

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ALBANY**

---

THE LANDMARKS SOCIETY OF GREATER UTICA,  
JOE BOTTINI, #NOHOSPITALDOWNTOWN, BRETT B.  
TRUETT, JAMES BROCK, JR., FRANK MONTECALVO,  
JOSEPH CERINI, AND O'BRIEN PLUMBING &  
HEATING SUPPLY, a division of ROME PLUMBING  
AND HEATING SUPPLY CO. INC.,

Petitioners-Plaintiffs,

For a Judgment pursuant to Article 78 and Section 3001  
of the Civil Practice Law and Rules,

-against-

PLANNING BOARD OF THE CITY OF UTICA, NEW  
YORK STATE OFFICE OF PARKS, RECREATION  
AND HISTORIC PRESERVATION, ERIK KULLESEID,  
ACTING COMMISSIONER, DORMITORY AUTHORITY  
OF THE STATE OF NEW YORK AND MOHAWK  
VALLEY HEALTH SYSTEM,

Respondents-Defendants.

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**AFFIDAVIT OF  
BRETT TRUETT IN  
OPPOSITION TO  
MOTIONS TO DISMISS**

Index No. 02797-19

2019 JUN 19 PM 5:32

**BRETT B. TRUETT**, being duly sworn, deposes and says as follows under the penalties of perjury:

1. I have been a resident of the City of Utica since 1986.
2. Presently, I and my family live in South Utica at 88 Emerson Street, 1-1/2 miles south of proposed hospital downtown site.
3. Since 2002, I have also owned 10-12 Liberty Street, which is a 20,000 square foot Erie Canal-era historic property located just 900 feet from the proposed hospital footprint.
4. I make this Affidavit to supplement my Affidavit sworn to on May 7, 2019, to call to this Court's attention the fact that since the FEIS was adopted on March 21, 2019, and the

SEQRA Findings were adopted on or about April 18, 2019, the Mohawk Valley Hospital System (“MVHS”) has gone on a rampant real property acquisition program to acquire properties in the proposed footprint area for the downtown hospital location that is challenged in this litigation and has announced that it anticipates beginning demolition and breaking ground for this project as early as September of this year.

5. Annexed hereto and incorporated herewith as Exhibit “A” are a series of deeds for properties that are in or adjacent to the footprint area for the downtown hospital location. I have personally reviewed the location of these properties in relation to the downtown location for the hospital project to conclude that they are in the downtown location that was approved as part of the FEIS and the SEQRA Findings.

6. Annexed hereto and incorporated herewith as Exhibit “B” is a map that I prepared to show the location of these properties. The base map is an exhibit in the FEIS. On top of that, I have superimposed in white the approximate location of these properties. These properties were all acquired for construction of the project in the downtown location.

7. Annexed hereto and incorporated herewith as Exhibit “C” is a news article from today’s Observer-Dispatch, indicating that at tonight’s meeting of the Utica Common Council, the Common Council will hold a public hearing to authorize selling city properties to MVHS in the downtown location.

8. Annexed hereto and incorporated herewith as Exhibit “D” is a copy of a news article from the Observer-Dispatch on June 13, 2019, chronicling the coercive tactics that have been used by the City to force sales in the footprint area, the fact that there are four property owners in the footprint area who refuse to negotiate, myself included (meaning that eminent domain is right around the corner), and confirming that MVHS plans on beginning demolition

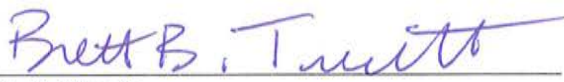
and breaking ground by the end of the year. Based upon my review of numerous posts and statements from MVHS, it is my understanding that MVHS plans on beginning demolition as early as September of this year.

9. I understand from our attorneys that the attorneys for MVHS and other Defendants-Respondents are claiming that this case is not ripe for review because further administrative process may eliminate some of the objections raised by this litigation.

10. First, this misconstrues the nature of our claims, which focus on the decision contained in the FEIS and the SEQRA findings to locate the hospital project in downtown Utica.

11. Second, if it is true that further administrative proceedings may obviate some of our concerns, nobody has told MVHS or the City, both of which are treating the decision contained in the FEIS and the SEQRA Findings to locate the hospital in downtown Utica as a final decision and grounds for the property buying spree that is reflected in Exhibits "A - D" above.

12. Based upon the foregoing, the location for this project is final, which is what is being challenged in this litigation. Moreover, demolition is assured. As such, I respectfully submit to this Court that this litigation is ripe for review.

  
\_\_\_\_\_  
Brett B. Truett

Sworn to before me to this  
19th day of June, 2019.

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

**THERESA M. KACZOR**  
Notary Public, State of New York  
No. 01KA8332465  
Qualified in Schenectady County  
Commission Expires November 2, 2019

**EXHIBIT A**



ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-005575

Receipt#: 2019911269  
Clerk: GA  
Rec Date: 05/08/2019 03:32:12 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4

Party1: PARK OUTDOOR ADVERTISING OF NEW YORK INC  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00
Sub Total:	<u>315.00</u>
Transfer Tax	
Transfer Tax	2320.00
Sub Total:	<u>2320.00</u>
Total:	<u>2635.00</u>

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5129  
Transfer Tax  
Consideration: 580000.00

Transfer Tax	2320.00
Total:	<u>2320.00</u>

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 2<sup>nd</sup> day of May, 2019

BETWEEN

PARK OUTDOOR ADVERTISING OF NEW YORK, INC., a New York corporation, P.O. Box 4680, Ithaca, New York 14852-4680,

grantor,

AND

MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

WITNESSETH, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

SUBJECT TO easements, covenants and restrictions of record.

BEING the same premises described in a deed made by RHP Properties, Inc. to Park Outdoor Advertising of New York, Inc., dated August 14, 1987 and recorded January 21, 1988 in the Oneida County Clerk's Office in Book 2383 of Deeds at page 51.

TOGETHER WITH the appurtenances and all the estate and rights of the grantor in and to the premises,

TO HAVE AND TO HOLD the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

This conveyance does not constitute a sale or disposition of all or substantially all of the assets of the Grantor.

AND the grantor covenants as follows:

FIRST, the grantee shall quietly enjoy the said premises;

2019911269

Clerk: GA

2019-005575

05/08/2019 03:32:12 PM

DEED

4 Pages

Sandra J. DePerno, Oneida County Clerk

Department of Assessment & Taxation  
Utica, NY

MAY 08 2019

FILED

3303886.1


**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

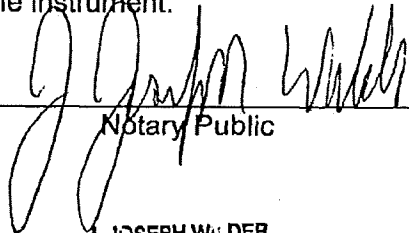
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

PARK OUTDOOR ADVERTISING OF  
NEW YORK, INC.

By:   
Name: David A. Feldman  
Title: Executive Vice President/Chief  
Operating Officer

STATE OF NEW YORK )  
                          ) BROOME  
COUNTY OF TOMPKINS ) ss.:

On the 24<sup>th</sup> day of April in the year 2019 before me, the undersigned, personally appeared DAVID A. FELDMAN, 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

J. JOSEPH WILDER  
Notary Public State of New York  
Qualified in Erie County  
My Commission Expires 11-18-22

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

PARK OUTDOOR ADVERTISING OF NEW YORK, INC. –  
MOHAWK VALLEY HEALTH SYSTEM

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, bounded as follows, viz: On the easterly side by the former Chenango Canal; on the southerly side by LaFayette Street; on the westerly side by the lands now or formerly of Utica, Clinton & Binghamton Railroad and on the northerly side by Varick Street, being the same premises conveyed by William A. Everts and Jerusha Everts, his wife, to Lewis H. Lawrence by deed dated February 1, 1900 and recorded in the Oneida County Clerk's office March 7, 1900 in Book of Deeds No. 556 at page 131.

Subject to a right of way granted by W. A. Everts to the Utica Belt Line Street Railroad Company, dated August 14, 1889 and recorded in the Oneida County Clerk's office October 26, 1889 in Book of Deeds No. 478 at page 78.

ALSO ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, bounded and described as follows, viz: Beginning at a point in the southerly line of Oriskany Street, West distance S. 28° 56' W. 32.41 feet from Blue Line Point No. 156, thence S. 72° 28' E. 86.26 feet along said line of Oriskany Street, West, to the northwesterly corner of a tract of land conveyed to Morris Buff by deed dated December 1, 1944 and recorded in book of Deeds No. 1054 at page 257; thence S. 22° 42' W. 137.40 feet along the westerly boundary of said Buff tract to the southwesterly corner thereof; thence S. 39° 43' W. 30.24 feet to and along the southeasterly face of the wall of a garage building standing on the premises herein conveyed to an angle point; thence S 22° 54' W. 71.16 feet parallel with and distant 2.5 inches easterly from the face of the wall of said building to a point in the northerly line of LaFayette Street; thence N. 67° 22' W. 100.41 feet along said northerly line to the southwesterly corner of a tract of land conveyed to Utica Street & Mohawk Valley Cotton Mills by the City of Utica by deed dated September 22, 1926 and recorded in Book of Deeds 861 at page 165; thence N. 28° 28' E. 164.33, feet along the boundary of said tract to Blue Line Point No. 154; thence N. 28° 56' E. 65.97 along the boundary of said tract to the place of beginning.

Excepting and reserving therefrom, however, all those pieces or parcels of land situate in the City of Utica, County of Oneida and State of New York and designated in a certain Notice of Appropriation, North-South Arterial Highway by the People of the State of New York to General Outdoor Advertising Co., Inc., dated August 9, 1960 recorded in the Oneida County Clerk's office January 24, 1962 in Book No. 1710 of Deeds at page 583 as Parcel No. 219 and Parcel No. 245, references being hereby made to said Notice of Appropriation for a more particular description of said parcels excepted from this conveyance.







ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-005248

Receipt#: 2019909617  
Clerk: PF  
Rec Date: 05/01/2019 03:07:45 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 5

Party1: SCHMALZ REALTY LLC  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

Recording:	
Cover Page	20.00
Number of Pages	25.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00
<b>Sub Total:</b>	<b>320.00</b>
Transfer Tax	
Transfer Tax	1794.00
<b>Sub Total:</b>	<b>1794.00</b>
<b>Total:</b>	<b>2114.00</b>

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5010  
Transfer Tax  
Consideration: 448100.00

Transfer Tax	1794.00
<b>Total:</b>	<b>1794.00</b>

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

**FILED**

MAY 01 2019

Department of  
Assessment & Taxation  
Utica, NY

WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 22<sup>nd</sup> day of April, 2019

BETWEEN

SCHMALZ REALTY, LLC, a New York limited liability company, 529  
Oriskany St. W., Utica, New York 13502,

grantor,

AND

MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit  
corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

WITNESSETH, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

SUBJECT TO easements, covenants and restrictions of record.

BEING the same premises described in a deed made by Richard W. Schmalz, Mark R. Schmalz and Stephen A. Schmalz to Schmalz Realty LLC dated December 21, 2017 and recorded January 3, 2018 in the Oneida County Clerk's Office as Instrument No. 2018-000052.

TOGETHER WITH the appurtenances and all the estate and rights of the grantor in and to the premises,

TO HAVE AND TO HOLD the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

AND the grantor covenants as follows:

FIRST, the grantee shall quietly enjoy the said premises;

SECOND, that the grantor will forever **Warrant** the title to the premises.

2019-005248  
05/01/2019 03:07:45 PM  
DEED  
5 Pages  
Sandra J. DePerno, Oneida County Clerk

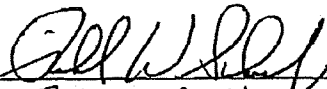
201909617 Clerk: PF

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

SCHMALZ REALTY, LLC

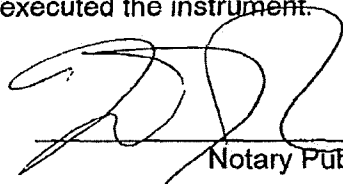
By:   
Name: Richard W Schmalz  
Title: Member

STATE OF NEW YORK )

COUNTY OF ONEIDA ) ss.:

On the 22<sup>nd</sup> day of April in the year 2019 before me, the undersigned, personally appeared Richard Schmalz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

MICHAEL T. JOHNSON  
NOTARY PUBLIC-STATE OF NEW YORK  
Qualified in Oneida County  
My Commission Expires February 09, 2023

  
Notary Public

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

SCHMALZ REALTY, LLC – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida, and State of New York, bounded and described as follows:

Beginning at an iron pipe set in the southerly line of Oriskany Street West at a point distant north 72° 28' West 465.79 feet from a concrete monument marking the intersection of said line of Oriskany St. West with the westerly line of Cornelia St. thence from said point of beginning, south 17° 39' W. 80.42 ft. to and along the easterly face of the brick wall of the westerly building now situate upon the premises herein described, thence south 71° 31' E. 25.26 ft. along the northerly face of the wall of the easterly brick building now situate upon the premises herein described, thence south 17° 27' W. 28.91 ft. along the easterly face of the wall of said building to the southerly face of the southerly wall of said building, thence north 72° west 100.72 ft. along the face of the southerly brick walls of said buildings now situate on said premises herein described to the southwest corner of the westerly building, thence north 17° 31' east 108.99 ft. along the westerly face of the brick wall of the said westerly building and the line of said wall extended to an intersection with the southerly line of Oriskany St. West at a point distant south 72° 28' east 179.46 ft. from a concrete monument set for the intersection of said Oriskany St. West with the westerly line of State St. thence south 72° 29' east 75.58 ft. along the said southerly line of Oriskany St. West to the place of beginning, together with all right, title and interest which the party of the first part may have in and to the property lying between the southerly brick walls of the said buildings and the center line of Carton Ave.

For further particularity see map of property on Oriskany St. West sold to Hameline Co. Inc. made for Uhco Realty Co. by Clifford Lewis Jr. Inc. May 11, 1928, which map is filed in the Oneida County Clerk's Office.

Excepting that parcel of land appropriated by the State of New York by Notice of Appropriation recorded February 20, 1962 in the Oneida County Clerk's Office in Book of Deeds 1712 at Page 451.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situated in the City of Utica, County of Oneida, and State of New York, and bounded and described as follows, viz: Beginning at a point on the northerly side of LaFayette Street, one hundred and eighty-six (186) feet, easterly from the intersection of LaFayette Street and State Street; thence easterly twenty-seven and one-half (27 1/2) feet; thence northerly at right angles to LaFayette Street to a twenty (20) foot lane known or formerly known as Rome Street; thence westerly along Rome Street twenty-seven and one-half (27 1/2) feet; thence southerly to the place of beginning. The house standing on the above-described premises is now or formerly was known as No. 108 LaFayette Street, with the privilege

of extending in cornice of said house over the alley way of the lot adjoining on the west as the same is now built.

ALSO, ALL THAT PIECE OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, described as follows:

Beginning on the northerly side of LaFayette Street, at a point one hundred (100) feet easterly from the intersection of said line of LaFayette Street with the easterly line of State Street; running thence easterly on LaFayette Street thirty-one (31) feet; thence northerly at right angles to LaFayette Street; about one hundred twelve (112) feet to Carton Avenue (formerly Rome Street); thence westerly along said street to a line nearly or quite parallel with the Erie Canal; thirty-one (31) feet; thence southerly to the place of beginning.

EXCEPTING THEREFROM, ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the City of Utica, County of Oneida and State of New York, bounded and described as follows:

Beginning at a point in the northerly line of Lafayette Street, distant 100' easterly from the point of intersection of the northerly line of Lafayette Street with the easterly line of State Street; running thence northerly at right angles to Lafayette Street 53.17' to a point; thence easterly parallel with Lafayette Street 31' to a point; thence southerly at right angles 53.17' to a point in the northerly line of Lafayette Street; thence westerly along the northerly line of Lafayette Street 31' to the point of beginning.





ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-005755

Receipt#: 2019912100  
Clerk: GA  
Rec Date: 05/13/2019 03:47:44 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4

Party1: DESTEFANIS RALPH J  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00
Sub Total:	<u>315.00</u>
Transfer Tax	
Transfer Tax	1540.00
Sub Total:	<u>1540.00</u>
Total:	<u>1855.00</u>

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5218  
Transfer Tax  
Consideration: 385000.00

Transfer Tax	1540.00
Total:	<u>1540.00</u>

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk



**FILED**

**MAY 13 2019**

Department of  
Assessment & Taxation  
Utica, NY

**WARRANTY DEED WITH LIEN COVENANT**

**THIS INDENTURE**, made the 9th day of May, 2019

**BETWEEN**

**RALPH J. DeSTEFANIS**, 6298 Trenton Road, Utica, New York 13502,

grantor,

**AND**

**MOHAWK VALLEY HEALTH SYSTEM**, a New York not-for-profit corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

**WITNESSETH**, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

**ALL THAT TRACT OR PARCEL OF LAND**, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

**TOGETHER WITH** all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

**SUBJECT TO** easements, covenants and restrictions of record.

**BEING** the same premises described in a deed made by John B. Ligas and Michael V. Howard, individually and d/b/a Ligas and Howard Realty Partners to Ralph J. DeStefanis dated November 25, 1997 and recorded November 26, 1997 in the Oneida County Clerk's Office in Book 2801 of Deeds at page 457.

**TOGETHER WITH** the appurtenances and all the estate and rights of the grantor in and to the premises,

**TO HAVE AND TO HOLD** the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

**AND** the grantor covenants as follows:

**FIRST**, the grantee shall quietly enjoy the said premises;

**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

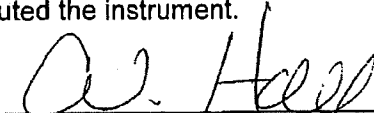
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

  
RALPH J. DeSTEFANIS

STATE OF NEW YORK )

COUNTY OF ONEIDA ) ss.:

On the 14<sup>th</sup> day of May in the year 2019 before me, the undersigned, personally appeared RALPH J. DeSTEFANIS, 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

ANTHONY G. HALLAK  
Notary Public, State of New York  
No. 4234403  
Qualified in Oneida County  
Commission Expires May 23, 2020

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

DeSTEFANIS – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Utica, County of Oneida, State of New York, bounded and described as follows, to wit: Beginning at a point in the northerly line of Lafayette Street, 213 ½ feet easterly from the intersection of said northerly line of Lafayette Street with the easterly line of State Street; thence easterly on said northerly line of Lafayette Street 69 feet 9 inches; thence northerly at right angles with Lafayette Street to a 20 foot lane, now called Carton Ave., formerly Rome Street; thence westerly on the southerly side of said lane, or Rome Street, 69 feet 9 inches to the lot sold by William D. Hamlin to S. Arthur Gilbert; thence southerly on said Gilbert's (now or formerly) easterly line on a line at right angles with Lafayette Street to the place of beginning.

Said premises being known as 432 Lafayette Street, and being further identified as Tax Parcel 318.34-1-30.





ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-005252

Receipt#: 2019909630  
Clerk: PF  
Rec Date: 05/01/2019 03:28:30 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4

Party1: H J BRANDELES CORP  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00

Sub Total: 315.00

Transfer Tax  
Transfer Tax 2200.00

Sub Total: 2200.00

Total: 2515.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5014  
Transfer Tax  
Consideration: 550000.00

Transfer Tax 2200.00

Total: 2200.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

2019909630 Clerk: PF

2019-005252  
05/01/2019 03:28:30 PM  
DEED  
4 Pages  
Sandra J. DePerno, Oneida County Clerk

WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 24<sup>th</sup> day of APRIL, 2019

**FILED**

MAY 01 2019

Department of  
Assessment & Taxation  
Utica, NY

BETWEEN

H.J. BRANDELES CORPORATION, a New York corporation,  
300 Lafayette St., Utica, New York 13502,

grantor,

AND

MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit  
corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

WITNESSETH, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

SUBJECT TO easements, covenants and restrictions of record.

BEING the same premises described in a deed made by Ray Benson, Inc. to H.J. Brandeles Corporation dated December 20, 1978 and recorded December 20, 1978 in the Oneida County Clerk's Office in Book 2074 of Deeds at page 1025.

TOGETHER WITH the appurtenances and all the estate and rights of the grantor in and to the premises,

TO HAVE AND TO HOLD the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

This conveyance does not constitute a sale or disposition of all or substantially all of the assets of the Grantor.

AND the grantor covenants as follows:

FIRST, the grantee shall quietly enjoy the said premises;

**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

H.J. BRANDELES CORPORATION

By: 

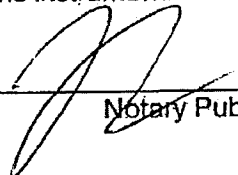
Name: Louis A. Falvo, III

Title: Vice President

STATE OF NEW YORK )

COUNTY OF ONEIDA ) ss.;

On the 24<sup>th</sup> day of APRIL in the year 2019 before me, the undersigned, personally appeared LOUIS A. FALVO, III, 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

JEFFREY M. REALE  
Notary Public, State of New York  
No. 01RE6180969  
Appointed in Oneida County  
My Commission Expires January 22, 20 20

**RECORD AND RETURN TO:**

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

H.J. BRANDELES CORPORATION – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT CERTAIN PIECE OR PARCEL OF LAND in the City of Utica, Oneida County, New York, and bounded and described as follows: Beginning at a point on the northerly side of Lafayette Street distant 158.75 feet easterly from the northeast corner of Pine and Lafayette Streets, which point is the easterly line of premises conveyed by Levi Bills to Theobald Breslauer by deed recorded in the Oneida County Clerk's Office in Book of Deeds No. 467 at Page 447; thence running easterly along the northerly line of Lafayette Street 132 feet more or less to the westerly line of Broadway; thence northerly along the westerly line of Broadway 160 feet more or less to the southerly line of lands heretofore conveyed by Theodore S. Faxton to Charles Downer by deed recorded in the Oneida County Clerk's Office in Book of Deeds No. 142 at Page 407; thence westerly along the line of land so conveyed to Downer 133 feet more or less to the westerly line of lands conveyed by Elisha H. Gilbert and wife to Theodore S. Faxton by deed recorded in the Oneida County Clerk's Office in Book of Deeds 99 at page 450; thence southerly along the said Gilbert line and along the westerly line of lands conveyed to Theodore S. Faxton by Theodore S. Gold and wife by deed recorded in the Oneida County Clerk's Office in Book of Deeds No. 91 at page 159; and continuing along the westerly and northerly line of lands conveyed to said Theodore S. Faxton by Hiram Greenman and wife by deed dated March 12, 1839 and recorded in the Oneida County Clerk's Office in Book of Deeds No. 89 at Page 457, to the northerly line of Lafayette Street to the point or place of beginning.

TOGETHER with all of the right, title and interest of the party of the first part, if any, in and to the land lying westerly of the above described premises and between the westerly line thereof, and the lands formerly of Theobald Breslauer and Harrison Gilmore and now of Harry Helman, reputed owner; and together with any and all rights of the party of the first part in and to the streets on which said property abuts.







ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-005756

Receipt#: 2019912102  
Clerk: GA  
Rec Date: 05/13/2019 03:52:35 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4

Party1: MAGGIORE ANGELO  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00

Sub Total: 315.00

Transfer Tax  
Transfer Tax 1040.00

Sub Total: 1040.00

Total: 1355.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 5219  
Transfer Tax  
Consideration: 260000.00

Transfer Tax 1040.00

Total: 1040.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

2019912102

Clerk: GA

2019-005756

05/13/2019 03:52:35 PM

DEED

4 Pages

Sandra J. DePerno, Oneida County Clerk

WARRANTY DEED WITH LIEN COVENANT

**FILED**

THIS INDENTURE, made the 3rd day of May, 2019

MAY 13 2019

BETWEEN

Department of  
Assessment & Taxation  
Utica, NY

ANGELO MAGGIORE, 53 Lee Blvd., Utica, New York 13502,

grantor,

AND

MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

**WITNESSETH**, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

SUBJECT TO easements, covenants and restrictions of record.

BEING the same premises described in a deed made by Angelo Maggiore and Benny Maggiore, Jr. to Angelo Maggiore dated August 30, 2007 and recorded August 31, 2007 in the Oneida County Clerk's Office as Instrument No. 2007-017876.

TOGETHER WITH the appurtenances and all the estate and rights of the grantor in and to the premises,

**TO HAVE AND TO HOLD** the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

AND the grantor covenants as follows:

**FIRST**, the grantee shall quietly enjoy the said premises;

**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

Angelo Maggioro  
ANGELO MAGGIORE

STATE OF NEW YORK )

COUNTY OF ONEIDA ) ss.:

On the 30<sup>th</sup> day of May in the year 2019 before me, the undersigned, personally appeared ANGELO MAGGIORE, 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.

Donnamarie Sprague  
Notary Public

DONNAMARIE SPRAGUE  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ONEIDA COUNTY  
REG. #01SP4526077  
MY COMMISSION EXPIRES JUNE 30th 2022

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

MAGGIORE – MOHAWK VALLEY HEALTH SYSTEM

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Utica, County of Oneida and State of New York, bounded and described as follows, to wit:

BEGINNING at a northwesterly corner of Columbia Street and Broadway; running thence North 67° 46' West along the northerly line of Columbia Street 79 feet to a point; thence North 22° 28' East along the westerly face of the two story brick building situate on the premises hereby conveyed and along the westerly line of the premises hereby conveyed 80.36 feet to a point; thence South 67° 46' East along the southerly face of the two story brick building facing Lafayette Street and Broadway a distance of 91.47 feet to a point in the westerly line of Broadway; thence South 31° 24' West along the westerly line of Broadway 81.28 feet to the point or place of beginning, excepting and reserving from the above described premises the right of the stone foundation wall of the two story brick building facing Lafayette Street and Broadway projecting over the rear line into the alleyway 0.20 feet wide and 91.47 feet in length. The above described premises are shown as Parcel No. 2 on a "Map of Property in Utica, belonging to Elsie F. D. McKennan and Edna F. Myers" made by Merritt & Labella, Engineers & Land Surveyors, September 21, 1945, and filed in the Oneida County Clerk's Office September 28, 1945.

Notwithstanding the above description, grantor expressly intends to convey and does hereby convey all of its right, title and interest in and to the strip of land along the rear line of the premises, being 0.20 feet wide and 91.47 feet in length upon which there exists a stone foundation wall of the two-story brick building facing Lafayette Street and Broadway.

Said premises also being known as 300-306 Columbia Street, and being further identified as Tax Parcel 318.42-1-24.





ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-007208  
Receipt#: 2019918462  
Clerk: LG  
Rec Date: 06/13/2019 03:10:14 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4  
Party1: CAVO RALPH  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00
Sub Total:	<u>315.00</u>
Transfer Tax	
Transfer Tax	1520.00
Sub Total:	<u>1520.00</u>
Total:	<u>1835.00</u>

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5813  
Transfer Tax  
Consideration: 380000.00

Transfer Tax	1520.00
Total:	<u>1520.00</u>

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

WARRANTY DEED WITH LIEN COVENANT

**FILED**

THIS INDENTURE, made the 31st day of May, 2019

JUN 13 2019

BETWEEN

Department of  
Assessment & Taxation  
Utica, NY

RALPH CAVO, 1540 Miller Street, Utica, New York 13401,

grantor,

AND

MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

**WITNESSETH**, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

SUBJECT TO easements, covenants and restrictions of record.

BEING the same premises described in a deed made by Joseph Cavo to Ralph Cavo dated June 1, 2006 and recorded June 13, 2006 in the Oneida County Clerk's Office as Instrument No. 2006-012431.

**TOGETHER WITH** the appurtenances and all the estate and rights of the grantor in and to the premises,

**TO HAVE AND TO HOLD** the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

**AND** the grantor covenants as follows:

**FIRST**, the grantee shall quietly enjoy the said premises;

**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

2019918462 Clerk: LG

2019-007208

06/13/2019 03:10:14 PM  
DEED

46.1

4 Pages

Sandra J. DePerno, Oneida County Clerk



The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

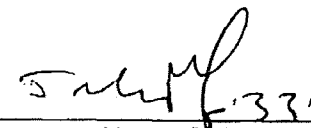
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

  
\_\_\_\_\_  
RALPH CAVO

STATE OF NEW YORK )

COUNTY OF ONEIDA ) ss.:

On the <sup>4th</sup> ~~31st~~ day of <sup>June</sup> ~~May~~ in the year 2019 before me, the undersigned, personally appeared RALPH CAVO, 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

**Joseph P Giruzzi**  
**Notary Public, State of New York**  
**No. 02G14991751**  
**Qualified in Oneida County**  
**Commission Expires: 02/10/**

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

CAVO – MOHAWK VALLEY HEALTH SYSTEM

ALL that certain piece or lot of land and premises situate on the northerly side of Columbia Street in the City of Utica, County of Oneida and State of New York, bounded and described as follows, viz: BEGINNING in the northerly line of Columbia Street at a point seventy-nine feet westerly from the corner of Broadway and thence running westerly on said line of Columbia Street thirty feet; thence northerly at right angles from Columbia Street one hundred feet; thence easterly on a line parallel with said northerly line of Columbia Street thirty feet; thence southerly at right angles to Columbia Street one hundred feet to the place of beginning.

Said premises being known as 308-310 Columbia Street, and being further identified as Tax Parcel 318.42-1-25.





ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-006539

Receipt#: 2019915588  
Clerk: LG  
Rec Date: 05/30/2019 02:11:36 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4  
  
Party1: METZLER PRINTING CO INC  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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  
RP5217 - County 4.50  
RP5217 - County Clerk 4.50  
RP5217 All others - State 241.00

Sub Total: 315.00

Transfer Tax  
Transfer Tax 620.00

Sub Total: 620.00

Total: 935.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5546  
Transfer Tax  
Consideration: 155000.00

Transfer Tax 620.00

Total: 620.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

**FILED**

**MAY 30 2019**

Department of  
Assessment & Taxation  
Utica, NY

**WARRANTY DEED WITH LIEN COVENANT**

**THIS INDENTURE**, made the 24<sup>th</sup> day of APRIL, 2019

**BETWEEN**

**METZLER PRINTING CO., INC.**, a New York corporation, 317 Lafayette Street, Utica, New York 13502,

grantor,

**AND**

**MOHAWK VALLEY HEALTH SYSTEM**, a New York not-for-profit corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

**WITNESSETH**, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

**ALL THAT TRACT OR PARCEL OF LAND**, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

**TOGETHER WITH** all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

**SUBJECT TO** easements, covenants and restrictions of record.

**BEING** the same premises described in a deed made by Richard Metzler and Carrie Metzler to Metzler Printing Co. Inc., dated March 31, 1925 and recorded April 1, 1925 in the Oneida County Clerk's Office in Book 845 of Deeds at page 371.

**TOGETHER WITH** the appurtenances and all the estate and rights of the grantor in and to the premises,

**TO HAVE AND TO HOLD** the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

This conveyance does not constitute a sale or disposition of all or substantially all of the assets of the Grantor.

**AND** the grantor covenants as follows:

**FIRST**, the grantee shall quietly enjoy the said premises;

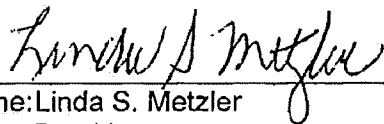
**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

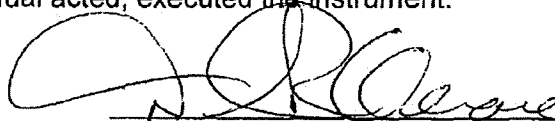
METZLER PRINTING CO., INC.

By:   
Name: Linda S. Metzler  
Title: President

STATE OF NEW YORK )

COUNTY OF ONEIDA ) ss.:

On the 24<sup>TH</sup> day of April in the year 2019 before me, the undersigned, personally appeared LINDA S. METZLER, 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.



Notary Public  
DONALD R. GERACE  
Notary Public, State of New York  
No. 02GE4854026  
Qualified in Oneida County  
Commission Expires February 10, 2022

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

METZLER PRINTING CO., INC. – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, Country of Oneida and State of New York, on the southerly side of LaFayette Street, bounded and described as follows: Beginning at a point in the southerly line of LaFayette Street, two hundred fifty seven feet six inches easterly from the southeasterly corner of LaFayette Street and Cornelia Street; thence at right angles with LaFayette Street southerly one hundred and twenty feet and nine inches; thence easterly on a line parallel with LaFayette Street thirty feet and six inches to the alley known as Sayre's Lane; thence northerly on the westerly line of said lane or alley one hundred and twenty feet and nine inches to the southerly line of LaFayette Street; thence westerly on the said line of LaFayette Street thirty feet and six inches to the place of beginning.

Together with all the right, title and interest of the grantor in and to the alley or lane on the easterly side of and adjacent to the premises above-described, which alley or lane is eleven feet and six inches wide on Lafayette Street more or less, and ten feet wide more or less on Columbia Street.

This conveyance is given and accepted subject to the use of the alley or lane above described by the owner of the premises next easterly to said alley or lane, and by all interested parties, their grantees, heirs, executors and assigns, in common with the party of the second part, its grantees, successors and assigns.







ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-005249

Receipt#: 2019909623  
Clerk: PF  
Rec Date: 05/01/2019 03:13:46 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4

Party1: EAST GATE ENTERPRISES INC  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00
Sub Total:	<u>315.00</u>
Transfer Tax	
Transfer Tax	840.00
Sub Total:	<u>840.00</u>
Total:	<u>1155.00</u>

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5011  
Transfer Tax  
Consideration: 210000.00

Transfer Tax	840.00
Total:	<u>840.00</u>

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 23<sup>rd</sup> day of April, 2019

BETWEEN

EAST GATE ENTERPRISES, INC., 39 South Hills Drive, New Hartford,  
New York 13413, a New York corporation,

grantor,

AND

MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit  
corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

**WITNESSETH**, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

SUBJECT TO easements, covenants and restrictions of record.

BEING the same premises described in a deed made by Moses A. Goldenson, surviving tenant by the entirety of Edith Goldenson, to East Gate Enterprises, Inc., a New York State Corporation, dated April 7, 1992 and recorded April 14, 1992 in the Oneida County Clerk's Office in Book 2626 of Deeds at page 244.

**TOGETHER WITH** the appurtenances and all the estate and rights of the grantor in and to the premises,

**TO HAVE AND TO HOLD** the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

This conveyance does not constitute a sale or disposition of all or substantially all of the assets of the Grantor.

**AND** the grantor covenants as follows:

2019908623 Clerk: PF

**FILED**

MAY 01 2019

Department of  
Assessment & Taxation  
Utica, NY

2019-005249  
05/01/2019 03:13:46 PM  
DEED  
4 Pages  
Sandra J. DePerno, Oneida County Clerk

**FIRST**, the grantee shall quietly enjoy the said premises;


**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

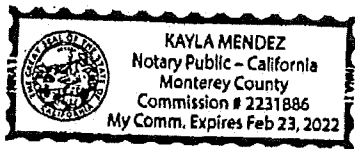
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

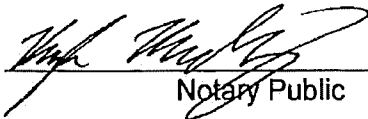
EAST GATE ENTERPRISES, INC.

By:   
Name: David B. Goldenson  
Title: President

STATE OF *California* )  
COUNTY OF *Monterey* ) ss.:

On the 23 day of April in the year 2019 before me, the undersigned, personally appeared DAVID B. GOLDENSON, 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

RECORD AND RETURN TO:  
  
Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

EAST GATE ENTERPRISES, INC. – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT PIECE OR PARCEL OF LAND situate in the City of Utica, County of Oneida, and State of New York, known and distinguished as the westerly 24.5 feet of Lot No. 54, the easterly half of Lot No. 57, the northwesterly part of Lot No. 53 (24.5 feet in width measured along the northerly and southerly lines and 20 feet measured along the westerly and easterly lines) and the whole of Lot No. 55 as shown on a map of the late Apollos Cooper's land, which lot and parts of lots hereby conveyed are together bounded and described as follows: Beginning at a point in the southerly line of Lafayette Street distant 50 feet easterly from the southeasterly corner of Cornelia and LaFayette Streets, running thence southerly parallel with the easterly line of Cornelia Street 140 feet to a point, thence easterly parallel with the southerly line of LaFayette Street 74.5 feet to a point, thence northerly parallel with the easterly line of Cornelia Street 140 feet to a point in the southerly line of LaFayette Street, thence westerly along the southerly line of LaFayette Street 74.5 feet to the point of beginning.

Being known as 327-331 Lafayette Street, and being further identified as Tax Parcel 318.42-1-16.





ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-007040

Receipt#: 2019917639  
Clerk: BB  
Rec Date: 06/10/2019 03:21:29 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 4

Party1: CLARIS LLC  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

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
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00

Sub Total: 315.00

Transfer Tax  
Transfer Tax 2400.00

Sub Total: 2400.00

Total: 2715.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5732  
Transfer Tax  
Consideration: 600000.00

Transfer Tax 2400.00

Total: 2400.00

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.

Sandra J. DePerno  
Oneida County Clerk

**FILED**

**JUN 10 2019**

Department of  
Assessment & Taxation  
Utica, NY

**BARGAIN AND SALE DEED**  
**WITH COVENANT AGAINST GRANTOR'S ACTS**

**THIS INDENTURE, made the 30 day of May, 2019**

**BETWEEN**

**THE CLARIS, LLC, a New York limited liability company, 161 Drive Inn  
Road, Frankfort, New York 13340,**

**grantor,**

**AND**

**MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit  
corporation, 1656 Champlin Avenue, Utica, New York 13502,**

**grantee,**

**WITNESSETH, that the grantor, in consideration of One and 00/100 Dollar (\$1.00),  
lawful money of the United States, and other good and valuable consideration paid by  
the grantee, hereby grants and releases unto the grantee, the successors or assigns of  
the grantee forever,**

**ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on  
Schedule A, attached to, incorporated in, and made a part of this instrument.**

**TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway,  
and all gores and strips of land, easements, rights and rights of way, adjacent to or used  
in connection with the premises.**

**SUBJECT TO easements, covenants and restrictions of record.**

**BEING the same premises described in a deed made by Karen M. Corrigan-Rider,  
William J. Corrigan, Dennis J. Corrigan, Shawn W. Corrigan, David M. Corrigan and  
Susan M. Sivers-Corrigan to The Claris, LLC dated December 4, 1998 and recorded  
December 15, 1998 in the Oneida County Clerk's Office in Liber 2849 of Deeds at  
page 350.**

**TOGETHER WITH the appurtenances and all the estate and rights of the grantor in and  
to the premises,**

**TO HAVE AND TO HOLD the premises granted to the grantee, the heirs, successors or  
assigns of the grantee forever.**

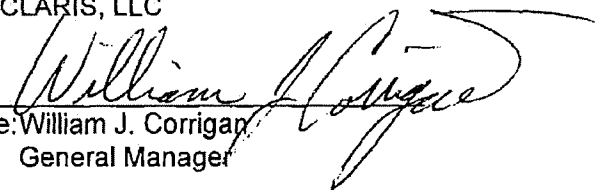
**AND the grantor covenants that the grantor has not done or suffered anything whereby  
the said premises have been encumbered in any way whatever, except as aforesaid.**

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

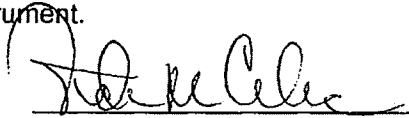
THE CLARIS, LLC

By:   
Name: William J. Corrigan  
Title: General Manager

STATE OF NEW YORK )

COUNTY OF ) ss.:

On the 30<sup>th</sup> day of May in the year 2019 before me, the undersigned, personally appeared WILLIAM J. CORRIGAN, 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  
VICTORIA M. CELIA  
Notary Public, State of New York  
Reg. #01CE5068468  
My Commission Expires 9/30/22

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202



Schedule A

PART OF ATTACHED DEED

THE CLARIS, LLC – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York bounded and described as follows: Beginning at a point in the southerly line of LaFayette Street at its intersection with the easterly line of Cornelia Street; running thence southerly along the eastern line of Cornelia Street 172.5 feet more or less but to the southwesterly corner of the brick building located on said premises; running thence easterly along the outside southerly wall of said building 50 feet more or less to the southeasterly corner thereof; running thence northerly along the outside easterly wall of said building parallel or substantially parallel with the easterly line of Cornelia Street 172.5 feet more or less but to a point in the southerly line of LaFayette Street; running thence westerly along the southerly line of LaFayette Street 50 feet to the place of beginning.





ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-005251

Receipt#: 2019909628  
Clerk: PF  
Rec Date: 05/01/2019 03:20:46 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 5

Party1: GARRAMONE DEVIN  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

Recording:

Cover Page	20.00
Number of Pages	25.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00

Sub Total: 320.00

Transfer Tax	
Transfer Tax	420.00

Sub Total: 420.00

Total: 740.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5013  
Transfer Tax  
Consideration: 105000.00

Transfer Tax 420.00

Total: 420.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

**FILED**  
MAY 01 2019  
Department of  
Assessment & Taxation  
Utica, NY

WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 9<sup>th</sup> day of April, 2019

BETWEEN

DEVIN GARRAMONE, a/k/a DEVIN B. GARRAMONE, PO Box 321, New Hartford, New York 13413,

grantor,

AND

MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

**WITNESSETH**, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

SUBJECT TO easements, covenants and restrictions of record.

TOGETHER WITH the appurtenances and all the estate and rights of the grantor in and to the premises,

TO HAVE AND TO HOLD the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

AND the grantor covenants as follows:

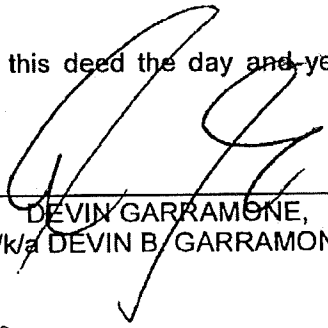
FIRST, the grantee shall quietly enjoy the said premises;

SECOND, that the grantor will forever Warrant the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

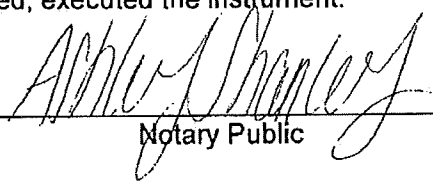
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

  
\_\_\_\_\_  
DEVIN GARRAMONE,  
a/k/a DEVIN B. GARRAMONE

STATE OF NEW YORK )

COUNTY OF ONEIDA ) SS/JS

On the 9th day of April <sup>2019</sup> ~~March~~ in the year ~~2018~~ before me, the undersigned, personally appeared DEVIN GARRAMONE, a/k/a DEVIN B. GARRAMONE, 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

ASHLEY N. SHANLEY  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01SH6384574  
Qualified in Oneida County  
Commission Expires December 17, 2022

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

GARRAMONE – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT LOT OR PARCEL OF LAND in the City of Utica, County of Oneida, State of New York, bounded and described as follows: Beginning at a point in the northeasterly line of Columbia Street at the southwesterly corner of premises conveyed by O. B. Matteson, et al, to George Ralph by deed dated October 31, 1847 and recorded in the Oneida County Clerk's Office in Book of Deeds No. 132 at page 1, thence from said point of beginning northeasterly 70.33 feet more or less along the boundary of said premises to the middle of the brick wall at the southwesterly end of the ramp garage building which extends to LaFayette Street, thence southeasterly along the middle of said brick wall 40 feet more or less to the southeasterly face of the easterly wall of the building on the premises herein conveyed; thence southwesterly along the southeasterly face of said wall 70.33 feet more or less to a point in the northeasterly line of Columbia Street, thence northwesterly along said street line 40 feet more or less to the place of beginning. Being the same premises known as Nos. 418 and 420 Columbia Street and extending from said street to the middle of the brick wall between said premises and the ramp garage referred to.

Also all that strip or parcel of land adjoining the premises conveyed by the Trustees of Hamilton College to Gussie Cominsky by Warranty Deed dated July 24, 1939 and recorded in the Oneida County Clerk's Office July 31, 1939 in Book of Deeds 986 at page 322, on the southeasterly side and extending from said premises to the southwesterly boundary of the premises conveyed by O. B. Matteson et al to George Ralph by deed dated October 31, 1847 and recorded in the Oneida County Clerk's Office in Book of Deeds No. 132 at page 1, being a strip of land about 2 feet wide by 70.33 feet in depth which with other premises is now used as a passageway in conjunction with the premises at No. 416 Columbia Street according to an agreement between Jacob Erhardt and Mathias Cook dated December 30, 1901, recorded in Book of Deeds 571 at page 417.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, distinguished as the westerly twenty-five (25) feet of lot No. eighty-eight (88) on a map of Apollos Cooper's land, said lot being situate on the northerly side of Columbia Street and being (as a whole) fifty feet wide in front and rear and one hundred twenty feet deep.

Said premises also being described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, being known as 420-422 Columbia St., and being further identified as Tax Parcel 318.041-2-22.

BEING the same premises described in a deed made by Utica Urban Renewal Agency to Devin Garramone dated June 21, 2012 and recorded July 6, 2012 in the Oneida County Clerk's Office as Instrument No. 2012-011426.

ALSO, ALL THAT PIECE OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, bounded and described as follows: All that certain piece or parcel of land, lying on the northerly side of Columbia Street in Utica, New York, commencing at the southeasterly corner of the premises now or formerly owned by Francis Ramsdell and running thence at right angles from Columbia Street along the easterly line of said Ramsdell, one hundred twenty (120) feet; thence easterly at right angles to the last described line, twenty-four (24) feet; thence southerly at right angles, one hundred twenty (120) feet to the northerly line of Columbia Street; thence westerly along said northerly line of Columbia Street, twenty-four (24) feet to the place of beginning.

Together with any rights Grantor may have in a right of way described in Agreement dated May 3, 1954 and recorded on the same date in the Oneida County Clerk's Office in Book of Deeds 1435 at Page 453.

Being known as 430-432 Columbia St., and being further identified as Tax Parcel 318.41-2-25.

BEING the same premises described in a deed made by Samuel F. Santino to Devin B. Garramone dated September 30, 2010 and recorded October 1, 2010 in the Oneida County Clerk's Office as Instrument No. 2010-014578.







ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-007031

Receipt#: 2019917617  
Clerk: BB  
Rec Date: 06/10/2019 02:55:53 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 5

Party1: MORRISEY NATHAN P  
Party2: MOHAWK VALLEY HEALTH SYSTEM

Recording:	
Cover Page	20.00
Number of Pages	25.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00

Sub Total: 320.00

Transfer Tax	
Transfer Tax	1600.00

Sub Total: 1600.00

Total: 1920.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5728  
Transfer Tax  
Consideration: 400000.00

Transfer Tax 1600.00

Total: 1600.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

**FILED**

**JUN 10 2019**

Department of  
Assessment & Taxation  
Utica, NY

**WARRANTY DEED WITH LIEN COVENANT**

**THIS INDENTURE**, made the 30<sup>th</sup> day of May, 2019

**BETWEEN**

**NATHANAEL P. MORRISSEY, a/k/a NATHANAEL PAUL MORRISSEY,**  
458 Columbia Street, Utica, New York 13502,

grantor,

**AND**

**MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit**  
corporation, 1656 Champlin Avenue, Utica, New York 13502,

grantee,

**WITNESSETH**, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,

**ALL THAT TRACT OR PARCEL OF LAND**, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.

**TOGETHER WITH** all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.

**SUBJECT TO** easements, covenants and restrictions of record.

**TOGETHER WITH** the appurtenances and all the estate and rights of the grantor in and to the premises,

**TO HAVE AND TO HOLD** the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.

**AND** the grantor covenants as follows:

**FIRST**, the grantee shall quietly enjoy the said premises;

**SECOND**, that the grantor will forever **Warrant** the title to the premises.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

2019917617

Clerk: BB

**2019-007031**

06/10/2019 02:55:53 PM

DEED

5 Pages

Sandra J. DePerno, Oneida County Clerk

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

*Nathanael Paul Morrissey*

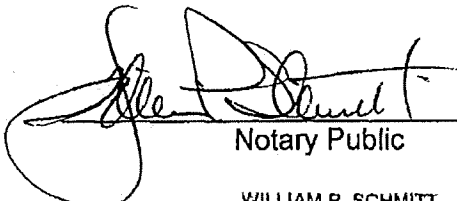
*Nathanael P. Morrissey*

NATHANAEL P. MORRISSEY, a/k/a  
NATHANAEL PAUL MORRISSEY

STATE OF NEW YORK )

COUNTY OF ONEIDA ) ss.:

On the 30 day of <sup>May</sup>~~April~~ in the year 2018 before me, the undersigned, personally appeared NATHANAEL P. MORRISSEY, a/k/a NATHANAEL PAUL MORRISSEY, 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

WILLIAM P. SCHMITT  
Notary Public, State of New York  
REG. No. 026C4756121  
Appointed in Oneida County  
Commission Expires 11/30/2022

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

MORRISSEY – MOHAWK VALLEY HEALTH SYSTEM

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, known and distinguished on a map of part of said Utica heretofore made by William Jones of the land of Henry Huntington as that part of Lot No. 14 in Block No. 4 bounded and described as follows: Beginning at a point in the northerly line of Columbia Street 250' easterly from the southwesterly corner of said Block on the easterly line of State Street; thence westerly on said northerly line of Columbia Street 27' 6" more or less to a point opposite to and on a line with the center of the partition wall of the double dwelling house on said Lot No. 14; thence at right angles northerly through the center of said partition wall of said double building house northerly 78' 6" to the northerly part of the Wood house on said lot No. 14; thence at right angles easterly 27' 6" and to the easterly line of said Lot No. 14; thence at right angles southerly on said easterly line of Lot No. 14, 78' 6" to the northerly line of Columbia Street at the Place of beginning.

Said premises also being described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, being known as 446-448 Columbia St., and being further identified as Tax Parcel 318.041-2-29.

BEING the same premises described in a deed made by deed made by the Utica Urban Renewal Agency to Nathanael P. Morrissey dated August 11, 2014 and recorded September 3, 2014 in the Oneida County Clerk's Office as Instrument No. 2014-012229.

ALSO, ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in said City of Utica, known and distinguished on a map of part of said Utica, heretofore made by William Jones of the land of Henry Huntington, as that part of Lot No. 14, in Block No. 4, bounded and described as follows: Beginning at a point in the northerly line of Columbia Street two hundred feet easterly from the southwesterly corner of said Block on the easterly line of State Street; thence easterly on said northerly line of Columbia Street twenty-two feet six inches more or less to a point opposite to and on a line with the center of the partition wall of the double dwelling house on said Lot No. 14; thence at right angles northerly through the center of said partition wall of said double dwelling house northerly 78 feet six inches and to the northerly part of the Wood house on said Lot No. 14; thence at right angles westerly twenty-two feet six inches to the westerly line of said Lot No. 14; thence at right angles southerly on said westerly line of Lot No. 14, seventy-eight feet six inches and to the northerly line of Columbia Street at the place of beginning.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, more particularly described by reference to a map of part of Cosby's Manor made by L. M. Taylor for heirs of John Huntington, deceased, as

Lot No. 13 in Block No. 4 on the northerly side of and extending fifty (50) feet on Columbia Street and one hundred twenty (120) feet deep be the same more or less, and excepting therefrom so much as was sold to George Gissible, about six (6) feet front and rear and one hundred twenty (120) feet deep, thus this particular piece or property is forty-four (44) feet more or less in front and rear and one hundred twenty (120) feet deep more or less.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of adjoining said premises.

BEING the same premises described in a deed made by Brandon Bass and Andrea Bass to Nathanael Paul Morrissey dated April 23, 2013 and recorded May 7, 2013 in the Oneida County Clerk's Office as Instrument No. 2013-007327.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Utica, County of Oneida and State of New York designated on a map of part of Lot No. 97 in Cosby's Manor made by L. M. Taylor for the heirs of Henry Huntington, as part of Lot No. 12 in Block No. 4, said lot being situate on Columbia Street, having a front on said street of 50 feet and extending to the rear 120 feet, be the same more or less. The part hereby conveyed is the westerly part of said Lot No. 12 in Block No. 4 and is 26 feet wide in front on Columbia Street, the same in rear and 120 feet deep.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York, All the following described portion of a larger parcel of land situate in the City of Utica, Oneida County, New York, designated on a map of Lot No. 97 Cosby's Manor, made by L. M. Taylor, for the heirs of Henry Huntington as Lot No. 12 in Block No. 4. Said lot being on Columbia Street, having a front on said street of 50 feet, and extending to the rear 120 feet, be the same more or less. The part of said lot hereby conveyed is the eastern part thereof, and is about 24 feet on Columbia Street, the same in rear, and extending to the rear 120 feet, more or less and contains the frame dwelling house formerly known as No. 106 Columbia Street, and adjoining the premises on the west line now or formerly owned by Joseph Frank. Also a strip of land 6 feet wide in front on Columbia Street, 6 feet wide in rear and 120 feet deep more or less, off from the westerly part of Lot No. 13 in Block No. 4 of said map which said Lot No. 13 was conveyed to Sarah Snyder by John G. Marklove and wife by deed recorded December 1, 1876 and recorded in Book of Deeds No. 367 at page 170. Being the same premises conveyed by Anna Ehresman, formerly Anna Dietz, to said Christian and Jennie Jensen by deed dated November 26, 1903, but subject to a certain agreement made by said Christian and Jennie Jensen with Mary Yaekle recorded in Oneida County Clerk's Office May 29th, 1906, in Book 614 of Deeds at Page 262, and wherein it was mutually agreed, that the division line between the premises of the parties respectively begins at a point 155 feet 8 inches easterly from State Street, and runs thence northerly at right angles to Columbia Street, to the rear line of premises.

BEING the same premises described in a deed made by Michael A. Morrissey to Nathanael Paul Morrissey dated September 21, 2011 and recorded September 22, 2011 in the Oneida County Clerk's Office as Instrument No. 2011-013936.





ONEIDA COUNTY - STATE OF NEW YORK  
SANDRA J. DEPERNO 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 #: 2019-007038

Receipt#: 2019917625  
Clerk: BB  
Rec Date: 06/10/2019 03:11:12 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 5

Party1: RESOURCE CENTER FOR INDEPENDENT  
LIVING INC  
Party2: MOHAWK VALLEY HEALTH SYSTEM  
Town: UTICA

Recording:	
Cover Page	20.00
Number of Pages	25.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	4.50
RP5217 - County Clerk	4.50
RP5217 All others - State	241.00

Sub Total: 320.00

Transfer Tax  
Transfer Tax 9000.00

Sub Total: 9000.00

Total: 9320.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 5731  
Commercial  
Consideration: 2250000.00

Transfer Tax 9000.00

Total: 9000.00

Record and Return To:

BOND SCHOENECK & KING PLLC  
ONE LINCOLN CENTER  
SYRACUSE NY 13202

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.

Sandra J. DePerno  
Oneida County Clerk

**FILED**

JUN 10 2019

Department of  
Assessment & Taxation  
Utica, NY

**WARRANTY DEED WITH LIEN COVENANT**

**THIS INDENTURE, made the 30th day of May, 2019**

**BETWEEN**

**RESOURCE CENTER FOR INDEPENDENT LIVING, INC., a New York not-for-profit corporation, 409 Columbia Street, Utica, New York 13502,**

**grantor,**

**AND**

**MOHAWK VALLEY HEALTH SYSTEM, a New York not-for-profit corporation, 1656 Champlin Avenue, Utica, New York 13502,**

**grantee,**

**WITNESSETH, that the grantor, in consideration of One and 00/100 Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the grantee, hereby grants and releases unto the grantee, the successors or assigns of the grantee forever,**

**ALL THAT TRACT OR PARCEL OF LAND, being more particularly described on Schedule A, attached to, incorporated in, and made a part of this instrument.**

**TOGETHER WITH all right, title and interest of the grantor, if any, in and to the highway, and all gores and strips of land, easements, rights and rights of way, adjacent to or used in connection with the premises.**

**SUBJECT TO easements, covenants and restrictions of record.**

**TOGETHER WITH the appurtenances and all the estate and rights of the grantor in and to the premises,**

**TO HAVE AND TO HOLD the premises granted to the grantee, the heirs, successors or assigns of the grantee forever.**

**This conveyance does not constitute a sale or disposition of all or substantially all of the assets of the Grantor.**

**AND the grantor covenants as follows:**

**FIRST, the grantee shall quietly enjoy the said premises;**

**SECOND, that the grantor will forever Warrant the title to the premises.**

**This deed is subject to the trust provisions of Section 13 of the Lien Law.**

2019917625 Clerk: BB

**2019-007038**  
06/10/2019 03:11:12 PM  
DEED  
5 Pages  
Sandra J. DePerno, Oneida County Clerk

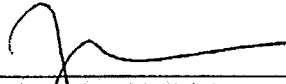
3304371.1



The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

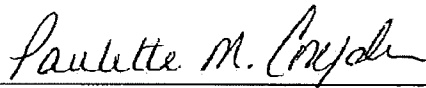
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

RESOURCE CENTER FOR  
INDEPENDENT LIVING, INC.

By:   
Name: Zvia McCormick  
Title: Chief Executive Officer

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

On the 28 day of May in the year 2019 before me, the undersigned, personally appeared ZVIA MCCORMICK, 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.

  
Notary Public  
PAULETTE M. CONGDEN  
Notary Public, State of New York  
Reg. #01CO5022349  
Qualified in Otsego County  
My Commission Expires 1/10/22

RECORD AND RETURN TO:

Kevin M. Pole, Esq.  
Bond, Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202

Schedule A

PART OF ATTACHED DEED

RESOURCE CENTER FOR INDEPENDENT LIVING, INC. –  
MOHAWK VALLEY HEALTH SYSTEM

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with the buildings and improvements thereon erected, situate, lying and being in the City of Utica, County of Oneida and State of New York, bounded and described as follows:

BEGINNING at a point on the southerly highway boundary of Columbia Street, said point standing at the intersection of the southerly highway boundary of Columbia Street with the westerly highway boundary of Cornelia Street; thence South 22 deg. 31' 15" West 140.06 feet along the westerly highway boundary of Cornelia Street to a point standing on the northerly boundary of Kymark Realty Corp. (now or formerly); thence North 67 deg. 33' 13" West 100.14 feet along the northerly boundary of Kymark Realty Corp. to a point standing on the easterly boundary of Kymark Realty Corp.; thence North 22 deg. 32' 25" East 140.06 feet along the easterly boundary of Kymark Realty Corp. to a point standing on the southerly highway boundary of Columbia Street; thence South 67 deg. 33' 15" East 100.09 feet along the southerly highway boundary of Columbia Street to the point or place of beginning.

BEING the same premises described in a deed made by The Savings Bank of Utica to Resource Center for Independent Living, Inc. dated July 29, 1994 and recorded July 29, 1994 in the Oneida County Clerk's Office in Book 2686 of Deeds at page 236.

ALSO, ALL THAT PIECE OR PARCEL OF LAND situate in the City of Utica, County of Oneida and State of New York more particularly bounded and described as follows: Beginning at a point in the southerly line of Columbia Street, said point being located distant 535.90 feet easterly measured along the southerly line of Columbia Street from the southeasterly corner of State Street and Columbia Street; said point being also the northwesterly corner of premises now or formerly belonging to Tudor Williams Realty Co, Inc.; thence southerly forming an interior angle of 89 deg. 54 min. 20 sec. with the southerly line of Columbia Street along the westerly line of premises now or formerly belonging to Tudor Williams Realty Co. Inc., a distance of 140.06 feet to a point marking the southwest corner of the above referred to premises; thence easterly forming an interior angle of 270 deg. 05 min. 38 sec. with the last described line along the southerly line of said premises a distance of 100.14 feet to a point in the westerly line of Cornelia Street; thence southerly forming an interior angle of 89 deg. 55 min. 32 sec. with the last described line along the westerly line of Cornelia St. a distance of 71.94 feet to a point; thence westerly forming an interior angle of 90 deg. 04 min. 30 sec. with the last described line and along the northerly line of property belonging to the New York State Urban Development Corporation a distance of 225.16 feet to point; thence northerly forming an interior angle of 89 deg. 54 min. 20 sec. with the last described line a distance of 212.0 feet to a point in the southerly line of Columbia Street; thence easterly

forming an interior angle of 90 deg. 05 min. 40 sec. with the last described line along the southerly line of Columbia Street a distance of 125.0 feet to the place of beginning. Containing 33,702.36 sq. feet. more or less.

Subject to the following easement:

Beginning at a point marking the southeast corner of the above described premises running thence westerly along the southerly line of said premises and along the northerly line of premises belonging to the New York State Urban Development Corporation a distance of 15.0 feet to a point; thence northerly along a line parallel with the westerly line of Cornelia Street a distance of 71.94 feet to a point in the southerly line of premises belonging to Tudor Williams Realty Co. Inc.; thence easterly along the southerly line of said premises a distance of 15.0 feet to a point in the westerly line of Cornelia Street; thence southerly along the westerly line of Cornelia Street a distance of 71.94 feet to the place of beginning.

The above described premises being more particularly shown as Parcel 1-D-1 on a Map No. 1285 dated July 2, 1971, entitled "Map of Property belonging to the Utica Urban Renewal Agency Project No. 1, Utica, N.Y." and filed in the Oneida County Clerk's Office.

Subject to restrictive covenants as amended affecting the above premises duly authorized by the Utica Urban Renewal Agency by resolution and recorded in the office of the Oneida County Clerk, which restrictive covenants are visually demonstrated on the Map referred to above. Said covenants having been recorded on Aug. 25, 1971, in Book of deeds 1936 at page 816.

The above-described premises are also set forth in a map showing property located at No. 409 Columbia St. by Merritt and LaBella dated Feb. 5, 1985, revised July 31, 1990 and filed in the Oneida County Clerk's Office on August 16, 1990, Map Roll 1446.

BEING the same premises described in a deed made by Kymark Realty Corp. to Resource Center for Independent Living, Inc. dated August 10, 1990 and recorded August 16, 1990 in the Oneida County Clerk's Office in Book 2543 of Deeds at page 122.

**EXHIBIT B**



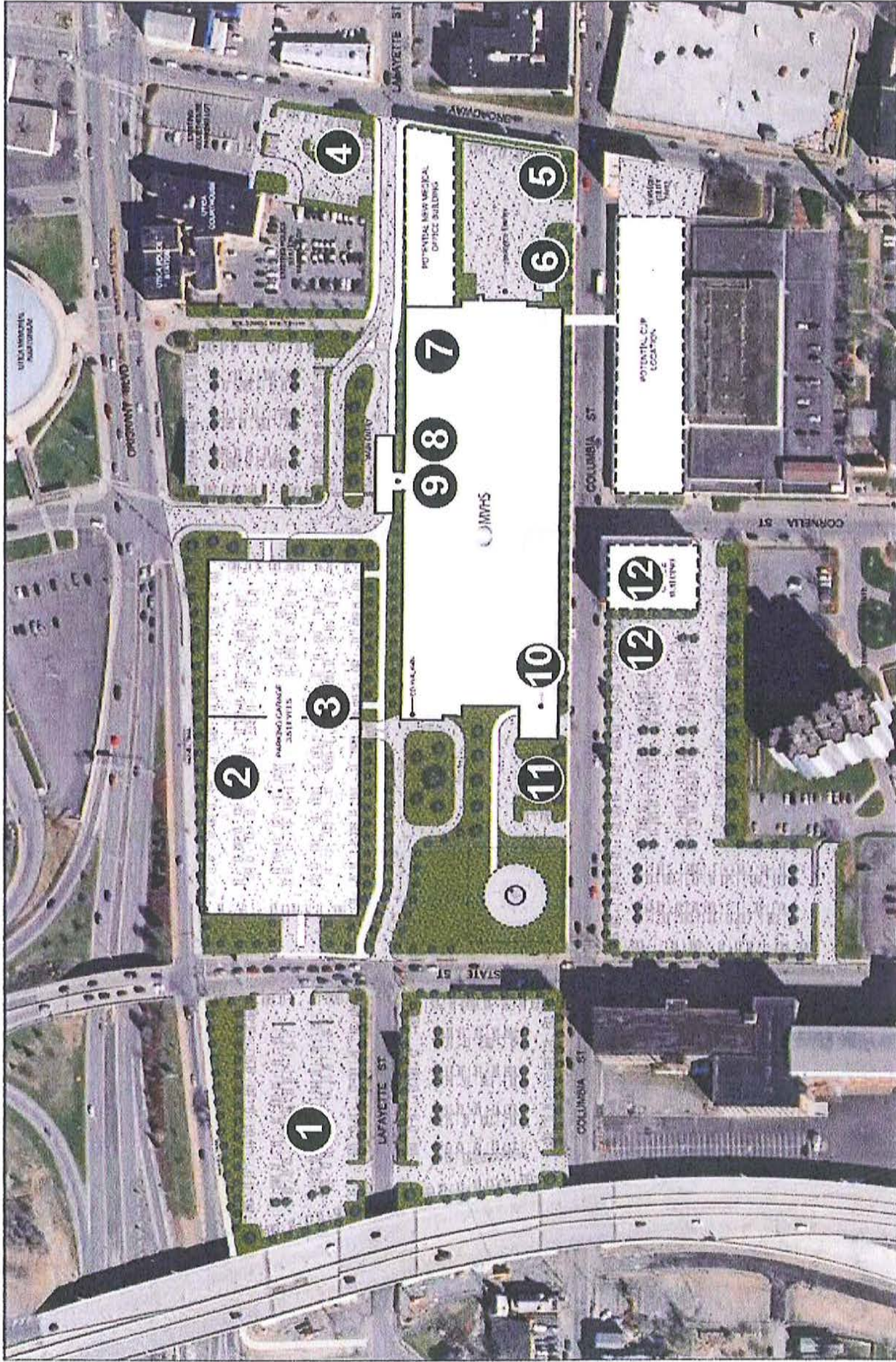


Figure 3. Integrated Health Campus (IHC) ...per page 9 of Final EIS, Responsiveness Summary, as accepted by lead agency on March 21, 2019

**Approximate Locations of Properties Acquired by MVHS**

- 1** Park Advertising
- 2** Schmalz
- 3** DeStefanis
- 4** Brandles
- 5** Maggiore
- 6** Cavo
- 7** Metzler
- 8** East Gate
- 9** Claris LLC
- 10** Garramone
- 11** Morrisey
- 12** Resource Ctr (2)



## **EXHIBIT C**

## TONIGHT'S UTICA COMMON COUNCIL AGENDA



**Michael Galime**

agenda will consist of a report from the Utica Police Department regarding the current crime activity within the city. The UPD is, and has been, taking specific action to combat the current crime and will provide the council an account of progress on recent matters, as well as coordination activities with other government entities.

- **6 p.m. Pre-Meeting Caucus:** Standard agenda review.
- **7 p.m. Main Meeting, Common Council Floor:** On this evening's agenda are E&A transfers, parking legislation, the scheduling of the July and August council meetings, beer and wine permitting, and URA property sales. Also of note, the public hearing for the sale

of the city owned central business district properties to MVHS was rescheduled to tonight's meeting after a previous public notice error.

### Highlighted Legislation in Committee

#### Government Relations Committee:

- **Ordinance to Regulate the Use and for the Permitting of Clothing Drop-Off Bins within the City of Utica:** This ordinance, if passed, would establish guidelines and regulations for the establishment and placement of drop off bins for clothing donations under the City of Utica Code.
- **Resolution to Authorize the Execution of Agreement under**

**the Green Innovation Grant Program:** This resolution, if passed, would allow access of funds up to ~\$623,000 for the purpose of the design and implementation of porous pavement, rain gardens, and other storm water mitigation techniques along Genesee Street. These infrastructure practices increase the urban landscape's resiliency to natural erosion, as part of the One World Garden initiative.

Please present your council representation with comments you would like to see addressed for any guest presentations or to inquire about legislation currently in committee.

*Michael Galime is the Utica Common Council president.*

## **EXHIBIT D**



# OBSERVER-DISPATCH

## Mohawk Valley Health System acquires Seakan building



**Amy Neff Roth**

Jun 13, 2019 at 5:30 PM

Jun 13, 2019 at 5:30 PM

The Mohawk Valley Health System has either purchased or has purchase agreements in place for all the properties that sit in the footprint of its planned downtown hospital building, a health system official confirmed Thursday.

The health system signed an agreement Wednesday with Norman and Michele Seakan, owners of the Seakan building on Columbia Street, said health system spokeswoman Caitlin McCann. They were the last owners of a property located within the hospital building footprint to reach an agreement, she said.

Health system officials have said that acquiring properties within the actual hospital footprint — between Lafayette, Columbia and State streets and Broadway — is a priority so they can begin demolition and then break ground by the end of the year.

The health system is still negotiating with three property owners in areas slated for parking lots, McCann said. Meanwhile, another four owners of properties in the footprint of a planned parking garage have refused to negotiate.

The city has been trying for more than a year to force the Seakans to bring their building, once the home of the Norm Seakan television and appliance store, up to code. The city had planned to ask for a demolition order from a state Supreme Court judge during a hearing scheduled Thursday morning at the Oneida County Courthouse in Utica.

But after city attorneys found out about the purchase agreement Wednesday, they showed up in court Thursday to ask the judge to hold the case in abeyance until the closing takes place, said Assistant Corporation Counsel Merima Smajic. The closing is scheduled for June 28, she said.

The hospital plans to demolish the building later this year to make way for its hospital.

Smajic called the situation a “very good result” for the city.

“The city kind of got what it was looking for; Mr. Seakan no longer has code violations looming over his head and the Mohawk Valley Health System can move ahead with its hospital project,” she said.

Contact reporter Amy Neff Roth at 315-792-5166 or follow her on Twitter (@OD\_Roth).