

A regular meeting of the Broome County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Broome County Industrial Development Agency located at FIVE South College Drive, Town of Dickinson, Broome County, New York on Monday, October 22, 2018, at 12:00 o'clock p.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:	John M. Bernardo	Chairman
	Wayne L. Howard	Vice Chairman
	Stephen P. Feehan	Secretary
	John J. Stevens	Treasurer
	Diane M. Marusich	Member
	Richard Bucci	Member
	Lamont T. Pinker	Member
	Daniel E. Crocker	Member

ABSENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kevin McLaughlin	Executive Director
Joseph B. Meagher, Esq.	Agency Counsel

The following resolution was offered by Ms. Marusich, seconded by Mr. Pinker, to wit:

RESOLUTION CONSENTING TO THE ASSIGNMENT BY WASHINGTON DEVELOPMENT ASSOCIATES, LLC TO IVY FUND MANAGER LLC OF A CERTAIN LEASEBACK AGREEMENT DATED AS OF AUGUST 31, 2010, AND A PAYMENT IN LIEU OF TAX AGREEMENT DATED AS OF AUGUST 31, 2010 COVERING PREMISES SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND SUBJECT TO FINAL REVIEW AND APPROVAL BY AGENCY COUNSEL.

This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

John M. Bernardo	voting	Yes
Wayne L. Howard	voting	Yes
Stephen P. Feehan	voting	Yes
John J. Stevens	voting	Yes
Diane M. Marusich	voting	Yes
Lamont T. Pinker	voting	Yes
Richard A. Bucci	voting	Yes
Daniel E. Crocker	voting	Yes

The foregoing Resolution was thereon declared duly adopted.

STATE OF NEW YORK:

: ss.:


COUNTY OF BROOME:

I, the undersigned Secretary of the Broome County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on October 22, 2018 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 28th day of November, 2018.



Stephen P. Feehan
Secretary

(SEAL)

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Binghamton, County of Broome, and State of New York, located generally westerly of Washington Street and southerly of Susquehanna Street, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the westerly line of Washington Street with the southerly line of Susquehanna Street;

Thence South 11 deg. 38 min. 00 sec. West, along said westerly line of Washington Street, 432.58 feet to its intersection with the southerly line of lands now or formerly of Newman Development Group of Water Street, LLC as described in Book 2034 of Deeds at Page 349;

Thence South 77 deg. 43 min. 30 sec. West, along said southerly line, 151.28 feet to its intersection with the easterly line of Water Street;

Thence South 80 deg. 05 min. 50 sec. West, through the margin of Water Street and along the southerly line of the lands now of formerly of Washington Development Associates, LLC as described in Book 2252 of Deeds at Page 553, 169.84 feet to its intersection with the projection of the most easterly column faces along the easterly side of a concrete retaining wall;

Thence along the projection of the most easterly column faces of said concrete retaining wall the following three (3) courses and distances: 1) North 05 deg. 25 min. 13 sec. East a distance of 65.06 feet to a point; thence 2) North 10 deg. 41 min. 58 sec. East a distance of 251.88 feet to a point; and 3) North 12 deg. 01 min. 50 sec. East a distance of 162.29 feet to its intersection with the westerly prolongation of the southerly line of Susquehanna Street;

Thence North 87 deg. 27 min. 00 sec. East, along said southerly prolongation of Susquehanna Street, 49.53 feet to its intersection with the easterly line of Water Street;

Thence North 87 deg. 27 min. 00 Sec. East, along the southerly line of Susquehanna Street, 266.40 feet to the point or place of beginning. Containing 140,170 Square Feet or 3.217 acres of land more or less.