 which shall prevent a clear view into the interior of such licensed
30 premises from the sidewalk, at all times; and

31 ~~[(e)]~~ (b) No booth, screen, partition or other obstruction shall be
32 permitted in the interior of said licensed premises.

33 § 11. Subdivisions 20 and 23 of section 105 of the alcoholic beverage
34 control law, subdivision 20 as amended by chapter 662 of the laws of
35 1985 and subdivision 23 as added by section 1 of part F of chapter 85 of
36 the laws of 2002, are amended to read as follows:

37 20. Each retail licensee of liquor and/or wine shall designate the
38 price of each item of liquor or wine by attaching to or otherwise
39 displaying immediately adjacent to each such item displayed in the inte-
40 rior of the licensed premises where sales are made a price tag, sign or
41 placard setting forth the bottle price at which each such item is
42 offered for sale therein; and no liquor and/or wine shall be sold except
43 at the price designated.

44 23. All premises licensed under sections fifty-three-a, fifty-four,
45 fifty-four-a, sixty-three ~~[and]~~, seventy-nine and seventy-six-f of this
46 chapter shall be subject to inspection by any peace officer described in
47 subdivision four of section 2.10 of the criminal procedure law acting
48 pursuant to his special duties, or police officer or any duly authorized
49 representative of the state liquor authority, during the hours when the
50 said premises are open for the transaction of business.

51 § 12. Paragraph (a) of subdivision 3 of section 101-b of the alcoholic
52 beverage control law, as amended by section 1 of part E of chapter 56 of
53 the laws of 2006, is amended to read as follows:

54 (a) No brand of liquor or wine shall be sold to or purchased by a
55 wholesaler, irrespective of the place of sale or delivery, unless a
56 schedule, as provided by this section, is transmitted to and received by

1 the liquor authority, and is then in effect. Such schedule shall be
2 transmitted to the authority in such form, manner, medium and format as
3 the authority may direct; shall be deemed duly verified by the person
4 submitting such schedule upon its transmission to the authority; and
5 shall contain, with respect to each item, the exact brand or trade name,
6 capacity of package, nature of contents, age and proof where stated on
7 the label, the number of bottles contained in each case, the bottle and
8 case price to wholesalers, the net bottle and case price paid by the
9 seller, which prices, in each instance, shall be individual for each
10 item and not in "combination" with any other item, the discounts for
11 quantity, if any, and the discounts for time of payment, if any. Such
12 brand of liquor or wine shall not be sold to wholesalers except at the
13 price and discounts then in effect unless prior written permission of
14 the authority is granted for good cause shown and for reasons not incon-
15 sistent with the purpose of this chapter. Such schedule shall be trans-
16 mitted by (1) the owner of such brand, or (2) a wholesaler selling such
17 brand and who is designated as agent for the purpose of filing such
18 schedule if the owner of the brand is not licensed by the authority, or
19 (3) a licensed importer selling such brand and who is designated by the
20 brand owner to import such brand into this state, or (4) with the
21 approval of the authority, by a wholesaler, in the event that the owner
22 of the brand is unable to transmit a schedule or designate an agent for
23 such purpose. As used in this subdivision the term "item" shall be
24 deemed to include a sealed, pre-wrapped package consisting of a sealed
25 container of liquor, wine or wine product and other merchandise reason-
26 ably used in connection with the preparation, storage or service of
27 liquor, wine or wine products provided that such other merchandise shall
28 not be potable or edible.

29 § 13. Subdivision 4 of section 126 of the alcoholic beverage control
30 law, as amended by section 50 of subpart B of part C of chapter 62 of
31 the laws of 2011, is amended to read as follows:

32 4. A copartnership, limited liability company or a corporation, unless
33 each member of the partnership, each managing member of the limited
34 liability company or each of the principal officers and directors of the
35 corporation, is a citizen of the United States or an alien lawfully
36 admitted for permanent residence in the United States, not less than
37 twenty-one years of age, and has not been convicted of any felony or any
38 of the misdemeanors, specified in section eleven hundred forty-six of
39 the former penal law as in force and effect immediately prior to Septem-
40 ber first, nineteen hundred sixty-seven, or of an offense defined in
41 section 230.20 or 230.40 of the penal law, or if so convicted has
42 received, subsequent to such conviction, an executive pardon therefor
43 removing this disability a certificate of good conduct granted by the
44 department of corrections and community supervision, or a certificate of
45 relief from disabilities granted by the department of corrections and
46 community supervision or a court of this state pursuant to the
47 provisions of article twenty-three of the correction law to remove the
48 disability under this section because of such conviction; provided
49 however that a corporation which otherwise conforms to the requirements
50 of this section and chapter may be licensed if each of its principal
51 officers and more than one-half of its directors are citizens of the
52 United States or aliens lawfully admitted for permanent residence in the
53 United States; and provided further that a corporation organized under
54 the not-for-profit corporation law or the education law which otherwise
55 conforms to the requirements of this section and chapter may be licensed
56 if each of its principal officers and more than one-half of its direc-

tors are not less than twenty-one years of age and none of its directors are less than eighteen years of age; and provided further that a corporation organized under the not-for-profit corporation law or the education law and located on the premises of a college as defined by section two of the education law which otherwise conforms to the requirements of this section and chapter may be licensed if each of its principal officers and each of its directors are not less than eighteen years of age.

§ 14. Paragraph (a) of subdivision 1 of section 110 of the alcoholic beverage control law is amended by adding a new subparagraph (iv) to read as follows:

(iv) If the applicant is a limited liability company, the name of the applicant, its main business address (and if such main business address is not within the state, the address of its main place of business within the state), other names by which it has been known or has conducted business at any time, its telephone number, its federal employer identification number, and the names, ages, citizenship, and permanent home addresses of its managing member and its non-managing members (except that if there be more than ten non-managing members then those non-managing members owning ten percent or more of the company).

§ 15. Section 65-d of the alcoholic beverage control law, as added by chapter 838 of the laws of 1981, subdivisions 1 and 2 as amended by chapter 225 of the laws of 1989, and such section as renumbered by chapter 592 of the laws of 1989, is amended to read as follows:

§ 65-d. Posting of signs. 1. (a) The authority shall [prepare, have printed and distribute across the state to all persons with a license to sell alcoholic beverages for consumption on the premises or a license to sell alcoholic beverages for consumption off the premises] make available by electronic means a sign or poster with conspicuous lettering that states the following:

"WARNING

No person shall sell or give away any alcoholic beverages to:

1. any person under the age of twenty-one years; or
2. any visibly intoxicated person.

IT IS A VIOLATION PUNISHABLE UNDER LAW FOR ANY PERSON UNDER THE AGE OF TWENTY-ONE TO PRESENT ANY WRITTEN EVIDENCE OF AGE WHICH IS FALSE, FRAUDULENT OR NOT ACTUALLY HIS OWN FOR THE PURPOSE OF ATTEMPTING TO PURCHASE ANY ALCOHOLIC BEVERAGE".

~~[Such sign or poster shall be captioned with the word "warning" in at least two inch lettering.]~~

(b) The authority shall prepare and make available by electronic means a sign or poster eight and one-half inches in height and eleven inches in width with conspicuous lettering that states:

"Government Warning:

According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects".

2. All persons with a license ~~[to sell]~~ that allows for the sale of alcoholic beverages for consumption on the premises or ~~[a license to sell alcoholic beverages for consumption]~~ off the premises shall display, in an upright position and in a conspicuous place, where it can be easily read by the clientele of the establishment, ~~[the]~~ a full sized copy of each such sign ~~[or poster upon receiving it from the authority]~~. Such signs shall be placed as close as possible to the place where alcoholic beverages are sold.

3. Any person with such license who violates the provisions of this section shall be subject to a civil penalty, not to exceed one hundred dollars for each day of violation.

§ 16. Subdivisions 2, 3 and 4 of section 105-b of the alcoholic beverage control law are REPEALED.

§ 17. The alcoholic beverage control law is amended by adding a new section 165 to read as follows:

§ 165. Geographic exceptions to licensing prohibitions. 1. Notwithstanding the provisions of subdivision one of section one hundred one of this chapter the authority may issue a brewer's license pursuant to this section for a premises which shall be located wholly within the town of Hyde Park, county of Dutchess, state of New York, known and designated as Lot No. 1 shown on a map entitled "Subdivision for Piney" filed in the Dutchess County Clerk's Office as Map No. 8764, being more particularly bounded and described as follows:

BEGINNING at a point on the easterly line of State Highway Route 9 (also known as Albany Post Road) at the northwest corner of the herein described parcel and the southwest corner of the lands now or formerly of Friendly Ice Cream Corp.; thence along the division line between the herein described parcel and the last mentioned lands; South 77 deg 10' 10" East 310.17 feet to the northeast corner of the herein described parcel and the southeast corner of the last mentioned lands at a point on the westerly line of other lands of Fernando Piney which are designated as Lot No. 1 as shown of Filed Map 5678; thence along the division line between the herein described parcel and the last described lands of Piney. South 06 deg 34' 20" West 157.76 feet to the southeast corner of the herein described parcel and the northeast corner of Lot No. 2 as shown on Filed Map No. 8764; thence along the northerly line of Lot No. 2 as shown on the last mentioned filed map. North 81 deg 25' 42" West 155.26 feet and South 87 deg 45' 20" West 155.00 feet to the southwest corner of Lot No. 1 and the northwest corner of Lot No. 2 at a point on the easterly line of State Highway Route 9; thence along the easterly line of State Highway Route 9. North 06 deg 34' 20" East 210.00 feet to the point of beginning. Being the same premises as conveyed to Anthony Lobianco, Joseph Lobianco and Carmelo DeCicco by deed of Universal Land Abstract, as agent of the grantor, Fernando Piney, dated March 21, 1995 and recorded in the office of the Dutchess County Clerk on such date as Receipt no. R12437, Batch record no. A00209; Being the same premises as conveyed to Angela DeCicco by deed of Schirmer Hrdlicka & Strohsahl, as agent of the grantor, Carmelo DeCicco, dated November 17, 2003 and recorded in the office of the Dutchess County Clerk on December 9, 2004 as document no. 02 2004 12028, Receipt no. R98669, Batch record no. C00440.

2. Notwithstanding the provisions of paragraph (a) of subdivision seven of section sixty-four of this chapter, the authority may issue a retail license for on-premises consumption for a premises which shall be within two hundred feet of a building occupied exclusively as a school church, synagogue or other place of worship:

(a) provided such premises constitutes a premises for the sale of food or beverages at retail for consumption on the premises and/or an overnight lodging facility located wholly within the boundaries of the borough of Manhattan in the city and county of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of 49th Street, distant 160 feet easterly from the corner formed by the intersection of the southerly side of 49th Street with the easterly side of 8th Avenue; running thence southerly, parallel with 8th Avenue and part of the distance through a party wall, 100 feet 5 inches to the center line of the block between 48th and 49th Streets; thence easterly along the center line of

1 the block, 40 feet; thence northerly, parallel with 8th Avenue and part
2 of the distance through a party wall, 100 feet 5 inches to the southerly
3 side of 49th Street; thence westerly along the southerly side of 49th
4 Street, 40 feet to the point or place of beginning. Premises known as
5 240 and 242 West 49th Street, New York City. Being the same premises
6 described in deed made by Hotel Mayfair Inc. to Harry Etkin and Freda
7 Rubin, dated 1/23/50 and recorded 1/27/50 in liber 4657 Cp. 250.

8 (b) provided such premises constitutes a premises for the sale of food
9 or beverages at retail for consumption on the premises located wholly
10 within the boundaries of the county of Ulster, bounded and described as
11 follows:

12 ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with the buildings and
13 improvements erected thereon, situated in the Village of Ellenville,
14 Town of Wawarsing, County of Ulster and State of New York, being further
15 bounded and described as follows:

16 Beginning at a three-quarter inch diameter iron rod found on the
17 southwesterly bounds of Canal Street, marking the northeasterly corner
18 of the lands, now or formerly, John Georges, as described in liber 2645
19 of deeds at page 278.

20 Thence along the southeasterly bounds of the lands of John Georges,
21 passing 1.42 feet northwesterly from the southwesterly corner of the
22 building situated on the premises described herein, South thirty-nine
23 degrees, forty-one minutes, fifty-two seconds West, one hundred fifty
24 and zero hundredths feet (S 39-41-52 W, 150.00') to the northeasterly
25 bounds of the lands, now or formerly, Thomas Powers, as described in
26 liber 1521 of deeds at page 749. Thence along the northeasterly bounds
27 of the lands of Thomas Powers, South fifty degrees, thirty-nine minutes,
28 sixteen seconds East, twenty-eight and zero hundredths feet (S 50-39-16
29 E, 28.00').

30 Thence passing 1.92 feet southeasterly from the southeasterly corner
31 of the building situated on the premises described herein. North thir-
32 ty-nine degrees, forty-one minutes, fifty-two seconds East, one hundred
33 fifty and zero hundredths feet (N 39-41-52 E, 150.00') to the southwes-
34 terly bounds of Canal Street.

35 Thence along the southwesterly bounds of Canal Street, North fifty
36 degrees, thirty-nine minutes, sixteen seconds West, twenty-eight and
37 zero hundredths feet (N 50-39-16 W, 28.00') to the point of beginning.

38 Containing 4,199.92 square feet of land or 0.0996 of an acre of land.

39 Being the same premises as conveyed by deed dated September 2, 1999
40 from Chris M. Camio as Executor of the Last Will and Testament of Alice
41 Manzo to Bill Lelbach, John Eckert, Jeffrey Schneider, Jack Harris and
42 Alfred S. Dannhauser and recorded in the Ulster County Clerk's Office on
43 September 15, 1999 in Liber 2966 at page 291.

44 The undivided interests of John Harris and Alfred S. Dannhauser having
45 been conveyed to Bill Lelbach by deed dated August 21, 2001 and recorded
46 in the Ulster County Clerk's Office in Liber 3213 p 65.

47 (c) provided such premises constitutes a premises for the sale of food
48 or beverages at retail for consumption on the premises and/or an over-
49 night lodging facility located wholly within the boundaries of the
50 borough of Manhattan in the city and county of New York, bounded and
51 described as follows:

52 Beginning at a point on the southerly side of 46th street, distant
53 three hundred fifty (350) feet westerly from the corner formed by the
54 intersection of the westerly side of Sixth Avenue with the said souther-
55 ly side of 46th street. Running thence southerly parallel with the said
56 westerly side of Sixth Avenue and for part of the distance through a

1 party wall, one hundred (100) feet four (4) inches; thence westerly
2 parallel with the southerly side of 46th street, eighty (80) feet;
3 thence northerly again parallel with the westerly side of Sixth Avenue,
4 one hundred (100) feet four (4) inches to the southerly side of 46th
5 street; and thence easterly along the said southerly side of 46th
6 street, eighty (80) feet to the point or place of beginning. Premises
7 known as 130 West 46th Street, New York City. Being the same premises
8 described in deed made by Massachusetts Mutual Life Insurance Company to
9 West 46th Street Hotel, LLC, dated 12/22/06 and recorded 2/06/07 in the
10 Office of the City Register, New York County, on February 6, 2007 as
11 CFRN 2007000069808.

12 (d) provided such premises constitutes a premises for the sale of food
13 or beverages at retail for consumption on the premises located wholly
14 within the boundaries of the county of Ulster, bounded and described as
15 follows:

16 THOSE THREE BUILDING LOTS situate on the northeasterly side of Union
17 Avenue in the city of Kingston, between Thomas and Cornell Streets,
18 known and distinguished upon a map of the property of the estate of said
19 Thomas Cornell made by B.B. Codwise, Civil Engineer, bearing date April
20 11th, 1888, as lot five (5) six (6) and seven (7) upon said map, and
21 bounded and described as follows:

22 BEGINNING at the west corner of lot seven which is also the corner of
23 Cornell Street, where it intersects with Union Avenue, and runs from
24 thence in the southerly bounds of Cornell Street, N. 48 degrees 10' east
25 the distance of one hundred and thirty-eight (138) feet, to the south
26 bounds of lot (8) eight as laid down upon said map, thence along in the
27 south bounds of lot (8) aforesaid S. 41 degrees 50' east along the rear
28 of lots seven, six and five (7, 6 & 5) as aforesaid the distance of
29 seventy-two (72) feet to a lot of land owned by Max Oppenheimer and
30 known on said map as lot four (4); thence in the division line between
31 lot four and five as laid down upon said map, south 48 degrees 10' W.
32 one hundred and twenty-two (122) feet, and fifty-four hundredths of a
33 foot (122 54/100 feet) to the northeasterly bounds of said Union Avenue;
34 thence along in said northeasterly bounds of said Union Avenue north 53
35 degrees 57' west along the front of said lots five, six and seven (5, 6
36 & 7) the distance of seventy-three feet and sixty-five hundredths of a
37 foot (73 65/100 feet) to the place of beginning; and a part of said
38 premises being a part of the same that was conveyed to Thomas Cornell by
39 Jansen Hasbrouck and wife bearing date March 3, 1877 and recorded in the
40 office of the Clerk of Ulster County in book No. 204 of deeds at page
41 403 March 6th, 1877, the balance of the property hereinbefore described
42 and herein intended to be conveyed was conveyed to Thomas Cornell by
43 James E. Ostrander and wife by deed bearing date February 8th, 1869, and
44 recorded in Ulster County Clerk's Office in book 175 of deeds at page
45 29, February 6th, 1872.

46 (e) provided such premises constitute a premises for the sale of food
47 or beverages at retail for consumption on the premises located wholly
48 within the boundaries of the borough of Brooklyn in the county of Kings
49 and the city of New York, bounded and described as follows:

50 Beginning at a point on the westerly side of Washington Avenue distant
51 636.45 feet southerly from the intersection of the southerly side of
52 Eastern Parkway and westerly side of Washington Avenue, said point being
53 the point of beginning; Running thence southerly along the westerly side
54 of Washington Avenue, a distance of 345.43 feet; thence westerly along
55 the line forming an interior angle with the previous course of 90
56 degrees 00 minutes 00 seconds, a distance of 122.68 feet; Thence north-

erly along the line forming an interior angle with the previous course of 58 degrees 50 minutes 53 seconds, a distance of 123.94 feet; Thence northerly along the line forming an exterior angle with the previous course of 159 degrees 18 minutes 33 seconds, a distance of 36.59 feet; Thence northerly along the line forming an exterior angle with the previous course of 169 degrees 36 minutes 23 seconds, a distance of 26.26 feet; Thence westerly along the line forming an exterior angle with the previous course of 123 degrees 49 minutes 33 seconds, a distance of 58.57 feet; Thence southwesterly along the line forming an exterior angle with the previous course of 129 degrees 53 minutes 13 seconds, a distance of 108.38 feet; Thence westerly, a distance of 84.05 feet along a curve to the right, which has a radius of 192.59 feet, and having a central angle of 25°00'14"; Thence westerly, a distance of 58.94 feet along a curve to the right, which has a radius of 181.42 feet, and having a central angle of 18°36'54". Thence westerly, a distance of 354.56 feet; Thence northerly along the line forming an interior angle with the previous course of 90 degrees 14 minutes 09 seconds, a distance of 114.49 feet; Thence easterly along the line forming an exterior angle with the previous course of 286 degrees 53 minutes 22 seconds, a distance of 7.54 feet; Thence easterly along the line forming an interior angle with the previous course of 195 degrees 07 minutes 53 seconds, a distance of 159.88 feet; Thence easterly along the line forming an interior angle with the previous course of 193 degrees 52 minutes 57 seconds, a distance of 161.51 feet; Thence westerly along the line forming an interior angle with the previous course of 257 degrees 31 minutes 43 seconds, a distance of 116.17 feet; Thence northeasterly, a distance of 7.07 feet along a non-tangent curve to the right, having a radius of 4.50 feet, a central angle of 89°59'10" and a chord of 6.36 feet, which chord makes an interior angle with the previous course of 135 degrees 01 minutes 12 seconds; Thence easterly along the line forming an interior angle with the chord of the above-referenced curve of 135 degrees 01 minutes 17 seconds, a distance of 135.59 feet; Thence easterly, a distance of 81.93 feet along a non-tangent curve to the left, having a radius of 272.93 feet, a central angle of 17°11'59" and a chord of 81.63 feet, which chord makes an interior angle with the previous course of 186 degrees 52 minutes 37 seconds; Thence easterly along the line forming an interior angle with the chord of the above-referenced curve of 192 degrees 21 minutes 11 seconds, a distance of 38.24 feet; Thence easterly along the line forming an interior angle with the previous course of 183 degrees 09 minutes 51 seconds, a distance of 21.53 feet to the point of beginning.

(f) provided such premises constitutes a premises for the sale of food or beverages at retail for consumption on the premises located wholly within the boundaries of the county of Kings, bounded and described as follows:

ALL that certain plot, piece or parcel of land situate lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the southerly side of Synder Avenue, with the easterly side of Bedford Avenue;

THENCE easterly along the southerly side of Synder Avenue, 99 feet 10 inches;

THENCE southerly parallel with Medford Avenue, 80 feet 11 1/6 inches to the center line of Union Street, as shown on the Bergen Map;

THENCE westerly along the center line of Union Street, as aforesaid, 99 feet 10 inches to the easterly side of Bedford Avenue;

1 THENCE northerly along the easterly side of Bedford Avenue, 81 feet
2 1/8 inches to the point or place of BEGINNING.

3 (g) provided such premises constitute a premises for the sale of food
4 or beverages at retail for consumption on the premises located wholly
5 within the boundaries of the county of Kings, bounded and described as
6 follows:

7 BEGINNING at a point on the northerly side of Grand Street, distant
8 three hundred and nineteen feet and three inches easterly from the
9 corner formed by the intersection of the northerly of Grand Street with
10 the easterly side of Berry (formerly Third) Street, which point of
11 beginning is where a line drawn along the easterly wall of the house now
12 or formerly owned by one Schaefer intersects the northerly side of Grand
13 Street; running thence northerly along the easterly wall of the house
14 now or formerly owned by one Schaefer, seventy one feet and six inches;
15 thence easterly nearly parallel with Grand Street, eighteen feet and
16 five inches; thence southerly, seventy feet and seven inches to the
17 northerly side of Grand Street at a point, sixteen feet easterly from
18 the point of beginning; thence westerly along the northerly side of
19 Grand Street, sixteen feet.

20 (h) provided such premises constitutes a premises for the sale of food
21 or beverages at retail for consumption on the premises located wholly
22 within the boundaries of the borough of Manhattan in the city and county
23 of New York, bounded and described as follows:

24 BEGINNING at the corner formed by the intersection of the southerly
25 side of Fulton Street with the westerly side of Broadway;

26 RUNNING THENCE southerly along the westerly side of Broadway, 78 feet
27 11 1/2 inches to an angle point, in said westerly side of Broadway;

28 THENCE southerly still along the westerly side of Broadway, 75 feet 3
29 inches to the corner formed by the intersection of the westerly side of
30 Broadway with the northerly side of Dey Street;

31 THENCE westerly along the northerly side of Dey Street, 275 feet 6 3/4
32 inches;

33 THENCE northerly along a line which forms an angle on its westerly
34 side with the northerly side of Dey Street of 91 degrees 21 minutes 50
35 seconds, 77 feet 5 1/2 inches;

36 THENCE easterly along a line which forms an angle on its southerly
37 side with the last described course of 91 degrees 21 minutes 50 seconds,
38 75 feet 4 5/8 inches;

39 THENCE northerly along a line which forms an angle on its westerly
40 side with the last described course of 91 degrees 00 minutes 00 seconds,
41 77 feet 5 1/4 inches to the southerly side of Fulton Street;

42 THENCE easterly along the southerly side of Fulton Street, 99 feet 8
43 inches to an angle point on said southerly side of Fulton Street;

44 THENCE easterly still along the southerly side of Fulton Street, 100
45 feet 2 1/2 inches to the point or place of BEGINNING.

46 TOGETHER with benefits and subject to the terms contained in that
47 certain Easement and License Agreement dated as of April 20, 1993
48 between Kalikow Fulton Church Realty Company and 195 Property Company
49 and recorded on May 10, 1993 in Reel 1969 page 1310.

50 (i) provided such premises constitutes a premises for the sale of food
51 or beverages at retail for the consumption on the premises located whol-
52 ly within the boundaries of the county of Ulster, bounded and described
53 as follows:

54 All that piece or parcel of land, situate in the City of Kingston,
55 County of Ulster and State of New York described as follows: Beginning
56 at a spike in the concrete sidewalk on the south bounds of Main Street

1 at its intersection with the west bounds of Fair Street; Thence south 8
2 degrees 10 hours 9 minutes east along the west bounds of Fair Street
3 105.31 feet to a spike in line with a three story brick building on
4 lands now or formerly Norman G. Lebhar and John W. Krueger (L.1516
5 P.425); Thence south 83 degrees 26 hours 38 minutes west along said
6 building and lands of Lebhar and Krueger 46.27 feet to a corner of said
7 building; Thence north 8 degrees 4 hours 13 minutes west along lands now
8 or formerly Lawrence A. Quilty and others (L.1422 P.123) and along the
9 brick building on the herein described parcel 102.62 feet to a
10 reinforcement rod set on the south bounds of Main Street; Thence north
11 80 degrees 6 hours 32 minutes east along said bounds of Main Street
12 46.10 feet to the point and place of beginning. Being the same premises
13 as conveyed by Bernard R. Herzberg and the Estate of Rosalyn M. Nave,
14 Margaret D. Huff, Executrix to Mark J. Berlanga by deed dated September
15 15, 1995 and recorded in the Ulster County Clerk's Office on September
16 20, 1995 in Liber 2525 of Deeds at Page 200.

17 (j) provided such premises constitute a premises for the sale of food
18 or beverages at retail for consumption on the premises located wholly
19 within the boundaries of the county of Erie, bounded and described as
20 follows:

21 ALL that certain plot, piece or parcel of land situate in the City of
22 Buffalo, County of Erie and state of New York, being part of Lot No. 77,
23 Township 11, Range 8 of the Holland Land Company's Survey, and further
24 distinguished as parts of subdivision Lots 1 and 2 in Block "D" as shown
25 on a map filed in the Erie County Clerk's Office under Cover No. 781 and
26 more particularly bounded and described as follows:

27 BEGINNING at the point of intersection of the northerly line of Hertel
28 Avenue as now laid out 100 feet wide with the easterly line of Saranac
29 Avenue; thence northerly along the easterly line of Saranac Avenue 120
30 feet; thence easterly parallel with Hertel Avenue 100 feet; thence
31 southerly parallel with Saranac Avenue and along the easterly line of
32 said subdivision Lot No. 2, a distance of 120 feet to the northerly line
33 of Hertel Avenue; thence westerly along said line of Hertel Avenue 100
34 feet to the point of beginning.

35 (k) provided such premises constitute a premises for the sale of food
36 or beverages at retail for consumption on the premises located wholly
37 within the boundaries of the county of Erie, bounded and described as
38 follows:

39 ALL THAT TRACT OR PARCEL OF LAND situate in the City of Buffalo, Coun-
40 ty of Erie and State of New York, being part of Lot No.48, Township 11,
41 Range 8 of the Holland Land Company's Survey, described as follows:

42 BEGINNING at a point in the easterly line of Elmwood Avenue distant
43 191.1 feet north of the intersection of said easterly line of Elmwood
44 Avenue with the northerly line of Bird Avenue; running thence northerly
45 along the said easterly line of Elmwood Avenue 63 feet; thence easterly
46 at right angles with Elmwood Avenue 140 feet; thence southerly parallel
47 with Elmwood Avenue 63 feet; thence westerly at right angles to Elmwood
48 Avenue 140 feet to the said easterly line of Elmwood Avenue to the point
49 or place of beginning.

50 All that Tract or Parcel of Land, situate in the City of Buffalo,
51 County of Erie and State of New York, being part of Lot No. Forty-Eight
52 (48), Township Eleven (11) and Range Eight (8) of the Holland Land
53 Company's survey and bounded and described as follows:

54 BEGINNING at a point in the easterly line of Elmwood Avenue One
55 Hundred Sixty and one-tenth (160.10) feet northerly from its inter-
56 section with the northerly line of Bird Avenue, running thence northerly

1 on said easterly line of Elmwood Avenue Thirty-one (31) feet; thence
2 easterly at right angles to Elmwood Avenue One Hundred forty (140) feet;
3 thence southerly parallel with Elmwood Avenue Thirty-one (31) feet;
4 thence westerly at right angles to Elmwood Avenue, One Hundred forty
5 (140) feet to the easterly line of Elmwood Avenue at the place of begin-
6 ning.

7 All that Tract or Parcel of Land, situate in the City of Buffalo,
8 County of Erie and State of New York, being part of Lot No. 48, Township
9 11, Range 8 of the Holland Land Company's Survey and bounded and
10 described as follows:

11 BEGINNING at a point in the east line of Elmwood Avenue, distant
12 321.50 feet south from the intersection of said east line with the south
13 line of Forest Avenue; thence south along the east line of Elmwood
14 Avenue, 49 feet to a point; thence east at right angles to the east line
15 of Elmwood Avenue, 140 feet to a point, thence north, parallel with the
16 east line of Elmwood Avenue, 49 feet to a point; thence west in a
17 straight line, 140 feet to the point of beginning.

18 (l) provided such premises constitute a premises for the Lewiston fire
19 department located wholly within the boundaries of the county of
20 Niagara, bounded and described as follows:

21 ALL that certain plot, piece or parcel of land situate in the Village
22 of Lewiston, County of Niagara and state of New York, being New Lot "C"
23 according to a map made by James M. McIntyre, Surveyor, on April 8, 2011
24 and filed in the Niagara County Clerk's Office on June 13, 2012 in Book
25 64 of Microfilmed Maps, at page 6441m showing re-subdivision of Old
26 Sublots 169 and 170 on the east side of the North Fifth Street; and
27 sublots 154, 155 and 156 on the south side of Onondaga Street as shown
28 on Map of Part 1 of said Village made by J.P. Haines, C.E. in 1839 and
29 filed with the Deed Atlas in Niagara County Clerk's Office, and bounded
30 and described as follows:

31 BEGINNING at a point in the intersection of the south line of Onondaga
32 Street and the west line of North Sixth Street; thence south along the
33 west line of North Sixth Street, a distance of 264.00 feet; thence west
34 at an interior angle of 90°10'33", a distance of 198.00 feet to the east
35 line of North Fifth Street; thence north along the east lone of North
36 Fifth Street, at an interior angle of 89°29'47", a distance of 132.00
37 feet; thence east at an interior angle of 90°10'33", a distance of
38 102.00 feet; thence north at an exterior angle of 90°10'33", a distance
39 of 132.00 feet to the south line of Onondaga Street; thence east along
40 the south line of Onondaga Street, a distance of 96.00 feet to the point
41 of beginning.

42 (m) provided such premises constitute a premises for the sale of food
43 or beverages at retail for consumption on the premises located wholly
44 within the boundaries of the county of Jefferson, bounded and described
45 as follows:

46 ALL that certain lot, piece or parcel of land, situated in the City of
47 Watertown, County of Jefferson and State of New York, described as
48 follows:

49 BEGINNING in the westerly margin of Massey Street where it intersects
50 the southerly margin of Prospect Street;

51 THENCE southerly along the margin of said Massey Street about 6 rods
52 and 1/4 of a rod to land formerly owned by Ed. Bohl;

53 THENCE westerly at right angles along the northerly line of said Bohl
54 lot to a point therein 34 feet from the southeasterly corner of a lot of
55 land conveyed to Charles J. Gillingham by James A. Bell about 115 feet 7
56 inches;

1 THENCE northerly at right angles and parallel with the easterly line
2 of said Gillingham's lot about 6 1/4 rods to Prospect Street;

3 THENCE easterly along the south margin of said Prospect Street to the
4 place of beginning, and all the lands belonging to the land hereby
5 conveyed and lying in front of the same Massey and Prospect Streets;

6 BEING the same premises conveyed to Vincent Cavallario and Adrianna
7 Cavallario by Joseph Scarabino, by deed dated May 27, 1977, and recorded
8 in the Jefferson County Clerk's office on May 27, 1977 in Liber 881 of
9 Deeds at page 418. Vincent Cavallario died in the City of Watertown on
10 August 17, 1984;

11 ALSO BEING the same premises conveyed to Adriana Cavallario and Peter
12 G. Cavallario, as Trustees of the living Trust of Adriana Cavallario,
13 under agreement dated October 14, 1995, by Adriana Cavallario, by
14 warranty deed dated October 24, 1995 and recorded in the Jefferson Coun-
15 ty Clerk's office on November 8, 1995 in Liber 1483 at Page 15;

16 ALSO BEING the premises known as 133 North Massey Street, Watertown,
17 New York.

18 (n) provided such premises constitute a premises for the sale of food
19 or beverages at retail for consumption on the premises located wholly
20 within the boundaries of the county of Washington, bounded and described
21 as follows:

22 ALL THAT CERTAIN PARCEL OF LAND located at the southeasterly corner of
23 the intersection of Main Street and Maple Street in the Village of
24 Hudson Falls, Washington County, New York, and which said parcel in more
25 particularly bounded and described as follows:

26 BEGINNING at a point marking the intersection of the easterly bounds
27 of Main Street with the southerly bounds of Maple Street; running thence
28 from the point of beginning in an easterly direction along the southerly
29 bounds of Maple Street. South 86 degrees 47 minutes 40 seconds East for
30 a distance of 229.47 feet to a point; running thence in a southerly
31 direction, south 07 degrees 28 minutes 10 seconds West for a distance of
32 100.05 feet to a point; running thence in a northerly line of lands of
33 the First Baptist Church of Hudson Falls; running thence in a westerly
34 direction along the northerly line of said lands of said Church, North
35 84 degrees 58 minutes 20 seconds West for a distance of 206.70 feet to a
36 point in the easterly bounds of Main Street; running thence in a north-
37 erly direction along the easterly bounds of Main Street, North 06
38 degrees 11 minutes 40 seconds West for a distance of 94.47 feet to the
39 point of beginning. The same to contain 0.483 acres ±.

40 REFERENCE to the above description is a survey map titled "Map of a
41 Survey of Lands of the County of Washington" prepared by Charles T.
42 Nancy, Licensed Land Surveyor, Dated August 4, 1994 and on file at the
43 Washington County Clerk's Office in Drawer 31B of Maps and Map Number
44 31B-160.

45 ALL THAT CERTAIN LOT OR PARCEL OF LAND situated in the Village of
46 Hudson Falls, Washington County, New York bounded and described as
47 follows:

48 BEGINNING at a point on the south line of Maple Street in said Village
49 fifty feet westerly of a steel bolt in the northwest corner of the New
50 York Telephone Co.'s Lot, which said point is at the west end of a
51 retaining curbing to the south line of brick driveway, thence running
52 north 75 degrees east along said south line of Maple Street fifty feet
53 to a bolt driven in the ground for a monument as a marker; thence south-
54 erly one hundred and eight and seven tenths feet to an iron bolt driven
55 in the ground fifty feet from the west line of lot hereby conveyed;
56 thence easterly fifty-one feet to a large iron pipe driven in the ground

1 for a monument; thence southerly about two feet easterly of the garage
2 building on said property fifty-six feet to the location of the boundary
3 line between lands formerly owned by Elisha Baker, and Samuel Tappin and
4 U. Cornell Allen, the same being the southerly boundary line of the
5 premises hereby conveyed; thence westerly on said boundary line one
6 hundred and two feet to the east line of the Baptist Church lot, which
7 lot last mentioned line is monumented; thence along the east line of
8 said Church lot and the lot formerly owned by Crenville M. Ingalsbe one
9 hundred and sixty-one feet to the place of beginning.

10 The above described premises are conveyed subject to a certain right
11 of way over same heretofore granted by George H. Newton to Hudson River
12 Telephone Co. by Deed dated July 10, 1915 and recorded in Washington
13 County Clerk's Office in Liber 138 of Deeds at Page 134.

14 A more modern description of the above premises is as follows:
15 Commencing in the southerly bounds of Maple Street at the northwest
16 corner of premises formerly of New York Telephone Company; running
17 thence along the westerly bounds of said lands formerly of New York
18 Telephone Company; running thence along the westerly bounds of said
19 lands formerly of New York Telephone Company on a course of south 7
20 degrees 29 minutes west for a distance of 108.66 feet to a point for a
21 corner; running thence south 85 degrees 03 minutes east for a distance
22 of 50.97 feet to an iron pipe found for a corner; running thence south 8
23 degrees 35 minutes west for a distance of 56.65 feet to an iron pipe
24 found for a corner; running thence north 83 degrees 40 minutes west for
25 a distance of 101.94 feet along the northerly bounds of lands formerly
26 of O.T. Griffin to a point for a corner in the easterly bounds of the
27 Baptist Church lot; running thence north 8 degrees 17 minutes east for a
28 distance of 162.10 feet to a point in the southerly bounds of Maple
29 Street; running thence south 85 degrees 57 minutes east for a distance
30 of 49.90 feet to the point and place of beginning. The aforescribed
31 premises are depicted on a certain "Map of Lands of Village of Hudson
32 Falls at "#8 Maple Street" dated November 2, 1953 by Leslie W. Coulter
33 and filed in the Washington County Clerk's Office on January 11, 1954,
34 as Map No. 02.

35 (o) provided such premises constitute a premises for the sale of food
36 or beverages at retail for consumption on the premises occupying the
37 southernmost portion of the buildings and improvements further identi-
38 fied as suite two hundred ten and located wholly within the boundaries
39 of the county of Westchester, bounded and described as follows:

40 ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with the buildings and
41 improvements thereon erected, situate, lying and being in the City of
42 White Plains, County of Westchester, State of New York, more particular-
43 ly described as follows:

44 BEGINNING at a point in the northerly side of Main Street as the same
45 is now laid out and established where said northerly side of Main Street
46 is intersected by the division line between the premises hereby
47 described and land now or formerly of Henry E. Hartnett said point being
48 at the southeasterly corner of the parcel hereby described;

49 THENCE RUNNING along the northerly side of Main Street as now estab-
50 lished, South 76 degrees 38 minutes 54 seconds West 48.24 feet to a
51 monument thence on a curve to the right forming the northeasterly corner
52 of Main Street and Church Street said curve having a radius of 26.03
53 feet, a distance of 39.836 feet (39.84 feet per deed) to the easterly
54 side of Church Street;

55 THENCE RUNNING along the easterly side of Church Street North 15
56 degrees 40 minutes West 205.61 feet to the northwesterly corner of the

1 premises hereby described and to the southerly line of a 12 foot drive-
2 way leading from land of Henry E. Hartnett to Church Street;

3 THENCE RUNNING along the southerly side of said driveway, North 74
4 degrees 18 minutes 50 seconds East 74.84 feet to the northeasterly
5 corner of the premises hereby described and land of Henry E. Hartnett;

6 THENCE along said land of Henry E. Hartnett, South 15 degrees 15
7 minutes 30 seconds East 233.60 feet to the northerly side of Main
8 Street, at the point or place of BEGINNING.

9 TOGETHER with the benefits of a certain Declaration of Easement made
10 by Markbeth Building Corp dated October 28, 1981 and November 10, 1981
11 in Liber 7736 cp 262 as set forth therein.

12 (p) provided such premises constitute a premises for the sale of food
13 or beverages at retail for consumption on the premises located wholly
14 within the boundaries of the county of Erie, bounded and described as
15 follows:

16 ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo,
17 County of Erie and State of New York, and bounded and described as
18 follows: being part of Lot number seventy-one (71), Township eleven
19 (11), Range eight (8) of the Holland Land Company's survey and in a
20 subdivision of part of said lots 71 and 72, made for Main Street Land
21 and Improvement Co., by C.F. Witmer, surveyor, a map of which subdivi-
22 sion is on file in Erie County Clerk's Office under Cover 292. This
23 premises hereby conveyed being designated as subdivision lot No. thirty-
24 nine (39) in Block "C" and bounded and described as follows:

25 BEGINNING at a point in the westerly line of Main Street thirty-six
26 and one-half (36-1/2) feet northerly from its intersection with the
27 northerly line of Heath Street (formerly Morton Street). Running thence
28 northerly along said line of Main Street thirty-six and one-half
29 (36-1/2) feet; thence westerly at right angles with said line of Main
30 Street to a sixteen (16) foot alley; thence southerly along the easterly
31 line of said alley to a point where a line drawn at right angles with
32 said line of Main Street would intersect said line of Main Street at the
33 place of beginning and thence easterly at right angles with Main Street
34 to the said line of Main Street at the place of beginning.

35 (q) provided such premises constitute a premises for the sale of food
36 or beverages at retail for consumption on the premises located wholly
37 within the boundaries of the county of Broome, bounded and described as
38 follows:

39 ALL THAT TRACT OR PARCEL OF LAND situate in the City of Binghamton,
40 County of Broome, State of New York, bounded and described as follows:

41 BEGINNING at a point at the intersection of the northerly street boun-
42 dary of Henry Street and the easterly street boundary of Water Street,
43 at the southwesterly corner of the premises herein described;

44 THENCE N 17°-02'-44" E along said easterly street boundary of Water
45 Street a distance of 96.66 feet to a point;

46 THENCE N 19°-42'-08" E along said easterly street boundary of Water
47 Street a distance of 25.28 feet to a 5/8 inch rebar with plastic yellow
48 cap marked "Jennings" found at the southwesterly corner of lands owned
49 by the City of Binghamton as recorded in the Broome County Clerk's
50 Office in Liber 549 at page 418;

51 THENCE S 77°-19'-48" E along the southerly boundary of lands owned by
52 said City of Binghamton a distance of 118.89 feet to a masonry nail
53 found in the westerly boundary of lands owned by Samuel Diamond (Liber
54 1198, page 377);

55 THENCE S 17°-49'-47" W along said westerly boundary of lands owned by
56 Diamond a distance of 14.00 feet to a 1/2 inch rebar found;

1 THENCE S 82°-36'-13" E along the southerly boundary of lands owned by
2 said Diamond a distance of 5.06 feet to a point at the northwesterly
3 corner of lands owned by Washington Building Management Company (Liber
4 1750, page 69);

5 THENCE S 15°-00'-17" W along the westerly boundary of lands owned by
6 said Company a distance of 42.68 feet to a point;

7 THENCE, S 83°-53'-13" E along the southerly boundary of lands owned by
8 said Company a distance of 28.00 feet to a point at the northwesterly
9 corner of lands owned by Kenneth and Isabelle Mitchell (Liber 1316, page
10 33) on the exterior face of a building wall;

11 THENCE, along the westerly boundary of lands owned by said Mitchell
12 the following three courses:

13 1. S 11°-52'-47" W along said wall a distance of 33.68 feet to a point
14 in a party building wall;

15 2. S 84°-51'-13" E along said party wall a distance of 7.57 feet to a
16 point;

17 3. S 14°-48'-47" W along the centerline of a party building wall a
18 distance of 35.26 feet to a point in said northerly street boundary of
19 Henry Street;

20 THENCE N 77°-32'-37" W along said northerly street boundary of Henry
21 Street a distance of 165.87 feet to the point of beginning as surveyed
22 by Paul B. Koerts, Professional Land Surveyor on March 11, 1996. The
23 bearings are referenced to record north for lands owned by said City of
24 Binghamton (Liber 549, page 418).

25 Together with the following:

26 1. A right-of-way over the westerly 12.5 feet of so much of the prem-
27 ises described above as adjoins the premises formerly of Charles A.
28 Wilkinson, now of Clare B. Risk, on the west (being the northerly 40
29 feet thereof, more or less), and adjoining the premises described above
30 on the east, as granted in a deed from Charles A. Wilkinson, et al, to
31 John Hull, Jr., et al, dated February 24, 1886 and recorded in the
32 Broome County Clerk's Office on November 20, 1886 in Book 130 of Deeds
33 at page 546.

34 2. The benefits contained in an agreement between Hull, Grummond & Co.
35 and George F. O'Neil providing for the erection of a party wall recorded
36 in the Broome County Clerk's Office on October 28, 1913 in Book 247 of
37 Deeds at Page 313.

38 3. The benefits contained in an agreement between Mabel D. Eggleston
39 and Hull-Grummond & Co., Inc. providing for the erection of a party wall
40 recorded in the Broome County Clerk's Office on August 28, 1918 in Book
41 281 of Deeds at page 179.

42 3. Notwithstanding the provisions of subdivision seven of section
43 sixty-four-a of this chapter, the authority may issue a retail license
44 for on-premises consumption for a premises which shall be within two
45 hundred feet of a building occupied exclusively as a school, church,
46 synagogue or other place of worship:

47 (a) provided such premises constitutes a premises for the sale of food
48 or beverages at retail for consumption on the premises and/or an over-
49 night lodging facility located wholly within the boundaries of the
50 borough of Manhattan in the city and county of New York, bounded and
51 described as follows:

52 BEGINNING at a point on the easterly side of 7th Avenue, distant 25
53 feet northerly from the northeasterly corner of 7th Avenue and 132nd
54 Street; RUNNING THENCE easterly parallel with the northerly side of
55 132nd Street and part of the distance of the distance through a party
56 wall, 75 feet;

1 THENCE northerly parallel with 7th Avenue, 49 feet 11 inches; THENCE
2 westerly parallel with 132nd Street 75 feet to the easterly side of 7th
3 Avenue; THENCE southerly along the easterly side of 7th Avenue, 49 feet
4 11 inches to the point or place of BEGINNING, being the same premises
5 located at 2247 Adam Clayton Powell, Jr. Boulevard (Seventh Avenue),
6 block 1917, lot 2 described in deed made by 2247-49 ACP South realty LLC
7 to AIMCO 2247-2253 ACP, LLC, dated June twenty-ninth, two thousand seven
8 and recorded July seventh, two thousand seven in the Office of the City
9 Register, New York County as document number 2007071001657001.

10 (b) provided such premises constitutes a premises for the sale of food
11 or beverages at retail for consumption on the premises located wholly
12 within the boundaries of the town of Bainbridge, county of Chenango,
13 bounded and described as follows:

14 BEGINNING at an iron stake at the curb on the north side of North Main
15 Street, which stake is in a line with the edge of the concrete sidewalk
16 in front of the Ireland Hardware Block; thence to the joint corner of
17 said hardware block and the concrete post at the southwest corner of the
18 Central Hotel, twenty-seven (27) feet; thence along the foundation wall
19 of said hotel forty (40) feet to an iron stake under a part of the
20 Ireland Hardware Store Building six (6) feet from the corner of said
21 foundation wall and on a continuation of said line along the Hotel foun-
22 dation; thence at an approximate right angle in a northeasterly direc-
23 tion along a line parallel to and six (6) feet distant from the founda-
24 tion wall on the "ell" of the Hotel to a point six (6) feet distant from
25 the foundation wall of the main building of the Hotel, fourteen (14)
26 feet; thence again at a right angle in an approximately north-westerly
27 direction on a line parallel to and six (6) feet distant from the foun-
28 dation wall of said Hotel building forty-three (43) feet to an iron
29 stake; thence in a northeasterly direction on a line from said stake
30 touching the corner of the foundation wall to a point on the line of
31 premises of the Vendor and premises now owned by Edward Danforth, known
32 as the Danforth Block; thence in a southeasterly direction along said
33 boundary line between said premises, which line is believed to be nine
34 (9) feet distant southwesterly from the foundation wall of said Danforth
35 Block, to the curb line; thence along said curb line in a southwesterly
36 direction to the point or place of beginning.

37 Being known and designated on the Chenango County Tax Map for the
38 Village and Town of Bainbridge as parcel 265.11-2-15 as said tax map was
39 on the 15th day of June 2010.

40 (c) provided such premises constitutes a premises for the sale of food
41 or beverages at retail for consumption on the premises and/or an over-
42 night lodging facility located wholly within the boundaries of the
43 borough of Manhattan in the city and county of New York, bounded and
44 described as follows:

45 BEGINNING at the intersection formed by the easterly side of Fifth
46 Avenue and the southerly side of East 117th Street; and

47 RUNNING THENCE easterly along the southerly side of East 117th Street,
48 110 feet 0 inches;

49 THENCE southerly at right angles to the last mentioned course, 100
50 feet 11 inches;

51 THENCE westerly at right angles to the last mentioned course, 110 feet
52 0 inches at right angles to the easterly side of Fifth Avenue;

53 THENCE northerly along the easterly side of Fifth Avenue at right
54 angles to the last mentioned course, 100 feet 11 inches to the point or
55 place of BEGINNING.

1 Being known and designated on the Tax Map of The City of New York, for
2 the Borough of Manhattan, as Section 6, Block 1622 Lot 73 as said Tax
3 Map was on the 26th day of November 1974.

4 (d) provided such premises constitutes a premises for the sale of food
5 or beverages at retail for consumption on the premises located wholly
6 within the boundaries of the city of Binghamton, county of Broome,
7 bounded and described as follows:

8 ALL THAT TRACT OR PARCEL OF LAND situate in the City of Binghamton,
9 County of Broome, State of New York, more particularly bounded and
10 described as follows:

11 BEGINNING at the intersection of the east line of Front Street and the
12 south line of Main Street; thence easterly along the south line of Main
13 Street making an interior angle of 100° 54' with the east line of Front
14 Street a distance of 35.36 feet to a point in the center line of a
15 former ten-foot right of way; thence southerly making an interior angle
16 of 79° 15' with the last course a distance of 107 feet to a point in the
17 north line of an alley; thence westerly along the north line of said
18 alley and making an interior angle of 90° 07' with the last course a
19 distance of 35 feet to a point in the east line of Front Street; thence
20 northerly along said east line of Front Street and making an interior
21 angle of 89° 44' with the last course a distance of 100.46 feet to the
22 point of beginning. Hereby intending to describe the premises commonly
23 known as 11 Main Street.

24 (e) provided such premises constitutes a premises for the sale of food
25 or beverages at retail for consumption on the premises located wholly
26 within the boundaries of the city of Binghamton, county of Broome,
27 bounded and described as follows:

28 All that tract or parcel of land, situate in the City of Binghamton,
29 County of Broome and State of New York, on the west side of the Chenango
30 River at the west end of the Court Street Bridge, and bounded and
31 described as follows: Commencing at the southeasterly corner of premises
32 conveyed by Harry Smolensky and Anna Smolensky to Guilio Mattioli and
33 Anthony F. Mattioli, Sr. by Full Covenant Deed dated February 28th, 1963
34 and recorded in the Broome County Clerk's office in Book 1063 of Deeds
35 at page 731 and running thence northerly along the easterly line of
36 premises so conveyed in a straight line to lands formerly the homestead
37 property of Benjamin F. Sisson, the southerly part of which is the third
38 parcel of land described in a Warranty Deed from Archie S. Beers by
39 Roland F. Beers, his attorney in fact to Arthur Kradjian and Kenneth
40 Kradjian dated April 18, 1967 and recorded in the Broome County Clerk's
41 office in Book 1119 of Deeds at page 737; thence in an easterly direc-
42 tion along the south line of the said premises formerly of Arthur Krad-
43 jian and Kenneth Kradjian to the Chenango River; thence southerly along
44 the westerly bank of the Chenango River as it winds and turns to the
45 north side of Main Street; thence in a westerly direction along the
46 north side of said Main Street to the point or place of beginning.

47 (f) provided such premises constitutes a premises for the sale of food
48 or beverages at retail for consumption on the premises located wholly
49 within the boundaries of the city of Binghamton, county of Broome,
50 bounded and described as follows:

51 All that tract or parcel of land situate in the City of Binghamton,
52 County of Broome and State of New York, being a strip of land twelve
53 (12) feet wide, front and rear taken off the entire southerly side of
54 premises described in 1936 as follows: All that tract or parcel of land
55 situate in the City of Binghamton, County of Broome and State of New
56 York, and being the homestead property of Benjamin F. Sisson, deceased,

1 situate on the east side of Front Street in said city and being about
2 eighty-seven (87) feet wide front on Front Street and extending to the
3 Chenango River and bounded as follows: on the north by lands of Carrie
4 M. Waldron (formerly owned by Charles D. Rogers), on the south by lands
5 of Conine & Gleason, C. F. & W. W. Sisson, Ida R. Buckingham and James
6 W. Lyon; on the east by the Chenango River and on the west by Front
7 Street, and including all the lands conveyed to Benjamin F. Sisson by
8 three deeds, to wit: one from the Village of Binghamton dated April 10,
9 1867 and recorded in the Broome County Clerk's office in Book 74 of
10 Deeds at page 125; one from Sarah R. Graves and Herman W. Graves dated
11 July 9, 1875 and recorded in the Broome County Clerk's office in Book 93
12 of Deeds at page 174; and one from Charles D. Rogers and wife dated July
13 9, 1875 and recorded in the Broome County Clerk's office in Book 98 of
14 Deed at page 369 and also includes the northerly part of lands conveyed
15 to Benjamin F. Sisson by John S. Wells and wife by deed dated June 28,
16 1853 and recorded in the Broome County Clerk's office in Book 39 of
17 Deeds at page 401 and 402 to all of which deed reference is had.

18 4. Notwithstanding the provisions of subdivision six of section
19 sixty-four-c of this chapter or of subdivision thirteen of section one
20 hundred six of this chapter, the authority may issue a restaurant
21 brewer's license pursuant to section sixty-four-c of this chapter for:

22 (a) a premises which shall be located wholly within the town of
23 Ulster, county of Ulster, state of New York, bounded and described as
24 follows:

25 ALL that certain plot, piece or parcel of land with the buildings and
26 improvements thereon erected, situate, lying and being in the Town of
27 Ulster, County of Ulster and the State of New York, bounded and
28 described as follows:

29 BEGINNING at a point on the Northeasterly side of City View Terrace,
30 said point being the Westerly corner of the lands of the State of New
31 York and a Southwesterly corner of the herein described parcel; THENCE
32 from said point of beginning along the Northeasterly side of City View
33 Terrace, North 43 degrees 36 minutes 03 seconds West, 109.02 feet to a
34 point on the Southeasterly side of Forest Hill Drive; THENCE along the
35 Southeasterly side of Forest Hill Drive the following course and
36 distances, North 16 degrees 32 minutes 34 seconds West, 92.62 feet to a
37 point; THENCE North 10 degrees 38 minutes 26 seconds East, 70.45 feet to
38 a point; THENCE North 35 degrees 53 minutes 26 seconds East, 122.45 feet
39 to a point; THENCE North 46 degrees 30 minutes 26 seconds East, 203.40
40 feet to a point; THENCE North 62 degrees 37 minutes 26 seconds East;
41 115.94 feet to a point; THENCE North 79 degrees 39 minutes 26 seconds
42 East, 47.82 feet to a point; THENCE North 45 degrees 16 minutes 41
43 seconds East, 63.33 feet to a recovered bar; THENCE along the bounds of
44 lands of now or formerly Skytop Village Associates, L. 1916-P. 134, the
45 following courses and distances, South 37 degrees 08 minutes 02 seconds
46 East, 196.33 feet to a recovered bar; THENCE South 65 degrees 47 minutes
47 02 seconds East, 90.63 feet to a point; THENCE North 77 degrees 23
48 minutes 58 seconds East, 233.85 feet to a recovered bar; THENCE North 85
49 degrees 29 minutes 58 seconds East, 297.09 feet to a recovered bar;
50 THENCE South 63 degrees 30 minutes 02 seconds East, 108.50 feet to a
51 recovered bar; THENCE along the bounds of lands of now or formerly
52 Robert D. Sabino, L. 1487-P. 397, and along a stone wall, South 32
53 degrees 24 minutes 04 seconds West, 353.51 feet to a point; THENCE leav-
54 ing said stone and along the bounds of lands of now or formerly Stanley
55 Amerling, L. 1440-P. 908, South 75 degrees 41 minutes 26 seconds West,
56 264.62 feet to a point; THENCE along the bounds of lands of Summit Prop-

erties, LLC, L. 2856-P. 82, the following courses and distances, North 41 degrees 29 minutes 34 seconds West, 50.00 feet to a point; THENCE South 71 degrees 10 minutes 26 seconds West, 89.84 feet to a point; THENCE South 59 degrees 51 minutes 26 seconds West, 251.72 feet to a point; THENCE South 13 degrees 15 minutes 34 seconds East, 90.20 feet to a point; THENCE along the bounds of lands of said State of New York, the following courses and distances, North 56 degrees 41 minutes 34 seconds West, 168.79 feet to a point; THENCE North 75 degrees 51 minutes 34 seconds West, 254.10 feet to the point and place of beginning. Being the same premises as conveyed to Skytop Motel, LLC by deed of Stewart Title, as agent of the grantor, Skytop Motel, Inc., dated April 29, 2003 and recorded in the office of the Ulster County Clerk on June 10, 2003 as document no. 2003-00016207, Receipt no. 48178, Bk-D VI-3621, pg-171.

(b) for a premises which shall be located wholly within the city of Peekskill, county of Westchester, state of New York, bounded and described as follows:

Any such 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)

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

North 463520.804 (y)

East 608470.681 (x)

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

North 47 degrees 30' 36" West 856.60 feet,

North 77 degrees 10' 53" West 488.18 feet,

North 41 degrees 17' 53" West 113.32 feet and

North 41 degrees 50' 16" East 169.08 feet;

THENCE from the said point of beginning along the said easterly shoreline (high water mark) of the east bank of the Hudson River:

Due North 16.17 feet,

North 53 degrees 58' 22" West 13.60 feet,

North 73 degrees 04' 21" West 24.04 feet,

North 63 degrees 26' 06" West 22.36 feet,

North 82 degrees 18' 14" West 37.34 feet,

North 64 degrees 47' 56" West 37.58 feet,

South 82 degrees 52' 30" West 16.12 feet,

North 61 degrees 41' 57" West 14.76 feet and

South 21 degrees 48' 05" West 9.71 feet;

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

THENCE northerly along the said high water mark, the following courses:

North 3 degrees 00' 46" West 17.54 feet,

1 North 13 degrees 45' 39" West 50.45 feet,
2 North 10 degrees 49' 23" West 69.23 feet,
3 North 0 degrees 47' 22" West 52.48 feet to a point which is the point
4 of beginning of the hereinafter described 40 foot easement which point
5 occupies coordinate position

6 North 464676.48 (y)

7 East 607189.28 (x)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 THENCE leaving the said easement and running along other lands now or
32 formerly of The City of Peekskill Industrial Development Agency, South
33 41 degrees 50' 16" West 270.01 feet to the aforementioned easterly
34 shoreline (high water mark) of the East Bank of the Hudson River and the
35 point or place of beginning.

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

39 BEGINNING at a point on the westerly line of Charles Point Avenue with
40 the said westerly line is intersected by the line dividing the easement
41 herein described on the south from lands under lease to the County of
42 Westchester (Resco Site) on the north which point occupies coordinate
43 position:

44 North 464719.99 (y)

45 East 608004.15 (x)

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

47 THENCE from the said point of beginning southerly along the said
48 westerly line of Charles Point Avenue, South 14 degrees 54' 00" West
49 103.48 feet to a point;

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

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

1 THENCE easterly along the said southerly line Due East 75.00 feet to a
2 point;

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

5 Due South 223.00 feet,

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

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

9 TOGETHER WITH a non-exclusive easement for utilities, and ingress and
10 egress over that certain right of way leading from Charles Point Avenue,
11 now known as John E. Walsh Boulevard, in a westerly and northwesterly
12 direction to the above described premises and as more fully described in
13 the Declaration of Easement recorded in Liber 8888 cp 35.

14 5. The provisions of paragraph (a) of subdivision one of section one
15 hundred one of this chapter shall not apply to:

16 (a) any such premises or business constituting the overnight lodging
17 and resort facility located wholly within the boundaries of the town of
18 North Elba, county of Essex, township eleven, Richard's survey, great
19 lot numbers two hundred seventy-eight, two hundred seventy-nine, two
20 hundred eighty, two hundred ninety-eight, two hundred ninety-nine, three
21 hundred, three hundred eighteen, three hundred nineteen, three hundred
22 twenty, three hundred thirty-five and three hundred thirty-six, and
23 township twelve, Thorn's survey, great lot numbers one hundred six and
24 one hundred thirteen, as shown on the Adirondack map, compiled by the
25 conservation department of the state of New York - nineteen hundred
26 sixty-four edition, in the Essex county atlas at page twenty-seven in
27 the Essex county clerk's office, Elizabethtown, New York, provided that
28 such facility maintains not less than two hundred fifty rooms and suites
29 for overnight lodging;

30 (b) any such premises or business constituting the overnight lodging
31 and resort facility located wholly within the boundaries of that tract
32 or parcel of land situate in the city of Canandaigua, county of Ontario,
33 beginning at a point in the northerly line of village lot nine where it
34 meets with South Main Street, thence south sixty-nine degrees fifty-four
35 minutes west a distance of nine hundred sixteen and twenty-three
36 hundredths feet to an iron pin; thence in the same course a distance of
37 fourteen feet to an iron pin; thence in the same course a distance of
38 fourteen and four-tenths feet to a point; thence south fifteen degrees
39 thirty-eight minutes and forty seconds east a distance of four hundred
40 forty-six and eighty-seven hundredths feet to a point; thence south
41 twenty-eight degrees thirty-seven minutes and fifty seconds east a
42 distance of one hundred thirteen and eighty-four hundredths feet to a
43 point; thence south eighty-five degrees and forty-seven minutes east a
44 distance of forty-seven and sixty-one hundredths feet to an iron pin;
45 thence on the same course a distance of three hundred and sixty-five
46 feet to an iron pin; thence north seventeen degrees twenty-one minutes
47 and ten seconds east a distance of four hundred fifty-seven and thirty-
48 two hundredths feet to an iron pin; thence north nineteen degrees and
49 thirty minutes west a distance of two hundred and forty-eight feet to a
50 point; thence north sixty-nine degrees and fifty-four minutes east a
51 distance of two hundred eighty-four and twenty-six hundredths feet to a
52 point; thence north nineteen degrees and thirty minutes west a distance
53 of sixty feet to the point and place of beginning, provided that such
54 facility maintains not less than seventy-five rooms and suites for over-
55 night lodging;

(c) any such premises or business constituting the overnight lodging facility located wholly within the boundaries of that tract or parcel of land situated in the borough of Manhattan, city and county of New York, beginning at a point on the northerly side of west fifty-fourth street at a point one hundred feet easterly from the intersection of the said northerly side of west fifty-fourth street and the easterly side of seventh avenue; running thence northerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the center line of the block; running thence easterly and parallel with the northerly side of west fifty-fourth street and along the center line of the block fifty feet to a point; running thence northerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the southerly side of west fifty-fifth street at a point distant one hundred fifty feet easterly from the intersection of the said southerly side of west fifty-fifth street and the easterly side of seventh avenue; running thence easterly along the southerly side of west fifty-fifth street thirty-one feet three inches to a point; running thence southerly and parallel with the easterly side of the seventh avenue one hundred feet five inches to the center line of the block; running thence easterly along the center line of the block and parallel with the southerly side of west fifty-fifth street, one hundred feet; running thence northerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the southerly side of west fifty-fifth street; running thence easterly along the southerly side of west fifty-fifth street twenty-one feet ten and one-half inches to a point; running thence southerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the center line of the block; running thence westerly along the center line of the block and parallel with the northerly side of west fifty-fourth street three feet one and one-half inches; running thence southerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the northerly side of west fifty-fourth street at a point distant three hundred feet easterly from the intersection of the said northerly side of west fifty-fourth street and the easterly side of seventh avenue; running thence westerly and along the northerly side of west fifty-fourth street two hundred feet to the point or place of beginning, provided that such facility maintains not less than four hundred guest rooms and suites for overnight lodging;

(d) 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

1 concrete at the corner of Lots 23 and 22; from thence South 65°10'50"
2 West a distance of 7.94 feet along the south line of Lot No. 22 to an
3 iron pipe for a corner; from thence North 23°21'40" West and at 17.84
4 feet along said line passing over a drill hole in a concrete sidewalk,
5 and at 68.04 feet further along said line passing over an iron pipe at
6 the southerly edge of another sidewalk, and at 1.22 feet further along
7 said line passing over another drill hole in a sidewalk, a total
8 distance of 119 feet, more or less, to the northerly line of Lot. No.
9 22; from thence easterly in the northerly line of Lot 22 and 23 to the
10 northeast corner of Lot No. 23 and the point of beginning. Also includ-
11 ing the lands to the center of Shore Drive included between the norther-
12 ly straight line continuation of the side lines of the above described
13 parcel, and to the center of Park Place, where they abut the above
14 described premises SUBJECT to the use thereof for street purposes. Being
15 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by
16 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on
17 July 10, 1992 in Book 1017 of Deeds at Page 318;

18 (e) any such premises or business located on that certain piece or
19 parcel of land, or any subdivision thereof, situate, lying and being in
20 the Town of Plattsburgh, County of Clinton, State of New York and being
21 more particularly bounded and described as follows: Starting at an iron
22 pipe found in the easterly bounds of the highway known as the Old Mili-
23 tary Turnpike, said iron pipe being located 910.39 feet southeasterly,
24 as measured along the easterly bounds of said highway, from the souther-
25 ly bounds of the roadway known as Industrial Parkway West, THENCE
26 running S 31° 54' 33" E along the easterly bounds of said Old Military
27 Turnpike Extension, 239.88 feet to a point marking the beginning of a
28 curve concave to the west; thence southerly along said curve, having a
29 radius of 987.99 feet, 248.12 feet to an iron pipe found marking the
30 point of beginning for the parcel herein being described, said point
31 also marked the southerly corner of lands of Larry Garrow, et al, as
32 described in Book 938 of Deeds at page 224; thence N 07° 45' 4" E along
33 the easterly bounds of said Garrow, 748.16 feet to a 3"x4" concrete
34 monument marking the northeasterly corner of said Garrow, the northwest-
35 terly corner of the parcel herein being described and said monument also
36 marking the southerly bounds of lands of Salerno Plastic Corp. as
37 described in Book 926 of Deeds at Page 186; thence S 81° 45' 28" E along
38 a portion of the southerly bounds of said Salerno Plastic Corp., 441.32
39 feet to an iron pin found marking the northeasterly corner of the parcel
40 herein being described and also marking the northwest corner of the
41 remaining lands now or formerly owned by said Marx and DeLaura; thence S
42 07° 45' 40" W along the Westerly bounds of lands now of formerly of said
43 Marx and DeLaura and along the easterly bounds of the parcel herein
44 being described, 560.49 feet to an iron pin; thence N 83° 43' 21" W
45 along a portion of the remaining lands of said Marx and DeLaura, 41.51
46 feet to an iron pin; thence S 08° 31' 30" W, along a portion of the
47 remaining lands of said Marx and DeLaura, 75.01 feet to an iron pin
48 marking northeasterly corner of lands currently owned by the Joint Coun-
49 cil for Economic Opportunity of Plattsburgh and Clinton County, Inc. as
50 described in Book 963 of Deeds at Page 313; thence N 82° 20' 32" W along
51 a portion of the northerly bounds of said J.C.E.O., 173.50 feet to an
52 iron pin; thence 61° 21' 12" W, continuing along a portion of the north-
53 erly bounds of said J.C.E.O., 134.14 feet to an iron pin; thence S 07°
54 45' 42" W along the westerly bounds of said J.C.E.O., 50 feet to an iron
55 pin; thence S 66° 48' 56" W along a portion of the northerly bounds of
56 remaining lands of said Marx and DeLaura, 100.00 feet to an iron pipe

1 found on the easterly bounds of the aforesaid highway, said from pipe
2 also being located on a curve concave to the west; thence running and
3 running northerly along the easterly bounds of the aforesaid highway and
4 being along said curve, with the curve having a radius of 987.93 feet,
5 60.00 feet to the point of beginning and containing 6.905 acres of land.
6 Being the same premises as conveyed to Ronald Marx and Alice Marx by
7 deed of CIT Small Business Lending Corp., as agent of the administrator,
8 U.S. Small Business Administration, an agency of the United States
9 Government dated September 10, 2001 and recorded in the office of the
10 Clinton County Clerk on September 21, 2001 as Instrument #135020;

11 (f) any such premises or business located on the west side of New York
12 state route 414 in military lots 64 and 75 located wholly within the
13 boundaries of that tract or parcel of land situated in the town of Lodi,
14 county of Seneca beginning at an iron pin on the assumed west line of
15 New York State Route 414 on the apparent north line of lands reputedly
16 of White (lib. 420, page 155); said iron pin also being northerly a
17 distance of 1200 feet more or less from the centerline of South Miller
18 Road; Thence leaving the point of beginning north 85-17'-44" west along
19 said lands of White a distance of 2915.90 feet to an iron pin Thence
20 north 03-52'-48" east along said lands of White, passing through an iron
21 pin 338.36 feet distant, and continuing further along that same course a
22 distance of 13.64 feet farther, the total distance being 352.00 feet to
23 a point in the assumed centerline of Nellie Neal Creek; Thence in gener-
24 ally a north westerly direction the following courses and distances
25 along the assumed centerline of Nellie Neal Creek; north 69-25'-11" west
26 a distance of 189.56 feet to a point; north 63-40'-00" west a distance
27 of 156.00 feet to a point; north 49-25'-00" west a distance of 80.00
28 feet to a point; south 80-21'-00" west a distance of 90.00 feet to a
29 point; north 72-03'-00" west a distance of 566.00 feet to a point; north
30 68-15'-00" west a distance of 506.00 feet to a point; north 55-16'-00"
31 west a distance of 135.00 feet to a point; south 69-18'-00" west a
32 distance of 200.00 feet to a point; south 88-00'-00" west a distance of
33 170.00 feet to a point on a tie line at or near the high water line of
34 Seneca Lake; Thence north 25-17'-00" east along said tie line a distance
35 of 238.00 feet to an iron pipe; Thence south 82-04'-15" east along lands
36 reputedly of M. Wagner (lib. 464, page 133) a distance of 100.00 feet to
37 an iron pin; Thence north 06-56'-47" east along said lands of M. Wagner
38 a distance of 100.00 feet to an iron pipe; Thence north 09-34'-28" east
39 along lands reputedly of Schneider (lib. 429, page 37) a distance of
40 50.10 feet to an iron pipe; Thence north 07-49'-11" east along lands
41 reputedly of Oney (lib. 484, page 24) a distance of 50.00 feet to an
42 iron pipe; Thence north 82-29'-40" west along said lands of Oney a
43 distance of 95.30 feet to an iron pipe on a tie line at or near the
44 highwater line of Seneca Lake; Thence north 08-15'-22" east along said
45 tie line a distance of 25.00 feet to an iron pin; Thence south
46 82-28'-00" east along lands reputedly of Yu (lib. 405, page 420) a
47 distance of 96.53 feet to an iron pipe; Thence north 34-36'-59" east
48 along said lands of Yu a distance of 95.00 feet to a point in the
49 assumed centerline of Van Liew Creek; Thence in generally an easterly
50 direction the following courses and distances along the assumed center-
51 line of Van Liew Creek; north 72-46'-37" east a distance of 159.98 feet
52 to a point; north 87-53'-00" east a distance of 94.00 feet to a point;
53 south 71-12'-00" east a distance of 52.00 feet to a point; south
54 84-10'-00" east a distance of 158.00 feet to a point; south 59-51'-00"
55 east a distance of 160.00 feet to a point; south 83-29'-00" east a
56 distance of 187.00 feet to a point; Thence north 01-33'-40" east along

lands reputedly of Hansen (lib. 515, page 205) passing through an iron pipe 32.62 feet distant, and continuing further along that same course passing through an iron pin 205.38 feet farther, and continuing still further along that same course a distance of 21.45 feet farther, the total distance being 259.45 feet to the assumed remains of a White Oak stump; Thence north 69-16'-11" east along lands reputedly of Schwartz (lib. 374, page 733) being tie lines along the top of the south bank of Campbell Creek a distance of 338.00 feet to a point; Thence south 57-17'32" east along said tie line a distance of 136.60 feet to a point; Thence south 74-45'-00" east along said tie line a distance of 100.00 feet to an iron pin; Thence north 04-46'-00" east along said lands of Schwartz a distance of 100.00 feet to a point in the assumed centerline of Campbell Creek; Thence in generally an easterly direction the following courses and distances along the assumed centerline of Campbell Creek; south 71-34'-00" east a distance of 330.00 feet to a point; north 76-53'-00" east a distance of 180.00 feet to a point; north 83-05'00" east a distance of 230.00 feet to a point; south 66-44'-00" east a distance of 90.00 feet to a point; south 81-10'-00" east a distance of 240.00 feet to a point; south 45-29'-15" east a distance of 73.18 feet to a point; Thence south 05-25'-50" west along lands reputedly of Stanley Wagner (lib. 450, page 276) a distance of 135.00 feet to a point on the assumed north line of Military Lot 75; Thence south 84-34'-10" east along said lands of Wagner and the assumed north line of Military Lot 75 a distance of 1195.06 feet to an iron pin; Thence south 06-57'52" west along said lands of M. Wagner (lib. 414, page 267) passing through an iron pin 215.58 feet distant, and continuing further along that same course a distance of 20.59 feet farther, the total distance being 236.17 feet to a point in the assumed centerline of Campbell Creek; Thence in generally a south easterly direction the following course and distances along the assumed centerline of Campbell Creek; north 78-23'-09" east a distance of 29.99 feet to a point; south 46-09'-15" east a distance of 65.24 feet to a point; north 85-55'-09" east a distance of 60.10 feet to a point; south 61-59'-50" east a distance of 206.91 feet to a point; north 63-58'-27" east a distance of 43.12 feet to a point; south 28-51'-21" east a distance of 47.72 feet to a point; south 15-14'-08" west a distance of 33.42 feet to a point; south 79-16'-32" east a distance of 255.15 feet to a point; south 62-19'-46" east a distance of 75.82 feet to a point; north 76-10'-42" east a distance of 99.60 feet to a point; north 82-12'55" east a distance of 86.00 feet to a point; south 44-13'53" east a distance of 64.08 feet to a point; north 67-52'-46" east a distance of 73.98 feet to a point; north 88-13'-13" east a distance of 34.64 feet to a point on the assumed west line of New York State Route 414; Thence south 20-13'-30" east along the assumed west line of New York State Route 414 a distance of 248.04 feet to a concrete monument; Thence south 02-10'-30" west along said road line a distance of 322.90 feet to an iron pin; Thence 13-14'-50" west along said road line a distance of 487.41 feet to an iron pin, said iron pin being the point and place of beginning;

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

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

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

1 This survey intends to describe a portion of the premises as conveyed
2 by Ruth V. Wagner to Stanley A. Wagner by deed recorded February 10,
3 1989 in Liber 450 of deeds, at Page 286.

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

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

10 Beginning at an iron pin on the assumed east line of New York State
11 Route 414, said iron pin being north 50-44'-57" east a distance of
12 274.92 feet from the south east corner of the parcel of land herein
13 above described; Thence leaving the point of beginning north 00-26'01"
14 east along a mathematical tie line a distance of 504.91 feet to an iron
15 pin; Thence south 37-00'-20" east along lands reputedly of Tomberelli
16 (lib. 419, page 243) passing through an iron pin 176.00 feet distant,
17 and continuing further along that same course a distance of 2.01 feet
18 farther, the total distance being 178.01 feet to a point; Thence south
19 09-03'-55" west along lands reputedly of M. Wagner (lib. 491, page 181)
20 a distance of 68.19 feet to an iron pipe; Thence south 15-36'-04" west
21 along said lands of M. Wagner a distance of 300.15 feet to an iron pipe;
22 Thence south 72-04'-59" west along said lands of M. Wagner a distance of
23 20.49 feet to an iron pin, said iron pin being the point and place of
24 beginning.

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

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

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

32 This survey intends to describe the same premises as conveyed by Henry
33 W. Eighmey as executor of the Last Will and Testament of Mary C. Eighmey
34 to Stanley A. Wagner by deed recorded July 2, 1996 in liber 542, page
35 92.

36 This survey also intends to describe a portion of the premises as
37 conveyed by Ruth V. Wagner to Stanley A. Wagner by deed recorded Febru-
38 ary 10, 1989 in Liber 450 of deeds, at Page 286;

39 (g) any premises or business located wholly within the following
40 described parcel: ALL THAT TRACT OR PARCEL OF LAND situate in the City
41 of Corning, County of Steuben and State of New York bounded and
42 described as follows: Beginning at an iron pin situate at the terminus
43 of the westerly line of Townley Avenue at its intersection with the
44 southwesterly line of New York State Route 17; thence S 00° 45' 18" E
45 along the westerly line of Townley Avenue, a distance of 256.09 feet to
46 a point; thence S 89° 02' 07" W through an iron pin placed at a distance
47 of 200.00 feet, a total distance of 300.00 feet to an iron pin; thence N
48 00° 59' 17" W a distance of 47.13 feet to an iron pin; thence S 89° 02'
49 07" W a distance of 114.56 feet to a point situate in the southeast
50 corner of Parcel A-2 as set forth on a survey map hereinafter described;
51 thence N 14° 18' 49" E a distance of 124.40 feet to an iron pin situate
52 at the southeast corner of lands now or formerly of Cicci (Liber 923,
53 Page 771); thence N 14° 18' 49" E a distance of 76.46 feet to an iron
54 pin; thence N 00° 57' 53" W a distance of 26.25 feet to an iron pin
55 marking the southeast corner of parcel A-1 as set forth on the herein-
56 after described survey map; thence N 00° 58' 01" W a distance of 166.00

1 to an iron pin situate at the northeast corner of said Parcel A-1, which
2 pin also marks the southeast corner of lands now or formerly of Becraft
3 (Liber 1048, Page 1086); thence N 00° 57' 53" W a distance of 106.00
4 feet to an iron pin situate in the southerly line of lands now or
5 formerly of the United States Postal Service; thence N 89° 02' 07" E
6 along the southerly line of said United States Postal Service a distance
7 of 81.47 feet to a point; thence N 14° 18' 49" E along the easterly line
8 of said United States Postal Service a distance of 114.29 feet to an
9 iron pin situate in the southwesterly line of New York State Route 17;
10 thence S 32° 00' 31" E along the southwesterly line of New York State
11 Route 17, a distance of 358.93 feet to an iron pin; thence continuing
12 along the southwesterly line of New York state Route 17, S 38° 30' 04" E
13 a distance of 108.18 feet to the iron pin marking the place of begin-
14 ning. Said premises are set forth and shown as approximately 4.026 acres
15 of land designated as Parcel A (excluding Parcels A-1 and A-2) on a
16 survey map entitled "As-Built Survey of Lands of New York Inn, LLC, City
17 of Corning, Steuben County, New York" by Weiler Associates, dated Decem-
18 ber 27, 2001, designated Job No. 12462;

19 (h) any such premises or businesses located on that certain plot,
20 piece or parcel of land, situate, lying and being in the Second Ward of
21 the City of Schenectady, on the Northerly side of Union Street, bounded
22 and described as follows: to wit; Beginning at the Southeasterly corner
23 of the lands lately owned by Elisha L. Freeman and now by Albert Shear;
24 and running from thence Easterly along the line of Union Street, 44 feet
25 to the lands now owned by or in the possession of James G. Van Vorst;
26 thence Northerly in a straight line along the last mentioned lands and
27 the lands of the late John Lake, 102 feet to the lands of one Miss Rodg-
28 ers; thence Westerly along the line of the last mentioned lands of said
29 Rodgers to the lands of the said Shear; and thence Southerly along the
30 lands of said Shear 101 feet, 6 inches to Union Street, the place of
31 beginning.

32 Also all that tract or parcel of land, with the buildings thereon,
33 situate in the City of Schenectady, County of Schenectady, and State of
34 New York, situate in the First, formerly the Second Ward of the said
35 City, on the Northerly side of Union Street, which was conveyed by
36 William Meeker and wife to Elisha L. Freeman by deed dated the second
37 day of December 1843, and recorded in the Clerk's Office of Schenectady
38 County on December 5, 1843, in Book V of Deeds at page 392, which lot in
39 said deed is bounded and described as follows: Beginning at a point in
40 the Northerly line of Union Street where it is intersected by the East-
41 erly line of property numbered 235 Union Street, which is hereby
42 conveyed, and running thence Northerly along the Easterly line of said
43 property, One Hundred Forty and Five-tenths (140.5) feet to a point
44 sixteen (16) feet Southerly from the Southerly line of the new garage
45 built upon land adjoining on the North; thence Westerly parallel with
46 said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly
47 One Hundred Forty and Eight-tenths (140.8) feet to the Northerly margin
48 of Union Street; thence Easterly along the Northerly margin of Union
49 Street, about Forty-eight and three-tenths (48.3) feet to the point or
50 place of beginning.

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

53 All that parcel of land in the City of Schenectady beginning at a
54 point in the northerly margin of Union Street at the southwesterly
55 corner of lands now or formerly of Friedman (Deed Book 636 at page 423)
56 which point is about 60 feet westerly of the westerly line of North

1 College Street and runs thence N. 86 deg. 42' 20" W. 92.30 feet to the
2 southeasterly corner of other lands now or formerly of Friedman (Deed
3 Book 798 at page 498); thence N. 04 deg. 06' 48" E. 140.50 feet to the
4 southwesterly corner of lands now or formerly of Stockade Associates
5 (Deed Book 1038 at page 521); thence S. 87 deg. 05' 27" E. 46.70 feet to
6 lands now or formerly of McCarthy (Deed Book 1129 at page 281); thence
7 along McCarthy S. 00 deg. 52' 02" E. 3.69 feet to the northwesterly
8 corner of lands now or formerly of SONYMA (Deed Book 1502 at page 621);
9 thence along lands of SONYMA S. 02 deg 24' 56" W. 34.75 feet to a corner;
10 thence still along lands of SONYMA and lands now or formerly of Magee
11 (Deed Book 399 at page 165) S. 86 deg. 11' 52" E. 42.57 feet to a
12 corner; thence still along lands of Magee and Lands of Friedman first
13 above mentioned S. 03 deg. 10' 08" W. 102.00 feet to the point of begin-
14 ning.

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

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

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

41 Also all that tract or parcel of land commonly known as the Union
42 Street School, located on the Northeasterly corner of Union and North
43 College Streets in the First Ward of the City and County of Schenectady
44 and State of New York, more particularly bounded and described as
45 follows:

46 Beginning at a point in the Northerly street line of Union Street
47 where it is intersected by the Easterly street line of North College
48 Street, and runs thence Northerly along the Easterly street line of
49 North College Street, one hundred seven and five-tenths (107.5) feet to
50 a point, thence easterly at an angle of ninety (90) degrees, one hundred
51 ninety-one and seventy-five hundredths (191.75) feet to a point in the
52 Northwesterly street line of Erie Boulevard thence southwesterly along
53 the Northwesterly street line of Erie Boulevard, one hundred twenty-
54 three and eight-tenths (123.8) feet to its intersection with the North-
55 erly street line of Union Street; thence Westerly along the Northerly

1 street line of Union Street, one hundred twenty-four and fifty-five
2 hundredths (124.55) feet to the point or place of beginning.

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

10 The two above parcels are together more particularly described as
11 follows: All that parcel of land in the City of Schenectady beginning at
12 a point in the northerly margin of Union Street and the northwesterly
13 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.
14 42' 20" W. 124.55 feet to the easterly margin of North College Street;
15 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to
16 the southeasterly corner of lands now or formerly of McCarthy (Deed Book
17 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or
18 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.
19 191.75 feet to the northwesterly margin of Erie Boulevard; thence along
20 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-
21 ning;

22 (i) any such premises or businesses located on that tract or parcel of
23 land situate in the Town of Hopewell, Ontario County, State of New York,
24 bounded and described as follows: Commencing at a 5/8" rebar found on
25 the division line between lands now or formerly of Ontario County -
26 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the
27 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,
28 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-
29 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,
30 North 43°-33'-40" West, continuing on said division line and through
31 said lands of Ontario County, a distance of 520.45 feet to a point on
32 the southeasterly edge of an existing concrete pad; thence, South
33 74°-19'-53" West, along said edge of concrete and the projection there-
34 of, a distance of 198.78 feet to a point on the easterly edge of pave-
35 ment of an existing campus drive; thence, the following two (2) courses
36 and distances along said edge of pavement: Northeasterly on a curve to
37 the left having a radius of 2221.65 feet, a chord bearing of North
38 30°-16'-39" East, a chord distance of 280.79, a central angle of
39 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;
40 thence, Northeasterly on a curve to the right having a radius of 843.42
41 feet, a chord bearing of North 45°-25'-09" East, a chord distance of
42 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a
43 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the
44 corner of the property acquired by Ontario County (Liber 766 of Deeds,
45 Page 1112), as shown on a map recorded in the Ontario County Clerk's
46 Office as Map No. 6313; thence, the following four (4) courses and
47 distances along said property line: South 30°-04'-59" East, a distance
48 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of
49 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of
50 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-
51 erty line, and the projection thereof, through the first said lands of
52 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,
53 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel
54 containing 7.834 acres, more or less, as shown on a map entitled
55 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts
56 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,

dated June 10, 2005, last revised August 17, 2005. The related PAC Properties are shown on the Map denominated "FLCC Campus Property, FLPAC Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds at page 9 and are comprised of the areas separately labeled as Parking Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the Entry Roads;

(j) any 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 a one story building on the lands, now or formerly, of Abner Doubleday, LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Brenda Patton, which point lies N 87°55'13" W a distance of 149.37' from the northeast corner of the Patton lands; thence N 74°30'18" W a distance of 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point; thence N 15°29'42" E a distance of 25.40 feet to a point to the point and place of beginning. Containing an area of 1576.06 square feet, or 0.036 acres with such bearings referencing Magnetic North 1995. This survey is subject to any rights of way or easements which may have been granted to utility companies;

(k) 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 paragraph. 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 easterly line of N. Clinton Street; thence N. 28° 09' 10" W. a distance of 364.86 feet to the point and place of beginning. Said parcel being approximately 1.99 acres. The aforesaid described parcel is also shown as Lot "1B" (331 Genant Drive) according to a map entitled "A Map of Resubdivision of a portion of Block D in the Original Village of Syracuse into Lots 1A and 1B, City of Syracuse, Onondaga County, State of New York, Known as 431 and 311 Genant Drive" by James M. Zuccolotto,

1 Licensed Land Surveyor, dated March 20, 2001 and last revised May 21,
2 2002, and filed in the Onondaga County Clerk's office on May 28, 2002 as
3 Map No. 9408.

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

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

41 ALSO EXCEPTING AND RESERVING to Niagara Mohawk Power Corporation, its
42 successors and assigns, from the parcel(s) described in this deed, the
43 permanent right-of-way and easement to operate, maintain, replace and/or
44 remove any and all existing gas and electric facilities, and all appur-
45 tenant facilities thereto, as are now erected upon the premises above
46 described, including the full right, privileges and authority to cross
47 lands of the party of the second part to gain access to said facilities,
48 and also including the full right, privileges and authority to cut and
49 remove all trees, structures, and other obstructions within the perma-
50 nent right-of-way, together with the right to cut and remove any trees
51 outside the permanent right-of-way which in the sole opinion of Niagara
52 Mohawk Power Corporation, its successors and assigns, are deemed likely
53 to interfere with or pose a hazard to the facilities, provided that the
54 Multi-Story Brick Building, stairs and two air conditioning units shown
55 on the Subdivision Map shall not be removed or modified by Niagara

1 Mohawk Power Corporation, its successors and assigns, pursuant to this
2 Right-of-Way and Easement.

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

15 (1) ALL that certain plot, piece or parcel of land, situate, lying and
16 being in the Town of Greenburgh, County of Westchester and State of New
17 York, being bounded and described as follows:

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

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

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

30 THENCE westerly along same, South 80 Degrees 34' 00" West 85.00 feet,
31 South 9 Degrees 26' 00" East 40.52 feet, South 80 Degrees 35' 00" West
32 120.56 feet, and South 81 Degrees 15' 00" West 485.74 feet to the east
33 side of Saw Mill River Road;

34 THENCE southerly along same, South 18 Degrees 17' 40" East 150.40 feet
35 and South 11 Degrees 23' 24" East 431.17 feet to the point of BEGINNING;

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

45 COMMENCING at an iron rod in the westerly side of River Street at the
46 most southeasterly corner of premises heretofore conveyed by Harry Gold-
47 berg and Norman Goldberg to Arthur E. Collins and another, by Deed dated
48 November 8, 1940, recorded November 12, 1940 In the Office of the Clerk
49 of the County of Rensselaer in Book 633 of Deeds at page 400 and running
50 thence southerly along the westerly line of River Street 215.6 feet to a
51 pipe in the most southeasterly corner of Lot No. A7; thence westerly
52 along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to
53 the easterly shore of the Hudson River; thence northerly along the east-
54 erly shore of the Hudson River 216 feet more or less to the most south-
55 westerly corner of land heretofore conveyed by the said Harry Goldberg
56 and Norman Goldberg to Arthur E. Collins and another hereinbefore

1 recited; thence along the southerly line of lands heretofore conveyed to
2 said Collins and another easterly 31.75 feet; thence northerly 6.33
3 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence east-
4 erly 150.57 feet to the point or place of beginning.

5 EXCEPTING THEREFROM that portion of the above described premises as
6 were conveyed by John B. Garrett, Inc. to Cahill Orthopedic Laboratory,
7 Inc. by deed dated June 22, 1993 and recorded in the Rensselaer County
8 Clerk's Office on June 24, 1993 in Book 1690 of Deeds at Page 215,
9 Containing 17,600 square feet of land more or less.

10 BEARINGS refer to the magnetic meridian of 1993. Said premises are
11 also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage
12 and depth 115.60 x 220.00 being the same premises described in Book 6534
13 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being
14 the same premises in the 2009 City of Troy Assessment Rolls and
15 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA,
16 ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT); and being further bounded
17 and described as follows: BEGINNING at a point marked by a capped iron
18 rod where the division line between lands now or formerly of Walter
19 Snyder Printer, Inc. (Liber 1334, Page 861) on the northeast and lands
20 herein described on the southwest intersects the northwesterly side of
21 River Street; running thence South 40° 01' 52" West along the northwes-
22 terly side of River Street a distance of 100.00 feet to a point; thence
23 North 49° 45' 31" West a distance of 41.97 feet to a point at the south-
24 westerly corner of the building located on the herein described prem-
25 ises, said point also being the northeasterly corner of the building
26 located on the property adjoining on the southwest; thence North 60° 59'
27 40" West along the building wall located on the property adjoining on
28 the southwest and the northwesterly continuation of same a distance of
29 140.88 feet to the easterly shore of the Hudson River; thence North 30°
30 16' 52" East along the shore of the Hudson River a distance of 90.90
31 feet to a point; thence South 60° 44' 08" East along lands now or
32 formerly of Walter Snyder Printer, Inc. (Liber 1334, Page 861) a
33 distance of 31.75 feet to a point; thence North 30° 16' 52" East contin-
34 uing along lands now or formerly of Walter Snyder Printer, Inc. a
35 distance of 6.33 feet to a point; thence South 60° 44' 08" East continu-
36 ing along lands now or formerly of Walter Snyder Printer, Inc a distance
37 of 18.00 feet to a point; thence South 30° 16' 52" West continuing along
38 lands now or formerly of Walter Snyder Printer, Inc. a distance of 6.33
39 feet to a point; thence South 60° 44' 08" East continuing along lands
40 now or formerly of Walter Snyder Printer, Inc. a distance of 149.40 feet
41 to the point and place of beginning. Be the aforesaid dimensions in this
42 clause more or less and encompassing lands considered to be a single
43 contiguous parcel;

44 (n) any premises licensed under section sixty-four of this chapter in
45 which a manufacturer or wholesaler holds a direct or indirect interest,
46 provided that:

47 (i) said premises consist of an interactive entertainment facility
48 which predominantly offers interactive computer and video entertainment
49 attractions, and other games and also offers themed merchandise and food
50 and beverages, (ii) the sale of alcoholic beverages within the premises
51 shall be restricted to an area consisting of not more than twenty-five
52 percent of the total interior floor area of the premises, (iii) the
53 retail licenses shall derive not less than sixty-five percent of the
54 total revenue generated by the facility from interactive video enter-
55 tainment activities and other games, including related attractions and
56 sales of merchandise other than food and alcoholic beverages, (iv) the

1 interested manufacturer or wholesaler, or its parent company, shall be
2 listed on a national securities exchange and its direct or indirect
3 equity interest in the retail licensee shall not exceed twenty-five
4 percent, (v) no more than fifteen percent of said licensee's purchases
5 of alcoholic beverages for sale in the premises shall be products
6 produced or distributed by the manufacturer or wholesaler, (vi) neither
7 the name of the manufacturer or wholesaler nor the name of any brand of
8 alcoholic beverage produced or distributed by said manufacturer or
9 wholesaler shall be part of the name of the premises, (vii) the name of
10 the manufacturer or wholesaler or the name of products sold or distrib-
11 uted by such manufacturer or wholesaler shall not be identified on
12 signage affixed to either the interior or the exterior of the premises
13 in any fashion, (viii) promotions involving alcoholic beverages produced
14 or distributed by the manufacturer or wholesaler are not held in such
15 premises and further, retail and consumer advertising specialties bear-
16 ing the name of the manufacturer or wholesaler or the name of alcoholic
17 beverages produced or distributed by the manufacturer or wholesaler are
18 not utilized in any fashion, given away or sold in said premises, and
19 (ix) except to the extent provided in this paragraph, the licensing of
20 each premises covered by this exception is subject to all provisions of
21 section sixty-four of this chapter, including but not limited to liquor
22 authority approval of the specific location thereof;

23 (o) The provisions of this subdivision shall not prohibit (i) a
24 manufacturer or wholesaler, if an individual, or a partner, of a part-
25 nership, or, if a corporation, an officer or director thereof, being an
26 officer or director of a duly licensed charitable organization which is
27 the holder of a license for on-premises consumption under this chapter,
28 nor (ii) a manufacturer acquiring any such premises if the liquor
29 authority first consents thereto after determining, upon such proofs as
30 it shall deem sufficient, that such premises is contiguous to the
31 licensed premises of such manufacturer, and is reasonably necessary for
32 the expansion of the facilities of such manufacturer. After any such
33 acquisition, it shall be illegal for a manufacturer acquiring any such
34 premises to sell or deliver alcoholic beverages manufactured by him to
35 any licensee occupying such premises;

36 (p) any such premises or business located in the Town of Carmel, Coun-
37 ty of Putnam, State of New York, and being more particularly bounded and
38 described as follows:

39 BEGINNING at a point on the westerly side of U.S. Route 6 where the
40 same is intersected by Lot No. 1 as shown on "Minor Subdivision Plat
41 Prepared for Hinckley Holdings LLC Between Tax Lots 55.10-1-1, 55.10-1-3
42 & 55.6-1-53," filed in the Putnam County Clerks' office on July 18, 2018
43 as filed map no. 3196 and lands now or formerly of the Putnam County
44 Bike path; THENCE from said point of beginning along the westerly side
45 of U.S. Route 6, S 14° 39' 25" E 16.79' to the intersection of Lot Nos.
46 1 & 3 as shown on the aforementioned filed map no. 3196; THENCE along
47 the dividing line between Lot Nos. 1 & 3 as shown on the aforementioned
48 filed map no. 3196, S 75° 20' 35" W 6.53' to a point on a curve to the
49 right; THENCE along said curve to the right with a radius of 150.00', a
50 length of 49.19' and a central angle of 18° 47' 25" to a point; thence N
51 85° 52' 00" W 743.76', S 2° 05' 46" W 866.14' and N 88° 19' 25" W
52 258.90' to a point at the intersection of Lot Nos. 1, 2, & 3 as shown on
53 the aforementioned filed map no. 3196; THENCE along the dividing line
54 between Lot Nos. 1 & 2 as shown on the aforementioned filed map no.
55 3196, N 28° 38' 52" W 218.96' and N 77° 16' 24" W 239.77' to a point on
56 a curve to the right; THENCE along said curve to the right with a radial

1 bearing of S 84° 14' 21" E, a radius of 150.00', a length of 14.91' and
2 a central angle of 5° 41' 49" to a point; thence N 11° 27' 28" E 300.64'
3 to a point on a curve to the left; THENCE along said curve to the left
4 with a radius of 70.00', a length of 121.16' and a central angle of 99°
5 10' 18" to a point; THENCE N 87° 42' 50" W 58.65' to a point on the
6 easterly side of Seminary Hill Road; THENCE along the easterly side of
7 Seminary Hill Road, N 24° 43' 45" E 16.72', N 22° 06' 20" E 413.76', N
8 31° 12' 50" E 6.29', N 43° 03' 10" E 4.16' and N 42° 32' 19" E 6.72' to
9 a point at the intersection of Lot No. 1 as shown on the aforementioned
10 filed map no. 3196 and lands now or formerly of the Putnam County Bikep-
11 ath; THENCE along the dividing line between Lot No. 1 as shown on the
12 aforementioned filed map no. 3196 and lands now or formerly of the
13 Putnam County Bikepath, N 63° 24' 48" E 12.80', N 72° 52' 19" E 17.05',
14 S 68° 45' 13" E 41.08', S 88° 19' 31" E 215.42', S 29° 05' 17" E 71.85',
15 S 74° 05' 17" E 393.67' and S 85° 52' 00" E 617.85' to the point and
16 place of BEGINNING. Containing within said bounds 13.003 acres of land
17 more or less; or

18 (q) ALSO ALL THOSE TRACT OR PARCEL OF LAND, situate, lying and being
19 in the Village of South Glens Falls, County of Saratoga and State of New
20 York, being more particularly bounded and described as follows: BEGIN-
21 NING at a point at the southwest corner of the herein described parcel.
22 Also being the southeast corner of Lands of Village of South Glens Falls
23 (L. 1448 P. 709) and being on the north boundary of West Marion Street,
24 thence from said point of beginning: n 21-21'-57" E 150.72 feet along
25 lands of the Village of South Glens Falls to a point on the south bound-
26 ary of South Glens Falls, thence S 67-34'-02" E 189.04 feet along lands
27 of Village of South Glens Falls and Mounir Rahal to a point at the
28 southeast corner of Rahal and on the west boundary of U.S. Rte. 9,
29 thence S 21-16'-27" W 150.81 feet along Rte. 9 to a point at the inter-
30 section of the west boundary of Rte. 9 and the north boundary of West
31 Marion Street, thence North 67-32'-32" West 189.29 feet along West
32 Marion Street to the point and place of beginning. Said parcel contain-
33 ing 0.507 plus or minus acres.

34 6. Notwithstanding any other provision of law to the contrary:

35 (a)(1) the state liquor authority shall issue a license under section
36 seventy-six-a of this chapter to the New York State Wine and Culinary
37 Center, Inc. ("center") situated at the premises known as: all that
38 certain plot, piece or parcel of land, with the buildings and improve-
39 ments thereon erected, situate, lying and being in the City of Canan-
40 daigua, County of Ontario and State of New York and being more partic-
41 ularly described as follows: Being at an iron stake located on the
42 northerly line of Village Lot No. 9 where the same intersects the
43 westerly line of South Main Street; thence south 19 degrees 30' east
44 along the westerly street line of South Main Street a distance of 60
45 feet to an iron stake which is the point and place of beginning; thence
46 (1) south 69 degrees 54' west a distance of 284.26 feet to an iron
47 stake; thence (2) south 19 degrees 30' east a distance of 248 feet to an
48 iron stake; thence (3) south 17 degrees 21' 10" west a distance of
49 120.05 feet to an iron stake; thence (4) south 81 degrees 52' 20" east a
50 distance of 236.63 feet to an iron stake; thence (5) north 8 degrees 10'
51 east a distance of 30 feet to an iron stake; thence (6) south 81 degrees
52 50' east a distance of 100 feet to an iron stake; thence (7) north 8
53 degrees 10' east a distance of 94.97 feet to an iron stake located on
54 the westerly street line of South Main Street; thence (8) north 19
55 degrees 30' west along the westerly street line of South Main Street a

1 distance of 392.52 feet to an iron stake which is the point and place of
2 beginning.

3 (ii) The center may, but shall not be required to, produce wine as a
4 condition of such license.

5 (iii) No person shall be disqualified from acting as a director, offi-
6 cer, or employee of, or purveyor to, the center by reason of such person
7 holding a license under this law, or being affiliated with a licensee
8 under this law as a shareholder, partner, officer, director, or employ-
9 ee.

10 (iv) No person shall be disqualified from being a lender or lessor to
11 the center, or a donor, patron, contributor or sponsor from time to time
12 of the center through contributions in cash or in kind, on terms agreed
13 with the board of directors of the center, by reason of such person
14 holding a license under this law, or being affiliated with a licensee
15 under this law as a shareholder, partner, officer, director, or employ-
16 ee. Such persons shall be entitled, regardless of their licensing status
17 under this law, to obtain all the benefits generally approved by the
18 board of directors of the center and offered to donors of similar
19 amounts.

20 (v) Notwithstanding any other provision of law to the contrary, the
21 center is expressly authorized to:

22 (A) sell New York state produced wines, beers, ciders and distilled
23 spirits for both on and off premise consumption;

24 (B) offer tastings on the premises of such products and charge the
25 general public such amounts as it deems fit for such tastings. For
26 purposes of this section, tastings may be conducted in a common tasting
27 area on the premises;

28 (C) provide banquet and entertainment facilities for the general
29 public for private parties in consideration of such fees as are estab-
30 lished by the board of directors of the center from time to time, and to
31 sell and serve at such events wines, ciders, malt beverages and
32 distilled spirits selected by persons hiring the facilities; and

33 (D) hold through a wholly owned subsidiary a branch office permit at
34 the Finger Lakes Welcome Center situated at the premises known as:

35 All that tract or parcel of land situate in the City of Geneva, County
36 of Ontario, State of New York, all as shown on a map entitled "Existing
37 Building Exhibit Finger Lakes Welcome Center" prepared by Costich Engi-
38 neering D.P.C dated February 28, 2018 having dwg # 4750 VE110 and being
39 more particularly bounded and described as follows:

40 Beginning at the existing northwest corner of the One Story Frame
41 Finger Lakes Welcome Center having grid coordinates of N1046012.35 E
42 714603.03 referenced to the New York State Plane Coordinate System of
43 1983 Central Zone; thence Easterly, and along the existing building face
44 a distance of 52.3 feet to a point; thence Northerly, and along the
45 existing building face a distance of 5.3 feet to a point; thence Easter-
46 ly, and along the existing building face a distance of 40.3 feet to a
47 point; thence Southerly, and along the existing building face a distance
48 of 26.5 feet to a point; thence Easterly, and along the existing build-
49 ing face a distance of 5.4 feet to a point; thence Southerly, and along
50 the existing building face a distance of 15.0 feet to a point; thence
51 Easterly, and along the existing building face a distance of 8.5 feet to
52 a point; thence Southerly, and along the existing building face a
53 distance of 31.3 feet to a point; thence Westerly, and along the exist-
54 ing building face a distance of 28.1 feet to a point; thence Northerly,
55 and along the existing building face a distance of 4.4 feet to a point;
56 thence Westerly, and along the existing building face a distance of 26.1

1 feet to a point; thence Southerly, and along the existing building face
2 a distance of 42.2 feet and continuing southerly on the building exten-
3 sion line a distance of 28 feet comprising a total distance of 70.2 feet
4 to a point on the southerly limit of the existing patio area; thence
5 Westerly, and along the southerly limits of the existing patio area a
6 distance of 95 feet to a point; thence Northerly, and along the westerly
7 limits of the existing patio area a distance of 11 feet to a point of
8 curvature; thence Northerly, along a curve to the left and along the
9 westerly limits of the existing patio area a distance of 19 feet to a
10 point; thence Northerly, and along the westerly limits of the existing
11 patio area a distance of 18 feet to a point; thence Easterly, and along
12 the northerly limits of the existing patio area a distance of 27 feet to
13 a point on the existing building face; thence Northerly, and along the
14 existing building face a distance of 45.7 feet to a point; thence East-
15 erly, and along the existing building face a distance of 28.1 feet to a
16 point; thence Northerly, and along the existing building face a distance
17 of 44.9 feet to the point and place of beginning.

18 (b)(i) the state liquor authority shall issue a license under section
19 seventy-six-a of this chapter to the Finger Lakes Wine Center, Inc.
20 ("center") situated at the premises known as:

21 All that tract or parcel of land situate in the City of Ithaca, County
22 of Tompkins and State of New York, bounded and described as follows:

23 PARCEL A:

24 BEGINNING at a point at the intersection of the easterly street line
25 of South Cayuga Street with the northerly street line of East Clinton
26 Street;

27 thence North 02 degrees 05 minutes 21 seconds West along the easterly
28 street line of South Cayuga Street a distance of 273.47 feet to a point;

29 thence North 87 degrees 29 minutes 52 seconds East a distance of 77.84
30 feet to a point;

31 thence South 02 degrees 30 minutes 08 seconds East a distance of
32 108.17 feet to a point;

33 thence North 87 degrees 29 minutes 52 seconds East a distance of 46.83
34 feet to a point;

35 thence South 02 degrees 30 minutes 08 seconds East a distance of
36 107.31 feet to a point;

37 thence North 87 degrees 29 minutes 52 seconds East a distance of 12.17
38 feet to a point;

39 thence South 02 degrees 30 minutes 08 seconds East a distance of 24.70
40 feet to a point;

41 thence South 87 degrees 29 minutes 52 seconds West a distance of 12.17
42 feet to a point;

43 thence South 02 degrees 30 minutes 08 seconds East a distance of 33.50
44 feet to a point in the northerly street line of East Clinton Street;

45 thence South 87 degrees 35 minutes 39 seconds West a distance of
46 126.65 feet to the point of beginning, containing 0.680 acres of land.

47 SUBJECT to the following:

48 Restrictive covenants running with the land, contained in a Deed from
49 the Ithaca Urban Renewal Agency to the City of Ithaca dated July 13,
50 1976 and recorded in said Clerk's Office on July 13, 1977 in Liber 558
51 of Deeds at page 672.

52 Restrictive covenants running with the land, contained in a Deed from
53 the Ithaca Urban Renewal Agency to the City of Ithaca dated July 13,
54 1977 and recorded in said Clerk's Office on July 13, 1977 in Liber 558
55 of Deeds at page 684.

1 A right of way reserved to the Grantor to enter upon lands contained
2 within the boundary lines of Six Mile Creek to make excavations, remove
3 gravel and other material from the creek bed, erect walls and embank-
4 ments, etc., as granted by instrument of Salem Twist, et. al. dated
5 August 8, 1906 and recorded in the Tompkins County Clerk's Office on
6 January 31, 1907 in Liber 166 of Deeds at page 163.

7 Right of way for ingress and egress conveyed by instrument by and
8 between the Ithaca Urban Renewal Agency and D.M. Abbot Investors Corpo-
9 ration dated May 17, 1967 and recorded in said Clerk's Office in Liber
10 469 of Deeds at page 25.

11 The provisions of Exhibit A to the Air Rights Lease related to CDP's
12 access to the Premises for repairs and maintenance.

13 TOGETHER WITH:

14 1. A right of way for ingress and egress conveyed by instrument by and
15 between D.M. Abbott Investors Corp. and the Ithaca Urban Renewal Agency
16 dated November 24, 1967 and recorded in said Clerk's Office on January
17 21, 1969 in Liber 479 of Deeds at page 640; and

18 2. An easement in common with others over the premises shown as
19 "Parcel B" on the below-referenced survey map for ingress from and
20 egress to South Cayuga Street.

21 The above described premises are SHOWN AS "Parcel A" on a survey map
22 entitled "Boundary Map Showing Property Bounded North by East Green
23 Street, South by East Clinton Street, West by South Cayuga Street and
24 Southeast by Six Mile Creek, Designated for a Proposed Project 'Cayuga
25 Green at Six Mile Creek', City of Ithaca, Tompkins County, New York,"
26 dated November 20, 2003 and labeled as job number S02-530, prepared by
27 T.G. Miller, P.C., Engineers and Surveyors, hereinafter referred to as
28 "the Survey Map".

29 (ii) The center may, but shall not be required to, produce wine as a
30 condition of such license.

31 (iii) No person shall be disqualified from acting as a director, offi-
32 cer, or employee of, or purveyor to, the center by reason of such person
33 holding a license under this chapter, or being affiliated with a licen-
34 see under this chapter as a shareholder, partner, officer, director, or
35 employee.

36 (iv) No person shall be disqualified from being a lender or lessor to
37 the center, or a donor, patron, contributor or sponsor from time to time
38 of the center through contributions in cash or in kind, on terms agreed
39 with the board of directors of the center, by reason of such person
40 holding a license under this chapter, or being affiliated with a licen-
41 see under this chapter as a shareholder, partner, officer, director, or
42 employee. Such persons shall be entitled, regardless of their licensing
43 status under this chapter, to obtain all the benefits generally approved
44 by the board of directors of the center and offered to donors of similar
45 amounts.

46 (v) The center is expressly authorized to:

47 (A) charge the general public such amounts as it sees fit for the
48 tasting of New York state wines sold on the premises;

49 (B) provide banquet and entertainment facilities for the general
50 public for private parties in consideration of such fees as are estab-
51 lished by the board of directors of the center from time to time and to
52 sell and serve at such events wines, malt beverages and distilled spir-
53 its selected by persons hiring the facilities; and

54 (C) provide for wine related and other educational classes as deemed
55 appropriate by the center, either alone or in conjunction with other
56 entities that conduct educational classes, and charge the general public

1 such amounts as it sees fit for the purpose of carrying out the
2 provisions of this subparagraph.

3 (c) The state liquor authority may issue a license under subdivision
4 two-c of section sixty-one of this chapter to the owner and/or operator
5 of the parcels described in this paragraph. The legal descriptions for
6 the three parcels so identified as the site are as follows:

7 PARCEL A

8 All that piece or parcel of property situate in the Village of Lake
9 George, County of Warren, State of New York and being bounded and
10 described as follows:

11 BEGINNING at a point at the intersection of the southwesterly boundary
12 of Beach Road with the southeasterly boundary of lands now or formerly
13 of Holly RAJ Inc., and running thence southeasterly along the said
14 southwesterly boundary of Beach Road and the southwesterly boundary of
15 lands now or formerly of the Village of Lake George the following (9)
16 nine courses and distances: 1) South 47° 49' 51" East 49.20 feet to a
17 point; 2) South 41° 08' 51" East 50.18 feet to a point; 3) South 34° 19'
18 51" East 20.62 feet to a point; 4) South 34° 19' 51" East 29.38 feet to
19 a point; 5) South 28° 23' 51" East 54.00 feet to a point; 6) South 23°
20 28' 51" East 75.29 feet to a point; 7) South 25° 57' 51" East 130.22
21 feet to a point; 8) South 30° 43' 21" East 109.09 feet to a point; and
22 9) South 29° 21' 51" East 140.00 feet to a point in the northwesterly
23 boundary of the premises conveyed by The Counties of Warren and Washing-
24 ton Industrial Development Agency to The Fort William Henry Corporation
25 by deed dated May 18, 1998 and recorded in the Warren County Clerk's
26 Office on May 28, 1998 in Liber 1066 of Deeds at Page 279; thence South
27 60° 37' 18" West along the said northwesterly boundary of the premises
28 conveyed by The Counties of Warren and Washington Industrial Development
29 Agency to The Fort William Henry Corporation 70.01 feet to a point;
30 thence northwesterly along the northeasterly boundary of said premises
31 conveyed by The Counties of Warren and Washington Industrial Development
32 Agency to The Fort William Henry Corporation the following (5) five
33 courses and distances: 1) North 29° 21' 51" West 139.17 feet to a point;
34 2) North 30° 43' 21" West 111.17 feet to a point; 3) North 25° 55' 51"
35 West 130.20 feet to a point; 4) North 26° 32' 41" West 145.00 feet to a
36 point; and 5) North 42° 42' 21" West 120.00 feet to a point in the first
37 mentioned southeasterly boundary of lands now or formerly of Holly RAJ
38 Inc.; thence North 51° 01' 09" East along the said southeasterly bounda-
39 ry of lands now or formerly of Holly RAJ Inc. 70.00 feet to the point of
40 beginning, containing 1.062 acres of land, being the same more or less.

41 PARCEL B

42 All that piece or parcel of property situate in the Village of Lake
43 George, County of Warren, State of New York and being bounded and
44 described as follows:

45 BEGINNING at a point at the intersection of the easterly boundary of
46 New York State Route 9N with the northerly boundary of lands now or
47 formerly of Charles R. Wood Foundation, and running thence northerly
48 along the said easterly boundary of New York State Route 9N the follow-
49 ing four (4) courses and distances: 1) North 03°- 06'- 51" West 54.12
50 feet to a point; 2) North 00°- 54'- 09" East 281.77 feet to a point; 3)
51 North 01°-45'- 09" East 59.83 feet to a point; and 4) North 02°- 47'-
52 35" West 51.87 feet to an iron pin in the southerly boundary of other
53 lands now or formerly of Fort William Henry Corporation; thence easterly
54 along the said southerly boundary of other lands now or formerly of Fort
55 William Henry Corporation the following three (3) courses and distances:
56 1) North 88°- 22'- 09" East 475.96 feet to a point; 2) North 60°- 07'-

09" East 66.22 feet to a point; and 3) North 47°- 47'- 09" East 315.47 feet to an iron pipe in the easterly boundary of lands now or formerly of the Village of Lake George; thence southerly along the said easterly boundary of lands now or formerly of The Village of Lake George the following three (3) courses and distances: 1) South 32°- 08'- 51" East 148.00 feet to a point; 2) South 37°- 04'- 51" East 221.91 feet to a point; and 3) South 32°- 47'- 51" East 83.60 feet to a point in the northerly boundary of the aforementioned lands now or formerly of Charles R. Wood Foundation; thence westerly along the said northerly boundary of lands now or formerly of Charles R. Wood Foundation the following four (4) courses and distances: 1) South 55°- 39'- 09" West 188.00 feet to a square head bolt; 2) South 68°- 08'- 09" West 115.00 feet to a point; 3) South 81°- 37'- 09" West 240.84 feet to a point; and 4) South 74°- 08'- 09" West 546.05 feet to the point of beginning, containing 8.558 acres of land, being the same more or less.

ALSO, ALL that certain piece or parcel of land situate lying and being in the Village of Lake George, County of Warren, State of New York, being more particularly described as follows:

COMMENCING at a point located on the westerly boundary of lands now or formerly of Warren County as described in Liber 281, Page 51, said point also being on the division line between lands now or formerly of Warren County (Liber 4390 Page 154) on the south and lands now or formerly of Fort William Henry Corp. (Liber 497 Page 222) on the north; thence along said division line South 40°27'30" West, 188.00 feet to the Point of Beginning; thence through said lands of Warren County the following three (3) courses and distances: 1) South 33°45'28" West, 74.95 feet to a point, 2) South 59°52'14" West, 108.57 feet to a point, and 3) North 75°07'46" West, 41.87 feet to a point on the division line between said lands of Warren County on the south and lands now or formerly of Fort William Henry Corp. (Liber 497 Page 222) on the north; thence along said division line North 66°25'30" East, 91.92 feet to a point; thence North 52°56'30" East, 115.00 feet to the point or place of beginning.

EXCEPTING AND RESERVING THEREFROM, ALL that certain piece or parcel of land situate lying and being in the Village of Lake George, County of Warren, State of New York, being more particularly described as follows:

BEGINNING at a point located on the westerly boundary of lands now or formerly of Warren County as described in Liber 281, Page 51, said point also being on the division line between lands now or formerly of Warren County (Liber 4390 Page 154) on the south and lands now or formerly of Fort William Henry Corp. (Liber 497 Page 222) on the north; thence along said division line South 40°27'30" West, 188.00 feet to a point; thence through said lands now or formerly of Fort William Henry Corp. North 33°45'28" East, 102.84 feet to a point; thence North 40°27'30" East, 85.36 feet to a point on the aforementioned westerly boundary of lands now or formerly of Warren County (Liber 281, Page 51); thence along said westerly boundary South 51°54'30" East, 12.01 feet to the point or place of beginning.

PARCEL C

All that piece or parcel of property situate in the Village of Lake George, County of Warren, State of New York and being bounded and described as follows:

BEGINNING at an iron pin at the intersection of the easterly boundary of New York State Route 9N with the northerly boundary of other lands now or formerly of Fort William Henry Corporation; said pin being located the following four (4) courses and distances northerly from the intersection of the easterly boundary of New York State Route 9N with

1 the northerly boundary of lands now or formerly of Charles R. Wood Foun-
2 dation: 1) North 03°- 06'- 51" West 54.12 feet; 2) North 00°- 54'- 09"
3 East 281.77 feet; 3) North 01°- 45'- 09" East 59.83 feet; and 4) North
4 02°- 47'- 35" West 51.87 feet, and running thence from said point of
5 beginning northerly along the said easterly boundary of New York State
6 Route 9N the following seven (7) courses and distances: 1) North 03°-
7 29'-09" East 105.00 feet to a point; 2) North 09°- 11'- 09" East 60.10
8 feet to a point; 3) North 05°- 41'- 09" East 161.06 feet to a point; 4)
9 North 09°- 28'-34" East 124.23 feet to an iron pin; 5) North 14°- 08'-
10 27" East 150.26 feet to a square monument; 6) North 22°- 36'- 14" East
11 111.15 feet to a point; and 7) North 17°- 47'- 09" East 91.79 feet to an
12 iron pipe in the southerly boundary of lands now or formerly of Adiron-
13 dack Entertainment and Recreation, Inc.; thence South 59°- 07'- 51" East
14 along the said southerly boundary of lands now or formerly of Adirondack
15 Entertainment and Recreation, Inc. 40.70 feet to a point; thence North
16 51°- 01'- 09" East along the southeasterly boundary of said lands now or
17 formerly of Adirondack Entertainment and Recreation, Inc. 167.30 feet
18 to a point in the southwesterly boundary of lands now or formerly of The
19 Adirondack Lakeview Corporation; thence southeasterly along the said
20 southwesterly boundary of lands now or formerly of The Adirondack Lake-
21 view Corporation the following five (5) courses and distances: 1) South
22 42°- 42'- 21" East 120.00 feet to a point; 2) South 26°- 32'- 41" East
23 145.00 feet to a point; 3) South 25°-55'- 51" East 130.20 feet to a
24 point; 4) South 30°- 43'- 21" East 111.17 feet to a point; and 5) South
25 29°- 21'- 51" East 139.17 feet to a point; thence North 60°- 37'- 18"
26 East along the southeasterly boundary of said lands now or formerly of
27 The Adirondack Lakeview Corporation 70.01 feet to a point in the wester-
28 ly boundary of lands now or formerly of the Village of Lake George;
29 thence southerly along the said westerly boundary of lands now or
30 formerly of The Village of Lake George the following two (2) courses and
31 distances: 1) South 29°- 21'- 51" East 32.24 feet to a point; and 2)
32 South 30°- 27'- 51" East 73.00 feet to an iron pipe in the northerly
33 boundary of other lands now or formerly of Fort William Henry Corpo-
34 ration; thence westerly along the said northerly boundary of other lands
35 now or formerly of Fort William Henry Corporation the following three
36 (3) courses and distances: 1) South 47°- 47'- 09" West 315.47 feet to a
37 point; 2) South 60°- 07'- 09" West 66.22 feet to a point; and 3) South
38 88°- 22'- 09" West 475.96 feet to the point of beginning, containing
39 9.398 acres of land, being the same more or less.

40 (d) The state liquor authority may issue a license under paragraph (b)
41 of subdivision five of section sixty-four-c of this chapter to the Culi-
42 nary Institute of America, the owner and operator of the parcels
43 described in this subdivision, notwithstanding that such beer brewed on
44 its premises shall be sold to restaurant licensees on its premises by
45 said Culinary Institute of America directly and not through a New York
46 state licensed beer wholesaler. The legal descriptions for the parcels
47 identified as the site are as follows:

SCHEDULE A

49 ALL that certain tract, lot and parcel of land lying and being in the
50 Town of Hyde Park, County of Dutchess and State of New York, being more
51 particularly described as follows:

52 BEGINNING at a point on the easterly side of Albany Post Road (NYS
53 Route 9), said point being the southwesterly corner of the herein
54 described premises and the northwesterly corner of lands now or formerly

1 of Traver; running thence along the said easterly side of Albany Post
2 Road the following four (4) courses and distances: North 03° 15' 30"
3 East 68.91 feet, North 09° 35' 20" East 31.09 feet, North 06° 53' 00"
4 East 148.62 feet, and North 12° 25' 00" East 62.03 feet to the corner
5 formed by the intersection of the said easterly side of Albany Post Road
6 and the Southerly side of West Dorsey Lane; running thence along the
7 said southerly side of West Dorsey Lane North 38° 26' 00" East 25.02
8 feet, North 63° 13' 00" East 37.83 feet, and North 67° 25' 00" East
9 121.38 feet to the northwest corner of lands now or formerly of
10 Firneiss; running thence along the westerly and southerly line of lands
11 now or formerly of Firneiss, South 03° 16' 59" East 179.57 feet and
12 South 79° 13' 59" East 121.73 feet to lands now or formerly of Maidman;
13 running thence along the westerly line of lands now or formerly of Maid-
14 man South 28° 34' 00" West 105.08 feet, South 32° 18' 00", East 12.15
15 feet, and South 35° 55' 00" West 193.04 feet to lands now or formerly of
16 Traver; running thence along lands now or formerly of Traver North 68°
17 00' 00" West 188.12 feet to the said easterly side of Albany Post Road,
18 the point or place of beginning.

19 EXCEPTING AND RESERVING THEREFROM:

20 ALL that piece or parcel of property hereinafter designated as Parcel
21 No. 72, being a portion of Section 6063-02, Parcel 987506, as shown on
22 the Official Tax Map, situate in the Town of Hyde Park, County of Dutch-
23 ess, State of New York as shown on the accompanying map and described as
24 follows:

25 PARCEL NO. 72

26 BEGINNING at a point on the southeasterly boundary of the existing
27 West Dorsey Lane at the intersection of the said boundary with the divi-
28 sion line between the property of Herbert Redl (reputed owner) on the
29 west and the property of Michael Firneiss and Margaretha Firneiss
30 (reputed owner) on the east, said point being 160+ feet distant easter-
31 ly, measured at right angles, from station H2654-74+ of the hereinafter
32 described survey baseline for the reconstruction of the Poughkeepsie-
33 Hyde Park State Highway No. 453; thence southerly along said division
34 line 59+ feet to a point 168+ feet distant easterly, measured at right
35 angles, from station H265+16+ of said baseline; thence through the prop-
36 erty of Herbert Redl (reputed owner) the following two (2) courses and
37 distances: (1) South 74° 03'-27" West 68+ feet to a point 101.00 feet
38 distant easterly, measured at right angles, from station H265+08.00 of
39 said baseline; and (2) North 30° 39' 40" West, 32+ feet to a point on
40 the southerly boundary of said existing West Dorsey Lane, the last
41 mentioned point being 86+ feet distant easterly, measured at right
42 angles, from station H265+37+ of said baseline; thence northeasterly
43 along the last mentioned boundary of said existing West Dorsey Lane, 83+
44 feet to the point of beginning; being 3,327 square feet or 0.076 acre
45 more or less.

46 The above mentioned survey baseline is a portion of the 1988 survey
47 baseline for the reconstruction of the Poughkeepsie-Hyde Park, State
48 Highway No. 453 as shown on a map and plan on file in the office of the
49 State Department of Transportation and described as follows:

50 BEGINNING at a station H258+36.14; thence North 09° 19'45" West to
51 station H267+62.73.

52 ALL bearings referred to TRUE NORTH at the 74' - 20' MERIDIAN OF WEST
53 LONGITUDE.

54 SUBJECT to utility company agreements, easements, covenants, condi-
55 tions and restrictions of record.

1 SUBJECT to the following restrictions, to run with the land in perpe-
2 tuity and be enforceable at law or in equity by the party of the first
3 part, its successors and assigns:

4 (i) the premises may not be used, in whole or in part, for any form of
5 live entertainment including, but not limited to, bands or DJ's, at any
6 time; provided however, this restriction shall automatically terminate
7 five (5) years from the date of this deed; and

8 (ii) if the premises are used to serve any form of alcoholic beverage,
9 the premises must be closed for business no later than 11:59 o'clock
10 p.m. every day; provided, however, this restriction shall automatically
11 terminate five (5) years from the date of this deed.

12 The party of the second part waives and releases any claim that said
13 restrictions are unenforceable for any reason, including the allegation
14 that such restrictions constitute a restraint upon alienation, are an
15 unreasonable restriction or restraint on business or economic develop-
16 ment, are a violation of any law, regulation or right, or that they are
17 not for the benefit of adjoining lands, or are not part of a common
18 scheme or plan, it being clearly understood and expressly agreed by the
19 parties that these restrictions are for the benefit of the party of the
20 first part's other businesses and properties, for the term set forth
21 above both now and hereafter, and that the lack of such restrictions
22 will damage and harm the grantor, its successors and assigns. Without
23 all of these restrictions, the party of the first part would not sell
24 the premises to the party of the second part. In any proceeding to
25 enforce said restrictions or prevent the violation thereof, the party of
26 the first part shall be entitled to judgment for its costs and reason-
27 able attorney's fees. The parties execute this deed to acknowledge the
28 preceding restrictions.

29 The premises are not in an agricultural district and are entirely
30 owned by the transferor.

31 This conveyance was unanimously approved by the board of directors of
32 the grantor corporation and all of its shareholders. This statement is
33 made pursuant to Section 909 of the Business Corporation Law.

34 SCHEDULE B

35 ALL that plot, piece or parcel of land situate and being in the Town
36 of Hyde Park, County of Dutchess and State of New York, bounded and
37 described as follows:

38 BEGINNING at a point on the westerly boundary of US Route 9, (AKA
39 Albany Post Road), said point being the southeasterly corner of the
40 herein described parcel and said point being the northeasterly corner of
41 the lands now or formerly of St Andrews Chapel; thence along the divi-
42 sion line between the herein described parcel and said lands now or
43 formerly of St Andrews Chapel; N 75°47'50" W 14.13 feet, N 88°00'00" W
44 19.26 feet, S 89°03'40" W 71.81 feet, N 85°27'10" W 26.53 feet, N
45 78°46'10" W 19.94 feet, N 67°29'50" W 16.69 feet, N 59°35'20" W 19.23
46 feet, N 38°17'40" W 23.84 feet, N 24°05'30" W 19.00 feet, N 09°55'10" W
47 37.76 feet, N 14°28'00" W 46.56 feet, N 27°34'30" W 37.18 feet, N
48 41°31'30" W 33.65 feet, N 49°50'10" W 23.03 feet, N 53°39'00" W 32.91
49 feet, S 14°48'10" W 3.06 feet, S 44°29'40" W 7.00 feet, S 44°31'13" W
50 59.42 feet, S 49°07'20" 18.46 feet, S 71°48'50" W 21.08 feet, N
51 79°41'00" W 22.25 feet and 12°45'40" W 164.91 feet to a point on the
52 northerly boundary of Marilyn C. Hoe as described in Liber 1859 of deeds
53 at page 118; thence along the division line between the herein described
54 parcel and said lands now or formerly of Hoe, N 77°14'20" W 144.93 feet,

N 78°11'10" W 166.93 feet, N 77°46'10" W 113.88 feet, N 75°19'10" W 99.31 feet and N 76°27'50" W 255.82 feet to a point on the easterly bounds of the lands now or formerly of New York Central Lines LLC as described in deed document # 02-1999-5513; thence along the division line between the herein described parcel and said lands now or formerly of New York Central Lines LLC, N 07°10'10" E 386.40 feet, S 81°18'10" E 12.00 feet, N 08°41'50" E 600.00 feet, N 12°59'10" E 200.56 feet and N 08°41'50" E 151.13 feet to the point of curvature of a non-tangent curve to the right having a radius of 3010.00 feet; thence northeasterly along said curve an arc length of 240.05 feet, having a chord bearing N 10°57'40" E 239.98 feet to a point; thence N 76°46'30" W 10.00 feet, N 13°13'30" E 499.68 feet and N 02°20'30" E 132.97 feet to the point of curvature of a non-tangent curve to the left having a radius of 4077.00 feet; thence northeasterly along said curve an arc length of 249.92 feet, having a chord bearing N 11°02'44" E 249.88 feet to a point; thence N 25°43'50" E 134.21 feet, N 07°55'30" E 257.99 feet, N 07°21'10" W 285.52 feet, N 02°27'50" E 482.00 feet, N 47°10'10" W 26.25 feet, N 02°27'50" E 466.37 feet and N 87°32'10" W 20.00 feet to the point of curvature of a non-tangent curve to the left having a radius of 3165.00 feet; thence northwesterly along said curve an arc length of 293.54 feet, having a chord bearing N 00°11'31" W 293.43 feet to a point; thence N 01°22'30" E 110.01 feet to the point of curvature of a non-tangent curve to the left having a radius of 3175.00 feet; thence northwesterly along said curve an arc length of 141.96 feet, having a chord bearing N 06°06'27" W 141.95 feet to a point; thence along the division line between the herein described parcel and the lands now or formerly of the United States of America as described in deed document 402-2002-4850 and designated as Lot 1 as shown on Filed Map #10481, S 36°25'00" E 87.53 feet, S 57°59'40" E 52.51 feet, S 77°19'10" E 166.22 feet, S 77°55'50" E 100.43 feet, S 77°40'40" E 107.11 feet, N 35°39'40" E 233.03 feet, N 36°54'30" E 105.52 feet, N 69°23'50" E 179.67 feet, N 35°19'50" E 60.26 feet, N 60°24'40" E 155.25 feet, N 08°43'28" E 923.94 feet, S 77°31'22" E 34.05 feet, N 28°59'38" E 583.86 feet and S 77°26'02" E 436.02 feet to a point; thence along the division line between the herein described parcel and the lands now or formerly of Gardner and Donna Van Valkenburg as described in deed document #02-2001-10201 and also along the lands now or formerly of Edwin D. Beck as described in Liber 1697 of deeds at page 301, S 14°34'48" W 95.96 feet, N 75°25'12" W 10.00 feet, S 14°34'48" W 125.00 feet, S 75°25'12" E 10.00 feet, S 14°34'48" W 325.00 feet and S 75°25'12" E 203.05 feet to a point on the westerly bounds of U.S. Route 9; thence along the westerly bounds of U.S. Route 9, S 14°12'43" W 366.41 feet, N 75°47'17" W 3.21 feet, S 16°51'36" W 357.10 feet, S 16°51'37" W 264.56 feet, S 17°21'41" W 200.79 feet, S 06°47'36" W 236.91 feet, S 03°54'03" E 113.84 feet, S 11°33'18" W 168.19 feet, S 11°33'18" W 144.66 feet, S 24°42'50" W 210.43 feet, S 14°35'17" W 42.95 feet, S 15°01'19" W 27.66 feet, S 11°16'33" E. 114.76 feet, S 11°22'40" W 1485.99 feet, S 02°37'22" W 92.32 feet, S 07°24'10" W 114.00 feet, S 11°34'59" W 200.60 feet, S 06°37'42" W 438.02 feet, S 09°11'00" W 460.65 feet, S 13°21'53" W 180.57 feet, S 18°59'07" W 45.72 feet, S 21°30'45" W 19.23 feet, S 10°46'21" W 148.66 feet, S 16°10'46" W 157.35 feet, S 09°41'50" W 135.29 feet, and S 16°37'07" W 229.64 feet to the point or place of beginning.

CONTAINING 171.33 ACRES OF LAND MORE OR LESS.

EXCEPTING and reserving all that plot, piece or parcel of land situate and being in the Town of Hyde Park, County of Dutchess and State of New York, known as St. Andrews Cemetery, bounded and described as follows:

BEGINNING at the southeasterly corner of the herein described parcel, said point being located N 12°20'30" E 32.21 feet from the southwesterly corner of the lands of the Culinary Institute of America as described in Liber 1666 of deeds at page 607, thence along the division line between the herein described parcel and said lands of the Culinary Institute of America, N 77°39'30" W 331.51 feet, N 12°20'30" E 373.20 feet, S 77°39'30" E 331.51 feet and S 12°20'30" W 373.20 feet to the point or place of beginning.

CONTAINING 2.84 ACRES OF LAND MORE OR LESS.

(e)(i) The state liquor authority shall issue a license under section seventy-six-a of this chapter to the Concord Grape Belt Heritage Association Inc. Grape Discovery Center ("center") situated at the premises known as: all that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated, lying and being in the Town of Westfield, County of Chautauqua and State of New York being parcels 209.00-2-13 and 209.00-2-14 and being more particularly described as follows:

PARCEL A

All that tract or parcel of land, situate in the Town of Westfield, County of Chautauqua and State of New York, being part of Lot 13, Town 4 and Range 14 of the Holland Land Company's Survey and further bounded and described as follows:

Beginning at a set "MAG" nail on the south bounds of U.S. Route 20 also know as Main Road, also known as the Buffalo and Erie Road, said "MAG" nail being N 60 degrees 17' 18" E, 264.87 feet as measured along the south bounds of U.S. Route 20, from the northwest corner of premises described in deed from David S. Neill to Sam F. Nixon, dated January 30, 1916, and recorded in the Chautauqua County Clerk's Office in Liber 421 of Deeds at page 165; thence N 60 degrees 17' 18" E, along the south bounds of U.S. Route 20, a distance of 195.88 feet to a set "MAG" nail in asphalt; thence N 64 degrees 0' 0" E, and still along the south bounds of U.S. Route 20, a distance 70 feet to a set "MAG" nail in asphalt; thence S 1 degree 55' 0" W, 250 feet to an existing iron pin at the northwest corner of lands of Joanne W. Nixon, as described in a deed recorded in the Chautauqua County Clerk's Office in Liber 2182 of Deeds at page 196; thence continuing along the same course, S 1 degree 55' 0" W along the west line of lands of said Nixon, 78.8 feet to an existing iron stake at the northeast corner of lands of Joanne W. Nixon as described in a deed recorded in the Chautauqua County Clerk's Office in Liber 2418 of Deeds at page 341; thence S 62 degrees 58' 7" W, along the north line of lands of said Nixon, 173.3 feet to a point at the southeast corner of lands of Ed R. Burnside as described in a deed recorded in the Chautauqua County Clerk's Office in Liber 2639 of Deeds at page 336; thence N 13 degrees 36' 25" W, along the east line of lands of said Burnside, 287.68 feet to the point or place of beginning.

PARCEL B

Also all that tract or parcel of land, situate in the Town of Westfield, County of Chautauqua and State of New York, being part of Lot No. 13, Township 4 and Range 14 of the Holland Land Company's Survey and further bounded and described as follows:

Commencing at the northwest corner of premises described in deed from David S. Neill to Sam F. Nixon, dated January 30, 1916, and recorded in the Chautauqua County Clerk's Office in Liber 421 of Deeds at page 165; thence N 60 degrees 17' 18" E. along the south bounds of U.S. Route 20, also known as Main Road, also known as the Buffalo and Erie Road, 460.76 feet to a set "MAG" nail in asphalt; thence N 64 degrees 0' 0" E, and

1 still along the south bounds of U.S. Route 20, a distance of 70 feet to
2 a set "MAG" nail in asphalt at the point of beginning of the parcel
3 hereinafter described; thence N 64 degrees 0' 0" E, along the south
4 bounds of U.S. Route 20, a distance of 200 feet to a set "MAG" nail in
5 asphalt at the northwest corner of lands of Joanne W. Nixon as described
6 in a deed recorded in the Chautauqua County Clerk's Office in Liber 2182
7 of Deeds at page 196; thence S 1 degree 55' 0" W, along the west line of
8 lands of said Nixon, 250 feet to a point; thence S 64 degrees 0' 0" W,
9 along the north line of lands of said Nixon 200 feet to an existing iron
10 pin in the northwest corner of lands of said Nixon; thence N 1 degree
11 55' 0" E, 250 feet to the point or place of beginning.

12 Subject to all easements, rights-of-way, and leases of record which
13 may validly affect said premises.

14 (ii) The center may, but shall not be required to, produce wine as a
15 condition of such license.

16 (iii) No person shall be disqualified from acting as a director, offi-
17 cer, or employee of, or purveyor to, the center by reason of such person
18 holding a license under this chapter, or being affiliated with a licen-
19 see under this chapter as a shareholder, partner, officer, director, or
20 employee.

21 (iv) No person shall be disqualified from being a lender or lessor to
22 the center, or a donor, patron, contributor or sponsor from time to time
23 of the center through contributions in cash or in kind, on terms agreed
24 with the board of directors of the center, by reason of such person
25 holding a license under this chapter, or being affiliated with a licen-
26 see under this chapter as a shareholder, partner, officer, director, or
27 employee. Such persons shall be entitled, regardless of their licensing
28 status under this chapter, to obtain all the benefits generally approved
29 by the board of directors of the center and offered to donors of similar
30 amounts.

31 (v) Notwithstanding any other provision of law to the contrary, the
32 center is expressly authorized to:

33 (A) sell New York state produced wines, beers and distilled spirits
34 for both on and off premise consumption;

35 (B) offer tastings on the premises of such products and charge the
36 general public such amounts as it deems fit for such tastings. For
37 purposes of this section, tastings may be conducted in a common tasting
38 area on the premises; and

39 (C) provide banquet and entertainment facilities for the general
40 public for private parties in consideration of such fees as are estab-
41 lished by the board of directors of the center from time to time, and to
42 sell and serve at such events wines, malt beverages and distilled spir-
43 its selected by persons hiring the facilities.

44 7. Notwithstanding the provisions of section one hundred five-a of
45 this chapter, the authority shall allow a brewer, once per annum, and
46 after the property owner obtains a permit under section ninety-seven of
47 this chapter, to sell or offer at no cost beer, beginning at eight
48 antemeridian and ending at the hours fixed by or pursuant to subdivision
49 five of section one hundred six of this article, at the following two
50 locations in the city of Utica, county of Oneida, and bounded and
51 described as follows:

52 PARCEL I

53 Beginning at the northwest corner of the beer storage building at the
54 corner of Edward Street and Wasmer Street and proceeding northerly for a
55 distance of 76 feet 1 inch; thence 128 feet 5 inches easterly along
56 Wasmer Street; thence continuing along said Wasmer Street northeasterly

1 for a distance of 202 feet 10 inches to the corner of Wasmer Street and
2 Hamilton Street.

3 Thence northerly along Hamilton Street for a distance of 46 feet 8
4 inches to the intersection of Columbia Street. Thence northwesterly
5 along Columbia Street for a distance of 233 feet 6 inches. Thence south-
6 westerly for a distance of 77 feet 7 inches to a fence. Thence northwes-
7 terly for a distance of 62 feet and thence southwesterly a distance of
8 10 feet 6 inches to the southeastern corner of the brewery garage.

9 Thence, following the garage's perimeter: first in a southwesterly
10 direction for a distance of 133 feet 2 inches to the southwest corner of
11 the garage; thence in a northwesterly direction for a distance of 22
12 feet 5 inches; and thence in a northeasterly direction for a distance of
13 11 feet 2 inches, then in a northwesterly direction for a distance of
14 100 feet, to a fence just before the sidewalk on Schuyler Street; thence
15 southwesterly for a distance of 234 feet 5 inches to the Brewery main
16 complex.

17 Thence following the perimeter of the brewery complex buildings south-
18 east for a distance of 82 feet 8 inches, northeasterly for a distance of
19 81 feet 11 inches; thence southeasterly for a distance of 85 feet 3
20 inches; thence northeasterly for a distance of 21 feet 6 inches; and
21 thence southeasterly for a distance of 96 feet 8 inches to the north-
22 western corner of the shipping office.

23 From the northwestern corner of the shipping office, southeasterly for
24 a distance of 33 feet 9 inches; thence southwesterly for a distance of
25 37 feet 8 inches; thence southeasterly for a distance of 65 feet 8 inch-
26 es; thence southerly for a distance of 27 feet 4 inches; thence easterly
27 for a distance of 33 feet, to the point or place of beginning.

28 PARCEL II

29 Beginning at the iron fence which is 26 feet northwest of the south-
30 west corner of the tour center on Court Street; thence 66 feet, 7 inches
31 northeast, 11 feet 7 inches northwest to the west corner of the tour
32 center parking lot stairs. Proceeding northeasterly 71 feet 10 inches,
33 thence northwesterly 19 feet 10 inches to the southeastern corner of the
34 boiler room building. Thence northwesterly 161 feet; south by southwest
35 80 feet; southwest 58 feet 5 inches and finally southeast 155 feet to
36 the point or place of beginning.

37 8. The provisions of subdivision thirteen of section one hundred six
38 of this chapter shall not apply:

39 (a) 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; or

42 (b) 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; or

1 (c) on premises or with respect to the operation of a restaurant in an
2 office building located in a city having a population of five hundred
3 thousand or more and in which is located the licensed premises of such
4 manufacturer or wholesaler, provided that the building, the interior of
5 the retail premise and the rental therefor fully comply with the crite-
6 ria set forth in paragraph two of subdivision three of section one
7 hundred one of this chapter; or

8 (d) any such premises or business located on that tract or parcel of
9 land, or any subdivision thereof, situate in the Village of Lake Placid,
10 Town of North Elba, Essex County, New York; it being also a part of Lot
11 No. 279, Township No. 11, Old Military Tract, Richard's Survey; it being
12 also all of Lot No. 23 and part of Lot No. 22 as shown and designated on
13 a certain map entitled "Map of Building Sites for Sale by B.R. Brewster"
14 made by G.T. Chellis C.E. in 1892; also being PARCEL No. 1 on a certain
15 map of lands of Robert J. Mahoney and wife made by G.C. Sylvester, P.E.
16 & L.S. # 21300, dated August 4, 1964, and filed in the Essex County
17 Clerk's Office on August 27, 1964, and more particularly bounded and
18 described as follows; BEGINNING at the intersection of the northerly
19 bounds of Shore Drive (formerly Mirror Street) with the westerly bounds
20 of Park Place (formerly Rider Street) which point is also the northeast
21 corner of Lot No. 23, from thence South 21°50' East in the westerly
22 bounds of Park Place a distance of 119 feet, more or less, to a lead
23 plug in the edge of the sidewalk marking the southeast corner of Lot No.
24 23 and the northeast corner of Lot No. 24; from thence South 68°00'50"
25 West a distance of 50.05 feet to an iron pipe set in concrete at the
26 corner of Lots 23 and 22; from thence South 65°10'50" West a distance of
27 7.94 feet along the south line of Lot No. 22 to an iron pipe for a
28 corner; from thence North 23°21'40" West and at 17.84 feet along said
29 line passing over a drill hole in a concrete sidewalk, and at 68.04 feet
30 further along said line passing over an iron pipe at the southerly edge
31 of another sidewalk, and at 1.22 feet further along said line passing
32 over another drill hole in a sidewalk, a total distance of 119 feet,
33 more or less, to the northerly line of Lot No. 22; from thence easterly
34 in the northerly line of Lot 22 and 23 to the northeast corner of Lot
35 No. 23 and the point of beginning. Also including the lands to the
36 center of Shore Drive included between the northerly straight line
37 continuation of the side lines of the above described parcel, and to the
38 center of Park Place, where they abut the above described premises
39 SUBJECT to the use thereof for street purposes. Being the same premises
40 conveyed by Morestuff, Inc. to Madeline Sellers by deed dated June 30,
41 1992, recorded in the Essex County Clerk's Office on July 10, 1992 in
42 Book 1017 of Deeds at Page 318; or

43 (e) any such premises or business located on that certain piece or
44 parcel of land, or any subdivision thereof, situate, lying and being in
45 the Town of Plattsburgh, County of Clinton, State of New York and being
46 more particularly bounded and described as follows: Starting at an iron
47 pipe found in the easterly bounds of the highway known as the Old Mili-
48 tary Turnpike, said iron pipe being located 910.39 feet southeasterly,
49 as measured along the easterly bounds of said highway, from the southerly
50 bounds of the roadway known as Industrial Parkway West, THENCE
51 running S 31° 54' 33" E along the easterly bounds of said Old Military
52 Turnpike Extension, 239.88 feet to a point marking the beginning of a
53 curve concave to the west; thence southerly along said curve, having a
54 radius of 987.99 feet, 248.12 feet to an iron pipe found marking the
55 point of beginning for the parcel herein being described, said point
56 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; or

(f) 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;

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

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

and

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

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

and

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

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

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

- 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 (i) 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 (j) 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
18 23 deg. 48 min. 43 sec. East along said division, a distance of 131.66
19 ft. to its intersection with the division line between the said lands of
20 APW 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

1 any such premises or business constituting the overnight lodging and
2 resort facility located wholly within the boundaries of that tract or
3 parcel of land situate in the city of Syracuse, County of Onondaga and
4 State of New York, being part of Block 366 in said City and more partic-
5 ularly bounded and described as follows: beginning at a point at the
6 intersection of the southerly line of East Genesee Street with the
7 westerly line of University Avenue; running thence: South 00° 30' 30"
8 West, along said Westerly line of University Avenue, a distance of 75.16
9 feet to a point therein; Thence North 89° 49' 00" West, a distance of
10 140.00 feet to a point; thence South 00° 30' 30" West, a distance of
11 271.55 feet to a point; Thence North 89° 49' 00" West, a distance of
12 103.01 feet to a point; Thence South 00° 11' 00" West, a distance of
13 132.00 feet to a point in the northerly line of Madison Street; Thence
14 North 89° 49' 0" West along said northerly line, a distance of 141.36
15 feet to a point; Thence North 00° 25' 10" East, a distance of 50 feet to
16 a point in the westerly line of Farm Lot 200 of the Salt Springs Reser-
17 vation; Thence North 03° 26' 10" West along said westerly line, a
18 distance of 415.12 feet to a point in the southerly line of East Genesee
19 Street; Thence North 88° 11' 00" East, along said southerly line, a
20 distance of 412.50 feet to the point of beginning. The premises are also
21 described as follows: All that tract or parcel of land, situate in the
22 City of Syracuse, County of Onondaga and State of New York, being known
23 as new Lot 1A as is more particularly shown on a Resubdivision Map of
24 Part of Block 366 made by Christopherson Land Surveying and filed in the
25 Onondaga County Clerk's Office October 8, 2002 as Map No. 9498; or

26 Parcel C

27 any such premises or business constituting the overnight lodging and
28 resort facility located wholly within the boundaries of all that tract
29 or parcel of land situate in the city of Syracuse, County of Onondaga
30 and State of New York, being a part of Lots 200 and 201, Lots 2, 6, and
31 7, Block 368 in the City of Syracuse and being further described as
32 follows: Beginning at a drill hole set at the intersection of the east-
33 erly street margin of South Crouse Avenue and the southerly street
34 margin of Harrison Street; Thence S. 89° 51' 36" E. (S 89° 49' 40" E
35 measured), along the southerly street margin of Harrison Street, a
36 distance of 395.30 feet to a capped iron rod set at the westerly line of
37 a parcel of land conveyed to Syracuse University; Thence S. 00° 28' 34"
38 W. (S 00° 30' 30" W measured), along the westerly line of those parcels
39 of land conveyed to Syracuse University, a distance of 132.00 feet to a
40 capped iron rod set; Thence N. 89° 51' 36" W. (N 89° 49' 40" W meas-
41 ured), along the northerly line of a parcel of land conveyed to Syracuse
42 University, a distance of 132.00 feet to a capped iron rod set; Thence
43 N. 89° 51' 36" W. (N 89° 49' 40" W measured), along the northerly line
44 of a parcel of land conveyed to Syracuse University, a distance of 66.00
45 feet to a capped iron rod set; Thence S. 00° 28' 34" W. (S 00° 30' 30" W
46 measured), along the westerly line of that Syracuse University Property,
47 a distance of 71.25 feet to a capped iron rod set; Thence N 89° 55' 36"
48 W. (89° 53' 39" W measured), a distance of 130.40 feet to a capped iron
49 rod set at the easterly line of that parcel of land conveyed to Crouse
50 Health Systems, Inc. by deed recorded in the Onondaga County Clerk's
51 Office in Liber 4800 at Page 730; Thence N. 03° 44' 23" W. (03° 42' 26"
52 W measured), along the easterly line of the Crouse Health System, Inc.
53 property, a distance of 37.99 feet to a magnetic nail set at the north-
54 east corner of the aforementioned Crouse Health System, Inc.; Thence N.
55 89° 51' 36' W. (N 89° 49' 40" W measured), along the northerly line of
56 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 (k) 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.."
2 which was filed in the Westchester County Clerk's Office on October 23,
3 1980 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 (1) ALSO ALL THOSE TRACTS OR PARCEL OF LAND, situate in the City of
52 Saratoga Springs, Saratoga County, New York, bounded and described as
53 follows: Beginning at a point 55 feet south on Beekman Street, from
54 where the west line of Beekman Street intersects the south line of
55 Congress Street, and running thence southerly along the west line of
56 Beekman Street 55 feet, more or less, to the north line of the premises

1 now or formerly owned or occupied by Henry Curtis; thence westerly along
2 said Curtis' north line 65 feet, more or less, to the east line of the
3 premises heretofore conveyed to Edward M. Merritt; thence northerly
4 along said Merritt's east line 55 feet, more or less, to a point 55 feet
5 south of the south line of Congress Street; thence easterly on a line
6 parallel with the south line of Congress Street 65 feet, more or less,
7 to the point and place of beginning; and being further bounded and
8 described as follows: BEGINNING at a point in the Southerly line Grand
9 Avenue at the intersection of the Westerly line of Beekman Street, said
10 point also being the Northeast comer of lands now or formerly of Dublin
11 Underground, LLC as conveyed in Book 1769 of Deeds at Page 657, thence
12 along said Westerly line of Beekman Street, South 01°02'45"West, 55.00
13 feet to a point at the intersection of the common division line between
14 lands now or formerly of Haggerty as conveyed in Book 1595 of Deeds at
15 Page 480 on the South and lands of said Dublin Underground LLC on the
16 North, thence along said division line, North 88°57'15"West, 65.00 feet
17 to a point at the intersection of the common division line between lands
18 now or formerly of Haynes as conveyed in Book 1630 of Deeds at Page 727
19 on the West and said lands of Dublin Underground UC on the East, thence
20 along said division line, North 01°02'45"East, 55.00 feet to a point in
21 the Southerly line of Grand Avenue, thence along said Southerly line,
22 South 88°57'15"East, 65.00 feet to the point or place of beginning and
23 containing 3576 ± square feet of land; and being further bounded and
24 described as follows: BEGINNING at a point where the east line of an
25 alley intersects the south line of Grand Avenue, running thence easterly
26 fifty-five (55) feet, more or less, to the west line of property now or
27 formerly owned by one Desidora; thence southerly one hundred ten (110)
28 feet, more or less, to the northerly line of property now or formerly
29 owned by one Gutierresl thence westerly fifty-five (55) feet, more or
30 less to the easterly line of an alley; thence northerly one hundred ten
31 (110) feet, more or less to the point or place of beginning. Be the
32 aforesaid dimensions in this clause more or less and encompassing lands
33 considered to be a single contiguous parcel; or

34 (m) any such premises or business located on that certain piece or
35 parcel of land, or any subdivision thereof, situate, lying and being in
36 the Village of Suffern, Town of Ramapo, County of Rockland and State of
37 New York, addressed as 97-99 Lafayette Avenue, Suffern, New York, iden-
38 tified for tax purposes by the Town of Ramapo - 2000 County/Town Tax
39 Bill, Tax Map No. 07/016-B-0239-B-0000 and New Parcel Tax Identification
40 No. 54.35-2-54, bounded and described as follows:

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

46 RUNNING THENCE North 76 degrees 15 minutes West along the Northerly
47 line of lands now or formerly of the Village of Suffern a distance of
48 210.30 feet to a point; THENCE South 13 degrees 45 minutes West along
49 the Westerly line of lands now or formerly of the Village of Suffern a
50 distance of 78.75 feet to a point; THENCE North 76 degrees 28 minutes
51 West along the Northerly line of lands now or formerly of the Village of
52 Suffern a distance of 96.30 feet to a point; THENCE North 13 degrees 32
53 minutes East a distance of 117.60 feet to a point; THENCE South 76
54 degrees 15 minutes East a distance of 6.00 feet to a point; THENCE North
55 13 degrees 32 minutes East a distance of 54.80 feet to a point; THENCE
56 South 76 degrees 15 minutes East a distance of 91.00 feet to a point;

1 THENCE North 13 degrees 45 minutes East along the Easterly line of lands
2 now or formerly of Mirando (Sect. 168. Lot 239A) a distance of 123.25
3 feet to a point on the Southerly side of Lafayette Avenue; THENCE South
4 59 degrees 56 minutes 42 seconds East along the Southerly side of Lafay-
5 ette Avenue a distance of 176.92 feet to a point; THENCE Southeasterly
6 along the Southerly side of Lafayette Avenue, on a curve to the right
7 having a radius of 58.97 feet an arc distance of 76.88 feet to a point;
8 THENCE South 14 degrees 45 minutes West along the Westerly side of Wash-
9 ington Avenue a distance of 109.22 feet to the point or place of BEGIN-
10 NING.

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

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

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

22 BEGINNING at a cross-cut in the westerly line of Washington Ave. (50
23 feet wide) where the same is intersected by the northerly line of lands
24 of the Village of Suffern (formerly Washington Ave. School) and running
25 thence; North 78° 42' 52" West 211.11' along the northerly line of lands
26 of the Village of Suffern to an iron pipe; thence, South 11° 03' 40"
27 West 78.38' continuing along said lands to a PK nail; thence, North 79°
28 21' 20" West 96.30' continuing along said lands to an iron pipe; thence,
29 North 10° 21' 09" E 117.12' along lands now or formerly of Meadows to a
30 point; thence, South 79°00'00" East 6.00' to a point in the centerline
31 of an old right of way; thence, North 12°50'10" East 55.32' along the
32 centerline of an old right of way to an iron pipe; thence, South
33 79°00'00" East 91.04' crossing through said right of way and continuing
34 along the southerly line of lands now or formerly of Miranda to a cross
35 cut; thence, North 11°15'34" East 123.37' along the easterly line of
36 said lands to a cross cut in the southerly line of Lafayette Ave.;
37 thence, South 62°34'00" East 165.97' along the assumed southerly line of
38 Lafayette Ave. to a point of curvature; thence, Southeasterly along a
39 curve to the right having a radius of 72.00' and an arc distance of
40 93.43' continuing along the same to a point of tangency in the westerly
41 line of Washington Ave; thence, South 11°47'00" West 100.86' along the
42 westerly line of Washington Ave. to the point or place of BEGINNING.
43 Containing 1.267 acres of land more or less.

44 SUBJECT to utility easements described in Uber 1016, page 487, Liber
45 1038, page 977, Book 340, page 1277.

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

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

50 SUBJECT TO any other easements, rights of ways or restrictions of
51 record.

52 Being the same premises described in a deed dated June 11, 1999 from
53 Westchester Realty Group LLC to Marandy Realty Associates, LLC and
54 recorded in the Rockland County Clerk's Office on June 24, 1999 Instru-
55 ment ID #1999-00033893; or

(n) ALSO ALL THOSE TRACTS OR PARCEL OF LAND, situate in the City of Saratoga Springs, County of Saratoga and State of New York, bounded and described as follows: Starting at an iron pipe on the southerly side of New York State Highway 9P at the intersection of the lands now of formerly of Ernst and one Walbridge and runs thence along the said highway S 64 degrees 25' E 72.4 feet to a concrete state monument; thence S 35 degrees 9' E 135.6 feet to an iron pipe on the Westerly side of an 18 foot wide Right of Way extending from the aforementioned highway to the Low Water Mark of Saratoga Lake; thence along the said Right of Way S 17 degrees 20' W 115 feet to an iron pipe, the place of beginning; thence in the same straight line along the said Right of Way 78.4 feet to an iron pipe; thence still along the said Right of Way S 38 degrees 9' W 208 feet to an iron pipe; thence N 51 degrees 51' W 81 feet to an iron pipe; thence N 14 degrees 34' E 54.2 feet to an iron pipe; thence N 56 degrees 0' E 242.8 feet to the place of beginning, the aforementioned dimensions more or less; and being further bounded and described as follows: BEGINNING at an iron pipe of the southerly side of New York State Highway 9P at the intersection of the lands now of formerly of Ernst and one Walbridge and runs thence along said highway S. 64 degrees 25' E. 72.4 feet to a concrete state monument; thence still along the said highway S. 35 degrees 9' E. 135.6 feet to an iron pipe on the westerly side of a Right of Way 18 feet wide running from the beforementioned highway to the Low Water Mark of Saratoga Lake; thence across the said Right of Way S. 26 degrees E. 21.15 feet to the Easterly side of the said Right of Way, the place of beginning; thence along the said Right of Way S. 17 degrees 20' W. 171.1 feet to a point; thence still along the said Right of Way S. 38 degrees 9' W. to the Low Water Mark of Saratoga Lake; thence along the Low Water Mark of the said lake to an iron pipe on the Westerly side of the said Highway which point is about 435 feet Easterly at right angles from the Easterly side of the beforementioned Right of Way; thence along the said Highway N. 10 degrees 57' W. 653.5 feet to a concrete monument; thence N. 26 degrees 10' W. 9.85 feet to the place of beginning. Be the aforesaid dimensions in this clause more or less and encompassing lands considered to be a single parcel; or

(o) all those tracts or parcels of land, situate in the Tenth Ward of the City of Troy, County of Rensselaer and State of New York, known as Lots Number Seven (7), A Seven (A7), Six (6), A Six (A6), Five (5), A Five (A5) and the southerly portions of Lots Four (4) and A Four (A4), as the same are laid down and described on a certain Map made by Frederick W. Orr, dated August 15, 1918, filed in the Office of the Clerk of the County of Rensselaer as Map No. 29 1/2, Drawer 18. The said premises hereby intended to be conveyed are bounded and described as follows:

COMMENCING at an iron rod in the westerly side of River Street at the most southeasterly corner of premises heretofore conveyed by Harry Goldberg and Norman Goldberg to Arthur E. Collins and another, by Deed dated November 8, 1940, recorded November 12, 1940 In the Office of the Clerk of the County of Rensselaer in Book 633 of Deeds at page 400 and running thence southerly along the westerly line of River Street 215.6 feet to a pipe in the most southeasterly corner of Lot No. A7; thence westerly along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to the easterly shore of the Hudson River; thence northerly along the easterly shore of the Hudson River 216 feet more or less to the most southwesterly corner of land heretofore conveyed by the said Harry Goldberg and Norman Goldberg to Arthur E. Collins and another hereinbefore recited; thence along the southerly line of lands heretofore conveyed to

1 said Collins and another easterly 31.75 feet; thence northerly 6.33
2 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence east-
3 erly 150.57 feet to the point or place of beginning.

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

9 BEARINGS refer to the magnetic meridian of 1993. Said premises are
10 also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage
11 and depth 115.60 x 220.00 being the same premises described in Book 6534
12 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being
13 the same premises in the 2009 City of Troy Assessment Rolls and
14 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA,
15 ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT); and being further bounded
16 and described as follows: BEGINNING at a point marked by a capped iron
17 rod where the division line between lands now or formerly of Walter
18 Snyder Printer, Inc. (Liber 1334, Page 861) on the northeast and lands
19 herein described on the southwest intersects the northwesterly side of
20 River Street; running thence South 40° 01' 52" West along the northwes-
21 terly side of River Street a distance of 100.00 feet to a point; thence
22 North 49° 45' 31" West a distance of 41.97 feet to a point at the south-
23 westerly corner of the building located on the herein described prem-
24 ises, said point also being the northeasterly corner of the building
25 located on the property adjoining on the southwest; thence North 60° 59'
26 40" West along the building wall located on the property adjoining on
27 the southwest and the northwesterly continuation of same a distance of
28 140.88 feet to the easterly shore of the Hudson River; thence North 30°
29 16' 52" East along the shore of the Hudson River a distance of 90.90
30 feet to a point; thence South 60° 44' 08" East along lands now or
31 formerly of Walter Snyder Printer, Inc. (Liber 1334, Page 861) a
32 distance of 31.75 feet to a point; thence North 30° 16' 52" East contin-
33 uing along lands now or formerly of Walter Snyder Printer, Inc. a
34 distance of 6.33 feet to a point; thence South 60° 44' 08" East continu-
35 ing along lands now or formerly of Walter Snyder Printer, Inc a distance
36 of 18.00 feet to a point; thence South 30° 16' 52" West continuing along
37 lands now or formerly of Walter Snyder Printer, Inc. a distance of 6.33
38 feet to a point; thence South 60° 44' 08" East continuing along lands
39 now or formerly of Walter Snyder Printer, Inc. a distance of 149.40 feet
40 to the point and place of beginning. Be the aforesaid dimensions in this
41 clause more or less and encompassing lands considered to be a single
42 contiguous parcel.

43 § 18. Subdivision 6 of section 51 of the alcoholic beverage control
44 law is REPEALED.

45 § 19. Paragraphs (e-1), (e-2), (e-3), (e-4), (e-5), (e-6), (e-7),
46 (e-8), (e-9), (e-10) and (e-11) of subdivision 7 of section 64 of the
47 alcoholic beverage control law are REPEALED.

48 § 20. Paragraphs (c-1), (c-2), (c-3), (c-4), (c-5) and (c-6) of subdi-
49 vision 7 of section 64-a of the alcoholic beverage control law are
50 REPEALED.

51 § 21. Subdivisions 14 and 15 of section 64-c of the alcoholic beverage
52 control law are REPEALED.

53 § 22. Subdivisions 4, 5, 6, 7 and 8 of section 101 of the alcoholic
54 beverage control law are REPEALED.

55 § 23. Subdivision 2 of section 105-a of the alcoholic beverage control
56 law is REPEALED.

§ 24. Subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii) and (xiv) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law are REPEALED.

§ 25. Paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law, as amended by chapter 318 of the laws of 2016, subparagraph (ii) as amended by chapter 269 of the laws of 2018, subparagraph (ix) as separately amended by chapter 303 of the laws of 2016, subparagraphs (x) and (xi) as amended by chapter 453 of the laws of 2018, subparagraph (xii) as separately amended by chapters 356 and 429 of the laws of 2019, subparagraph (xiii) as added by chapter 356 of the laws of 2019 and subparagraph (xiv) as added by chapter 429 of the laws of 2019, is amended to read as follows:

(a) Be interested directly or indirectly in any premises where any alcoholic beverage is sold at retail; or in any business devoted wholly or partially to the sale of any alcoholic beverage at retail by stock ownership, interlocking directors, mortgage or lien or any personal or real property, or by any other means. ~~[The provisions of this paragraph shall not apply to (i) any such premises or business constituting the overnight lodging and resort facility located wholly within the boundaries of the town of North Elba, county of Essex, township eleven, Richard's survey, great lot numbers two hundred seventy eight, two hundred seventy nine, two hundred eighty, two hundred ninety eight, two hundred ninety nine, three hundred, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred thirty-five and three hundred thirty-six, and township twelve, Thorn's survey, great lot numbers one hundred six and one hundred thirteen, as shown on the Adirondack map, compiled by the conservation department of the state of New York - nineteen hundred sixty-four edition, in the Essex county atlas at page twenty-seven in the Essex county clerk's office, Elizabethtown, New York, provided that such facility maintains not less than two hundred fifty rooms and suites for overnight lodging, (ii) 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 Canandaigua, county of Ontario, beginning at a point in the northerly line of village lot nine where it meets with South Main Street, thence south sixty nine degrees fifty four minutes west a distance of nine hundred sixteen and twenty three hundredths feet to an iron pin; thence in the same course a distance of fourteen feet to an iron pin; thence in the same course a distance of fourteen and four-tenths feet to a point; thence south fifteen degrees thirty eight minutes and forty seconds east a distance of four hundred forty six and eighty seven hundredths feet to a point; thence south twenty eight degrees thirty seven minutes and fifty seconds east a distance of one hundred thirteen and eighty four hundredths feet to a point; thence south eighty five degrees and forty seven minutes east a distance of forty seven and sixty one hundredths feet to an iron pin; thence on the same course a distance of three hundred and sixty five feet to an iron pin; thence north seventeen degrees twenty one minutes and ten seconds east a distance of four hundred fifty seven and thirty two hundredths feet to an iron pin; thence north nineteen degrees and thirty minutes west a distance of two hundred and forty eight feet to a point; thence north sixty nine degrees and fifty four minutes east a distance of two hundred eighty four and twenty six hundredths feet to a point; thence north nineteen degrees and thirty minutes west a distance of sixty feet to the point and place of beginning, provided that such facility maintains not less than seventy five rooms and suites for overnight lodging,~~

~~(iii) any such premises or business constituting the overnight lodging facility located wholly within the boundaries of that tract or parcel of land situated in the borough of Manhattan, city and county of New York, beginning at a point on the northerly side of west fifty-fourth street at a point one hundred feet easterly from the intersection of the said northerly side of west fifty-fourth street and the easterly side of seventh avenue, running thence northerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the center line of the block, running thence easterly and parallel with the northerly side of west fifty-fourth street and along the center line of the block fifty feet to a point, running thence northerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the southerly side of west fifty-fifth street at a point distant one hundred fifty feet easterly from the intersection of the said southerly side of west fifty-fifth street and the easterly side of seventh avenue, running thence easterly along the southerly side of west fifty-fifth street thirty-one feet three inches to a point, running thence southerly and parallel with the easterly side of the seventh avenue one hundred feet five inches to the center line of the block, running thence easterly along the center line of the block and parallel with the southerly side of west fifty-fifth street, one hundred feet, running thence northerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the southerly side of west fifty-fifth street, running thence easterly along the southerly side of west fifty-fifth street twenty-one feet ten and one-half inches to a point, running thence southerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the center line of the block, running thence westerly along the center line of the block and parallel with the northerly side of west fifty-fourth street three feet one and one-half inches, running thence southerly and parallel with the easterly side of seventh avenue one hundred feet five inches to the northerly side of west fifty-fourth street at a point distant three hundred feet easterly from the intersection of the said northerly side of west fifty-fourth street and the easterly side of seventh avenue, running thence westerly and along the northerly side of west fifty-fourth street two hundred feet to the point or place of beginning, provided that such facility maintains not less than four hundred guest rooms and suites for overnight lodging, (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; (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, or (vi) any such premises or business located on the west side of New York state route 414 in military lots 64 and 75 located wholly within the boundaries of that tract or parcel of land situated in the town of Lodi, county of Seneca beginning at an iron pin on the assumed west line of New York State Route 414 on the apparent north line of lands reputedly of White (lib. 420, page 155), said iron pin also being northerly a distance of 1200 feet more or less from the centerline of South Miller Road, Thence leaving the point of beginning north 85°17'44" west along said lands of White a distance of 2915.90 feet to an iron pin Thence north 03°52'48" east along said lands of White, passing through an iron pin 338.36 feet distant, and continuing further along that same course a distance of 13.64 feet farther, the total distance being 352.00 feet to a point in the assumed centerline of Nellie Neal Creek, Thence in generally a north westerly direction the following courses and distances along the assumed centerline of Nellie Neal Creek, north 69°25'11" west a distance of 189.56 feet to a point, north 63°40'00" west a distance of 156.00 feet to a point, north 49°25'00" west a distance of 80.00 feet to a point, south 80°21'00" west a distance of 90.00 feet to a point, north 72°03'00" west a distance of 566.00 feet to a point, north 68°15'00" west a distance of 506.00 feet to a point, north 55°16'00" west a distance of 135.00 feet to a point, south 69°18'00" west a distance of 200.00 feet to a point, south 88°00'00" west a distance of 170.00 feet to a point on a tie line at or near the high water line of Seneca Lake, Thence north 25°17'00" east along said tie line a distance of 238.00 feet to an iron pipe, Thence south 82°04'15" east along lands reputedly of M. Wagner (lib. 464, page 133) a distance of 100.00 feet to an iron pin, Thence north 06°56'47" east along said lands of M. Wagner a distance of 100.00 feet to an iron pipe, Thence north 09°34'28" east along lands reputedly of Schneider (lib. 429, page 37) a distance of 50.10 feet to an iron pipe, Thence north 07°49'11" east along lands reputedly of Oney (lib. 484, page 24) a distance of 50.00 feet to an iron pipe, Thence north 82°29'40" west along said lands of Oney a distance of 95.30 feet to an iron pipe on a tie line at or near the highwater line of Seneca Lake, Thence north 08°15'22" east along said tie line a distance of 25.00 feet to an iron pin, Thence south 82°28'00" east along lands reputedly of Yu (lib. 405, page 420) a distance of 96.53 feet to an iron pipe, Thence north 34°36'59" east along said lands of Yu a distance of 95.00 feet to a point in the assumed centerline of Van Liew Creek, Thence in generally an easterly direction the following courses and distances along the assumed centerline of Van Liew Creek, north 72°46'37" east a distance of 159.98 feet to a point, north 87°53'00" east a distance of 94.00 feet to a point, south 71°12'00" east a distance of 52.00 feet to a point, south 84°10'00" east a distance of 158.00 feet to a point, south 59°51'00" east a distance of 160.00 feet to a point, south 83°29'00" east a distance of 187.00 feet to a point, Thence north 01°33'40" east along lands reputedly of Hansen (lib. 515, page 205) passing through an iron~~

~~pipe 32.62 feet distant, and continuing further along that same course passing through an iron pin 205.38 feet farther, and continuing still further along that same course a distance of 21.45 feet farther, the total distance being 259.45 feet to the assumed remains of a White Oak stump; Thence north 69° 16' 11" east along lands reputedly of Schwartz (lib. 374, page 733) being tie lines along the top of the south bank of Campbell Creek a distance of 338.00 feet to a point; Thence south 57° 17' 32" east along said tie line a distance of 136.60 feet to a point; Thence south 74° 45' 00" east along said tie line a distance of 100.00 feet to an iron pin; Thence north 04° 46' 00" east along said lands of Schwartz a distance of 100.00 feet to a point in the assumed centerline of Campbell Creek; Thence in generally an easterly direction the following courses and distances along the assumed centerline of Campbell Creek; south 71° 34' 00" east a distance of 330.00 feet to a point; north 76° 53' 00" east a distance of 180.00 feet to a point; north 83° 05' 00" east a distance of 230.00 feet to a point; south 66° 44' 00" east a distance of 90.00 feet to a point; south 81° 10' 00" east a distance of 240.00 feet to a point; south 45° 29' 15" east a distance of 73.18 feet to a point; Thence south 05° 25' 50" west along lands reputedly of Stanley Wagner (lib. 450, page 276) a distance of 135.00 feet to a point on the assumed north line of Military Lot 75; Thence south 84° 34' 10" east along said lands of Wagner and the assumed north line of Military Lot 75 a distance of 1195.06 feet to an iron pin; Thence south 06° 57' 52" west along said lands of M. Wagner (lib. 414, page 267) passing through an iron pin 215.58 feet distant, and continuing further along that same course a distance of 20.59 feet farther, the total distance being 236.17 feet to a point in the assumed centerline of Campbell Creek; Thence in generally a south easterly direction the following course and distances along the assumed centerline of Campbell Creek; north 78° 23' 09" east a distance of 29.99 feet to a point; south 46° 09' 15" east a distance of 65.24 feet to a point; north 85° 55' 09" east a distance of 60.10 feet to a point; south 61° 59' 50" east a distance of 206.91 feet to a point; north 63° 58' 27" east a distance of 43.12 feet to a point; south 28° 51' 21" east a distance of 47.72 feet to a point; south 15° 14' 08" west a distance of 33.42 feet to a point; south 79° 16' 32" east a distance of 255.15 feet to a point; south 62° 19' 46" east a distance of 75.82 feet to a point; north 76° 10' 42" east a distance of 99.60 feet to a point; north 82° 12' 55" east a distance of 86.00 feet to a point; south 44° 13' 53" east a distance of 64.08 feet to a point; north 67° 52' 46" east a distance of 73.98 feet to a point; north 88° 13' 13" east a distance of 34.64 feet to a point on the assumed west line of New York State Route 414; Thence south 20° 13' 30" east along the assumed west line of New York State Route 414 a distance of 248.04 feet to a concrete monument; Thence south 02° 10' 30" west along said road line a distance of 322.90 feet to an iron pin; Thence 13° 14' 50" west along said road line a distance of 487.41 feet to an iron pin, said iron pin being the point and place of beginning;~~

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

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

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

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

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

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

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

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

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

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

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

~~This survey also intends to describe a portion of the premises as conveyed by Ruth V. Wagner to Stanley A. Wagner by deed recorded February 10, 1989 in Liber 450 of deeds, at Page 286. The provisions of this paragraph shall not apply to any premises or business located wholly within the following described parcel: ALL THAT TRACT OR PARCEL OF LAND situate in the City of Corning, County of Steuben and State of New York bounded and described as follows: Beginning at an iron pin situate at the terminus of the westerly line of Townley Avenue at its intersection with the southwesterly line of New York State Route 17; thence S 00° 45' 18" E along the westerly line of Townley Avenue, a distance of 256.09 feet to a point; thence S 89° 02' 07" W through an iron pin placed at a distance of 200.00 feet, a total distance of 300.00 feet to an iron pin; thence N 00° 59' 17" W a distance of 47.13 feet to an iron pin; thence S 89° 02' 07" W a distance of 114.56 feet to a point situate in the southeast corner of Parcel A-2 as set forth on a survey map hereinafter described; thence N 14° 18' 49" E a distance of 124.40 feet to an iron pin situate at the southeast corner of lands now or formerly of Cicci (Liber 923, Page 771); thence N 14° 18' 49" E a distance of 76.46 feet to an iron pin; thence N 00° 57' 53" W a distance of 26.25 feet to an iron pin marking the southeast corner of parcel A-1 as set forth on the hereinafter described survey map; thence N 00° 58' 01" W a distance of~~

~~166.00 to an iron pin situate at the northeast corner of said Parcel A-1, which pin also marks the southeast corner of lands now or formerly of Becraft (Liber 1048, Page 1086); thence N 00° 57' 53" W a distance of 106.00 feet to an iron pin situate in the southerly line of lands now or formerly of the United States Postal Service; thence N 89° 02' 07" E along the southerly line of said United States Postal Service a distance of 81.47 feet to a point; thence N 14° 18' 49" E along the easterly line of said United States Postal Service a distance of 114.29 feet to an iron pin situate in the southwesterly line of New York State Route 17; thence S 32° 00' 31" E along the southwesterly line of New York State Route 17, a distance of 358.93 feet to an iron pin; thence continuing along the southwesterly line of New York State Route 17, S 38° 30' 04" E a distance of 108.18 feet to the iron pin marking the place of beginning. Said premises are set forth and shown as approximately 4.026 acres of land designated as Parcel A (excluding Parcels A-1 and A-2) on a survey map entitled "As-Built Survey of Lands of New York Inn, LLC, City of Corning, Steuben County, New York" by Weiler Associates, dated December 27, 2001, designated Job No. 12462; or (vii) 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 Mecker 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 the Northerly line of Union Street where it is intersected by the Easterly line of property numbered 235 Union Street, which is hereby conveyed, and running thence Northerly along the Easterly line of said property, One Hundred Forty and Five tenths (140.5) feet to a point sixteen (16) feet Southerly from the Southerly line of the new garage built upon land adjoining on the North; thence Westerly parallel with said garage, Forty six and Seven tenths (46.7) feet; thence Southerly One Hundred Forty and Eight tenths (140.8) feet to the Northerly margin of Union Street; thence Easterly along the Northerly margin of Union Street, about Forty eight and three tenths (48.3) feet to the point or place of beginning.~~

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

~~All that parcel of land in the City of Schenectady beginning at a point in the northerly margin of Union Street at the southwesterly corner of lands now or formerly of Friedman (Deed Book 636 at page 423) which point is about 60 feet westerly of the westerly line of North College Street and runs thence N. 86 deg. 42' 20" W. 92.30 feet to the~~

~~southeasterly corner of other lands now or formerly of Friedman (Deed Book 798 at page 498); thence N. 04 deg. 06' 48" E. 140.50 feet to the southwesterly corner of lands now or formerly of Stockade Associates (Deed Book 1038 at page 521); thence S. 87 deg. 05' 27" E. 46.70 feet to lands now or formerly of McCarthy (Deed Book 1129 at page 281); thence along McCarthy S. 00 deg. 52' 02" E. 3.69 feet to the northwesterly corner of lands now or formerly of SONYMA (Deed Book 1502 at page 621); thence along lands of SONYMA S. 02 deg 24' 56" W. 34.75 feet to a corner; thence still along lands of SONYMA and lands now or formerly of Magee (Deed Book 399 at page 165) S. 86 deg. 11' 52" E. 42.57 feet to a corner; thence still along lands of Magee and Lands of Friedman first above mentioned S. 03 deg. 10' 08" W. 102.00 feet to the point of beginning.~~

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

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

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

~~Also all that tract or parcel of land commonly known as the Union Street School, located on the Northeasterly corner of Union and North 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, or (viii) 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 point, thence, South 30° 04' 59" East, a distance of 18.28 feet to the corner of the property acquired by Ontario County (Liber 766 of Deeds, Page 1112), as shown on a map recorded in the Ontario County Clerk's Office as Map No. 6313, thence, the following four (4) courses and distances along said property line: South 30° 04' 59" East, a distance of 177.17 feet to a point, thence, South 02° 20' 33" East, a distance of 147.53 feet to a point, thence, South 41° 31' 35" East, a distance of 200.93 feet to a point, thence, South 23° 48' 53" West, along said property line, and the projection thereof, through the first said lands of Ontario County - Finger Lakes Community College (Liber 698 of Deeds, Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel containing 7.834 acres, more or less, as shown on a map entitled "Proposed Lease Area - Friends of the Finger Lakes Performing Arts Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01, dated June 10, 2005, last revised August 17, 2005. The related PAC Properties are shown on the Map denominated "FLCC Campus Property, FLPAC Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the~~

~~Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds at page 9 and are comprised of the areas separately labeled as Parking Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the Entry Roads; or (ix) any 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 a one story building on the lands, now or formerly, of Abner Doubleday, LLC, aka Cooperstown All Star Village, LLC, as owned by Martin and Brenda Patton, which point lies N 87°55'13" W a distance of 149.37' from the northeast corner of the Patton lands; thence N 74°30'18" W a distance of 51.50 feet to a point; thence S 15°29'42" W a distance of 2.00 feet to a point; thence N 74°30'18" W a distance of 14.00 feet to a point; thence S 15°29'42" W a distance of 19.20 feet to a point; thence S 74°30'18" E a distance of 14.20 feet to a point; thence S 15°29'42" W a distance of 4.20 feet; thence S 74°30'18" E a distance of 51.30 feet to a point; thence N 15°29'42" E a distance of 25.40 feet to a point to the point and place of beginning.~~

~~Containing an area of 1576.06 square feet, or 0.036 acres with such bearings referencing Magnetic North 1995.~~

~~This survey is subject to any rights of way or easements which may have been granted to utility companies; or (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 easterly line of N. Clinton Street; thence N. 28° 09' 10" W. a distance of 364.86 feet to the point and place of beginning. Said parcel being approximately 1.99 acres. The aforesaid described parcel is also shown as Lot "1B" (331 Genant Drive) according to a map entitled "A Map of Resubdivision of a portion of Block D in the Original Village of Syracuse into Lots 1A and 1B, City of Syracuse, Onondaga County, State of New York, Known as 431 and 311 Genant Drive" by James M. Zuccolotto, Licensed Land Surveyor, dated March 20, 2001 and last revised May 21, 2002, and filed in the Onondaga County Clerk's office on May 28, 2002 as Map No. 9408.~~

1 ~~EXCEPTING AND RESERVING THEREFROM, a permanent easement and right of~~
2 ~~way benefiting Niagara Mohawk Power Corporation, its successors and~~
3 ~~assigns, upon and across that portion of the above described premises~~
4 ~~more particularly described as follows:~~

5 ~~Beginning at a point in the easterly line of North Clinton Street,~~
6 ~~said point being approximately 518.65 feet southerly along the easterly~~
7 ~~line of North Clinton Street from its intersection with the southerly~~
8 ~~line of Division Street, thence N. 76° 43' 56" E. a distance of 133.65~~
9 ~~feet to a point, thence N. 53° 11' 01" E. a distance of 142.28 feet to a~~
10 ~~point, thence N. 71° 07' 02" E a distance of 16.99 feet to a point in~~
11 ~~the westerly line of Genant Drive, thence southeasterly along the~~
12 ~~westerly line of Genant Drive on a curve to the right with a radius of~~
13 ~~643.94 feet, an arc length of 68.17 feet to a point which is the north-~~
14 ~~east corner of the Multi-Story Brick Building located on Lot "1B" (311~~
15 ~~Genant Drive) as shown on a map entitled "A Map of a Resubdivision of a~~
16 ~~portion Of Block D in the Original Village of Syracuse into Lots 1A and~~
17 ~~1B, City of Syracuse, Onondaga County, State of New York, known as 431~~
18 ~~and 311 Genant Drive" by James M. Zuccolotto, Licensed Land Surveyor,~~
19 ~~dated March 20, 2001 and last revised May 21, 2002, and filed in the~~
20 ~~Onondaga County Clerk's Office on May 28, 2002 as Map No. 9408 (the~~
21 ~~"Subdivision Map"); thence along the northerly line of said Multi-Story~~
22 ~~Brick Building S. 76° 52' 55" W. a distance 283.21 feet to the easterly~~
23 ~~line of North Clinton Street, thence N. 27° 59' 42" W. a distance of~~
24 ~~9.8' to the point and place of beginning. Said easement and right-of-way~~
25 ~~shall be a permanent easement appurtenant, creating a property right~~
26 ~~which shall run with the land, for the purpose of ingress and egress by~~
27 ~~Niagara Mohawk Power Corporation, its successors and assigns to the~~
28 ~~benefited parcel, identified as the Ash Street Substation located on lot~~
29 ~~1A (431 Genant Drive) as shown on the Subdivision Map, and to access,~~
30 ~~maintain, repair, replace and remove the transformer and containment pad~~
31 ~~and the two vaults, shown on the Subdivision Map, and any appurtenant~~
32 ~~facilities or other property of Niagara Mohawk Power Corporation located~~
33 ~~within said easement, provided that the Multi-Story Brick Building,~~
34 ~~stairs and two air conditioning units shown on the Subdivision Map and~~
35 ~~located in the easement area are part of the real property conveyed~~
36 ~~herein and shall not be deemed to be property of Niagara Mohawk Power~~
37 ~~Corporation.~~

38 ~~ALSO EXCEPTING AND RESERVING to Niagara Mohawk Power Corporation, its~~
39 ~~successors and assigns, from the parcel(s) described in this deed, the~~
40 ~~permanent right of way and easement to operate, maintain, replace and/or~~
41 ~~remove any and all existing gas and electric facilities, and all appur-~~
42 ~~tenant facilities thereto, as are now erected upon the premises above~~
43 ~~described, including the full right, privileges and authority to cross~~
44 ~~lands of the party of the second part to gain access to said facilities,~~
45 ~~and also including the full right, privileges and authority to cut and~~
46 ~~remove all trees, structures, and other obstructions within the perma-~~
47 ~~nent right of way, together with the right to cut and remove any trees~~
48 ~~outside the permanent right-of-way which in the sole opinion of Niagara~~
49 ~~Mohawk Power Corporation, its successors and assigns, are deemed likely~~
50 ~~to interfere with or pose a hazard to the facilities, provided that the~~
51 ~~Multi-Story Brick Building, stairs and two air conditioning units shown~~
52 ~~on the Subdivision Map shall not be removed or modified by Niagara~~
53 ~~Mohawk Power Corporation, its successors and assigns, pursuant to this~~
54 ~~Right-of-Way and Easement.~~

55 ~~ALSO, EXCEPTING AND RESERVING to Niagara Mohawk Power Corporation, its~~
56 ~~successors and assigns, the permanent right-of-way and easement to oper-~~

~~ate, maintain, build, construct, replace and/or remove electric and gas distribution facilities within ten (10) feet of the edge of any highway(s) abutting the premises herein deemed necessary by said Niagara Mohawk Power Corporation, its successors and assigns, said easement to include the full right, privilege and authority to cut and remove all trees, structures, and obstructions within said easement deemed necessary by Niagara Mohawk Power Corporation, provided that the Multi-Story Brick Building shown on the Subdivision Map shall not be removed or modified by Niagara Mohawk Power Corporation, its successors and assigns, pursuant to this right of way and easement; or (xi) ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Greenburgh, County of Westchester and State of New York, being bounded and described as follows:~~

~~BEGINNING at a point on the easterly side of Saw Mill River Road where the same is intersected by the division line between premises hereinafter described and lands now or formerly of One Riverdale Ave. Development Co., Inc., said point being North 11 Degrees 23' 24" West 22.83 feet from the former North East corner of Saw Mill River Road and Hunter Lane;~~

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

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

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

~~THENCE southerly along same, South 18 Degrees 17' 40" East 150.40 feet and South 11 Degrees 23' 24" East 431.17 feet to the point of BEGINNING; or~~

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

~~COMMENCING at an iron rod in the westerly side of River Street at the most southeasterly corner of premises heretofore conveyed by Harry Goldberg and Norman Goldberg to Arthur E. Collins and another, by Deed dated November 8, 1940, recorded November 12, 1940 In the Office of the Clerk of the County of Rensselaer in Book 633 of Deeds at page 400 and running thence southerly along the westerly line of River Street 215.6 feet to a pipe in the most southeasterly corner of Lot No. A7; thence westerly along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to the easterly shore of the Hudson River; thence northerly along the easterly shore of the Hudson River 216 feet more or less to the most southwesterly corner of land heretofore conveyed by the said Harry Goldberg and Norman Goldberg to Arthur E. Collins and another hereinbefore recited; thence along the southerly line of lands heretofore conveyed to said Collins and another easterly 31.75 feet; thence northerly 6.33~~

~~feet, thence easterly 18 feet, thence southerly 6.33 feet, thence easterly 150.57 feet to the point or place of beginning.~~

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

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

~~BEARINGS refer to the magnetic meridian of 1993. Said premises are also described as follows: Ward & Plate: 1005500 669 RIVER ST, frontage and depth 115.60 x 220.00 being the same premises described in Book 6534 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being the same premises in the 2009 City of Troy Assessment Rolls and 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC, CORINA, ANGELO, MCLAUGHLIN, JOHN D & VASIL, SCOTT); and being further bounded and described as follows: BEGINNING at a point marked by a capped iron rod where the division line between lands now or formerly of Walter Snyder Printer, Inc. (Liber 1334, Page 861) on the northeast and lands herein described on the southwest intersects the northwesterly side of River Street, running thence South 40° 01' 52" West along the northwesterly side of River Street a distance of 100.00 feet to a point, thence North 49° 45' 31" West a distance of 41.97 feet to a point at the southwesterly corner of the building located on the herein described premises, said point also being the northeasterly corner of the building located on the property adjoining on the southwest, thence North 60° 59' 40" West along the building wall located on the property adjoining on the southwest and the northwesterly continuation of same a distance of 140.88 feet to the easterly shore of the Hudson River, thence North 30° 16' 52" East along the shore of the Hudson River a distance of 90.90 feet to a point, thence South 60° 44' 08" East along lands now or formerly of Walter Snyder Printer, Inc. (Liber 1334, Page 861) a distance of 31.75 feet to a point, thence North 30° 16' 52" East continuing along lands now or formerly of Walter Snyder Printer, Inc. a distance of 6.33 feet to a point, thence South 60° 44' 08" East continuing along lands now or formerly of Walter Snyder Printer, Inc. a distance of 18.00 feet to a point, thence South 30° 16' 52" West continuing along lands now or formerly of Walter Snyder Printer, Inc. a distance of 6.33 feet to a point, thence South 60° 44' 08" East continuing along lands now or formerly of Walter Snyder Printer, Inc. a distance of 149.40 feet to the point and place of beginning. Be the aforesaid dimensions in this clause more or less and encompassing lands considered to be a single contiguous parcel.~~

~~The provisions of this paragraph shall not apply to any premises licensed under section sixty-four of this chapter in which a manufacturer or wholesaler holds a direct or indirect interest, provided that: (I) said premises consist of an interactive entertainment facility which predominantly offers interactive computer and video entertainment attractions, and other games and also offers themed merchandise and food and beverages, (II) the sale of alcoholic beverages within the premises shall be restricted to an area consisting of not more than twenty-five percent of the total interior floor area of the premises, (III) the retail licenses shall derive not less than sixty five percent of the total revenue generated by the facility from interactive video entertainment activities and other games, including related attractions and sales of merchandise other than food and alcoholic beverages, (IV) the interested manufacturer or wholesaler, or its parent company, shall be listed on a national securities exchange and its direct or indirect~~

~~equity interest in the retail licensee shall not exceed twenty-five percent, (V) no more than fifteen percent of said licensee's purchases of alcoholic beverages for sale in the premises shall be products produced or distributed by the manufacturer or wholesaler, (VI) neither the name of the manufacturer or wholesaler nor the name of any brand of alcoholic beverage produced or distributed by said manufacturer or wholesaler shall be part of the name of the premises, (VII) the name of the manufacturer or wholesaler or the name of products sold or distributed by such manufacturer or wholesaler shall not be identified on signage affixed to either the interior or the exterior of the premises in any fashion, (VIII) promotions involving alcoholic beverages produced or distributed by the manufacturer or wholesaler are not held in such premises and further, retail and consumer advertising specialties bearing the name of the manufacturer or wholesaler or the name of alcoholic beverages produced or distributed by the manufacturer or wholesaler are not utilized in any fashion, given away or sold in said premises, and (IX) except to the extent provided in this paragraph, the licensing of each premises covered by this exception is subject to all provisions of section sixty-four of this chapter, including but not limited to liquor authority approval of the specific location thereof. The provisions of this paragraph shall not prohibit (1) a manufacturer or wholesaler, if an individual, or a partner, of a partnership, or, if a corporation, an officer or director thereof, from being an officer or director of a duly licensed charitable organization which is the holder of a license for on-premises consumption under this chapter, nor (2) a manufacturer from acquiring any such premises if the liquor authority first consents thereto after determining, upon such proofs as it shall deem sufficient, that such premises is contiguous to the licensed premises of such manufacturer, and is reasonably necessary for the expansion of the facilities of such manufacturer. After any such acquisition, it shall be illegal for a manufacturer acquiring any such premises to sell or deliver alcoholic beverages manufactured by him to any licensee occupying such premises; or~~

~~(xiii) any such premises or business located in the Town of Carmel, County of Putnam, State of New York, and being more particularly bounded and described as follows:~~

~~BEGINNING at a point on the westerly side of U.S. Route 6 where the same is intersected by Lot No. 1 as shown on "Minor Subdivision Plat Prepared for Hinokley Holdings LLC Between Tax Lots 55.10-1-1, 55.10-1-3 & 55.6-1-53," filed in the Putnam County Clerks' office on July 18, 2018 as filed map no. 3196 and lands now or formerly of the Putnam County Bike path; THENCE from said point of beginning along the westerly side of U.S. Route 6, S 14° 39' 25" E 16.79' to the intersection of Lot Nos. 1 & 3 as shown on the aforementioned filed map no. 3196; THENCE along the dividing line between Lot Nos. 1 & 3 as shown on the aforementioned filed map no. 3196, S 75° 20' 35" W 6.53' to a point on a curve to the right; THENCE along said curve to the right with a radius of 150.00', a length of 49.19' and a central angle of 18° 47' 25" to a point; thence N 85° 52' 00" W 743.76', S 2° 05' 46" W 866.14' and N 88° 19' 25" W 258.90' to a point at the intersection of Lot Nos. 1, 2, & 3 as shown on the aforementioned filed map no. 3196; THENCE along the dividing line between Lot Nos. 1 & 2 as shown on the aforementioned filed map no. 3196, N 28° 38' 52" W 218.96' and N 77° 16' 24" W 239.77' to a point on a curve to the right; THENCE along said curve to the right with a radial bearing of S 84° 14' 21" E, a radius of 150.00', a length of 14.91' and a central angle of 5° 41' 49" to a point; thence N 11° 27' 28" E 300.64'~~

~~to a point on a curve to the left; THENCE along said curve to the left with a radius of 70.00', a length of 121.16' and a central angle of 99° 10' 18" to a point; THENCE N 87° 42' 50" W 58.65' to a point on the easterly side of Seminary Hill Road; THENCE along the easterly side of Seminary Hill Road, N 24° 43' 45" E 16.72', N 22° 06' 20" E 413.76', N 31° 12' 50" E 6.29', N 43° 03' 10" E 4.16' and N 42° 32' 19" E 6.72' to a point at the intersection of Lot No. 1 as shown on the aforementioned filed map no. 3196 and lands now or formerly of the Putnam County Bikepath; THENCE along the dividing line between Lot No. 1 as shown on the aforementioned filed map no. 3196 and lands now or formerly of the Putnam County Bikepath, N 63° 24' 48" E 12.80', N 72° 52' 19" E 17.05', S 68° 45' 13" E 41.08', S 88° 19' 31" E 215.42', S 29° 05' 17" E 71.85', S 74° 05' 17" E 393.67' and S 85° 52' 00" E 617.85' to the point and place of BEGINNING. Containing within said bounds 13.003 acres of land more or less.~~

~~(xiii) ALSO ALL THOSE TRACT OR PARCEL OF LAND, situate, lying and being in the Village of South Glens Falls, County of Saratoga and State of New York, being more particularly bounded and described as follows: BEGINNING at a point at the southwest corner of the herein described parcel. Also being the southeast corner of Lands of Village of South Glens Falls (L. 1448 P. 709) and being on the north boundary of West Marion Street, thence from said point of beginning: n 21° 21' 57" E 150.72 feet along lands of the Village of South Glens Falls to a point on the south boundary of South Glens Falls, thence S 67° 34' 02" E 189.04 feet along lands of Village of South Glens Falls and Mounir Rahal to a point at the southeast corner of Rahal and on the west boundary of U.S. Rte. 9, thence S 21° 16' 27" W 150.81 feet along Rte. 9 to a point at the intersection of the west boundary of Rte. 9 and the north boundary of West Marion Street, thence North 67° 32' 32" West 189.29 feet along West Marion Street to the point and place of beginning. Said parcel containing 0.507 plus or minus acres.]~~

§ 26. Subdivision 1 of section 105-a of the alcoholic beverage control law, as separately amended by chapters 139 and 312 of the laws of 2006, is amended to read as follows:

~~[1.]~~ No person, firm or corporation holding any license or permit issued under this chapter shall sell, offer for sale or give away beer at retail on Sunday between three antemeridian and eight antemeridian. Persons, firms or corporations holding licenses and/or permits issued under the provisions of the alcoholic beverage control law permitting the sale of beer at retail, may sell such beverages at retail on Sunday before three antemeridian and after eight antemeridian for off-premises consumption to persons making purchases at the licensed premises to be taken by them from the licensed premises.

§ 27. Subdivisions 3-a and 3-b of section 102 of the alcoholic beverage control law, as amended by chapter 458 of the laws of 1993, are amended to read as follows:

3-a. No licensee or permittee shall purchase or agree to purchase any alcoholic beverages from any person within the state who is not duly licensed to sell such alcoholic beverage as the case may be, at the time of such agreement and sale nor give any order for any alcoholic beverage to any individual who is not the holder of a solicitor's permit, except as provided for in section ~~[eighty-five or]~~ ninety-nine-g of this chapter.

3-b. No retail licensee shall purchase, agree to purchase or receive any alcoholic beverage except from a person duly licensed within the state by the liquor authority to sell such alcoholic beverage at the

1 time of such agreement and sale to such retail licensee, except as
2 provided for in section [~~eighty-five or~~] ninety-nine-g of this chapter.

3 § 28. Subdivision 8-a of section 17 of the alcoholic beverage control
4 law, as added by chapter 383 of the laws of 1998, is amended to read as
5 follows:

6 8-a. On and after January first, two thousand the report provided for
7 in subdivision eight of this section shall include an evaluation of the
8 effectiveness of the prohibition on the sale of alcohol to persons under
9 the age of twenty-one as provided in section sixty-five-b of this chap-
10 ter with particular emphasis on the provisions of subdivisions one, two,
11 three, four and five of section sixty-five-b, subdivision five of
12 section one hundred nineteen [~~and subdivision six of section sixty-five~~]
13 of this chapter, paragraph (b) of subdivision seven of section 170.55 of
14 the criminal procedure law and subdivision (f) of section 19.07 of the
15 mental hygiene law.

16 § 29. The opening paragraph of paragraph (a) of subdivision 13 of
17 section 106 of the alcoholic beverage control law, as amended by chapter
18 453 of the laws of 2018, is amended to read as follows:

19 No retail licensee for on-premises consumption shall be interested,
20 directly or indirectly, in any premises where liquors, wines or beer are
21 manufactured or sold at wholesale, by stock ownership, interlocking
22 directors, mortgage or lien on any personal or real property or by any
23 other means[~~, except that liquors, wines or beer may be manufactured or~~
24 ~~sold wholesale by the person licensed as a manufacturer or wholesaler~~
25 ~~thereof.~~].

26 § 30. Subdivision 6 of section 117-a of the alcoholic beverage control
27 law, as added by chapter 139 of the laws of 2006, is amended to read as
28 follows:

29 6. The provisions of this section shall not apply to the holder of a
30 temporary permit under subdivision [~~two~~] seven of section one hundred
31 [~~five-a~~] sixty-five of this [~~article~~] chapter.

32 § 31. This act shall take effect immediately; provided, however, that
33 the amendments to subdivision 8-a of section 17 of the alcoholic bever-
34 age control law made by section twenty-eight of this act shall take
35 effect on the same date as the reversion of such section as provided in
36 section 4 of chapter 118 of the laws of 2012.