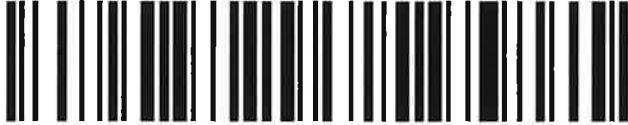




ONEIDA COUNTY – STATE OF NEW YORK  
MARY FINEGAN COUNTY CLERK  
800 PARK AVENUE, UTICA, NEW YORK 13501

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



INSTRUMENT #: R2024-001235

Receipt#: 20241240864  
Clerk: GA  
Rec Date: 09/25/2024 01:36:39 PM  
Doc Grp: MR  
Descrip: LEASE (ANY)  
Num Pgs: 4

Party1: ONEIDA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY  
Party2: DELTA LUXURY TOWNHOMES LLC  
Town: ROME

Recording:

Cover Page	20.00
Number of Pages	20.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00

Sub Total: 65.00

Transfer Tax  
Transfer Tax 0.00

Sub Total: 0.00

Total: 65.00

\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 985  
Transfer Tax  
Consideration: 1.00

Total: 0.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
501 MAIN STREET  
UTICA NEW YORK 13501

WARNING\*\*\*

I hereby certify that the within and foregoing was recorded in the Oneida County Clerk's Office, State of New York. This sheet constitutes the Clerks endorsement required by Section 316 of the Real Property Law of the State of New York.

Mary Finegan  
Oneida County Clerk

## **Memorandum of First Amendment to Leaseback Agreement**

This MEMORANDUM OF FIRST AMENDMENT TO LEASEBACK AGREEMENT dated as of September 5, 2024, by and between **ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**, a public benefit corporation duly existing under the laws of the State of New York with offices at 584 Phoenix Drive, Rome, New York 13441 (the "Agency") and **DELTA LUXURY TOWNHOMES LLC**, a New York limited liability company with an address of 105 Main Street, Whitesboro, New York 13492 (the "Company").

The Agency and the Company entered into a Leaseback Agreement dated as of August 3, 2022 (the "Leaseback Agreement") whereby the Agency leases to the Company a certain Facility as described in the Leaseback Agreement. A Memorandum of the Leaseback Agreement was recorded in the Office of the Oneida County Clerk on August 10, 2022 at Instrument No. R2022-001130.

The Leaseback Agreement provides for the rental of the Facility by the Agency to the Company for a term that commences August 3, 2022 and terminates August 2, 2024 (the "Lease Term").

The Agency and the Company entered into a First Amendment to Leaseback Agreement dated as of September 5, 2024 (the "First Leaseback Amendment") that extends the Lease Term through August 2, 2025.

The Leaseback Agreement and the First Leaseback Amendment are available for inspection during normal business hours at the offices of the Agency indicated above.

This Memorandum of First Leaseback Amendment may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[signature page follows]

### **Record and Return to:**

**Linda E. Romano, Esq.  
Bond, Schoeneck & King, PLLC  
501 Main Street  
Utica, New York 13501**

20241240864

Clerk: GA

**R2024-001235**

09/25/2024 01:36:39 PM  
LEASE (ANY)

4 Pages

Mary Finegan, Oneida County Clerk


IN WITNESS WHEREOF, the Agency and the Company have caused this **Memorandum of First Leaseback Amendment** to be executed in their respective names on the date first above written.

ONEIDA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

By:   
\_\_\_\_\_  
Stephen R. Zogby  
Chairman

STATE OF NEW YORK            )  
  : ss.:  
COUNTY OF ONEIDA         )

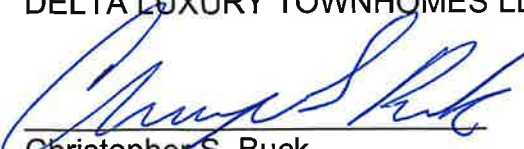
On September 12, 2024 before me, the undersigned a notary public in and for said state, personally appeared **Stephen R. Zogby**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public



SECOND SIGNATURE PAGE TO  
MEMORANDUM OF FIRST LEASEBACK AMENDMENT  
(DELTA LUXURY TOWNHOMES LLC)

DELTA LUXURY TOWNHOMES LLC

By:   
Christopher S. Buck  
Member

STATE OF NEW YORK            )  
  : ss.:  
COUNTY OF ONEIDA         )

On September 24, 2024 before me, the undersigned a notary public in and for said state, personally appeared **Christopher S. Buck**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

**G. KEVIN LUDLOW, ESQ.**  
NOTARY PUBLIC - N.Y. STATE  
NO. 02LU4812422  
QUALIFIED IN ONEIDA COUNTY  
MY COMM. EXPIRES DEC. 31, 2026