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LOCAL LAW NO. 29 2008

A LOCAL LAW AUTHORIZING THE GRANTING OF EASEMENTS ON COUNTY PROPERTY TO NATIONAL GRID, ONCENTER HEADQUARTERS HOTEL, LLC, AND WESTWIL, INC IN CONNECTION WITH THE CONSTRUCTION AND OPERATION OF THE ONCENTER HEADQUARTERS HOTEL

BE IT ENACTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY AS FOLLOWS:

Section 1. The County of Onondaga is the owner of two parcels of land located at 805 and 817 S. State Street, which are bounded on the north and south by Harrison and Adams Streets, respectively, and on the east and west by Townsend and South State Streets, respectively; the parcel located at 817 South State Street is presently improved with the OnCenter Parking Garage and a pedestrian sky bridge between the OnCenter Parking Garage and the OnCenter Convention Center, both parcels and all the current improvements collectively known as "the property".

Section 2. The County of Onondaga will also be constructing an elevated pedway between the OnCenter Parking Garage and the OnCenter Headquarters Hotel.

Section 3. National Grid is the utility provider for the area encompassing the property.

Section 4. OnCenter Headquarters Hotel, LLC and Westwil, Inc. are the entities that will have leasehold interests in 805 South State Street and which are responsible for the construction and operation of the OnCenter Headquarters Hotel under the Westin flag.

Section 5. The portions of the property over which the County will grant easements as set forth below are not currently required for use by the County and the County is authorized to grant the easements as provided for herein to National Grid, OnCenter Headquarters Hotel, LLC and Westwil, Inc.

Section 6. The County hereby grants an easement to National Grid, OnCenter Headquarters Hotel, LLC and Westwil, Inc. for the location of an underground utilities vault in the north-east corner of the property commonly known as 817 South State Street (the OnCenter Parking Garage property) as well as an easement for the running of utilities from the street to said vault and from said vault to the OnCenter Headquarters Hotel, across both 817 and 805 South State Street. Said easements will include the reasonable right of ingress and egress for purposes of repair, inspection, maintenance and upkeep.

Section 7. The County hereby grants an easement to OnCenter Headquarters Hotel, LLC and Westwil, Inc. for access to and for the use of the pedway being constructed between the OnCenter Parking Garage and the OnCenter Headquarters Hotel, the OnCenter Parking Garage, and the pedestrian sky bridge between the OnCenter Parking Garage and the OnCenter Convention Center for purposes of the use of these facilities by the employees, agents, and servants of OnCenter Headquarters Hotel, LLC and Westwil, Inc., guests and patrons of the OnCenter Headquarters Hotel, and the interior maintenance and upkeep of the to be constructed pedway between the OnCenter Parking Garage and the OnCenter Headquarters Hotel.

Section 8. The County Executive is hereby authorized to execute easements with National Grid, OnCenter Headquarters Hotel. LLC and Westwil, Inc. as set forth above, all easements to run with the land.

Section 9. This local law shall take effect in accordance with Sections 20, 21, and 24 of the Municipal Home Rule Law.

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ADOPTED

OCT 14 2008

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE 14th DAY OF October, 2008.

Deborah L. Mahuro

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

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