

**SCHEDULE 1**

**LEGAL DESCRIPTION OF STATE LAND**

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The State Land consists of the following tracts or parcels of land situate in the Town of Marcy, County of Oneida and State of New York:

**MARCY SITE PARCEL A –  
POST EDIC ROAD BYPASS CORRIDOR DEDICATION  
249.18 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lots 1, 2, 3 & 4 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Parcel A" on a map entitled, "ALTA/ACSM Land Title Survey, Marcy Site, Lands of the People of The State of New York, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a concrete monument situate on the westerly boundary line of County Rte. No. 34 (Edic Road) at its intersection with the division line between the lands of The People of the State of New York (L. 1941 P. 391 – Parcel 1) to the north and the lands of John A. Prumo and Maureen A. Prumo (L. 2483 P. 229) to the south (which concrete monument is designated on the aforesaid map as "P.O.B. Parcel A"), thence N 59 Degrees 47 Minutes 41 Seconds W, 1107.89 feet along the division line between the aforesaid lands of Prumo and the lands of Joseph Edic, Francis Edic and Peter Edic (Instr # 2006-013171) to the south and the aforesaid lands of The People of the State of New York to the north to a set 5/8" rebar with cap, thence N 60 Degrees 01 Minutes 00 Seconds W, 553.46 feet along the division line between the aforesaid lands of Edic to the south and the lands of The People of the State of New York (L. 1926 P. 680) to the north to a set 5/8" rebar with cap, thence N 64 Degrees 19 Minutes 05 Seconds W, 2462.86 feet along the division line between the aforesaid lands of Edic, and the lands of Robert G. Comenale and Rose Mary Comenale (Instr # 2002-011183) to the south and the lands of The People of the State of New York (L. 1939 P. 568, L. 1922 P. 105 – Parcel 2 and L. 1922 P. 99 – Parcel 3) to the north to a concrete monument at the intersection of the lands of Comenale to the south, the lands of The People of the State of New York (L. 1922 P.99 – Parcel

3) to the northeast and the lands of Stephen M. Buda (L. 2885 P. 435) to the northwest, thence N 30 Degrees 19 Minutes 57 Seconds E, 400.25 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the east and the aforesaid lands of Buda, and the lands of Adele Ann (Warzala) Gaglianese and Kathleen Marie (Warzala) Zakrezwski (Instr # 2004-025216), John H. Service (L. 1905 P. 49) and Linda S. Haley (L. 2916 P. 494) to the west to a concrete monument, thence N 30 Degrees 19 Minutes 38 Seconds E, 400.04 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the east and the lands of Burlin Living Trust (L. 2887 P. 593), Daniel R. Lafferty and Deana L. Lafferty (L. 2394 P. 167), Clarence E. Blair and Helen Joan Blair (L. 1842 P. 559) and Robert D. Hughes and Ann M. Hughes Trust (L. 3030 P. 45) to the west to a concrete monument, thence N 30 Degrees 15 Minutes 55 Seconds E, 319.91 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the east and the lands of Kazimiera E. Piejko, Alexander Piejko and Mary Beth Piejko (L. 2660 P. 183), Michael C. Sullivan and Loretta M. Sullivan (L. 2765 P. 558), and Stanley S. Sobolewski and Phyllis F. Sobolewski (L. 1859 P. 55) to the west to a concrete monument, thence N 59 Degrees 51 Minutes 46 Seconds W, 200.24 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the north and the aforesaid lands of Sobolewski to the south to a concrete monument on the east boundary line of Morris Road, thence N 30 Degrees 00 Minutes 59 Seconds E, 63.14 feet along said road boundary line to a set 5/8" rebar with cap on the southerly boundary line of the lands now or formerly owned by National Grid, thence N 84 Degrees 44 Minutes 33 Seconds E, 1262.38 feet continuing along the boundary line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3 and L. 1922 P. 105 – Parcel 2) to the south and the lands of National Grid to the north to a set 5/8" rebar with cap on the division line between Cosby Manor Lot 1 to the west and Lot 2 to the east, which division line is also the division line between the lands of The Farmer Living Trust (Instr # 2004-009065) to the east, north and west and the lands of The People of the State of New York (L. 1922 P. 105 – Parcel 2, L. 1939 P. 568 and L. 1914 P. 981) to the west, south and east thence along said division line between the lands of The People of the State of New York and the lands of The Farmer Living Trust for the following five courses and distances: 1) S 27 Degrees 21 Minutes 44 Seconds W, 116.78 feet to a set 5/8" rebar with cap; 2) S 59 Degrees 36 Minutes 34 Seconds E, 503.58 feet to a set 5/8" rebar with

cap; 3) S 60 Degrees 06 Minutes 33 Seconds E, 567.15 feet to a set 5/8" rebar with cap on the division line between Cosby Manor Lot 2 to the west and Lot 3 to the east; 4) N 30 Degrees 23 Minutes 02 Seconds E, 484.27 feet to a set 5/8" rebar with cap; 5) N 30 Degrees 04 Minutes 25 Seconds E, 865.52 feet to a set 5/8" rebar with cap on the southeast boundary line of the lands of National Grid, thence N 62 Degrees 04 Minutes 11 Seconds E, 1038.79 feet along the division line between the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2) to the southeast and the lands of National Grid to the northwest to a set 5/8" rebar with cap on the division line of the lands of now or formerly Ludwik J. Kubinski and Mary Kubinski (L. 1607 P. 507) to the north and the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2) to the south, thence S 64 Degrees 36 Minutes 43 Seconds E, 120.97 feet along the division line between the aforesaid lands of Kubinski (L. 1607 P. 507) to the north and the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2) to the south to a set 5/8" rebar with cap on the division line of the lands of the Loin Family Irrevocable Trust (Instr # 2007-004907) to the east and north and the lands of The People of the State of New York (L. 923 P. 376 – Parcel 2) to the west and south; thence along the lands of the Loin Family Irrevocable Trust to the east and north and the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2, L. 1914 P. 981 and L. 1924 P. 616) to the west and south for the following three courses and distances: 1) S 29 Degrees 39 Minutes 09 Seconds W, 342.60 feet to a set 5/8" rebar with cap; 2) S 63 Degrees 32 Minutes 21 Seconds E, 427.30 feet to a set 5/8" rebar with cap at the division line of Cosby Manor Lot 3 to the west and Lot 4 to the east; 3) S 60 Degrees 22 Minutes 46 Seconds E, 1060.67 feet to a set 5/8" rebar with cap on the west boundary line of County Rte. No. 34 (Edic Road), thence S 29 Degrees 02 Minutes 27 Seconds W 1206.59 feet along said road boundary line to a point, thence S 29 Degrees 27 Minutes 35 Seconds W, 595.61 feet along said road boundary line to a point, thence S 28 Degrees 13 Minutes 14 Seconds W, 866.69 feet to a point, thence S 31 Degrees 01 Minutes 20 Seconds W 404.16 feet along said road boundary line to a point, thence S 30 Degrees 49 Minutes 36 Seconds W, 470.15 feet along said road boundary line to the Point of Beginning, containing 249.85 acres of land.

LESS AND EXCEPTING THEREFROM all that tract or parcel of land shown as the "Edic Road Bypass Corridor in Parcel A" on a map entitled "ALTA/ACSM Land Title Survey, Edic Road Bypass Corridor, Lands of the People of the State of New York & Economic

Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New York” prepared by LaFave, White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk’s Office on May 10, 2010, as Instrument No. M2010-000070, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point on the westerly boundary line of County Rte. No. 34 (Edic Road), at its intersection with the south boundary line of the Edic Road Bypass Corridor, being located the following four courses and distances from a concrete monument situate on the westerly boundary line of County Rte. No. 34 (Edic Road) at its intersection with the division line between the aforesaid lands of The People of the State of New York (L. 1941 P.391 - Parcel 1) to the north and the aforesaid lands of Prumo (L. 2483 P. 229) to the south: 1) N 30 degrees 49 minutes 36 seconds E, 470.15 feet to a point; 2) N 31 degrees 01 minutes 20 seconds E, 404.16 feet to a point; 3) N 28 degrees 13 minutes 14 seconds E, 866.69 feet to a point; 4) N 29 degrees 27 minutes 35 seconds E, 104.20 feet to a point; thence through the lands of State of New York for the following seven courses and distances: 1) N 50 degrees 14 minutes 02 seconds W, 97.43 feet to a point; 2) N 29 degrees 57 minutes 34 seconds E, 165.51 feet to a point; 3) N 87 degrees 46 minutes 07 seconds E, 90.17 feet to a point; 5) N 29 degrees 31 minutes 54 seconds E, 516.53 feet to a point; 6) N 29 degrees 09 minutes 55 seconds E, 79.93 feet to a point; 7) S 60 degrees 50 minutes 05 seconds E, 15.00 feet to a point on the west boundary of Edic Road; thence along said west boundary line of Edic Road for the following two courses and distances: 1) S 29 degrees 02 minutes 27 seconds W, 335.43 feet to a point; 2) S 29 degrees 27 minutes 35 seconds W, 491.41 feet to the Point of Beginning, containing 0.67 acres of land.

**MARCY SITE PARCEL B  
44.22 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 1 of Cosby’s Manor, Town of Marcy, County of Oneida, State of New York, and shown as “Parcel B” on a map entitled, “ALTA/ACSM Land Title Survey, Marcy Site, Lands of The People of the State of New York, Town of Marcy, Oneida County, State of New York”, prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010 and filed in the Oneida County Clerk’s Office on May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a concrete monument situate on the easterly boundary line of Morris Road at its intersection with the division line between the lands of The People of the State of New York (L. 1924 P. 612) to the south, and the southwest corner of the lands of Harold L. Anderson, Jr. and Ruth M. Anderson (Instr. # 2005-022426) (which concrete monument is designated on the aforesaid map as "P.O.B. Parcel B"), thence S 62 Degrees 13 Minutes 18 Seconds E, 174.72 feet, along said division line to a concrete monument, thence N 30 Degrees 39 Minutes 30 Seconds E, 791.52 feet along the division line between the aforesaid lands of The People of the State of New York to the east and the aforesaid lands of Anderson, and the lands of Frank Andrello and Kathleen A. Cook (Instr# 2002-020330), Mark Gadek and Renata Gadek (L. 2868 P. 671), John R. Delahunt and Rebecca A. Delahunt (L. 2800 P.140) Albert F. Petronio Jr. and Barbara Petronio (L. 2083 P. 841), John E. Young and Mariann Young (L. 3012 P. 273), Janice Ransier and Jeffrey Michocki (L. 2811 P. 263) to the west, to a concrete monument at the intersection of the aforesaid lands of Ransier and Michocki and the lands of Randall L. Wehrung and Louann Wehrung (L. 2878 P. 569), Bettie M. Smith (L. 2849 P. 286) and the aforesaid lands of The People of the State of New York, thence S 64 Degrees 41 Minutes 50 Seconds E, 850.62 feet, along the division line between the aforesaid lands of The People of the State of New York to the south and the aforesaid lands of Smith and the lands of Walter H. Jandke and Diana L. Jandke (L. 2098 P.901), James S. Bellinger and Lorine F. Bellinger (L. 2843 P. 649), Stephen W. Gotte and Deanna M.Gotte (L. 2749 P. 40), Richard D. Wynn and Florence I. Wynn (L. 2100 P. 470), Gregory Warchal and Marisa Mancini (Instr # 2006-016257) and Christiana B. Foster (L. 2651 P. 44) to the north to a set 5/8" rebar with cap on the division line between Cosby Manor Lot 1 to the west and Lot 2 to the east, which division line is also the division line between the lands of The Farmer Living Trust (Instr # 2004-009065) to the east and the aforesaid lands of The People of the State of New York to the west, thence along said division line S 30 Degrees 22 Minutes 56 Seconds W, 1857.71 feet to a set 5/8" rebar with cap on the northerly boundary line of the lands now or formerly owned by National Grid, thence along said northerly boundary line S 84 Degrees 44 Minutes 33 Seconds W, 1017.63 feet to set 5/8" rebar with cap on the easterly boundary line of the lands of Robert Kennedy Jr. and Mary A. Kennedy (L. 2527 P. 75), thence N 29 Degrees 49 Minutes 22 Seconds E, 174.69 feet along the easterly boundary lines of the aforesaid lands of Kennedy and the lands of Jeffrey R. Jones, Adolph J. Cieplenski III, Margaret V. Zastawny, Wiley R. Jones II (L. 2861 P. 126) to a concrete

monument, thence N 59 Degrees 25 Minutes 19 Seconds W, 199.79 feet along the northerly boundary line of the last mentioned lands to a concrete monument in the easterly boundary line of Morris Road, thence N 30 Degrees 05 Minutes 50 Seconds E, 58.73 feet to a concrete monument, on the easterly boundary line of Morris Road and southerly boundary line of the lands of The Wallace A. Taylor and Dolores Taylor Trust (L. 2709 P. 399), thence S 59 Degrees 50 Minutes 48 Seconds E, 199.60 feet along the southerly boundary line of the last mentioned lands to a concrete monument, thence N 30 Degrees 20 Minutes 54 Seconds E, 398.71 feet along the easterly boundary lines of the aforesaid lands of The Wallace A. Taylor and Dolores Taylor Trust, and the lands of Judith M. Pawloski and Mark Andrew Giehl (L. 2710 P. 150), Jouana Huston and Christopher Huston (Instr # 2007-019800) to a concrete monument, thence N 59 Degrees 32 Minutes 31 Seconds W, 199.90 feet along the northerly boundary line of the last mentioned lands to a concrete monument in the easterly boundary line of Morris Road, thence N 30 Degrees 34 Minutes 35 Seconds E, 60.06 feet to a concrete monument, on the easterly boundary line of Morris Road and southerly boundary line of the lands of The John Malinowski and Sophie Malinowski 2006 First Trust (Instr # 2006-002377), thence S 59 Degrees 36 Minutes 44 Seconds E 199.70 feet along the southerly boundary line of the last mentioned lands to a concrete monument, thence N 30 Degrees 38 Minutes 17 Seconds E, 229.38 feet along the easterly boundary lines of the aforesaid lands of The John Malinowski and Sophie Malinowski 2006 First Trust and the lands of Hedy Anselman-Nichols and Frances Borruso (Instr # 2006-003309) to a concrete monument, thence N 59 Degrees 28 Minutes 25 Seconds W, 200.85 feet along the northerly boundary line of the last mentioned lands to a concrete monument in the easterly boundary line of Morris Road, thence N 30 Degrees 42 Minutes 10 Seconds E, 652.13 feet along the easterly boundary line of Morris Road to the Point of Beginning, containing 44.22 acres of land.

**MARCY SITE PARCEL C**  
**3.16 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 3 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Parcel C" on a map entitled, "ALTA/ACSM Land Title Survey, Marcy Site, Lands of The People of the State of New York, Town of Marcy, Oneida County, State of New York", prepared by Lafave White &

McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a set 5/8" rebar with cap situate at the intersection of the division line between the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 1) on the southeast, the lands of Chad Bogan and Karen Bogan (Instr # 2003-008916) on the northeast, and the lands of The Farmer Living Trust (Instr # 2004-009065) on the west (which rebar with cap is designated on the aforementioned map as "P.O.B. Parcel C"), thence S 64 degrees 36 minutes 43 seconds E, 426.80 feet along the division line between the aforesaid lands of Bogan, and the lands now or formerly of Ludwik J. Kubinski and Mary Kubinski (L. 1607 P. 507) to the north and the aforesaid lands of The People of the State of New York to the south to a set 5/8" rebar with a cap, at its intersection with the division line between the aforesaid lands of The People of the State of New York to the northwest and the lands of National Grid (reputed owner) to the southeast; thence S 62 degrees 04 minutes 08 seconds W, 803.92 feet along said division line to a set 5/8" rebar with a cap at its intersection with the easterly boundary of the aforesaid lands of The Farmer Living Trust, thence N 30 degrees 07 minutes 30 seconds E, 646.93 feet along the division line between the aforesaid lands of The Farmer Living Trust to the west and the aforesaid lands of The People of the State of New York to the east to the Point of Beginning, containing 3.16 acres of land.

**MARCY SITE PARCEL D  
0.07 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 1 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Parcel D" on a map entitled, "ALTA/ACSM Land Title Survey, Marcy Site, Lands of The People of the State of New York, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a concrete monument situate on the easterly boundary line of Morris Road at its intersection with the division line between the lands of The People of the State of New



York (L. 1922 P. 99 – Parcel 2) to the south and the lands of Robert Kennedy Jr. and Mary A. Kennedy (L. 2527 P.75) to the north (which concrete monument is designated on the aforesaid map as “P.O.B. Parcel D”), thence S 60 degrees 03 minutes 37 seconds E, 94.59 feet along said division line to a set 5/8” rebar with a cap, at its intersection with the division line between the aforesaid lands of The People of the State of New York to the north and the lands of National Grid (reputed owner) to the south; thence S 84 degrees 30 minutes 19 seconds W, 115.83 feet along said division line to a concrete monument at its intersection with the easterly boundary of Morris Road; thence N 29 degrees 45 minutes 20 seconds E, a distance of 67.16 feet along said road boundary line to the Point of Beginning, containing 0.07 acres of land.

**MARCY SITE PARCEL E -  
POST EDIC ROAD BYPASS CORRIDOR DEDICATION  
25.93 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 5 of Cosby’s Manor, Town of Marcy, County of Oneida, State of New York, and shown as “Parcel E”, less and except the "Edic Road Bypass Corridor in Parcel E", on a map entitled, “ALTA/ACSM Land Title Survey, Edic Road Bypass Corridor, Lands of the People of the State of New York & Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New York”, prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk’s Office on May 10, 2010, as Instrument No. M2010-000070, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point on the east boundary line of County Rte No. 34 (Edic Road) being located N 30 degrees 54 minutes 51 seconds E, 380.35 feet from a found rebar with cap (stamped “CHA”) on the east boundary line of County Road No. 34 (Edic Road) and the northwest corner of the lands of Economic Development Growth Enterprises Corporation (Instr. # 2007-0022099) also being the southwest corner of lands acquired by The People of the State of New York (Property 19 Map 15 - Parcel 2, L. 1941 P. 391) (which point is designated on the aforementioned map as “P.O.B. Parcel E”); thence along the east highway boundary of Edic Road for the following six courses and distances: 1) N 30 degrees 54 minutes 51 seconds E, 85.39 feet to a point; 2) N 31 degrees 01 minutes 33 seconds E, 404.35 feet to a point; 3) N 28 degrees 13 minutes 16 seconds E, 867.69 feet to a point; 4) N 29 degrees 27 minutes 34 seconds

E, 595.01 feet to a point; 5) N 29 degrees 06 minutes 14 seconds E, 335.84 feet to a point; 6) N 29 degrees 06 minutes 14 seconds E, 100 feet to a point; thence through the lands of The People of the State of New York for the following three courses and distances: 1) S 60 degrees 40 minutes 28 seconds E, 716.57 feet to a point; 2) S 29 degrees 19 minutes 32 seconds W, 2353.16 feet to a point, 3) N 63 degrees 27 minutes 40 seconds W, 714.75 feet to the Point of Beginning, containing 38.69 acres of land.

LESS AND EXCEPTING THEREFROM all that tract or parcel of land more particularly bounded and described as follows: commencing on the east boundary line of County Rte No. 34 (Edic Road) at the point designated on the aforementioned map as "P.O.B. Parcel E"; thence S 63 degrees 27 minutes 40 seconds E, 366.52 feet to a point being the Point of Beginning of the herein described parcel; thence through the lands of The People of the State of New York for the following five courses and distances: 1) N 16 degrees 53 minutes 45 seconds E, 142.24 feet to a point; 2) on a curve to the right with a radius of 2157.00 feet, an arc length of 491.80 feet, having a chord of N 23 degrees 25 minutes 40 seconds E, 490.74 feet to a point; 3) N 29 degrees 57 minutes 34 seconds E, 538.97 feet to a point; 4) on a curve to the left with a radius of 250.00 feet, an arc length of 349.91 feet, having a chord of N 10 degrees 08 minutes 14 seconds W, 322.04 feet to a point; 5) N 50 degrees 14 minutes 02 seconds W, 89.97 feet to a point on the east highway boundary of Edic Road, thence along the east highway boundary of Edic Road for the following three courses and distances: 1) N 29 degrees 27 minutes 34 seconds E, 503.34 feet to a point; 2) N 29 degrees 06 minutes 14 seconds E, 335.84 feet to a point; 3) N 29 degrees 06 minutes 14 seconds E, 60.96 feet to a point; thence through the lands of The People of the State of New York for the following eight courses and distances: 1) S 60 degrees 50 minutes 05 seconds E, 24.07 feet to a point; 2) S 23 degrees 54 minutes 28 seconds W, 248.05 feet to a point; 3) S 11 degrees 24 minutes 31 seconds W, 177.21 feet to a point 4) S 21 degrees 52 minutes 31 seconds W, 216.97 feet to a point; 5) S 23 degrees 35 minutes 34 seconds E, 395.32 feet to a point; 6) S 02 degrees 09 minutes 52 seconds W, 246.00 feet to a point; 7) S 25 degrees 13 minutes 41 seconds W, 1232.84 feet to a point; 8) N 63 degrees 27 minutes 40 seconds W, 277.63 feet to the Point of Beginning, containing 12.76 acres of land.

**SCHEDULE 2**

**LEGAL DESCRIPTION OF EDGE LAND**

**SCHEDULE 2**

**LEGAL DESCRIPTION OF EDGE LAND**

The EDGE Land consists of the following tracts or parcels of land situate in the Town of Marcy, County of Oneida and State of New York:

**LOIN FAMILY IRREVOCABLE TRUST PROPERTY (EAST AND WEST)  
18.38 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lots 4 and 5 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, shown on a map entitled "Survey Map Lands of Loin Family Irrevocable Trust, Town of Marcy, Oneida County, New York", prepared by LaFave White & McGivern L.S. P.C., dated December 4, 2012, and filed in the Oneida County Clerk's Office on January 22, 2013 as Instrument No. M2013-000016, which transfer or parcel, of land is more particularly bounded and described as follows:

Beginning at a point in the centerline of the existing pavement of Edic Road (County Route No. 34) on the north boundary line of the lands now or formerly of The People of the State of New York (Prop. 24 Map 11; L.1924 P.616) and the south and west boundary lines of the lands of Michael F. Loin and Melissa Anne Campbell, as Trustees of the Loin Irrevocable Family Trust (Instr. No. 2007-004907); thence the following three (3) courses and distances: 1) N 60 degrees 22 minutes 46 seconds W, passing through a set 5/8" rebar and cap at 38.99 feet, continuing 1060.67 feet, for a total distance of 1099.66 feet to a set 5/8" rebar and cap; 2) N 63 degrees 32 minutes 21 seconds W, 427.30 feet to a set 5/8" rebar and cap; 3) N 29 degrees 39 minutes 09 seconds E, 342.60 feet to a set 5/8" rebar and cap at the southeast corner of the lands now or formerly of Ludwik J. Kubinski and Mary Kubinski (L.1607 P.507); thence along the east boundary line of Kubinski N 29 degrees 39 minutes 09 seconds E, 182.30 feet to a set 5/8" rebar and cap on the southeast boundary line of the lands now of Niagara Mohawk Power Corporation d/b/a National Grid, formerly of Adirondack Power and Light Corporation (L.855 P.127); thence along said boundary N 62 degrees 04 minutes 09 seconds E, 85.61 feet to a set 5/8" rebar and cap, thence continuing N 62 degrees 04 minutes 09 seconds E, 30.83 feet to a point in the existing centerline of Hazard Road; thence along said centerline S 64 degrees 36 minutes 37 seconds E, 325.96 feet to a point at the northwest corner of the lands now or formerly

of Richard F. Wishart (Instr. No. 2007-012254); thence along the west boundary line of the lands of Wishart S 28 degrees 58 minutes 15 seconds W, 24.70 feet to a set 5/8" rebar and cap; continuing 125.24 feet, for a total distance of 149.94 feet to a found 3/4" iron pipe at the northwest corner of the lands now or formerly of Murad J. Mimassi (L.2021 P.895); thence along said west boundary line of the lands of Mimassi S 31 degrees 17 minutes 03 seconds W, 127.51 feet to a found 3/4" iron pipe at the northwest corner of the lands now or formerly of The People of the State of New York (Prop. 38 Map 10; L. 1918 P. 503); thence along the lands of The People of the State of New York the following three (3) courses and distances: 1) S 31 degrees 48 minutes 32 seconds W, 81.83 feet to a set 5/8" rebar and cap; 2) S 60 degrees 20 minutes 35 seconds E, 628.00 feet to a set 5/8" rebar and cap; 3) N 29 degrees 34 minutes 22 seconds E, 128.82 feet to a found concrete monument at the southeast corner of the lands of Mimassi; thence along the east boundary line of the lands of Mimassi N 29 degrees 34 minutes 22 seconds E, 79.18 feet to a found concrete monument on the south boundary line of the lands now or formerly Mary Ann Zabko (L.2641 P.415); thence along said boundary line S 60 degrees 02 minutes 01 seconds E, 145.47 feet to a found 1" iron pipe at the southwest corner of the lands of Matthew Mazur and Kathleen Mazur (L.2140 P.1061); thence along the south boundary line of the lands of Mazur S 60 degrees 14 minutes 29 seconds E, 303.05 feet to a found broken concrete highway monument on the west side of the Hazard Road and Edic Road intersection; thence along the boundary line of said intersection the following seven (7) courses and distances: 1) S 13 degrees 01 minutes 13 seconds W, 134.23 feet to a point; 2) S 60 degrees 01 minutes 27 seconds E, 25.0 feet; 3) S 29 degrees 58 minutes 33 seconds W, 42.17 feet to a point; 4) S 60 degrees 08 minutes 08 seconds E, 27.21 feet to a point; 5) N 28 degrees 22 minutes 50 seconds E, 66.94 feet to a point; 6) N 47 degrees 03 minutes 15 seconds E, 154.38 feet to a found broken concrete highway monument; 7) N 20 degrees 10 minutes 43 seconds E, 100.24 feet to a set 5/8" rebar and cap on the south boundary line of the lands now or formerly of The People of the State of New York ( Prop. 6 Map 23; L.1925 P.273); thence along said boundary line the following five (5) courses and distances: 1) S 76 degrees 52 minutes 08 seconds E, 34.40 feet to a set 5/8" rebar and cap; 2) S 20 degrees 18 minutes 08 seconds E, 142.70 feet to a set 5/8" rebar and cap; 3) S 52 degrees 46 minutes 08 seconds E, 170.60 feet to a found 1/2" iron pipe; 4) S 23 degrees 20 minutes 52 seconds W, 237.70 feet to a set 5/8" rebar and cap; 5) S 36 degrees 34 minutes 52 seconds W, passing through a found 1/2" iron pipe at 178.94 feet, continuing 3.12 feet, for a total distance of

182.06 feet to a set 5/8" rebar and cap on the north boundary line of the lands new or formerly of The People of the State of New York (Prop 26 Map 22; L. 1918 P. 904); thence along said boundary line N 60 degrees 21 minutes 27 seconds W, passing through a set 5/8" rebar and cap at 338.43 feet, continuing 27.03 feet, for a total distance of 366.06 feet to a point in the centerline of the existing pavement of Edic Road (County Route No. 34); thence along said centerline S 29 degrees 57 minutes 06 seconds W, 90.95 feet to the Point of Beginning, containing 18.38 acres of land.

SUBJECT TO the rights of others to use the lands within the right-of-way of Edic Road (County Route No. 34) for highway purposes.

**KUBINSKI PROPERTY  
0.25 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 3 Cosby's Manor, Town of Marcy, County of Oneida, and State of New York, shown on a map entitled "Boundary Line Adjustment Lands of Theodore C. Kubinski, Town of Marcy, Oneida County, New York", made by Lafave, White & McGivern, L.S., P.C., dated September 20, 2013, and filed in the Oneida County Clerk's Office on October 8, 2013 as Instrument No. M2013-000185, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a set 5/8" rebar and cap on the southeast boundary line of lands of Niagara Mohawk Power Corporation, formerly of Adirondack Power and Light Corporation (L.855 P.127), and the northwest corner of the lands of The People of the State of New York (Parcel No. 2 of L.1923 P.376); and being on the south boundary line of the lands of Theodore C. Kubinski (L.2453 P.1); thence along the southeast boundary line of the lands of Niagara Mohawk Power Corporation, formerly of Adirondack Power and Light Corporation, N 62 degrees 04 minutes 11 seconds E, 226.16 feet to a set 5/8" rebar and cap on the west boundary line of the lands of Economic Development Growth Enterprises Corporation (Instr. No. 2013-001101); thence along said boundary line S 29 degrees 39 minutes 09 seconds W, 182.30 feet to a set 5/8" rebar and cap on the boundary line between the lands of Kubinski to the north and the lands of The People of the State of New York to the south; thence along said boundary line N 64 degrees 36 minutes 43 seconds W, 120.97 feet the Point of Beginning, containing 0.25 acres of land.

**FARMER PROPERTY- PARCEL 1**  
**40.45 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being in Lot 2 of Cosby Manor and shown as "Farmer- Parcel 1, 40.45 Acres" on a map entitled "Survey Map Lands of Margaret L. Farmer & Debra E. Boatman, as Co-Trustees of the Farmer Family Irrevocable Trust, Dated 9/11/2007, and Margaret L. Farmer, Individually to be acquired by Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, New York", prepared by LaFave White & McGivern L.S. P.C., dated June 3, 2011, last revised October 18, 2011, and filed in the Oneida County Clerk's Office on January 4, 2012 as Instrument No. M2012-000002, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point in the centerline of Hazard Road at the northwest corner of the lands of Chad Bogan and Karen Bogan (Instr. No. 2003-008916); thence along the west boundary line of the lands of Bogan S 30 degrees 07 minutes 30 seconds W, 272.90 feet to a set 5/8" rebar and cap at the northwest corner of the lands formerly of Kubinski, now the lands of The People of the State of New York (L.1923 P.376); thence along the west boundary line of the lands of The People of the State of New York S 30 degrees 07 minutes 30 seconds W, 646.93 feet to a set 5/8" rebar and cap on the north boundary line of the lands now or formerly of the Adirondack Power and Light Corporation; thence along said boundary line the following three (3) courses and distances: 1) S 62 degrees 04 minutes 09 seconds W, 1052.33 feet to a point; 2) S 62 degrees 04 minutes 09 seconds W, 77.18 feet to a point; 3) S 84 degrees 44 minutes 33 seconds W, 588.75 feet to a 5/8" rebar and cap on the east boundary line of the lands formerly of Gumenski, now the lands of The People of State of New York (L.1924 P.612); thence along said boundary line N 30 degrees 22 minutes 56 seconds E, 1857.71 feet to a set 5/8" rebar and cap at the southwest corner of the lands of Christiana B. Foster (L.2651 P.44); thence along the east boundary line of the lands of Foster N 30 degrees 22 minutes 56 seconds E, 284.21 feet to a point in the centerline of Hazard Road; thence along said centerline the following three (3) courses and distances: 1) S 63 degrees 12 minutes 35 seconds E, 373.58 feet to a point; 2) S 63 degrees 09 minutes 26 seconds E, 299.67 feet to a point; 3) S 65 degrees 24 minutes 58 seconds E, 397.76 feet to the Point of Beginning, containing 40.45 acres of land.

**SUBJECT TO** the rights of others to use the lands within the right-of-way of Hazard Road for highway purposes.

**FARMER PROPERTY- PARCEL 2**  
**15.19 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being in Lot 2 of Cosby Manor and shown as "Farmer- Parcel 2, 15.19 Acres" on a map entitled "Survey Map Lands of Margaret L. Farmer & Debra E. Boatman, as Co-Trustees of the Farmer Family Irrevocable Trust, Dated 9/11/2007, and Margaret L. Farmer, Individually to be acquired by Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, New York", prepared by LaFave White & McGivern L.S. P.C., dated June 3, 2011, last revised October 18, 2011, and filed in the Oneida County Clerk's Office on January 4, 2012 as Instrument No. M2012-000002, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a set 5/8" rebar and cap on the west boundary line of the lands formerly of Hanlon, now the lands of The People of the State of New York (L.1914 P.981), said 5/8" rebar and cap being located the following two (2) courses and distances from a point in the centerline of Hazard Road at the northwest corner of the lands of Chad Bogan and Karen Bogan (Instr. No. 2003-008916): 1) S 30 degrees 07 minutes 30 seconds W, 919.83 feet; 2) S 30 degrees 07 minutes 32 seconds W, 189.01 feet; thence along the west boundary line of the lands of The People of the State of New York S 30 degrees 04 minutes 25 seconds W, 865.52 feet to a set 5/8" rebar and cap at the northwest corner of the lands formerly of Edic, now the lands of The People of the State of New York (L.1939 P.568); thence along the west and north boundary line of the lands of The People of the State of New York the following two (2) courses and distances: 1) S 30 degrees 23 minutes 02 seconds W, 484.27 feet to a set 5/8" rebar and cap; 2) N 60 degrees 06 minutes 33 seconds W, 567.15 feet to a set 5/8" rebar and cap at the northeast corner of the lands formerly of Insalaco, now the lands of The People of the State of New York (L.1922 P.105); thence along the lands of the People of the State of New York the following two (2) courses and distances: 1) N 59 degrees 36 minutes 34 seconds W, 503.58 feet to a set 5/8" rebar and cap; 2) N 27 degrees 21 minutes 44 seconds E, 116.78 feet to a set 5/8" rebar and cap on the south boundary line of the lands now or formerly of Adirondack Power and Light Corporation; thence along said boundary line the following three (3) courses and distances: 1) N 84 degrees 44 minutes 32 seconds E, 635.42 feet to a point; 2) N 84 degrees 44 minutes 33 seconds E, 44.57 feet to a point; 3) N 62 degrees 04 minutes 09 seconds E, 989.19 feet to the Point of Beginning, containing 15.19 acres of land.



**DISCONTINUED PORTION OF EDIC ROAD- POST EDIC ROAD  
BYPASS CORRIDOR DEDICATION  
2.23 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part in Lots 4 and Lot 5 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Discontinued Portion of Edic Road" on a map entitled, "ALTA/ACSM Land Title Survey, Edic Road Bypass Corridor, Lands of The People of the State of New York & Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010 and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000070, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point on the northwest boundary line of Edic Road, being located N 30 degrees 49 minutes 36 seconds E, 373.13 feet from a concrete monument at the most southerly corner of the lands acquired by The People of the State of New York acting by and through The State University of New York from William J. Grace and Anna G. Meyer (Property 19 Map 15 - Parcel 1, L.1941 P.391); thence along the northwest boundary line of Edic Road also being the southeast boundary of several parcels acquired by The People of the State of New York for the following five courses and distances: 1) N 30 degrees 49 minutes 36 seconds E, 97.03 feet to a point; 2) N 31 degrees 01 minutes 20 seconds E, 404.16 feet to a point; 3) N 28 degrees 13 minutes 14 seconds E, 866.69 feet to a point; 4) N 29 degrees 27 minutes 35 seconds E, 595.61 feet to a point; 5) N 29 degrees 02 minutes 27 seconds E, 335.43 feet to a point; thence across the existing Edic Road S 60 degrees 50 minutes 05 seconds E, 66.39 feet to a point on the southeast highway boundary of Edic Road, also being the northwest boundary of several parcels acquired by The People of the State of New York; thence along said highway boundary line for the following five courses and distances: 1) S 29 degrees 06 minutes 14 seconds W, 335.84 feet to a point; 2) S 29 degrees 27 minutes 34 seconds W, 595.01 feet to a point; 3) S 28 degrees 13 minutes 16 seconds W, 867.69 feet to a point; 4) S 31 degrees 01 minutes 33 seconds W, 404.35 feet to a point; 5) S 30 degrees 54 minutes 51 seconds W, 97.93 feet to a point; thence across the existing Edic Road N 59 degrees 10 minutes 24 seconds W, 65.87 feet to the Point of Beginning, containing 3.49 acres of land.

LESS AND EXCEPTING THEREFROM all that tract or parcel of land more particularly bounded and described as follows:

Beginning at a point on the northwest boundary line of Edic Road, at its intersection with the south boundary line of the Edic Road Bypass Corridor, being located the following four courses and distances from a concrete monument at the most southeast corner of the lands acquired by The People of the State of New York, acting by and through the Trustees of The State University of New York from William J. Grace and Anna G. Meyer (Property 19 Map 15 - Parcel 1, L. 1941 P. 391): 1) N 30 degrees 49 minutes 36 seconds E, 470.15 feet to a point; 2) N 31 degrees 01 minutes 20 seconds E, 404.16 feet to a point; 3) N 28 degrees 13 minutes 14 seconds E, 866.69 feet to a point; 4) N 29 degrees 27 minutes 35 seconds E, 104.20 feet to a point; thence along the existing northwest highway boundary line of Edic Road N 29 degrees 27 minutes 35 seconds E, 491.41 feet to a point; N 29 degrees 02 minutes 27 seconds E, 335.43 feet to a point; thence across Edic Road S 60 degrees 50 minutes 05 seconds E, 66.39 feet to a point; thence along the southeast highway boundary line of Edic Road S 29 degrees 06 minutes 14 seconds W, 335.84 feet to a point; S 29 degrees 27 minutes 34 seconds W, 503.34 feet to a point; thence across Edic Road N 50 degrees 14 minutes 02 seconds W, 67.12 feet to The Point of Beginning, containing 1.26 acres of land.

**INSTITUTE OF TECHNOLOGY FOUNDATION AT UTICA/ROME, INC. PROPERTY  
37.58 ACRES**

ALL THOSE TRACTS OR PARCELS OF LAND being in Lot 3 and Lot 4 of Cosby Manor and designated as "Parcel A" and "Parcel B" on a map entitled "Survey Map Lands of Institute of Technology Foundation at Utica/Rome, Inc. to be Conveyed to Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New York", prepared Lafave White & McGivern, L.S., P.C., dated September 19, 2013, and filed on the Oneida County Clerk's Office on October 22, 2013 as Instrument No. 2013-000200, which tracts or parcels of land are more particularly bounded and described as follows:

### **Parcel A**

Beginning at a found 5/8" rebar and cap stamped "Edwards" at the southwest corner of the lands of Joseph Edic, Francis Edic and Peter Edic (Instr. No. 2006-013171) and the southeast corner of the lands of Institute of Technology Foundation at Utica/Rome, Inc. (L.2699 P.49), said point being on the north boundary line of the Mohawk, Adirondack & Northern Railroad Corporation (formerly of Penn Central Railroad); thence along said railroad boundary line the following three (3) courses and distances: 1) N 23 degrees 00 minutes 14 seconds W, 5.09 feet to a found 5/8" rebar and cap stamped "Edwards"; 2) along a curve to the left with a radius of 5769.64 feet, an arc length of 1602.48 feet, and a chord of N 30 degrees 59 minutes 09 seconds W, 1597.33 feet to a found 5/8" rebar and cap stamped "Edwards" being located N 29 degrees 40 minutes 45 seconds E, 42.99 feet from railroad centerline station Sta 13+701; 3) N 29 degrees 40 minutes 45 seconds E, 274.95 feet to a found 5/8" rebar and cap stamped "Edwards" being located at a point on the southeast boundary line of the lands of Edic (Instr. No. 2006-013171); thence along said boundary line the following four (4) courses and distances: 1) S 51 degrees 47 minutes 12 seconds E, 301.37 feet to a found 5/8" rebar and cap stamped "Edwards"; 2) N 29 degrees 19 minutes 33 seconds E, 735.32 feet to a found 5/8" rebar and cap stamped "Edwards", said rebar and cap being located S 29 degrees 12 minutes 29 seconds W, 49.97 feet from a set 5/8" rebar and cap on the southwest boundary line of the lands of The People of the State of New York; 3) S 59 degrees 51 minutes 59 seconds E, 1111.56 feet to a 5/8" rebar and cap stamped "Edwards"; 4) S 29 degrees 57 minutes 27 seconds W, 1742.38 feet to the Point of Beginning, containing 37.40 acres of land.

### **Parcel B**

Beginning at a set 5/8" rebar and cap on the northeast boundary line of Maynard Drive at the its intersection with the southeast boundary line of the lands of Jennifer Faulkner (Instr. No. 2007-018041); thence along said boundary line N 30 degrees 18 minutes 47 seconds E, 368.44 feet to a set 5/8" rebar and cap on the southwest boundary line of the lands Mohawk, Adirondack & Northern Railroad Corporation (formerly of Penn Central Railroad), said rebar being located S 23 degrees 33 minutes 07 seconds E, 336.27 feet from the most southwest corner of Parcel A described above; thence along said boundary line on a radius to the right of 5689.64 feet, and arc

length of 21.74 feet, and a chord of S 35 degrees 34 minutes 00 seconds E, 21.74 feet to a found ½" iron pipe at the northwest corner of the lands of Michael P. Decarlis (Instr. No. 2004-020377); thence along the northwest boundary line of the lands of Decarlis S 30 degrees 20 minutes 37 seconds W, passing through a set 5/8" rebar and cap at 365.55 feet on the northeast boundary line of Maynard Drive, and continuing 25.87 feet, for a total distance of 391.42 feet to a point in the centerline of Maynard Drive; thence along said centerline N 42 degrees 43 minutes 45 seconds W, 20.52 feet to a point; thence N 30 degrees 18 minutes 47 seconds E, 25.88 feet to the Point of Beginning, containing 0.18 acres of land.

**EXHIBIT A**

**LEGAL DESCRIPTION OF LAND**

**EXHIBIT A**

**LEGAL DESCRIPTION OF LAND**

The Land consists of the following tracts or parcels of land situate in the Town of Marcy, County of Oneida and State of New York:

**MARCY SITE PARCEL A –  
POST EDIC ROAD BYPASS CORRIDOR DEDICATION  
249.18 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lots 1, 2, 3 & 4 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Parcel A" on a map entitled, "ALTA/ACSM Land Title Survey, Marcy Site, Lands of the People of The State of New York, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a concrete monument situate on the westerly boundary line of County Rte. No. 34 (Edic Road) at its intersection with the division line between the lands of The People of the State of New York (L. 1941 P. 391 – Parcel 1) to the north and the lands of John A. Prumo and Maureen A. Prumo (L. 2483 P. 229) to the south (which concrete monument is designated on the aforesaid map as "P.O.B. Parcel A"), thence N 59 Degrees 47 Minutes 41 Seconds W, 1107.89 feet along the division line between the aforesaid lands of Prumo and the lands of Joseph Edic, Francis Edic and Peter Edic (Instr # 2006-013171) to the south and the aforesaid lands of The People of the State of New York to the north to a set 5/8" rebar with cap, thence N 60 Degrees 01 Minutes 00 Seconds W, 553.46 feet along the division line between the aforesaid lands of Edic to the south and the lands of The People of the State of New York (L. 1926 P. 680) to the north to a set 5/8" rebar with cap, thence N 64 Degrees 19 Minutes 05 Seconds W, 2462.86 feet along the division line between the aforesaid lands of Edic, and the lands of Robert G. Comenale and Rose Mary Comenale (Instr # 2002-011183) to the south and the lands of The People of the State of New York (L. 1939 P. 568, L. 1922 P. 105 – Parcel 2 and L. 1922 P. 99 – Parcel 3) to the north to a concrete monument at the intersection of the lands of Comenale to the south, the lands of The People of the State of New York (L. 1922 P.99 – Parcel 3) to the

northeast and the lands of Stephen M. Buda (L. 2885 P. 435) to the northwest, thence N 30 Degrees 19 Minutes 57 Seconds E, 400.25 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the east and the aforesaid lands of Buda, and the lands of Adele Ann (Warzala) Gaglianese and Kathleen Marie (Warzala) Zakrezwski (Instr # 2004-025216), John H. Service (L. 1905 P. 49) and Linda S. Haley (L. 2916 P. 494) to the west to a concrete monument, thence N 30 Degrees 19 Minutes 38 Seconds E, 400.04 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the east and the lands of Burlin Living Trust (L. 2887 P. 593), Daniel R. Lafferty and Deana L. Lafferty (L. 2394 P. 167), Clarence E. Blair and Helen Joan Blair (L. 1842 P. 559) and Robert D. Hughes and Ann M. Hughes Trust (L. 3030 P. 45) to the west to a concrete monument, thence N 30 Degrees 15 Minutes 55 Seconds E, 319.91 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the east and the lands of Kazimiera E. Piejko, Alexander Piejko and Mary Beth Piejko (L. 2660 P. 183), Michael C. Sullivan and Loretta M. Sullivan (L. 2765 P. 558), and Stanley S. Sobolewski and Phyllis F. Sobolewski (L. 1859 P. 55) to the west to a concrete monument, thence N 59 Degrees 51 Minutes 46 Seconds W, 200.24 feet along the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3) to the north and the aforesaid lands of Sobolewski to the south to a concrete monument on the east boundary line of Morris Road, thence N 30 Degrees 00 Minutes 59 Seconds E, 63.14 feet along said road boundary line to a set 5/8" rebar with cap on the southerly boundary line of the lands now or formerly owned by National Grid, thence N 84 Degrees 44 Minutes 33 Seconds E, 1262.38 feet continuing along the boundary line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 3 and L. 1922 P. 105 – Parcel 2) to the south and the lands of National Grid to the north to a set 5/8" rebar with cap on the division line between Cosby Manor Lot 1 to the west and Lot 2 to the east, which division line is also the division line between the lands of The Farmer Living Trust (Instr # 2004-009065) to the east, north and west and the lands of The People of the State of New York (L. 1922 P. 105 – Parcel 2, L. 1939 P. 568 and L. 1914 P. 981) to the west, south and east thence along said division line between the lands of The People of the State of New York and the lands of The Farmer Living Trust for the following five courses and distances: 1) S 27 Degrees 21 Minutes 44 Seconds W, 116.78 feet to a set 5/8" rebar with cap; 2) S 59 Degrees 36 Minutes 34 Seconds E, 503.58 feet to a set 5/8" rebar with cap; 3) S 60

Degrees 06 Minutes 33 Seconds E, 567.15 feet to a set 5/8" rebar with cap on the division line between Cosby Manor Lot 2 to the west and Lot 3 to the east; 4) N 30 Degrees 23 Minutes 02 Seconds E, 484.27 feet to a set 5/8" rebar with cap; 5) N 30 Degrees 04 Minutes 25 Seconds E, 865.52 feet to a set 5/8" rebar with cap on the southeast boundary line of the lands of National Grid, thence N 62 Degrees 04 Minutes 11 Seconds E, 1038.79 feet along the division line between the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2) to the southeast and the lands of National Grid to the northwest to a set 5/8" rebar with cap on the division line of the lands of now or formerly Ludwik J. Kubinski and Mary Kubinski (L. 1607 P. 507) to the north and the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2) to the south, thence S 64 Degrees 36 Minutes 43 Seconds E, 120.97 feet along the division line between the aforesaid lands of Kubinski (L. 1607 P. 507) to the north and the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2) to the south to a set 5/8" rebar with cap on the division line of the lands of the Loin Family Irrevocable Trust (Instr # 2007-004907) to the east and north and the lands of The People of the State of New York (L. 923 P. 376 – Parcel 2) to the west and south; thence along the lands of the Loin Family Irrevocable Trust to the east and north and the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 2, L. 1914 P. 981 and L. 1924 P. 616) to the west and south for the following three courses and distances: 1) S 29 Degrees 39 Minutes 09 Seconds W, 342.60 feet to a set 5/8" rebar with cap; 2) S 63 Degrees 32 Minutes 21 Seconds E, 427.30 feet to a set 5/8" rebar with cap at the division line of Cosby Manor Lot 3 to the west and Lot 4 to the east; 3) S 60 Degrees 22 Minutes 46 Seconds E, 1060.67 feet to a set 5/8" rebar with cap on the west boundary line of County Rte. No. 34 (Edic Road), thence S 29 Degrees 02 Minutes 27 Seconds W 1206.59 feet along said road boundary line to a point, thence S 29 Degrees 27 Minutes 35 Seconds W, 595.61 feet along said road boundary line to a point, thence S 28 Degrees 13 Minutes 14 Seconds W, 866.69 feet to a point, thence S 31 Degrees 01 Minutes 20 Seconds W 404.16 feet along said road boundary line to a point, thence S 30 Degrees 49 Minutes 36 Seconds W, 470.15 feet along said road boundary line to the Point of Beginning, containing 249.85 acres of land.

LESS AND EXCEPTING THEREFROM all that tract or parcel of land shown as the "Edic Road Bypass Corridor in Parcel A" on a map entitled "ALTA/ACSM Land Title Survey, Edic Road Bypass Corridor, Lands of the People of the State of New York & Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New



York” prepared by LaFave, White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk’s Office on May 10, 2010, as Instrument No. M2010-000070, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point on the westerly boundary line of County Rte. No. 34 (Edic Road), at its intersection with the south boundary line of the Edic Road Bypass Corridor, being located the following four courses and distances from a concrete monument situate on the westerly boundary line of County Rte. No. 34 (Edic Road) at its intersection with the division line between the aforesaid lands of The People of the State of New York (L. 1941 P. 391 – Parcel 1) to the north and the aforesaid lands of Prumo (L. 2483 P. 229) to the south: 1) N 30 degrees 49 minutes 36 seconds E, 470.15 feet to a point; 2) N 31 degrees 01 minutes 20 seconds E, 404.16 feet to a point; 3) N 28 degrees 13 minutes 14 seconds E, 866.69 feet to a point; 4) N 29 degrees 27 minutes 35 seconds E, 104.20 feet to a point; thence through the lands of State of New York for the following seven courses and distances: 1) N 50 degrees 14 minutes 02 seconds W, 97.43 feet to a point; 2) N 29 degrees 57 minutes 34 seconds E, 165.51 feet to a point; 3) N 87 degrees 46 minutes 07 seconds E, 90.17 feet to a point; 5) N 29 degrees 31 minutes 54 seconds E, 516.53 feet to a point; 6) N 29 degrees 09 minutes 55 seconds E, 79.93 feet to a point; 7) S 60 degrees 50 minutes 05 seconds E, 15.00 feet to a point on the west boundary of Edic Road; thence along said west boundary line of Edic Road for the following two courses and distances: 1) S 29 degrees 02 minutes 27 seconds W, 335.43 feet to a point; 2) S 29 degrees 27 minutes 35 seconds W, 491.41 feet to the Point of Beginning, containing 0.67 acres of land.

**MARCY SITE PARCEL B  
44.22 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 1 of Cosby’s Manor, Town of Marcy, County of Oneida, State of New York, and shown as “Parcel B” on a map entitled, “ALTA/ACSM Land Title Survey, Marcy Site, Lands of The People of the State of New York, Town of Marcy, Oneida County, State of New York”, prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk’s Office on May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a concrete monument situate on the easterly boundary line of Morris Road at its intersection with the division line between the lands of The People of the State of New

York (L. 1924 P. 612) to the south, and the southwest corner of the lands of Harold L. Anderson, Jr. and Ruth M. Anderson (Instr. # 2005-022426) (which concrete monument is designated on the aforesaid map as "P.O.B. Parcel B"), thence S 62 Degrees 13 Minutes 18 Seconds E, 174.72 feet, along said division line to a concrete monument, thence N 30 Degrees 39 Minutes 30 Seconds E, 791.52 feet along the division line between the aforesaid lands of The People of the State of New York to the east and the aforesaid lands of Anderson, and the lands of Frank Andrello and Kathleen A. Cook (Instr# 2002-020330), Mark Gadek and Renata Gadek (L. 2868 P. 671), John R. Delahunt and Rebecca A. Delahunt (L. 2800 P.140) Albert F. Petronio Jr. and Barbara Petronio (L. 2083 P. 841), John E. Young and Mariann Young (L. 3012 P. 273), Janice Ransier and Jeffrey Michocki (L. 2811 P. 263) to the west, to a concrete monument at the intersection of the aforesaid lands of Ransier and Michocki and the lands of Randall L. Wehrung and Louann Wehrung (L. 2878 P. 569), Bettie M. Smith (L. 2849 P. 286) and the aforesaid lands of The People of the State of New York, thence S 64 Degrees 41 Minutes 50 Seconds E, 850.62 feet, along the division line between the aforesaid lands of The People of the State of New York to the south and the aforesaid lands of Smith and the lands of Walter H. Jandke and Diana L. Jandke (L. 2098 P.901), James S. Bellinger and Lorine F. Bellinger (L. 2843 P. 649), Stephen W. Gotte and Deanna M. Gotte (L. 2749 P. 40), Richard D. Wynn and Florence I. Wynn (L. 2100 P. 470), Gregory Warchal and Marisa Mancini (Instr # 2006-016257) and Christiana B. Foster (L. 2651 P. 44) to the north to a set 5/8" rebar with cap on the division line between Cosby Manor Lot 1 to the west and Lot 2 to the east, which division line is also the division line between the lands of The Farmer Living Trust (Instr # 2004-009065) to the east and the aforesaid lands of The People of the State of New York to the west, thence along said division line S 30 Degrees 22 Minutes 56 Seconds W, 1857.71 feet to a set 5/8" rebar with cap on the northerly boundary line of the lands now or formerly owned by National Grid, thence along said northerly boundary line S 84 Degrees 44 Minutes 33 Seconds W, 1017.63 feet to set 5/8" rebar with cap on the easterly boundary line of the lands of Robert Kennedy Jr. and Mary A. Kennedy (L. 2527 P. 75), thence N 29 Degrees 49 Minutes 22 Seconds E, 174.69 feet along the easterly boundary lines of the aforesaid lands of Kennedy and the lands of Jeffrey R. Jones, Adolph J. Cieplenski III, Margaret V. Zastawny, Wiley R. Jones II (L. 2861 P. 126) to a concrete monument, thence N 59 Degrees 25 Minutes 19 Seconds W, 199.79 feet along the northerly boundary line of the last mentioned lands to a concrete monument in the easterly boundary line of Morris Road,

thence N 30 Degrees 05 Minutes 50 Seconds E, 58.73 feet to a concrete monument, on the easterly boundary line of Morris Road and southerly boundary line of the lands of The Wallace A. Taylor and Dolores Taylor Trust (L. 2709 P. 399), thence S 59 Degrees 50 Minutes 48 Seconds E, 199.60 feet along the southerly boundary line of the last mentioned lands to a concrete monument, thence N 30 Degrees 20 Minutes 54 Seconds E, 398.71 feet along the easterly boundary lines of the aforesaid lands of The Wallace A. Taylor and Dolores Taylor Trust, and the lands of Judith M. Pawloski and Mark Andrew Giehl (L. 2710 P. 150), Jouana Huston and Christopher Huston (Instr # 2007-019800) to a concrete monument, thence N 59 Degrees 32 Minutes 31 Seconds W, 199.90 feet along the northerly boundary line of the last mentioned lands to a concrete monument in the easterly boundary line of Morris Road, thence N 30 Degrees 34 Minutes 35 Seconds E, 60.06 feet to a concrete monument, on the easterly boundary line of Morris Road and southerly boundary line of the lands of The John Malinowski and Sophie Malinowski 2006 First Trust (Instr # 2006-002377), thence S 59 Degrees 36 Minutes 44 Seconds E 199.70 feet along the southerly boundary line of the last mentioned lands to a concrete monument, thence N 30 Degrees 38 Minutes 17 Seconds E, 229.38 feet along the easterly boundary lines of the aforesaid lands of The John Malinowski and Sophie Malinowski 2006 First Trust and the lands of Hedy Anselman-Nichols and Frances Borruso (Instr # 2006-003309) to a concrete monument, thence N 59 Degrees 28 Minutes 25 Seconds W, 200.85 feet along the northerly boundary line of the last mentioned lands to a concrete monument in the easterly boundary line of Morris Road, thence N 30 Degrees 42 Minutes 10 Seconds E, 652.13 feet along the easterly boundary line of Morris Road to the Point of Beginning, containing 44.22 acres of land.

**MARCY SITE PARCEL C**  
**3.16 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 3 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Parcel C" on a map entitled, "ALTA/ACSM Land Title Survey, Marcy Site, Lands of The People of the State of New York, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on

May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a set 5/8" rebar with cap situate at the intersection of the division line between the lands of The People of the State of New York (L. 1923 P. 376 – Parcel 1) on the southeast, the lands of Chad Bogan and Karen Bogan (Instr # 2003-008916) on the northeast, and the lands of The Farmer Living Trust (Instr # 2004-009065) on the west (which rebar with cap is designated on the aforementioned map as "P.O.B. Parcel C"), thence S 64 degrees 36 minutes 43 seconds E, 426.80 feet along the division line between the aforesaid lands of Bogan, and the lands now or formerly of Ludwik J. Kubinski and Mary Kubinski (L. 1607 P. 507) to the north and the aforesaid lands of The People of the State of New York to the south to a set 5/8" rebar with a cap, at its intersection with the division line between the aforesaid lands of The People of the State of New York to the northwest and the lands of National Grid (reputed owner) to the southeast; thence S 62 degrees 04 minutes 08 seconds W, 803.92 feet along said division line to a set 5/8" rebar with a cap at its intersection with the easterly boundary of the aforesaid lands of The Farmer Living Trust, thence N 30 degrees 07 minutes 30 seconds E, 646.93 feet along the division line between the aforesaid lands of The Farmer Living Trust to the west and the aforesaid lands of The People of the State of New York to the east to the Point of Beginning, containing 3.16 acres of land.

**MARCY SITE PARCEL D  
0.07 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 1 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Parcel D" on a map entitled, "ALTA/ACSM Land Title Survey, Marcy Site, Lands of The People of the State of New York, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000071, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a concrete monument situate on the easterly boundary line of Morris Road at its intersection with the division line between the lands of The People of the State of New York (L. 1922 P. 99 – Parcel 2) to the south and the lands of Robert Kennedy Jr. and Mary A.

Kennedy (L. 2527 P.75) to the north (which concrete monument is designated on the aforesaid map as "P.O.B. Parcel D"), thence S 60 degrees 03 minutes 37 seconds E, 94.59 feet along said division line to a set 5/8" rebar with a cap, at its intersection with the division line between the aforesaid lands of The People of the State of New York to the north and the lands of National Grid (reputed owner) to the south; thence S 84 degrees 30 minutes 19 seconds W, 115.83 feet along said division line to a concrete monument at its intersection with the easterly boundary of Morris Road; thence N 29 degrees 45 minutes 20 seconds E, a distance of 67.16 feet along said road boundary line to the Point of Beginning, containing 0.07 acres of land.

**MARCY SITE PARCEL E -  
POST EDIC ROAD BYPASS CORRIDOR DEDICATION  
25.93 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 5 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Parcel E", less and except the "Edic Road Bypass Corridor in Parcel E", on a map entitled, "ALTA/ACSM Land Title Survey, Edic Road Bypass Corridor, Lands of the People of the State of New York & Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000070, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point on the east boundary line of County Rte No. 34 (Edic Road) being located N 30 degrees 54 minutes 51 seconds E, 380.35 feet from a found rebar with cap (stamped "CHA") on the east boundary line of County Road No. 34 (Edic Road) and the northwest corner of the lands of Economic Development Growth Enterprises Corporation (Instr. # 2007-0022099) also being the southwest corner of lands acquired by The People of the State of New York (Property 19 Map 15 - Parcel 2, L. 1941 P. 391) (which point is designated on the aforementioned map as "P.O.B. Parcel E"); thence along the east highway boundary of Edic Road for the following six courses and distances: 1) N 30 degrees 54 minutes 51 seconds E, 85.39 feet to a point; 2) N 31 degrees 01 minutes 33 seconds E, 404.35 feet to a point; 3) N 28 degrees 13 minutes 16 seconds E, 867.69 feet to a point; 4) N 29 degrees 27 minutes 34 seconds E, 595.01 feet to a point; 5) N 29 degrees 06 minutes 14 seconds E, 335.84 feet to a point; 6) N

29 degrees 06 minutes 14 seconds E, 100 feet to a point; thence through the lands of The People of the State of New York for the following three courses and distances: 1) S 60 degrees 40 minutes 28 seconds E, 716.57 feet to a point; 2) S 29 degrees 19 minutes 32 seconds W, 2353.16 feet to a point, 3) N 63 degrees 27 minutes 40 seconds W, 714.75 feet to the Point of Beginning, containing 38.69 acres of land.

LESS AND EXCEPTING THEREFROM all that tract or parcel of land more particularly bounded and described as follows: commencing on the east boundary line of County Rte No. 34 (Edic Road) at the point designated on the aforementioned map as "P.O.B. Parcel E"; thence S 63 degrees 27 minutes 40 seconds E, 366.52 feet to a point being the Point of Beginning of the herein described parcel; thence through the lands of The People of the State of New York for the following five courses and distances: 1) N 16 degrees 53 minutes 45 seconds E, 142.24 feet to a point; 2) on a curve to the right with a radius of 2157.00 feet, an arc length of 491.80 feet, having a chord of N 23 degrees 25 minutes 40 seconds E, 490.74 feet to a point; 3) N 29 degrees 57 minutes 34 seconds E, 538.97 feet to a point; 4) on a curve to the left with a radius of 250.00 feet, an arc length of 349.91 feet, having a chord of N 10 degrees 08 minutes 14 seconds W, 322.04 feet to a point; 5) N 50 degrees 14 minutes 02 seconds W, 89.97 feet to a point on the east highway boundary of Edic Road, thence along the east highway boundary of Edic Road for the following three courses and distances: 1) N 29 degrees 27 minutes 34 seconds E, 503.34 feet to a point; 2) N 29 degrees 06 minutes 14 seconds E, 335.84 feet to a point; 3) N 29 degrees 06 minutes 14 seconds E, 60.96 feet to a point; thence through the lands of The People of the State of New York for the following eight courses and distances: 1) S 60 degrees 50 minutes 05 seconds E, 24.07 feet to a point; 2) S 23 degrees 54 minutes 28 seconds W, 248.05 feet to a point; 3) S 11 degrees 24 minutes 31 seconds W, 177.21 feet to a point 4) S 21 degrees 52 minutes 31 seconds W, 216.97 feet to a point; 5) S 23 degrees 35 minutes 34 seconds E, 395.32 feet to a point; 6) S 02 degrees 09 minutes 52 seconds W, 246.00 feet to a point; 7) S 25 degrees 13 minutes 41 seconds W, 1232.84 feet to a point; 8) N 63 degrees 27 minutes 40 seconds W, 277.63 feet to the Point of Beginning, containing 12.76 acres of land.

**LOIN FAMILY IRREVOCABLE TRUST PROPERTY (EAST AND WEST)  
18.38 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lots 4 and 5 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, shown on a map entitled "Survey Map Lands of Loin Family Irrevocable Trust, Town of Marcy, Oneida County, New York", prepared by LaFave White & McGivern L.S. P.C., dated December 4, 2012, and filed in the Oneida County Clerk's Office on January 22, 2013 as Instrument No. M2013-000016, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point in the centerline of the existing pavement of Edic Road (County Route No. 34) on the north boundary line of the lands now or formerly of The People of the State of New York (Prop. 24 Map 11; L.1924 P.616) and the south and west boundary lines of the lands of Michael F. Loin and Melissa Anne Campbell, as Trustees of the Loin Irrevocable Family Trust (Instr. No. 2007-004907); thence the following three (3) courses and distances: 1) N 60 degrees 22 minutes 46 seconds W, passing through a set 5/8" rebar and cap at 38.99 feet, continuing 1060.67 feet, for a total distance of 1099.66 feet to a set 5/8" rebar and cap; 2) N 63 degrees 32 minutes 21 seconds W, 427.30 feet to a set 5/8" rebar and cap; 3) N 29 degrees 39 minutes 09 seconds E, 342.60 feet to a set 5/8" rebar and cap at the southeast corner of the lands now or formerly of Ludwik J. Kubinski and Mary Kubinski (L.1607 P.507); thence along the east boundary line of Kubinski N 29 degrees 39 minutes 09 seconds E, 182.30 feet to a set 5/8" rebar and cap on the southeast boundary line of the lands now of Niagara Mohawk Power Corporation d/b/a National Grid, formerly of Adirondack Power and Light Corporation (L.855 P.127); thence along said boundary N 62 degrees 04 minutes 09 seconds E, 85.61 feet to a set 5/8" rebar and cap, thence continuing N 62 degrees 04 minutes 09 seconds E, 30.83 feet to a point in the existing centerline of Hazard Road; thence along said centerline S 64 degrees 36 minutes 37 seconds E, 325.96 feet to a point at the northwest corner of the lands now or formerly of Richard F. Wishart (Instr. No. 2007-012254); thence along the west boundary line of the lands of Wishart S 28 degrees 58 minutes 15 seconds W, 24.70 feet to a set 5/8" rebar and cap; continuing 125.24 feet, for a total distance of 149.94 feet to a found 3/4" iron pipe at the northwest corner of the lands now or formerly of Murad J. Mimassi (L.2021 P.895); thence along said west boundary line of the lands of Mimassi S 31 degrees 17 minutes 03 seconds W, 127.51 feet to a found 3/4" iron pipe at the northwest corner of the lands now or formerly of The People of the

State of New York (Prop. 38 Map 10; L. 1918 P. 503); thence along the lands of The People of the State of New York the following three (3) courses and distances: 1) S 31 degrees 48 minutes 32 seconds W, 81.83 feet to a set 5/8" rebar and cap; 2) S 60 degrees 20 minutes 35 seconds E, 628.00 feet to a set 5/8" rebar and cap; 3) N 29 degrees 34 minutes 22 seconds E, 128.82 feet to a found concrete monument at the southeast corner of the lands of Mimassi; thence along the east boundary line of the lands of Mimassi N 29 degrees 34 minutes 22 seconds E, 79.18 feet to a found concrete monument on the south boundary line of the lands now or formerly Mary Ann Zabko (L.2641 P.415); thence along said boundary line S 60 degrees 02 minutes 01 seconds E, 145.47 feet to a found 1" iron pipe at the southwest corner of the lands of Matthew Mazur and Kathleen Mazur (L.2140 P.1061); thence along the south boundary line of the lands of Mazur S 60 degrees 14 minutes 29 seconds E, 303.05 feet to a found broken concrete highway monument on the west side of the Hazard Road and Edic Road intersection; thence along the boundary line of said intersection the following seven (7) courses and distances: 1) S 13 degrees 01 minutes 13 seconds W, 134.23 feet to a point; 2) S 60 degrees 01 minutes 27 seconds E, 25.0 feet; 3) S 29 degrees 58 minutes 33 seconds W, 42.17 feet to a point; 4) S 60 degrees 08 minutes 08 seconds E, 27.21 feet to a point; 5) N 28 degrees 22 minutes 50 seconds E, 66.94 feet to a point; 6) N 47 degrees 03 minutes 15 seconds E, 154.38 feet to a found broken concrete highway monument; 7) N 20 degrees 10 minutes 43 seconds E, 100.24 feet to a set 5/8" rebar and cap on the south boundary line of the lands now or formerly of The People of the State of New York ( Prop. 6 Map 23; L.1925 P.273); thence along said boundary line the following five (5) courses and distances: 1) S 76 degrees 52 minutes 08 seconds E, 34.40 feet to a set 5/8" rebar and cap; 2) S 20 degrees 18 minutes 08 seconds E, 142.70 feet to a set 5/8" rebar and cap; 3) S 52 degrees 46 minutes 08 seconds E, 170.60 feet to a found 1/2" iron pipe; 4) S 23 degrees 20 minutes 52 seconds W, 237.70 feet to a set 5/8" rebar and cap; 5) S 36 degrees 34 minutes 52 seconds W, passing through a found 1/2" iron pipe at 178.94 feet, continuing 3.12 feet, for a total distance of 182.06 feet to a set 5/8" rebar and cap on the north boundary line of the lands new or formerly of The People of the State of New York (Prop 26 Map 22; L. 1918 P. 904); thence along said boundary line N 60 degrees 21 minutes 27 seconds W, passing through a set 5/8" rebar and cap at 338.43 feet, continuing 27.03 feet, for a total distance of 366.06 feet to a point in the centerline of the existing pavement of Edic Road (County Route No. 34); thence along said centerline S 29



degrees 57 minutes 06 seconds W, 90.95 feet to the Point of Beginning, containing 18.38 acres of land.

SUBJECT TO the rights of others to use the lands within the right-of-way of Edic Road (County Route No. 34) for highway purposes.

**KUBINSKI PROPERTY  
0.25 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part of Lot 3 Cosby's Manor, Town of Marcy, County of Oneida, and State of New York, shown on a map entitled "Boundary Line Adjustment Lands of Theodore C. Kubinski, Town of Marcy, Oneida County, New York", made by Lafave, White & McGivern, L.S., P.C., dated September 20, 2013, and filed in the Oneida County Clerk's Office on October 8, 2013 as Instrument No. M2013-000185, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a set 5/8" rebar and cap on the southeast boundary line of lands of Niagara Mohawk Power Corporation, formerly of Adirondack Power and Light Corporation (L.855 P.127), and the northwest corner of the lands of The People of the State of New York (Parcel No. 2 of L.1923 P.376); and being on the south boundary line of the lands of Theodore C. Kubinski (L.2453 P.1); thence along the southeast boundary line of the lands of Niagara Mohawk Power Corporation, formerly of Adirondack Power and Light Corporation, N 62 degrees 04 minutes 11 seconds E, 226.16 feet to a set 5/8" rebar and cap on the west boundary line of the lands of Economic Development Growth Enterprises Corporation (Instr. No. 2013-001101); thence along said boundary line S 29 degrees 39 minutes 09 seconds W, 182.30 feet to a set 5/8" rebar and cap on the boundary line between the lands of Kubinski to the north and the lands of The People of the State of New York to the south; thence along said boundary line N 64 degrees 36 minutes 43 seconds W, 120.97 feet the Point of Beginning, containing 0.25 acres of land.

**FARMER PROPERTY- PARCEL 1  
40.45 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being in Lot 2 of Cosby Manor and shown as "Farmer- Parcel 1, 40.45 Acres" on a map entitled "Survey Map Lands of Margaret L. Farmer & Debra E. Boatman, as Co-Trustees of the Farmer Family Irrevocable Trust, Dated 9/11/2007, and

Margaret L. Farmer, Individually to be acquired by Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, New York”, prepared by LaFave White & McGivern L.S. P.C., dated June 3, 2011, last revised October 18, 2011, and filed in the Oneida County Clerk’s Office on January 4, 2012 as Instrument No. M2012-000002, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point in the centerline of Hazard Road at the northwest corner of the lands of Chad Bogan and Karen Bogan (Instr. No. 2003-008916); thence along the west boundary line of the lands of Bogan S 30 degrees 07 minutes 30 seconds W, 272.90 feet to a set 5/8” rebar and cap at the northwest corner of the lands formerly of Kubinski, now the lands of The People of the State of New York (L.1923 P.376); thence along the west boundary line of the lands of The People of the State of New York S 30 degrees 07 minutes 30 seconds W, 646.93 feet to a set 5/8” rebar and cap on the north boundary line of the lands now or formerly of the Adirondack Power and Light Corporation; thence along said boundary line the following three (3) courses and distances: 1) S 62 degrees 04 minutes 09 seconds W, 1052.33 feet to a point; 2) S 62 degrees 04 minutes 09 seconds W, 77.18 feet to a point; 3) S 84 degrees 44 minutes 33 seconds W, 588.75 feet to a 5/8” rebar and cap on the east boundary line of the lands formerly of Gumenski, now the lands of The People of State of New York (L.1924 P.612); thence along said boundary line N 30 degrees 22 minutes 56 seconds E, 1857.71 feet to a set 5/8” rebar and cap at the southwest corner of the lands of Christiana B. Foster (L.2651 P.44); thence along the east boundary line of the lands of Foster N 30 degrees 22 minutes 56 seconds E, 284.21 feet to a point in the centerline of Hazard Road; thence along said centerline the following three (3) courses and distances: 1) S 63 degrees 12 minutes 35 seconds E, 373.58 feet to a point; 2) S 63 degrees 09 minutes 26 seconds E, 299.67 feet to a point; 3) S 65 degrees 24 minutes 58 seconds E, 397.76 feet to the Point of Beginning, containing 40.45 acres of land.

**SUBJECT TO** the rights of others to use the lands within the right-of-way of Hazard Road for highway purposes.

**FARMER PROPERTY- PARCEL 2  
15.19 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being in Lot 2 of Cosby Manor and shown as “Farmer- Parcel 2, 15.19 Acres” on a map entitled “Survey Map Lands of Margaret L. Farmer &

Debra E. Boatman, as Co-Trustees of the Farmer Family Irrevocable Trust, Dated 9/11/2007, and Margaret L. Farmer, Individually to be acquired by Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, New York”, prepared by LaFave White & McGivern L.S. P.C., dated June 3, 2011, last revised October 18, 2011, and filed in the Oneida County Clerk’s Office on January 4, 2012 as Instrument No. M2012-000002, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a set 5/8” rebar and cap on the west boundary line of the lands formerly of Hanlon, now the lands of The People of the State of New York (L.1914 P.981), said 5/8” rebar and cap being located the following two (2) courses and distances from a point in the centerline of Hazard Road at the northwest corner of the lands of Chad Bogan and Karen Bogan (Instr. No. 2003-008916): 1) S 30 degrees 07 minutes 30 seconds W, 919.83 feet; 2) S 30 degrees 07 minutes 32 seconds W, 189.01 feet; thence along the west boundary line of the lands of The People of the State of New York S 30 degrees 04 minutes 25 seconds W, 865.52 feet to a set 5/8” rebar and cap at the northwest corner of the lands formerly of Edic, now the lands of The People of the State of New York (L.1939 P.568); thence along the west and north boundary line of the lands of The People of the State of New York the following two (2) courses and distances: 1) S 30 degrees 23 minutes 02 seconds W, 484.27 feet to a set 5/8” rebar and cap; 2) N 60 degrees 06 minutes 33 seconds W, 567.15 feet to a set 5/8” rebar and cap at the northeast corner of the lands formerly of Insalaco, now the lands of The People of the State of New York (L.1922 P.105); thence along the lands of the People of the State of New York the following two (2) courses and distances: 1) N 59 degrees 36 minutes 34 seconds W, 503.58 feet to a set 5/8” rebar and cap; 2) N 27 degrees 21 minutes 44 seconds E, 116.78 feet to a set 5/8” rebar and cap on the south boundary line of the lands now or formerly of Adirondack Power and Light Corporation; thence along said boundary line the following three (3) courses and distances: 1) N 84 degrees 44 minutes 32 seconds E, 635.42 feet to a point; 2) N 84 degrees 44 minutes 33 seconds E, 44.57 feet to a point; 3) N 62 degrees 04 minutes 09 seconds E, 989.19 feet to the Point of Beginning, containing 15.19 acres of land.

**DISCONTINUED PORTION OF EDIC ROAD- POST EDIC ROAD  
BYPASS CORRIDOR DEDICATION  
2.23 ACRES**

ALL THAT TRACT OR PARCEL OF LAND being part in Lots 4 and Lot 5 of Cosby's Manor, Town of Marcy, County of Oneida, State of New York, and shown as "Discontinued Portion of Edic Road" on a map entitled, "ALTA/ACSM Land Title Survey, Edic Road Bypass Corridor, Lands of The People of the State of New York & Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New York", prepared by Lafave White & McGivern, L.S., P.C., dated April 30, 2010, and filed in the Oneida County Clerk's Office on May 10, 2010, as Instrument No. M2010-000070, which tract or parcel of land is more particularly bounded and described as follows:

Beginning at a point on the northwest boundary line of Edic Road, being located N 30 degrees 49 minutes 36 seconds E, 373.13 feet from a concrete monument at the most southerly corner of the lands acquired by The People of the State of New York acting by and through The State University of New York from William J. Grace and Anna G. Meyer (Property 19 Map 15 - Parcel 1, L.1941 P.391); thence along the northwest boundary line of Edic Road also being the southeast boundary of several parcels acquired by The People of the State of New York for the following five courses and distances: 1) N 30 degrees 49 minutes 36 seconds E, 97.03 feet to a point; 2) N 31 degrees 01 minutes 20 seconds E, 404.16 feet to a point; 3) N 28 degrees 13 minutes 14 seconds E, 866.69 feet to a point; 4) N 29 degrees 27 minutes 35 seconds E, 595.61 feet to a point; 5) N 29 degrees 02 minutes 27 seconds E, 335.43 feet to a point; thence across the existing Edic Road S 60 degrees 50 minutes 05 seconds E, 66.39 feet to a point on the southeast highway boundary of Edic Road, also being the northwest boundary of several parcels acquired by The People of the State of New York; thence along said highway boundary line for the following five courses and distances: 1) S 29 degrees 06 minutes 14 seconds W, 335.84 feet to a point; 2) S 29 degrees 27 minutes 34 seconds W, 595.01 feet to a point; 3) S 28 degrees 13 minutes 16 seconds W, 867.69 feet to a point; 4) S 31 degrees 01 minutes 33 seconds W, 404.35 feet to a point; 5) S 30 degrees 54 minutes 51 seconds W, 97.93 feet to a point; thence across the existing Edic Road N 59 degrees 10 minutes 24 seconds W, 65.87 feet to the Point of Beginning, containing 3.49 acres of land.

LESS AND EXCEPTING THEREFROM all that tract or parcel of land more particularly bounded and described as follows:

Beginning at a point on the northwest boundary line of Edic Road, at its intersection with the south boundary line of the Edic Road Bypass Corridor, being located the following four courses and distances from a concrete monument at the most southeast corner of the lands acquired by The People of the State of New York, acting by and through the Trustees of The State University of New York from William J. Grace and Anna G. Meyer (Property 19 Map 15 - Parcel 1, L. 1941 P. 391): 1) N 30 degrees 49 minutes 36 seconds E, 470.15 feet to a point; 2) N 31 degrees 01 minutes 20 seconds E, 404.16 feet to a point; 3) N 28 degrees 13 minutes 14 seconds E, 866.69 feet to a point; 4) N 29 degrees 27 minutes 35 seconds E, 104.20 feet to a point; thence along the existing northwest highway boundary line of Edic Road N 29 degrees 27 minutes 35 seconds E, 491.41 feet to a point; N 29 degrees 02 minutes 27 seconds E, 335.43 feet to a point; thence across Edic Road S 60 degrees 50 minutes 05 seconds E, 66.39 feet to a point; thence along the southeast highway boundary line of Edic Road S 29 degrees 06 minutes 14 seconds W, 335.84 feet to a point; S 29 degrees 27 minutes 34 seconds W, 503.34 feet to a point; thence across Edic Road N 50 degrees 14 minutes 02 seconds W, 67.12 feet to The Point of Beginning, containing 1.26 acres of land.

**INSTITUTE OF TECHNOLOGY FOUNDATION AT UTICA/ROME, INC. PROPERTY  
37.58 ACRES**

ALL THOSE TRACTS OR PARCELS OF LAND being in Lot 3 and Lot 4 of Cosby Manor and designated as "Parcel A" and "Parcel B" on a map entitled "Survey Map Lands of Institute of Technology Foundation at Utica/Rome, Inc. to be Conveyed to Economic Development Growth Enterprises Corporation, Town of Marcy, Oneida County, State of New York", prepared Lafave White & McGivern, L.S., P.C., dated September 19, 2013, and filed in the Oneida County Clerk's Office on October 22, 2013 as Instrument No. M2013-000200, which tracts or parcels of land are more particularly bounded and described as follows:

### **Parcel A**

Beginning at a found 5/8" rebar and cap stamped "Edwards" at the southwest corner of the lands of Joseph Edic, Francis Edic and Peter Edic (Instr. No. 2006-013171) and the southeast corner of the lands of Institute of Technology Foundation at Utica/Rome, Inc. (L.2699 P.49), said point being on the north boundary line of the Mohawk, Adirondack & Northern Railroad Corporation (formerly of Penn Central Railroad); thence along said railroad boundary line the following three (3) courses and distances: 1) N 23 degrees 00 minutes 14 seconds W, 5.09 feet to a found 5/8" rebar and cap stamped "Edwards"; 2) along a curve to the left with a radius of 5769.64 feet, an arc length of 1602.48 feet, and a chord of N 30 degrees 59 minutes 09 seconds W, 1597.33 feet to a found 5/8" rebar and cap stamped "Edwards" being located N 29 degrees 40 minutes 45 seconds E, 42.99 feet from railroad centerline station Sta 13+701; 3) N 29 degrees 40 minutes 45 seconds E, 274.95 feet to a found 5/8" rebar and cap stamped "Edwards" being located at a point on the southeast boundary line of the lands of Edic (Instr. No. 2006-013171); thence along said boundary line the following four (4) courses and distances: 1) S 51 degrees 47 minutes 12 seconds E, 301.37 feet to a found 5/8" rebar and cap stamped "Edwards"; 2) N 29 degrees 19 minutes 33 seconds E, 735.32 feet to a found 5/8" rebar and cap stamped "Edwards", said rebar and cap being located S 29 degrees 12 minutes 29 seconds W, 49.97 feet from a set 5/8" rebar and cap on the southwest boundary line of the lands of The People of the State of New York; 3) S 59 degrees 51 minutes 59 seconds E, 1111.56 feet to a 5/8" rebar and cap stamped "Edwards"; 4) S 29 degrees 57 minutes 27 seconds W, 1742.38 feet to the Point of Beginning, containing 37.40 acres of land.

### **Parcel B**

Beginning at a set 5/8" rebar and cap on the northeast boundary line of Maynard Drive at the its intersection with the southeast boundary line of the lands of Jennifer Faulkner (Instr. No. 2007-018041); thence along said boundary line N 30 degrees 18 minutes 47 seconds E, 368.44 feet to a set 5/8" rebar and cap on the southwest boundary line of the lands Mohawk, Adirondack & Northern Railroad Corporation (formerly of Penn Central Railroad), said rebar being located S 23 degrees 33 minutes 07 seconds E, 336.27 feet from the most southwest corner of Parcel A described above; thence along said boundary line on a radius to the right of 5689.64 feet, and arc

length of 21.74 feet, and a chord of S 35 degrees 34 minutes 00 seconds E, 21.74 feet to a found ½" iron pipe at the northwest corner of the lands of Michael P. Decarlis (Instr. No. 2004-020377); thence along the northwest boundary line of the lands of Decarlis S 30 degrees 20 minutes 37 seconds W, passing through a set 5/8" rebar and cap at 365.55 feet on the northeast boundary line of Maynard Drive, and continuing 25.87 feet, for a total distance of 391.42 feet to a point in the centerline of Maynard Drive; thence along said centerline N 42 degrees 43 minutes 45 seconds W, 20.52 feet to a point; thence N 30 degrees 18 minutes 47 seconds E, 25.88 feet to the Point of Beginning, containing 0.18 acres of land.

**EXHIBIT B**

**ESSENTIAL PAYMENT IN LIEU OF TAX (PILOT) AGREEMENT TERMS**



## EXHIBIT B

### ESSENTIAL PILOT AGREEMENT TERMS

All PILOT Agreements entered into by the Agency with respect to an Agency Project Facility or a State Land Project Facility shall contain such terms as the Agency deems necessary or appropriate, provided such PILOT Agreements shall comply with the terms described in this Exhibit B.

A. Definitions. Capitalized terms used in this Exhibit B not otherwise defined in this Exhibit B shall have the meaning set forth in Section 1 of the Agreement Approving PILOT Terms and Allocating PILOT Payments to which this Exhibit B is attached (the "PILOT Allocation Agreement"). For purposes of this Exhibit B, the following terms shall have the meaning set forth opposite them:

*"Aggregate Annual PILOT Payment Allocation"* means, with respect to the PILOT Year in question, the aggregate amount of all PILOT Payments allocated to an Affected Tax Jurisdiction under all of the PILOT Agreements. In any instance where the Affected Tax Jurisdiction in question is the Town, the Aggregate Annual PILOT Payment Allocation of the Town for the PILOT Year in question shall be the aggregate amount of all PILOT Payments allocated to the Town out of (a) the Affected Tax Jurisdictions' Funds established under all of the PILOT Agreements and (b) the Community Host Payment Funds established under all of the PILOT Agreements. In any instance where the Affected Tax Jurisdiction in question is one other than the Town, the Aggregate Annual PILOT Payment Allocation of such Affected Tax Jurisdiction for the PILOT Year in question shall be aggregate amount of all PILOT Payments allocated to such Affected Tax Jurisdiction out of the Affected Tax Jurisdictions' Funds established under all of the PILOT Agreements.

*"Ancillary Warehousing Space"* means a building, or space within a building, that is used for the storage of materials, chemicals, and equipment and/or tooling or to maintain equipment and/or tooling to support semiconductor manufacturing or other related use.

*"Applicable Square Footage"* means the square footage of a building or space within a building, as the case may be, to be taken into account for purposes of calculating the PILOT Payments for that building. The Agency shall determine the Applicable Square Footage for each different types of New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land) in the manner described in this Exhibit B.

*"Cleanroom"* means that portion of a building constructed with one or more highly purified and regulated rooms used for production, research and/or testing equipment, sensitive to contamination, and which includes in its design, systems for the minimization of airborne pollutants or other contaminants.

*"Completion Date"* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), the earlier of (a) the taxable status date that such New Facility is reflected on the annual assessment roll or property

record card as having a Certificate of Occupancy, or (b) the date that is two (2) years after the Construction Commencement Date for such New Facility.

*“Construction Commencement Date”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), the applicable taxable status date of the Town following the date of the issuance of a building permit for such New Facility.

*“Construction PILOT Payment Period”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), the period of time (not to exceed two (2) years) beginning on the Construction PILOT Payment Period Commencement Date and continuing through and including the date immediately preceding the Permanent PILOT Payment Period Commencement Date.

*“Construction PILOT Payment Period Commencement Date”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), January 1 of the first year following the Construction Commencement Date for such New Facility.

*“Construction PILOT Payment Period PILOT Year”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), (a) the first calendar year occurring during said Construction PILOT Payment Period and (b) if the Completion Date has not yet occurred, the second calendar year occurring during said Construction PILOT Payment Period.

*“Declaration”* means any instrument whereby common area maintenance charges are levied, assessed or imposed by the State, SUNY, FSMC, EDGE or a landowners/tenants association against or upon the End User(s) for the maintenance, landscaping, signage or the provision of other amenities within any common or similar areas located on the Land.

*“Excess SID Credit”* shall have the meaning ascribed to such term in Paragraph E.2. hereof.

*“New Facility”* means each building or group of buildings and related improvements constructed on either the EDGE Land or the State Land for which the Construction Commencement Date is after the date of this Agreement. Each New Facility shall include that portion of the EDGE Land or the State Land upon which such building or group of buildings and related improvements have been constructed.

*“Office Space”* means a building, or space within a building, that is used primarily as administrative offices and support space (e.g., cafeteria, rest rooms, health facilities, training and education space, security-information room/counter, network/computer rooms, meeting and conference rooms, corridors and lobby area) .

*“Other Facilities”* means buildings located on either the EDGE Land or the State Land other than a Semiconductor Manufacturing Building, Office Space, Ancillary Warehousing Space, a Technology Development Building or a Technology Manufacturing Building. Other Facilities shall not include standalone Support Facilities.

*“Permanent PILOT Payment Period Commencement Date”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), the January 1 date immediately following the Completion Date.

*“Permanent PILOT Payment Period”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), that period of time of up to forty-seven (47) years beginning on the Permanent PILOT Payment Period Commencement Date.

*“Permanent PILOT Payment Period PILOT Year”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), (a) each calendar year occurring during said Permanent PILOT Payment Period up to, but not including, the last calendar year (or portion thereof) occurring during said Permanent PILOT Payment Period and (b) the last calendar year (or portion thereof) occurring during said Permanent PILOT Payment Period.

*“PILOT Extension Term”* shall have the meaning ascribed to such term in Paragraph E.3. hereof.

*“PILOT Rate Adjustment Date”* shall have the meaning ascribed to such term in Paragraph D.1. hereof.

*“PILOT Value”* means the value of a New Facility or space within a New Facility, as the case may be, (regardless of whether such New Facility is situate on the EDGE Land or the State Land) determined in the manner described in this Exhibit B by multiplying the Applicable Square Footage of such New Facility or space within a New Facility times the PILOT Value Per Square Foot Rate.

*“PILOT Value Per Square Foot Rate”* means the value per square foot that shall be used to calculate the PILOT Value for each New Facility or space within a New Facility, as the case may be, (regardless of whether such New Facility is situate on the EDGE Land or the State Land) in the manner described in this Exhibit B. The PILOT Value Per Square Foot Rates for each such New Facility, or space within each such New Facility, as the case may be, are as set forth in Schedule 1 to this Exhibit B. The PILOT Value Per Square Foot Rates shall be adjusted on the dates and in the manner described in Paragraph D of this Exhibit B.

*“PILOT Year”* means, with respect to each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), each Construction PILOT Payment Period PILOT Year and each Permanent PILOT Payment Period PILOT Year.

*“Proprietary Sublease”* shall have the meaning ascribed to such term in Paragraph B.4. hereof.

*“Semiconductor Manufacturing Building”* means a building (which may have pedestrian connections to other buildings) to be used primarily for semiconductor fabrication or flat panel display manufacturing (provided, however, any glass plant associated with flat panel display manufacturing shall be considered a Technology Manufacturing Building). The

definition of a Semiconductor Manufacturing Building will include those buildings normally associated with a semiconductor manufacturing or flat panel display manufacturing facility, such as a main fab, a spine, a central utility building, private utility building, gas yard, and an electrical services building. If a building has primarily Cleanroom space but includes ancillary space used solely for general office purposes, such ancillary space shall not be deemed Office Space nor shall it require a separate PILOT Payment.

“*SID Charges*” means any special ad valorem levies, special assessments or other special district or improvement district or area charges.

“*SID Credit*” shall have the meaning ascribed to such term in Paragraph E.1. hereof.

“*SID Credit Amount*” shall have the meaning ascribed to such term in Paragraph E.1. hereof.

“*SID Taxing Entity*” shall have the meaning ascribed to such term in Paragraph E.1. hereof.

“*Support Facilities*” means standalone utility buildings, gas yards, electrical service buildings, electrical sub-stations, generators and co-gen facilities, guard or security stations, water and wastewater treatment facilities, parking structures, construction management buildings, and similar facilities that support the construction and operation of Semiconductor Manufacturing Buildings, Technology Development Buildings, Technology Manufacturing Buildings, Office Space, and Ancillary Warehousing Space.

“*Technology Development Building*” means a building (which may have pedestrian connections to other buildings) consisting of Cleanroom, laboratory, and testing facilities for the testing and development of semiconductor manufacturing processes and related uses, office space and other support space.

“*Technology Manufacturing Building*” means a building (which may have pedestrian connections to other buildings) exclusive of a Semiconductor Manufacturing Building, that is used primarily for manufacturing and assembly of advanced technologies in modern industries such as energy, communications, information and computing technologies, microtechnology, electronics, and nanotechnology, companies that supply and support the semiconductor, flat panel display, and/or photo voltaic industry, or other related uses. If a flat panel display manufacturing facility is built, the portion of the flat panel display manufacturing facility that is a glass plant shall be classified as a Technology Manufacturing Building.

#### B. Obligation to Make PILOT Payments - General

1. Prior to Construction Commencement Date. No PILOT Payments shall be required prior to the Construction Commencement Date for each New Facility.

2. Duration of PILOT Payments Beginning on the Construction PILOT Payment Period Commencement Date for each New Facility (regardless of whether such New Facility is

situate on the EDGE Land or the State Land) and continuing thereafter for up to forty-nine (49) years, the End User shall pay the Agency annual PILOT Payments with respect to such New Facility, in the amounts determined as described in this Exhibit B. With respect to each such New Facility situate on the EDGE Land, such New Facility shall, upon the expiration or termination of the Permanent PILOT Payment Period, become subject to real property taxation or the End User of that New Facility shall be required to make PILOT Payments in an amount equal to 100% of real property taxes that would be due if the Agency had no interest in that New Facility.

3. Payments During Construction PILOT Payment Period. PILOT Payments during the Construction PILOT Payment Period for each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land) shall equal the payment amount calculated in the manner described in Paragraph C below, based on the expected nature and use of such New Facility as described in the plans and specifications for such New Facility, multiplied by the percentage of completion as of the taxable status date used by the Town for its annual assessment rolls. The End User shall certify the percentage of completion based on construction requisitions and other construction documents.

4. Exempt Uses. Notwithstanding anything herein to the contrary, in any year in which a New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), or portion thereof, is leased or occupied by education or other tax-exempt organizations described in New York Real Property Tax Law Section 420-a, and is not used for non-exempt uses, no PILOT Payment shall be required for such New Facility, or portion thereof. If, however, a New Facility is leased or occupied by education or other tax-exempt organization described in New York Real Property Tax Law Section 420-a and is being subleased to a proprietary or taxable entity having exclusive use and/or possession of such New Facility or portion thereof (a "Proprietary Sublease"), then PILOT Payments shall be required for such New Facility, or portion thereof that is the subject of a Proprietary Sublease.

C. Calculation of Annual PILOT Payment due during Permanent PILOT Payment Period.

1. Classification and Measurement of New Facilities for PILOT Purposes. During the Permanent PILOT Payment Period, the PILOT Payments for each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land), or space within each New Facility, shall be based on the classification of the building or space as a Semiconductor Manufacturing Building, Technology Development Building, Technology Manufacturing Building, Office Space or Ancillary Warehousing Space. The Agency shall classify each New Facility, or space within such New Facility, as the case may be, and determine the appropriate measurement of the Applicable Square Footage within each New Facility, or space within such New Facility, as the case may be, based on plans and specifications and other information provided by the End User.

2. Formula for Calculating PILOT Payments. In general, subject to the specific terms described herein, during the Permanent PILOT Payment Period the annual PILOT Payment for each New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land) or space within such New Facility, as the case may be, shall be calculated as follows:

Applicable Square Footage x PILOT Value Per Square Foot Rate = PILOT Value

PILOT Value x current property tax rates determined from the assessment roll = PILOT Payment

3. PILOT Value of Semiconductor Manufacturing Building. The PILOT Value of a Semiconductor Manufacturing Building shall equal the gross square footage of each floor level that includes Cleanroom space multiplied by the PILOT Value Per Square Foot Rate for a Semiconductor Manufacturing Building set forth in Schedule 1. The Applicable Square Footage of a Semiconductor Manufacturing Building shall include the Cleanroom floor level only and shall not include other space or facilities such as the subfab space, Office Space or Ancillary Warehousing Space in the Semiconductor Manufacturing Building, or central utility buildings and other Support Facilities.

For example, if the gross square footage of the Cleanroom level of a Semiconductor Manufacturing Facility is 520,000 square feet and the Cleanroom area itself is 400,000 square feet, the PILOT Value shall be computed by multiplying 520,000 (the Applicable Square Footage) by the PILOT Value Per Square Foot Rate for a Semiconductor Manufacturing Building as set forth in Column A of Schedule 1 for each year of the PILOT Agreement.

4. PILOT Value of Technology Development Building. The Applicable Square Footage of a Technology Development Building shall be comprised of the Cleanroom space, laboratory, testing and manufacturing space, Office Space and any Ancillary Warehousing Space in that building. The PILOT Value of a Technology Development Building shall equal the sum of:

- (a) gross square footage of Cleanroom space multiplied by the PILOT Value Per Square Foot for Cleanroom space set forth in Column E of Schedule 1;
- (b) gross square footage of laboratory, testing and manufacturing space (excluding Cleanroom space) multiplied by the PILOT Value Per Square Foot Rate for a Technology Manufacturing Building set forth in Column D of Schedule 1;
- (c) gross square footage of Office Space multiplied by the PILOT Value Per Square Foot for Office Space set forth in Column B of Schedule 1; and
- (d) gross square footage of Ancillary Warehousing Space multiplied by the PILOT Value Per Square Foot for Ancillary Warehousing Space set forth in Column C of Schedule 1.

5. PILOT Value of Technology Manufacturing Building. The Applicable Square Footage of a Technology Manufacturing Building shall be comprised of the total gross square footage of the building, excluding Support Facilities. The PILOT Value of a Technology Manufacturing Building shall equal the gross square footage of the building, excluding Support Facilities, multiplied by the PILOT Value Per Square Foot Rate for Technology Manufacturing Buildings set forth in Column D of Schedule 1.

6. PILOT Value of Office Space. The Applicable Square Footage of Office Space in a standalone office building (which may have pedestrian connections to other buildings) shall be comprised of the total gross square footage of the building. Office Space located in a Semiconductor Manufacturing Building, Technology Development Building, Technology Manufacturing Building, Ancillary Warehousing Space or in Other Facilities shall be taken into account in the manner and to the extent (if any) provided for determining the PILOT Value of those other buildings and facilities.

The PILOT Value for Office Space shall equal the Applicable Square Footage of Office Space multiplied by the PILOT Value Per Square Foot Rate for Office Space set forth in Column B of Schedule 1.

7. PILOT Value of Ancillary Warehousing Space. The Applicable Square Footage of Ancillary of Warehousing Space in a standalone warehouse building (which may have pedestrian connections to other buildings) shall be comprised of the total gross square footage of the building. Ancillary Warehousing Space located in a Semiconductor Manufacturing Building, Technology Development Building, Technology Manufacturing Building, Office Space or Other Facilities shall be taken into account in the manner and to the extent (if any) provided for determining the PILOT Value of those other buildings and facilities.

The PILOT Value for Ancillary Warehousing Space shall equal the Applicable Square Footage of Ancillary Warehousing Space multiplied by the PILOT Value Per Square Foot Rate for Ancillary Warehousing Space set forth in Column C of Schedule 1.

8. PILOT Value of Other Facilities. If Other Facilities are constructed on either the EDGE Land or the State Land, the PILOT Value of those facilities shall be determined by the Agency in its reasonable discretion based on comparable data from sources deemed to be reflective of the industry.

9. Support Facilities. Notwithstanding anything herein to the contrary, no separate PILOT Value shall be assigned to Support Facilities, which Support Facilities shall be assigned a separate tax parcel identification number by the Town on the annual assessment rolls. The value of Support Facilities is included in the PILOT Value of the other buildings and improvements located on the Land.

D. Adjustment of PILOT Value Per Square Foot Rates for Improvements Commenced On or After January 1, 2020.

1. For improvements having a Construction Commencement Date on or after January 1, 2020, PILOT Payments shall be calculated in the manner described herein except the PILOT Value Per Square Foot Rates shall be adjusted effective January 1, 2020, and on January 1 every ten (10) years thereafter (each, a "PILOT Rate Adjustment Date"), as agreed upon by the Agency and the End User pursuant to the guidelines described in this Paragraph D. The new PILOT Value Per Square Foot Rates shall apply to all improvements having a Construction Commencement Date on or after the PILOT Rate Adjustment Date. The new PILOT Value Per Square Foot Rates shall decrease annually at a rate consistent with the rate of annual decrease in the PILOT Value Per Square Foot Rates set forth in Schedule 1 to this Exhibit B.

2. The PILOT Value Per Square Foot Rate for Semiconductor Manufacturing Facilities shall be adjusted (increased or decreased) in proportion to the percentage increase or decrease in the median sale price per square foot of Cleanroom space in sales of semiconductor manufacturing facilities in the United States, which sales did not include equipment or tool sets and that were not coupled with continuing production or delivery agreements. The initial PILOT Value Per Square Foot Rate for Semiconductor Manufacturing Facilities set forth in Schedule 1 hereto was modeled in large part on the Amended and Restated PILOT Agreement between Global Foundries and Saratoga County Industrial Development Agency to resolve a tax certiorari proceeding relating to Global Foundries' fab 8.1. The aforesaid Amended and Restated PILOT Agreement established a pre-agreed formula that would apply to all future semiconductor and related facilities constructed by Global Foundries at the Luther Forest Technology Campus. The PILOT Value Per Square Foot Rate for Cleanroom space was based on sales data obtained from Advanced Technology Research Group (ATREG) and was set at approximately one hundred seventy five percent (175%) of the value per square foot of Cleanroom space as calculated by ATREG from seventeen (17) comparables over a ten (10) year period ending in 2010 (the median per square foot sale price for such sales was two hundred fifty eight dollars (\$258)). If updated sales information is not available from ATREG after 2020, then the information shall be obtained from a comparable source with knowledge and experience in the field of the sale of semiconductor manufacturing facilities.

In Column A of Schedule 1, the PILOT Per Value Per Square Foot Rate is based on 81% of the PILOT Value Per Square Foot Rate for Clean Room space and multiplied by the Gross Square Footage of the building floor plate to determine the Assessed Valuation for a Semiconductor Manufacturing Plant and/or Flat Panel Display Facility.

3. The PILOT Value Per Square Foot Rate for Cleanroom space shall be adjusted (increased or decreased) in proportion to the percentage increase or decrease in the median sale price per square foot of Cleanroom space in sales of semiconductor manufacturing facilities in the United States, which sales did not include equipment or tool sets and that were not coupled with continuing production or delivery agreements. In the event that updated sales information is not available from ATREG after 2020, then the information shall be obtained from a comparable source with knowledge and experience in the Cleanroom facility sales.

4. The PILOT Value Per Square Foot Rates for Technology Manufacturing Buildings, Technology Development Buildings, Office Space and Ancillary Warehousing Space shall be adjusted (increased or decreased) in proportion to the percentage increase or decrease in the applicable Consumer Price (CPI) Index as determined by the Agency.

E. Special Assessments/Credit for SID Charges.

1. If for any reason a New Facility (regardless of whether such New Facility is situate on the EDGE Land or the State Land) shall be subject to any SID Charges, notwithstanding the Town and County's agreement set forth in Section 2(b) of the PILOT Allocation Agreement, then the amount of SID Charges assessed against the New Facility each year shall be applied as a dollar for dollar credit (the "SID Credit") that shall reduce the PILOT Payments due from the End User with respect to such New Facility for the PILOT Year in which the SID Charges are due and payable. An amount equal to the SID Credit (the "SID



Credit Amount”) shall be subtracted from the Aggregate Annual PILOT Payment Allocation the Affected Tax Jurisdiction that levied the SID Charges (the “SID Taxing Entity”). Once the SID Credit Amount has been subtracted from the Aggregate Annual PILOT Payment Allocation of the SID Taxing Entity in question, the Agency shall then re-allocate said subtracted amount in the manner necessary to place the Affected Tax Jurisdictions (other than the SID Taxing Entity in question) and the Funds (other than the Affected Tax Jurisdictions’ Fund and, if applicable, the Community Host Payment Fund) in the same position that they would have been in had there been no SID Credit (or as nearly so as is possible). The provisions of this paragraph will not apply for any SID Charges or assessments requested by the End User and does not cover the imposition of any common area or similar charges that may be levied, assessed or imposed against or on the End User(s) by means of a Declaration.

2. If the SID Credit Amount for any year exceeds the Aggregate Annual PILOT Payment Allocation of the SID Taxing Entity in question, the excess amount (the “Excess SID Credit”) shall be carried forward to subsequent years and applied each year to reduce the annual PILOT Payment due from the End User in question, and shall be subtracted from the Aggregate Annual PILOT Payment Allocation of the SID Taxing Entity in question, until the entire amount of the Excess SID Credit has been fully used.

3. If necessary, the term of the applicable PILOT Agreement(s) shall be extended for such period of time necessary for the entire Excess SID Credit to be applied to reduce PILOT Payments due from the End User in question (the “PILOT Extension Term”). During the PILOT Extension Term, such End User shall make annual PILOT Payments to the Agency in amounts equal to the real property taxes that would be due if the New Facility in question were owned by such End User and the Agency had no interest therein. The PILOT Payments during the PILOT Extension Term shall be allocated pro rata among the Affected Tax Jurisdictions in proportion to the amount of real property taxes that each Affected Tax Jurisdiction would receive if such New Facility was subject to normal taxation and will not be subject to the fixed allocation set forth in Section 3 of the PILOT Allocation Agreement. The Excess SID Credit shall be applied to reduce the SID Taxing Entity’s share of PILOT Payments during the PILOT Extension Term until the entire remaining Excess SID Credit has been fully used.

F. Challenges to Assessed Value.

If for any reason a New Facility (regardless of whether such Facility is situate on the EDGE Land or the State Land) shall be subject to any SID Charges, notwithstanding the Town and County’s agreement set forth in Section 2(B) of the PILOT Allocation Agreement, but excluding SID Charges or assessments requested by the End User and/or common area charges levied, assessed or imposed against or on the End User(s) pursuant to a Declaration, the End User may pursue review of the New Facility’s assessed value under Article 7 of the New York State Real Property Tax Law or any other law or ordinance then in effect relating to disputes over assessed valuation of real property in the State of New York, and may take any and all other action available to it at law or in equity. If an Article 7 challenge is brought by an End User, the challenge to the assessment may only be utilized to reduce the SID Charges payable by the End User and may not be used to modify or reduce PILOT Payments.

G. Waiver of Right to Other Real Property Tax Exemptions.

The End User will unconditionally and irrevocably waive its right, if any, to apply for and/or receive the benefit of, any other real property tax exemption including, without limitation, any real property tax exemptions that may be available under Section 485-b and Section 485-e of the Real Property Tax Law for so long as the PILOT Agreement is in effect.

H. Nonrecourse to EDGE and FSMC Lessee.

Neither the Agency nor the Affected Tax Jurisdictions shall have any remedies against or seek recourse against EDGE or FSMC and the sole recourse of the Agency and the Affected Taxing Jurisdictions shall be against the End Users, and the Agency and the Affected Taxing Jurisdictions shall look only to the End Users for the complete and sole satisfaction of any remedies for unpaid sums due under the PILOT Agreement.

I. PILOT Mortgage.

At the Agency's election, each End User's obligations under the PILOT Agreement shall be secured by a mortgage on the End User's interest in the New Facility, which mortgage shall contain such terms as the Agency deems necessary or appropriate.

J. Agency's Right to Modify Terms.

The PILOT Agreement terms described in this Exhibit B may be modified by the Agency, in its discretion, provided such modifications do not materially reduce the total amount of PILOT Payments payable over the term of each PILOT Agreement.

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SCHEDULE 1 TO EXHIBIT B

**PILOT Value  
Per Square Foot Rates**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>Year</b>	<b>Semiconductor Manufacturing Building (GSF Clean Room Levels Only)</b>	<b>Office Space (GSF)</b>	<b>Ancillary Warehousing Space (GSF)</b>	<b>Technology Manufacturing Building (GSF)</b>	<b>Cleanroom Space (NSF within Technology Development Building)</b>	<b>Other Facilities</b>
1	\$365	\$100	\$60	\$125	\$450	*
2	348	98	58	123	430	*
3	332	96	56	121	410	*
4	316	94	54	119	390	*
5	300	92	52	117	370	*
6	284	90	50	115	350	*
7	267	88	48	113	330	*
8	251	86	46	111	310	*
9	235	84	44	109	290	*
10	219	82	42	107	270	*
11	203	80	40	105	250	*
12	186	78	38	103	230	*
13	170	76	36	101	210	*
14	154	74	34	99	190	*
15	146	72	32	97	180	*
16-49	146	72	32	97	180	*

Note: For improvements commenced on or after January 1, 2020, the PILOT Value Per Square Foot Rates shall be adjusted in the manner described in Paragraph D of Exhibit B.

\* The PILOT Value Per Square Foot Rate of Other Facilities shall be determined based on comparable data from sources deemed reflective of the industry.

**EXHIBIT C**

**Percentage of PILOT Payments Received by Agency from each End User with respect to each New Facility of such End User to be Allocated to Affected Tax Jurisdictions' Fund and the Community Host Payment Fund During each PILOT Year of the Construction PILOT Payment Period and the Permanent PILOT Payment Period**

<b>1</b>	<b>2</b>	<b>3</b>
<b>PILOT Year of Construction PILOT Payment Period</b>	<b>Percentage of PILOT Payments Received by Agency Allocated to Affected Tax Jurisdictions' Fund</b>	<b>Percentage of PILOT Payments Received by Agency Allocated to Community Host Payment Fund</b>
1	10%	2%
2	10%	2%
<b>PILOT Year of Permanent PILOT Payment Period</b>	<b>Percentage of PILOT Payments Received by Agency Allocated to Affected Tax Jurisdictions' Fund</b>	<b>Percentage of PILOT Payments Received by Agency Allocated to Community Host Payment Fund</b>
1	10%	2%
2	11%	2%
3	12%	2%
4	13%	2%
5	14%	2%
6	15%	2%
7	16%	2%
8	17%	2%
9	18%	2%
10	19%	2%
11	20%	2%
12	21%	2%
13	22%	2%
14	23%	2%
15	24%	2%
16	25%	2%
17	25%	2%
18-20	25%	2%
21-25	25%	2%
26-30	30%	2%
31-35	35%	2%
36-40	40%	2%
41-47	45%	2%

