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2023 DEC 15 10:11 AM

SECOND AMENDED MEMORANDUM OF  
AMENDED AND RESTATED LEASEBACK TO COMPANY

*THIS SECOND AMENDED MEMORANDUM OF AMENDED AND RESTATED LEASEBACK TO COMPANY*, made as of December 11, 2023 (“Second Amendment”) by and between the COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY, a corporate governmental agency constituting a body corporate and politic and a public benefit corporation of the State of New York, having its principal offices located at 548 Broadway, Monticello, New York 12701 (“Agency”) and MONTREIGN OPERATING COMPANY, LLC, a New York limited company, having its principal offices located at 888 Resorts World Drive, Monticello, New York 12701 (“Montreign”), amends and supercedes that certain Memorandum of Leaseback to Company, dated September 5, 2014, by and among the Agency, Montreign and Monticello Raceway Management, Inc. (“MRMI”) and recorded in the Sullivan County Clerk’s Office on April 27, 2016 as Instrument Number 2016-3002; as further amended by that certain Memorandum of Amended and Restated Leaseback to Company, dated October 1, 2015 by and among the Agency, Montreign and MRMI and recorded in the Sullivan County Clerk’s Office on April 28, 2016 as Instrument Number 2016-3011; and as further amended by that certain Amended Memorandum of Amended and Restated Leaseback to Company, dated as of January 19, 2017 by and between the Agency and Montreign and recorded in the Sullivan County Clerk’s Office on February 14, 2017 as Instrument Number 2017-1248.

1. Reference to Lease. Amended and Restated Leaseback to Company, dated as of October 1, 2015; as amended by that certain Omnibus Amendment to Project Documents, dated as of January 19, 2017 by and between Montreign and the Agency; and that certain First Amendment to Amended and Restated Leaseback to Company, dated December 11, 2023 by and between Montreign and the Agency.
2. Description of the Leased Premises: Certain real property and improvements located in the Town of Thompson, County of Sullivan, State of New York, as more particularly described on Schedule A attached hereto.
3. Term of Lease: Commencing on October 1, 2015 and ending February 1, 2036.
4. Rights of Extension or Renewal: None.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

Record and Return to:

Walter F. Garigliano P.C.  
449 Broadway  
Monticello, New York 12701

IN WITNESS WHEREOF, the Agency and the Company have caused this Second Amendment to be executed in their respective names, all as of the date first written above.

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

By: Jennifer Flad  
Jennifer Flad, Executive Director

MONTREIGN OPERATING COMPANY, LLC  
By: Empire Resorts, Inc., its sole member

By: \_\_\_\_\_

STATE OF NEW YORK )  
  )ss:  
COUNTY OF SULLIVAN )

On the 11<sup>th</sup> day of December in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIFER FLAD, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Sue Jahn  
SUE JAHN  
Notary Public, State of New York  
NYS Registration No. 01JA4989241  
Qualified in Sullivan County  
Commission Expires December 2, 2025

STATE OF NEW YORK )  
  )ss:  
COUNTY OF SULLIVAN )

On the \_\_\_ day of December in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

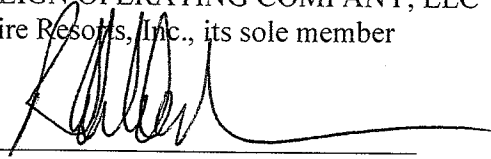
\_\_\_\_\_  
Notary Public

IN WITNESS WHEREOF, the Agency and the Company have caused this Second Amendment to be executed in their respective names, all as of the date first written above.

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

By: Jennifer Flad, Executive Director

MONTREIGN OPERATING COMPANY, LLC  
By: Empire Resorts, Inc., its sole member



By:

STATE OF NEW YORK )  
 )ss:  
COUNTY OF SULLIVAN )

On the \_\_\_ day of November in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIFER FLAD, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

SUE JAHN  
Notary Public, State of New York  
NYS Registration No. 01JA4989241  
Qualified in Sullivan County  
Commission Expires December 2, 2025

STATE OF NEW YORK )  
 )ss:  
COUNTY OF SULLIVAN )

On the 8th day of December ~~November~~ in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared Robert DeSanto 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

NICHOLE MARIE BARBATO  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01BA6369197  
Qualified in Sullivan County  
My Commission Expires 01-02-2026

## SCHEDULE

A

### Casino Parcel

#### PARCEL 1

ALL that certain parcel of land located in the Town of Thompson, Sullivan County, New York, and designated as "Parcel 1" on a map entitled, "Final Subdivision Plat for project Adelaar Phase I, Town of Thompson, New York, dated August 7, 2014, last updated August 27, 2014" filed in the Sullivan County Clerk's Office on December 22, 2014 as Map No. 14-245 A through H, which is more particularly bounded and described as follows:

BEGINNING at an iron pin in the southerly proposed road line of Thompsonville Road at the common corner between the herein described "Parcel 1" on the east and "Parcel 2" on the west as shown on aforementioned Filed Map; and

RUNNING EASTERLY along the said southerly proposed road line, the following fourteen (14) courses and distances:

- (1) Along a curve to the left from where the radial bears North 31 degrees 13 minutes 59 seconds West having a radius of 6,021.00 feet and an arc length of 317.77 feet to a point of tangency;
- (2) North 55 degrees 44 minutes 35 seconds East a distance of 310.69 feet to an iron pin at a point of curvature;
- (3) Along a curve to the right having a radius of 979.00 feet and an arc length of 256.76 feet to a point of tangency;
- (4) North 70 degrees 46 minutes 12 seconds East a distance of 84.29 feet to a point of curvature;
- (5) Along a curve to the right having a radius of 479.00 feet and an arc length of 158.19 feet to an iron pin at a point of tangency;
- (6) North 89 degrees 41 minutes 32 seconds East a distance of 91.98 feet to a point of curvature;
- (7) Along a curve to the right having a radius of 5,979.00 feet and an arc length of 238.37 feet to an iron pin at a point of tangency;
- (8) South 88 degrees 01 minutes 25 seconds East a distance of 281.39 feet to a point of curvature;

- (9) Along a curve to the left having a radius of 6,021.00 feet and an arc length of 322.67 feet to an iron pin at a point of tangency;
- (10) North 88 degrees 54 minutes 21 seconds East a distance of 49.46 feet to a point of curvature;
- (11) Along a curve to the right having a radius of 2,979.00 feet and an arc length of 263.17 feet to an iron pin at a point of tangency;
- (12) South 86 degrees 01 minutes 57 seconds East a distance of 147.37 feet to an iron pin at a point of curvature;
- (13) Along a curve to the right having a radius of 5,979.00 feet and an arc length of 263.78 feet to a point of tangency; and
- (14) South 83 degrees 30 minutes 17 seconds East a distance of 69.58 feet to an iron pin at the corner of the herein described "Parcel 1" on the west and "Parcel 3" on the east as shown on aforementioned Filed Map; and

RUNNING along said boundary between the herein described "Parcel 1" on the west and "Parcel 3" on the east as shown on the aforementioned Filed Map, the following eight (8) courses and distances;

- (15) South 17 degrees 14 minutes 23 seconds West a distance of 104.27 feet to an iron pin;
- (16) South 37 degrees 57 minutes 26 seconds West a distance of 586.42 feet to an iron pin;
- (17) South 52 degrees 48 minutes 52 seconds East a distance of 243.94 feet to an iron pin;
- (18) North 83 degrees 03 minutes 38 seconds East a distance of 93.35 feet to an iron pin;
- (19) South 27 degrees 00 minutes 34 seconds East a distance of 228.53 feet;
- (20) South 30 degrees 37 minutes 41 seconds East a distance of 313.25 feet to an iron pin;
- (21) South 14 degrees 40 minutes 25 seconds West a distance of 165.03 feet to an iron pin; and
- (22) South 30 degrees 19 minutes 35 seconds East a distance of 358.61 feet to an iron pin in the westerly proposed road line of Joyland Road; and

RUNNING SOUTHERLY along said westerly proposed road line, the following three (3) courses and distances:

- (23) South 16 degrees 03 minutes 08 seconds West a distance of 124.76 feet to an iron pin at a point of curvature;

(24) Along a curve to the right having a radius of 301.00 feet and an arc length of 365.06 feet to an iron pin at a point of tangency; and

(25) South 85 degrees 32 minutes 29 seconds West a distance of 645.96 feet to an iron pin;

ALONG the boundary between "Parcel 1" on the north and "Parcel 4 (Lot A)" on the south as shown on the aforementioned Filed Map, the following eight (8) courses and distances:

(26) North 07 degrees 22 minutes 08 seconds West a distance of 58.04 feet to an iron pin;

(27) North 82 degrees 22 minutes 33 seconds West a distance of 419.65 feet to an iron pin;

(28) South 67 degrees 33 minutes 48 seconds West a distance of 95.71 feet to an iron pin;

(29) North 16 degrees 23 minutes 16 seconds West a distance of 151.20 feet to an iron pin;

(30) North 00 degrees 18 minutes 28 seconds East a distance of 368.89 feet to an iron pin;

(31) North 36 degrees 36 minutes 50 seconds West a distance of 128.05 feet to an iron pin;

(32) South 56 degrees 56 minutes 11 seconds West a distance of 458.28 feet to an iron pin; and

(33) South 15 degrees 39 minutes 20 seconds West a distance of 566.94 feet to an iron pin in the line between lot numbers 46 and 52, of Great Lot 13, Hardenburg Patent;

ALONG same, North 70 degrees 16 minutes 15 seconds West a distance of 800.00 feet to an iron pin in the common boundary between the herein described "Parcel 1" on the east and "Parcel 2" on the west as shown on aforementioned Filed Map; and

CONTINUING ALONG said common boundary, the following ten (10) courses and distances:

(34) North 19 degrees 43 minutes 45 seconds East a distance of 240.00 feet to an iron pin;

(35) North 70 degrees 16 minutes 15 seconds West a distance of 750.00 feet to an iron pin;

(36) North 25 degrees 27 minutes 30 seconds East a distance of 150.00 feet;

(37) South 79 degrees 25 minutes 23 seconds East a distance of 100.00 feet;

(38) North 37 degrees 31 minutes 44 seconds East a distance of 200.00 feet;

(39) North 67 degrees 50 minutes 03 seconds East a distance of 150.00 feet;

- (40) North 36 degrees 32 minutes 13 seconds East a distance of 125.00 feet;
- (41) North 19 degrees 27 minutes 11 seconds East a distance of 160.00 feet;
- (42) North 02 degrees 29 minutes 55 seconds East a distance of 207.25 feet; and
- (43) North 31 degrees 13 minutes 59 seconds West a distance of 159.80 feet along the (extended) radial to the curve of the first named course, to an iron pin at the point and place of BEGINNING.

SUBJECT TO a 20 foot wide Landscape Buffer easement, located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned Filed Map, along the southerly side of Thompsonville Road which is more particularly bounded and described as follows:

BEGINNING at an iron pin in the southerly proposed road line of Thompsonville Road at the common corner between the herein described "Parcel 1" on the east and "Parcel 2" on the west as shown on aforementioned Filed Map; and

RUNNING EASTERLY along said southerly proposed road line, the following fourteen (14) courses and distances:

- (44) Along a curve to the left from where the radial bears North 31 degrees 13 minutes 59 seconds West having a radius of 6,021.00 feet and an arc length of 317.77 feet to a point of tangency;
- (45) North 55 degrees 44 minutes 35 seconds East a distance of 310.69 feet to an iron pin at a point of curvature;
- (46) Along a curve to the right having a radius of 979.00 feet and an arc length of 256.76 feet to a point of tangency;
- (47) North 70 degrees 46 minutes 12 seconds East a distance of 84.29 feet to a point of curvature;
- (48) Along a curve to the right having a radius of 479.00 feet and an arc length of 158.19 feet to an iron pin at a point of tangency;
- (49) North 89 degrees 41 minutes 32 seconds East a distance of 91.98 feet to a point of curvature;
- (50) Along a curve to the right having a radius of 5,979.00 feet and an arc length of 238.37 feet to an iron pin at a point of tangency;
- (51) South 88 degrees 01 minutes 25 seconds East a distance of 281.39 feet to a point of curvature;

- (52) Along a curve to the left having a radius of 6,021.00 feet and an arc length of 322.67 feet to an iron pin at a point of tangency;
- (53) North 88 degrees 54 minutes 21 seconds East a distance of 49.46 feet to a point of curvature;
- (54) Along a curve to the right having a radius of 2,979.00 feet and an arc length of 263.17 feet to an iron pin at a point of tangency;
- (55) South 86 degrees 01 minutes 57 seconds East a distance of 147.37 feet to an iron pin at a point of curvature;
- (56) Along a curve to the right having a radius of 5,979.00 feet and an arc length of 263.78 feet to a point of tangency; and
- (57) South 83 degrees 30 minutes 17 seconds East a distance of 69.58 feet to an iron pin at the corner of the herein described "Parcel 1" on the west and "Parcel 3" on the east as shown on aforementioned Filed Map; and

RUNNING along said boundary between the herein described "Parcel 1" on the west and "Parcel 3" on the east as shown on aforementioned Filed Map, South 17 degrees 14 minutes 23 seconds West a distance of 20.36 feet;

THENCE parallel to and 20.00 feet off of the southerly proposed road line of Thompsonville Road, the following fourteen (14) courses and distances:

- (58) North 83 degrees 30 minutes 17 seconds West a distance of 65.79 feet to a point of curvature;
- (59) Along a curve to the left having a radius of 5,959.00 feet and an arc length of 262.90 feet to a point of tangency;
- (60) North 86 degrees 01 minutes 57 seconds West a distance of 147.37 feet to a point of curvature;
- (61) Along a curve to the left having a radius of 2,959.00 feet and an arc length of 261.41 feet to a point of tangency;
- (62) South 88 degrees 54 minutes 21 seconds West a distance of 49.46 feet to a point of curvature;
- (63) Along a curve to the right having a radius of 6,041.00 feet and an arc length of 323.74 feet to a point of tangency;
- (64) North 88 degrees 01 minutes 25 seconds West a distance of 281.39 feet to a point of curvature;



- (65) Along a curve to the left having a radius of 5,959.00 feet and an arc length of 237.57 feet to a point of tangency;
- (66) South 89 degrees 41 minutes 32 seconds West a distance of 91.98 feet to a point of curvature;
- (67) Along a curve to the left having a radius of 459.00 feet and an arc length of 151.59 feet to a point of tangency;
- (68) South 70 degrees 46 minutes 12 seconds West a distance of 84.29 feet to a point of curvature;
- (69) Along a curve to the left having a radius of 959.00 feet and an arc length of 251.52 feet to a point of tangency;
- (70) South 55 degrees 44 minutes 35 seconds West a distance of 310.69 feet to a point of curvature; and
- (71) Along a curve to the right having a radius of 6,041.00 feet and an arc length of 318.82 feet to a point in the common boundary between the herein described "Parcel 1" on the east and "Parcel 2" on the west as shown on aforementioned Filed Map;

THENCE continuing northerly along said common boundary along the (extended) radial of the last described curve, North 31 degrees 13 minutes 59 seconds West a distance of 20.00 feet to an iron pin at the POINT AND PLACE OF BEGINNING.

SUBJECT TO a Horizontal Improvement easement, located in the Town of Thompson, Sullivan County, New York, and shown on the aforementioned Filed Map, which is more particularly bounded and described as follows:

COMMENCING at an iron pin in the northeastern most corner of the herein described "Parcel 1" and continuing along the easterly line thereof, the following three (3) courses and distances:

- (72) South 17 degrees 14 minutes 23 seconds West a distance of 104.27 feet to an iron pin;
- (73) South 37 degrees 57 minutes 26 seconds West a distance of 586.42 feet to an iron pin; and
- (74) South 52 degrees 48 minutes 52 seconds East a distance of 189.83 feet to the POINT AND PLACE OF BEGINNING.

THENCE continuing along the said easterly line of the herein described "Parcel 1," the following three (3) courses and distances:

(75) South 52 degrees 48 minutes 52 seconds East a distance of 54.11 feet to an iron pin;

(76) North 83 degrees 03 minutes 38 seconds East a distance of 93.35 feet to an iron pin;  
and

(77) South 27 degrees 00 minutes 34 seconds East a distance of 162.81 feet;

THENCE South 59 degrees 22 minutes 19 seconds West a distance of 44.15 feet;

THENCE North 64 degrees 39 minutes 29 seconds West a distance of 53.83 feet;

THENCE North 14 degrees 40 minutes 41 seconds West a distance of 75.79 feet;

THENCE South 83 degrees 03 minutes 01 seconds West a distance of 91.90 feet;

THENCE North 06 degrees 56 minutes 59 seconds West a distance of 104.50 feet to the  
POINT AND PLACE OF BEGINNING.

SUBJECT TO a Parking and Drive Aisle easement, located in the Town of Thompson,  
Sullivan County, New York, and shown on the aforementioned Filed Map, which is more  
particularly bounded and described as follows:

COMMENCING at an iron pin the northeastern most corner of the herein described "Parcel  
1" and continuing along the easterly line thereof, the following five (5) courses and  
distances:

(78) South 17 degrees 14 minutes 23 seconds West a distance of 104.27 feet to an iron pin;

(79) South 37 degrees 57 minutes 26 seconds West a distance of 586.42 feet to an iron pin;

(80) South 52 degrees 48 minutes 52 seconds East a distance of 243.94 feet to an iron pin;

(81) North 83 degrees 03 minutes 38 seconds East a distance of 93.35 feet to an iron pin;  
and

(82) South 27 degrees 00 minutes 34 seconds East a distance of 162.81 feet to the POINT  
AND PLACE OF BEGINNING.

THENCE continuing along said easterly line of the herein described "Parcel 1," the  
following four (4) courses and distances:

(83) South 27 degrees 00 minutes 34 seconds East a distance of 65.72 feet;

(84) South 30 degrees 37 minutes 41 seconds East a distance of 313.25 feet to an iron pin;

(85) South 14 degrees 40 minutes 25 seconds West a distance of 165.03 feet to an iron pin;  
and

(86) South 30 degrees 19 minutes 35 seconds East a distance of 358.61 feet to an iron pin  
in the westerly proposed road line of Joyland Road;

THENCE running southerly along said westerly proposed road line, South 16 degrees 03  
minutes 08 seconds West a distance of 55.49 feet;

THENCE North 30 degrees 18 minutes 58 seconds West a distance of 413.27 feet;

THENCE North 14 degrees 41 minutes 02 seconds East a distance of 165.02 feet;

THENCE North 30 degrees 37 minutes 41 seconds West a distance of 362.29 feet; and

THENCE North 59 degrees 22 minutes 19 seconds East a distance of 44.15 feet to the  
POINT AND PLACE OF BEGINNING.

#### PARCEL 2

ALL that certain parcel of land located in the Town of Thompson, Sullivan County, New  
York, and designated as "Parcel 2" on a map entitled, "Final Subdivision Plat for project  
Adelaar Phase 1, Town of Thompson, New York, dated August 7, 2014, last updated August  
27, 2014" filed in the Sullivan County Clerk's Office on December 22, 2014 as Map No. 14-  
245 A through H, which is more particularly bounded and described as follows:

BEGINNING at an iron pin in the southerly proposed road line of Thompsonville Road at the  
common corner between the herein described "Parcel 2" on the west and "Parcel 1" on the  
east as shown on aforementioned Filed Map; and

RUNNING EASTERLY along the common boundary between the said parcels, the  
following ten (10) courses and distances:

(1) South 31 degrees 13 minutes 59 seconds East a distance of 159.80 feet;

(2) South 02 degrees 29 minutes 55 seconds West a distance of 207.25 feet;

(3) South 19 degrees 27 minutes 11 seconds West a distance of 160.00 feet;

(4) South 36 degrees 32 minutes 13 seconds West a distance of 125.00 feet;

(5) South 67 degrees 50 minutes 03 seconds West a distance of 150.00 feet;

(6) South 37 degrees 31 minutes 44 seconds West a distance of 200.00 feet;

- (7) North 79 degrees 25 minutes 23 seconds West a distance of 100.00 feet;
- (8) South 25 degrees 27 minutes 30 seconds West a distance of 150.00 feet to an iron pin;
- (9) South 70 degrees 16 minutes 15 seconds East a distance of 750.00 feet to an iron pin;  
and
- (10) South 19 degrees 43 minutes 45 seconds West a distance of 240.00 feet to an iron pin  
in the line between lot numbers 46 and 52, of Great Lot 13, Hardenburg Patent;

ALONG said line between lot numbers 46 and 52, of Great Lot 13, Hardenburg Patent, North 70 degrees 16 minutes 15 seconds West a distance of 694.90 feet to an iron pin at the corner of lot numbers 46, 47; 52 & 53 of Great Lot 13, Hardenburg Patent;

THENCE along the line between lot numbers 46 & 47 of Great Lot 13, Hardenburg Patent, South 15 degrees 13 minutes 50 seconds West a distance of 1,100.22 feet to an iron pin at the northeast corner of now or formerly Manowitz (tax lot 23-1-47);

ALONG the northerly boundary of said now or formerly Manowitz North 70 degrees 31 minutes 44 seconds West a distance of 1,209.71 feet to an iron pin in the northerly road line of State Highway No. 5457 (Route 17) (acquired by New York State without right of access to and from abutting property); and

ALONG same, the following four (4) courses and distances:

- (11) North 41 degrees 35 minutes 52 seconds West a distance of 414.77 feet per Map Number 193R-1;
- (12) North 45 degrees 42 minutes 43 seconds West a distance of 372.35 feet per Map Number 193R-1;
- (13) South 86 degrees 50 minutes 05 seconds West a distance of 124.64 feet per Map Number 193R-1; and
- (14) North 50 degrees 59 minutes 54 seconds West a distance of 479.89 feet to an iron pin in the easterly boundary of the Village of Monticello;

ALONG same, the following three (3) courses and distances:

- (15) North 33 degrees 01 minutes 47 seconds East a distance of 114.87 feet;
- (16) North 36 degrees 16 minutes 31 seconds East a distance of 171.17 feet; and
- (17) North 38 degrees 56 minutes 55 seconds East a distance of 77.89 feet to an iron pin in the southerly boundary of now or formerly Workmans Circle Cemetery (tax lot 23-1-11.7);

ALONG same, South 67 degrees 02 minutes 55 seconds East a distance of 228.06 feet to the westerly boundary of Chevro Ahavath Zion Anshe Cemetery (tax lot 23-1-11.8);

ALONG said westerly boundary and the southerly and easterly boundary thereof the following three (3) courses and distances:

- (18) South 14 degrees 17 minutes 23 seconds West a distance of 119.41 feet;
- (19) North 81 degrees 01 minutes 23 seconds East a distance of 79.55 feet; and
- (20) North 06 degrees 19 minutes 11 seconds East a distance of 80.05 feet to the southerly boundary of now or formerly Monticello Brother Aid Society (tax lot 23-1-11.9);

ALONG said southerly boundary and the easterly boundary thereof the following two (2) courses and distances:

- (21) South 67 degrees 58 minutes 37 seconds East a distance of 103.34 feet; and
- (22) North 17 degrees 58 minutes 32 seconds East a distance of 107.66 feet to the easterly boundary of now or formerly Congregation Ahavas Zion Anshe (tax lot 23-1-11.12);

ALONG same, North 20 degrees 44 minutes 07 seconds East a distance of 166.03 feet to an iron pin in the aforementioned southerly proposed road line of Thompsonville Road; and

CONTINUING ALONG same, the following seventeen (17) courses and distances:

- (23) South 69 degrees 58 minutes 51 seconds East a distance of 44.85 feet;
- (24) South 68 degrees 44 minutes 39 seconds East a distance of 109.08 feet;
- (25) South 65 degrees 26 minutes 13 seconds East a distance of 61.94 feet;
- (26) South 62 degrees 26 minutes 24 seconds East a distance of 51.11 feet to a point of curvature;
- (27) Along a curve to the right having a radius of 329.00 feet and an arc length of 143.04 feet to a point of tangency;
- (28) South 37 degrees 31 minutes 48 seconds East a distance of 80.45 feet to a point of curvature;
- (29) Along a curve to the left having a radius of 196.00 feet and an arc length of 241.89 feet to a point of tangency;
- (30) North 71 degrees 45 minutes 35 seconds East a distance of 102.22 feet;

- (31) North 71 degrees 31 minutes 11 seconds East a distance of 104.54 feet;
- (32) North 73 degrees 46 minutes 48 seconds East a distance of 94.90 feet;
- (33) North 76 degrees 00 minutes 44 seconds East a distance of 106.85 feet;
- (34) North 73 degrees 30 minutes 40 seconds East a distance of 34.99 feet to a point of curvature;
- (35) Along a curve to the left having a radius of 1,121.00 feet and an arc length of 379.94 feet to a point of tangency;
- (36) North 54 degrees 05 minutes 32 seconds East a distance of 169.65 feet to a point of curvature;
- (37) Along a curve to the right having a radius of 5,107.73 feet and an arc length of 305.84 feet to a point of tangency;
- (38) North 57 degrees 31 minutes 23 seconds East a distance of 42.64 feet; and
- (39) North 58 degrees 46 minutes 01 seconds East a distance of 580.91 feet to an iron pin at the point and place of BEGINNING.

SUBJECT TO a 20 foot wide Landscape Buffer enserment, located in the Town of Thompson, Sullivan County, New York and shown on the aforementioned Filed Map, along the southerly side of Thompsonville Road which is more particularly bounded and described as follows:

BEGINNING at an iron pin in the southerly proposed road line of Thompsonville Road at the common corner between the herein described "Parcel 2" on the west and "Parcel 1" on the east as shown on aforementioned Filed Map; and

RUNNING EASTERLY along the common boundary between the said parcels, South 31 degrees, 13 minutes 59 seconds East a distance of 20.00 feet;

THENCE parallel to and 20.00 feet off of the southerly proposed road line of Thompsonville Road, the following seventeen (17) courses and distances:

- (40) South 58 degrees 46 minutes 01 seconds West a distance of 580.69 feet;
- (41) South 57 degrees 31 minutes 23 seconds West a distance of 42.42 feet to a point of curvature;
- (42) Along a curve to the left having a radius of 5,087.73 feet and an arc length of 304.64 feet to a point of tangency;

- (43) South 54 degrees 05 minutes 32 seconds West a distance of 169.65 feet to a point of curvature;
- (44) Along a curve to the right having a radius of 1,141.00 feet and an arc length of 386.71 feet to a point of tangency;
- (45) South 73 degrees 30 minutes 40 seconds West a distance of 35.43 feet;
- (46) South 76 degrees 00 minutes 44 seconds West a distance of 106.90 feet;
- (47) South 73 degrees 46 minutes 48 seconds West a distance of 94.12 feet;
- (48) South 71 degrees 31 minutes 11 seconds West a distance of 104.19 feet;
- (49) South 71 degrees 45 minutes 35 seconds West a distance of 102.26 feet to a point of curvature;
- (50) Along a curve to the right having a radius of 216.00 feet and an arc length of 266.57 feet to a point of tangency;
- (51) North 37 degrees 31 minutes 48 seconds West a distance of 80.45 feet to a point of curvature;
- (52) Along a curve to the left having a radius of 309.00 feet and an arc length of 134.34 feet to a point of tangency;
- (53) North 62 degrees 26 minutes 24 seconds West a distance of 50.58 feet;
- (54) North 65 degrees 26 minutes 13 seconds West a distance of 60.84 feet;
- (55) North 68 degrees 44 minutes 39 seconds West a distance of 108.28 feet; and
- (56) North 69 degrees 58 minutes 51 seconds West a distance of 44.89 feet to the easterly boundary of now or formerly Congregation Ahavas Zion Anshe (tax lot 23-1-11.12);

ALONG same, North 20 degrees 44 minutes 07 seconds East a distance of 20.00 feet to an iron pin in the aforementioned southerly proposed road line of Thompsonville Road and continuing along same the following seventeen (17) courses and distances;

- (57) South 69 degrees 58 minutes 51 seconds East a distance of 44.85 feet;
- (58) South 68 degrees 44 minutes 39 seconds East a distance of 109.08 feet;
- (59) South 65 degrees 26 minutes 13 seconds East a distance of 61.94 feet;

- (60) South 62 degrees 26 minutes 24 seconds East a distance of 51.11 feet to a point of curvature;
- (61) Along a curve to the right having a radius of 329.00 feet and an arc length of 143.04 feet to a point of tangency;
- (62) South 37 degrees 31 minutes 48 seconds East a distance of 80.45 feet to a point of curvature;
- (63) Along a curve to the left having a radius of 196.00 feet and an arc length of 241.89 feet to a point of tangency;
- (64) North 71 degrees 45 minutes 35 seconds East a distance of 102.22 feet;
- (65) North 71 degrees 31 minutes 11 seconds East a distance of 104.54 feet;
- (66) North 73 degrees 46 minutes 48 seconds East a distance of 94.90 feet;
- (67) North 76 degrees 00 minutes 44 seconds East a distance of 106.85 feet;
- (68) North 73 degrees 30 minutes 40 seconds East a distance of 34.99 feet to a point of curvature;
- (69) Along a curve to the left having a radius of 1,121.00 feet and an arc length of 379.94 feet to a point of tangency;
- (70) North 54 degrees 05 minutes 32 seconds East a distance of 169.65 feet to a point of curvature;
- (71) Along a curve to the right having a radius of 5,107.73 feet and an arc length of 305.84 feet to a point of tangency;
- (72) North 57 degrees 31 minutes 23 seconds East a distance of 42.64 feet; and
- (73) North 58 degrees 46 minutes 01 seconds East a distance of 580.91 feet to an iron pin at the POINT AND PLACE OF BEGINNING.