

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

AND

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

FIRST AMENDMENT TO PAYMENT IN LIEU OF TAX AGREEMENT

First Amendment Dated as of:	December 1, 2023
Termination Date:	December 31, 2053
SBL No.:	022.-01-14.0
Affected Tax Jurisdictions:	Onondaga County Town of Van Buren Village of Baldwinsville Baldwinsville Central School District

Prepared by:
Harris Beach PLLC
99 Garnsey Road
Pittsford, New York
(585) 419-8800

FIRST AMENDMENT TO PAYMENT IN LIEU OF TAX AGREEMENT

THIS FIRST AMENDMENT TO PAYMENT IN LIEU OF TAX AGREEMENT (the "First Amendment to PILOT"), dated as of December 1, 2023, by and **ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**, a public benefit corporation of the State of New York with offices at 335 Montgomery Street, Floor 2M, Syracuse, New York 13202 (the "Agency") and **BALDWINSVILLE SENIOR HOUSING PRESERVATION, LLC**, a New York limited liability company, with offices at 169 Mamaroneck Avenue, Suite #8, White Plains, New York 10601 (the "Company").

WITNESSETH:

WHEREAS, the Agency was created by Chapter 435 of the Laws of 1970 of the State of New York pursuant to Title I of Article 18-A of the General Municipal Law of the State of New York (collectively, the "Act") as a body corporate and politic and as a public benefit corporation of the State of New York; and

WHEREAS, the Agency and the Company previously entered into that certain Payment In Lieu Of Tax Agreement (the "PILOT Agreement"), dated as of May 1, 2022, with respect the the Company's "Conifer Village" apartments, located at 700 Conifer Drive, Town of Baldwinsville and Village of Van Buren, Onondaga County, New York (the "Facility"); and

WHEREAS, the Agency and the Company have agreed to revise Schedule A of the PILOT Agreement to correct the amounts payable by the Company as the "Total Tax Payment", in accordance with this First Amendment to PILOT; and

WHEREAS, the Agency and the Company desire to amend the PILOT Agreement in accordance with the terms of this First Amendment to PILOT Agreement.

NOW, THEREFORE, in consideration of the covenants contained herein, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, it is mutually agreed as follows:

1.. Schedule A attached to the PILOT Agreement is hereby replaced with Schedule A attached hereto.

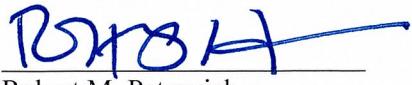
2. Unless otherwise amended and modified by this First Amendment to PILOT, the terms of the PILOT Agreement shall remain unchanged and in full force and effect. This First Amendment to PILOT shall in no way be construed as a waiver of any of the rights or remedies of the Agency or a release or waiver by the Agency of any Event of Default under the PILOT Agreement. The Agency hereby reserves all such rights and remedies.

[Remainder of this page left intentionally blank]

[Signature Page to First Amendment to PILOT]

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

**ONONDAGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

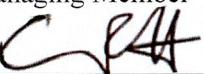
By: 
Name: Robert M. Petrovich
Title: Executive Director

**BALDWINSVILLE SENIOR HOUSING
PRESERVATION, LLC**

By: Baldwinsville Preservation, LLC,
its Managing Member

By: Conifer Preservation Member, LLC,
its Managing Member

By: Foulger-Pratt, LLC,
its Managing Member

By: 
Name: Cameron Pratt
Title: Authorized Person

SCHEDULE A

to

PILOT Agreement dated as of May 1, 2022

as amended by the First Amendment to PILOT Agreement dated as of December 1, 2023

by and between Onondaga County Industrial Development Agency,
and Baldwinsville Senior Housing Preservation, LLC

SBL No. 022.-01-14.0

Expiration of Leaseback: December 31, 2053

[See Attached]

SCHEDULE A

Pilot Yr	Billing Year	Amount Company pays OCIDA	School Year	BCSD Revenue	County/Town Year	County Revenue	Town Revenue	Village Year	Village Revenue
			1-Jul	30-Jun	1-Jan			1-Mar	28-Feb
1	2024	\$ 215,000.00	2023	\$ 131,752.67	2024	\$ 26,083.27	\$ 10,452.43	2024	\$ 44,711.64
2	2025	\$ 219,300.00	2024	\$ 134,387.72	2025	\$ 28,644.93	\$ 10,661.48	2025	\$ 45,605.87
3	2026	\$ 223,686.00	2025	\$ 137,075.48	2026	\$ 29,217.83	\$ 10,874.71	2026	\$ 46,517.99
4	2027	\$ 228,159.72	2026	\$ 139,816.99	2027	\$ 29,802.19	\$ 11,092.20	2027	\$ 47,448.35
5	2028	\$ 232,722.91	2027	\$ 142,613.32	2028	\$ 30,398.23	\$ 11,314.04	2028	\$ 48,397.31
6	2029	\$ 237,377.37	2028	\$ 145,465.59	2029	\$ 31,006.20	\$ 11,540.32	2029	\$ 49,365.26
7	2030	\$ 242,124.92	2029	\$ 148,374.90	2030	\$ 31,626.32	\$ 11,771.13	2030	\$ 50,352.56
8	2031	\$ 246,967.42	2030	\$ 151,342.40	2031	\$ 32,258.85	\$ 12,006.55	2031	\$ 51,359.62
9	2032	\$ 251,906.77	2031	\$ 154,369.25	2032	\$ 32,904.02	\$ 12,246.69	2032	\$ 52,386.81
10	2033	\$ 256,944.90	2032	\$ 157,466.63	2033	\$ 33,562.10	\$ 12,491.62	2033	\$ 53,434.54
11	2034	\$ 262,083.80	2033	\$ 160,605.77	2034	\$ 34,233.35	\$ 12,741.45	2034	\$ 54,503.24
12	2035	\$ 267,325.48	2034	\$ 163,817.88	2035	\$ 34,918.01	\$ 12,996.28	2035	\$ 55,593.30
13	2036	\$ 272,671.99	2035	\$ 167,094.24	2036	\$ 35,616.37	\$ 13,256.21	2036	\$ 56,705.17
14	2037	\$ 278,125.43	2036	\$ 170,465.12	2037	\$ 36,328.70	\$ 13,521.33	2037	\$ 57,839.27
15	2038	\$ 283,687.93	2037	\$ 173,844.85	2038	\$ 37,055.28	\$ 13,791.76	2038	\$ 58,996.05
16	2039	\$ 289,361.69	2038	\$ 177,321.74	2039	\$ 37,796.38	\$ 14,067.59	2039	\$ 60,175.98
17	2040	\$ 295,148.93	2039	\$ 180,868.18	2040	\$ 38,552.31	\$ 14,348.94	2040	\$ 61,379.50
18	2041	\$ 301,051.91	2040	\$ 184,485.54	2041	\$ 39,323.35	\$ 14,635.92	2041	\$ 62,607.09
19	2042	\$ 307,072.94	2041	\$ 188,175.25	2042	\$ 40,109.82	\$ 14,928.64	2042	\$ 63,859.23
20	2043	\$ 313,214.40	2042	\$ 191,938.76	2043	\$ 40,912.02	\$ 15,227.21	2043	\$ 65,136.41
21	2044	\$ 319,478.69	2043	\$ 195,777.53	2044	\$ 41,730.26	\$ 15,531.76	2044	\$ 66,439.14
22	2045	\$ 325,858.26	2044	\$ 199,693.08	2045	\$ 42,564.86	\$ 15,842.39	2045	\$ 67,767.92
23	2046	\$ 332,385.63	2045	\$ 203,686.95	2046	\$ 43,416.16	\$ 16,159.24	2046	\$ 69,123.28
24	2047	\$ 339,033.34	2046	\$ 207,760.68	2047	\$ 44,284.48	\$ 16,482.43	2047	\$ 70,505.75
25	2048	\$ 345,814.01	2047	\$ 211,915.90	2048	\$ 45,170.17	\$ 16,812.07	2048	\$ 71,915.86
26	2049	\$ 352,730.29	2048	\$ 216,154.22	2049	\$ 46,073.58	\$ 17,148.32	2049	\$ 73,354.18
27	2050	\$ 359,784.89	2049	\$ 220,477.30	2050	\$ 46,995.05	\$ 17,491.28	2050	\$ 74,821.26
28	2051	\$ 366,980.59	2050	\$ 224,886.85	2051	\$ 47,934.95	\$ 17,841.11	2051	\$ 76,317.69
29	2052	\$ 374,330.20	2051	\$ 229,364.58	2052	\$ 48,893.65	\$ 18,197.93	2052	\$ 77,844.04
30	2053	\$ 381,806.61	2052	\$ 233,922.28	2053	\$ 49,871.52	\$ 18,561.89	2053	\$ 79,400.92

Revised 12/11/2023