

FIRST AMENDMENT TO AMENDED AND RESTATED PILOT AGREEMENT

THIS FIRST AMENDMENT TO AMENDED AND RESTATED PILOT AGREEMENT, dated as of October 1, 2021 (the "Amendment"), is by and between the **TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY**, a public benefit corporation duly existing under the laws of the State of New York, with offices at 401 East State Street, Suite 402B, Ithaca, New York 14850 (the "Agency") and **LANSING MARKET REALTY LLC**, a limited liability company duly formed and validly existing under the laws of the State of New York, with an address of 11 Dandyview Heights, Lansing, New York 14882 (the "Company").

WITNESSETH:

WHEREAS, the Agency was created by Title I of Article 18-A of the General Municipal Law of the State of New York (the "State"), duly enacted into law as Chapter 1030 of the Laws of 1969 of the State, as amended, and Chapter 535 of the Laws of 1971 of the State of New York as amended and codified as Section 895-b of the General Municipal Law (collectively, the "Act"); and

WHEREAS, the Agency and the Company previously entered into a certain Payment in Lieu of Tax Agreement, dated as of March 31, 2011, as amended and restated by that certain Amended and Restated Payment In Lieu of Tax Agreement, dated as of January 21, 2014, as further amended and restated by that certain Amended and Restated Payment In Lieu of Tax Agreement, dated as of September 11, 2017 (as so amended and restated, the "Original PILOT Agreement"), with respect to the Company's property located at the northwest corner of North Triphammer and Town Barn Roads in the Town of Lansing, Tompkins County, New York (TMID No.: 30.-1-16.24) (the "Facility"); and

WHEREAS, by letter dated October 10, 2020, the Company requested a four (4) year extension to the Original PILOT Agreement; and

WHEREAS, in order to grant the Company a four (4) year extension to the Original PILOT Agreement, the parties desire to enter into this First Amendment to Amended and Restated PILOT Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

The Original PILOT Agreement is hereby as amended as follows:

1. The table in Section 1(b) of the Original PILOT Agreement is hereby deleted in its entirety and replaced with the following:

<u>YEAR OF EXEMPTION</u>	<u>TAXES</u>	<u>TAXING JURISDICTIONS PAYMENT IN LIEU OF TAX FOR ASSESSED VALUE OF IMPROVEMENTS</u>
1	2012-13 School; 2013 Town & County	10%
2	2013-14 School; 2014 Town & County	23%
3	2014-15 School; 2015 Town & County	23%
4	2015-16 School; 2016 Town & County	23%
5	2016-17 School; 2017 Town & County	23%
6	2017-18 School; 2018 Town & County	36%
7	2018-19 School; 2019 Town & County	36%
8	2019-20 School; 2020 Town & County	36%
9	2020-21 School; 2021 Town & County	36%
10	2021-22 School; 2022 Town & County	36%
11	2022-23 School; 2023 Town & County	36% less \$2,122.07
12	2023-24 School; 2024 Town & County	36%
13	2024-25 School; 2025 Town & County	36%
14	2025-26 School; 2026 Town & County	49%
15	2026-27 School; 2027 Town & County	61%
16	2027-28 School; 2028 Town & County	74%
17	2028-29 School; 2029 Town & County	87%
18	and thereafter	100% (no abatement; full taxes)

2. This First Amendment to Amended and Restated PILOT Agreement may be executed in several counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

[Remainder of Page Intentionally Left Blank]

[Signature Page to First Amendment to Amended and Restated PILOT Agreement]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Amended and Restated PILOT Agreement as of the day and year first above written.

**TOMPKINS COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____
Name: Heather D. McDaniel
Title: Administrative Director

LANSING MARKET REALTY LLC,

By: _____
Name: Andrew J. Sciarabba
Title: Manager

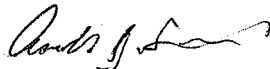
[Signature Page to First Amendment to Amended and Restated PILOT Agreement]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Amended and Restated PILOT Agreement as of the day and year first above written.

**TOMPKINS COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____
Name: Heather D. McDaniel
Title: Administrative Director

LANSING MARKET REALTY LLC,

By:  _____
Name: Andrew J. Sciarabba
Title: Manager