

**DESTINY USA REAL ESTATE, LLC
RESOLUTION WAIVING AGENCY'S LOCAL ACCESS POLICY**

At a regular meeting of the Onondaga County Industrial Development Agency (the "Agency") held on July 20, 2016 at 8:00 a.m. at the 333 W. Washington Street, Syracuse, New York, the following members were:

PRESENT:

Patrick Hogan
Victor Ianno
Susan Stanczyk
Steve Morgan
Kevin Ryan

RECUSED:

Kevin Ryan

ABSENT:

Janice Herzog

ALSO PRESENT:

Julie Cerio, Executive Director
Anthony P. Rivizzigno, Esq., Agency Counsel

Upon motion duly made and seconded, the following resolution was duly adopted by the Agency with its members voting as follows:

Aye

Nay

Patrick Hogan
Victor Ianno
Susan Stanczyk
Steve Morgan
Kevin Ryan

**RESOLUTION WAIVING THE AGENCY'S LOCAL ACCESS POLICY FOR INDOOR
POOL DESIGN-BUILD WORK BY PRECISION POOL & SPA, INC. FOR THE
DESTINY USA REAL ESTATE, LLC PROJECT**

WHEREAS, the Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the 1970 Laws of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, educational or cultural facilities, railroad facilities, horse racing facilities and continuing care retirement communities, among others, for the purpose of promoting, attracting, encouraging and developing recreation, and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York and to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct, improve, maintain, equip or furnish one or more "projects" (as defined in the Act); to sell, convey, mortgage, lease, pledge, exchange or otherwise dispose of said projects; and to issue bonds and provide for the rights of the holders thereof; and

WHEREAS, Destiny USA Real Estate, LLC (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at a previous meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: the acquisition of a parcel of land located at 311-371 Hiawatha Boulevard, Syracuse, New York 13204 (the "**Land**") and the construction and equipping of an approximately 183,000 square foot, 209 key all suites hotel to be located thereon (the "**Improvements**"), together with the acquisition and installation of furniture, fixtures and equipment (the "**Equipment**") to provide a full range of services to the business and leisure traveler visiting the City of Syracuse, County of Onondaga; and

WHEREAS, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Onondaga County, New York by undertaking the Project in Onondaga County, New York; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency has reviewed the Application and based upon the representations made by the Company to the Agency in the Application and at this meeting and, based thereon, the Agency hereby makes the following findings and determinations.

(A) The Agency waives the Local Access Policy in order for Precision Pool & Spa, Inc. to do the indoor pool design-build work relative to the planned Project.

Section 2. The Chairman, Vice Chairman and Executive Director of the Agency are hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. This resolution shall take effect immediately.

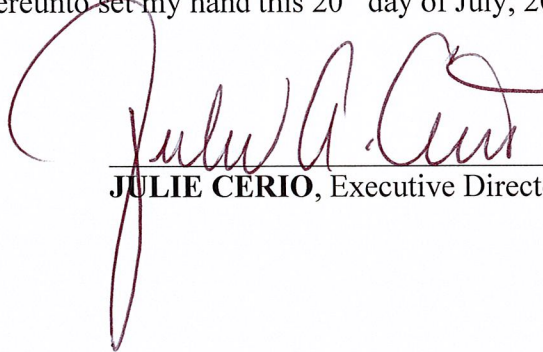
STATE OF NEW YORK)
) ss.:
COUNTY OF ONONDAGA)

I, the undersigned Executive Director of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on July 20, 2016 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matter therein referred to.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of July, 2016



JULIE CERIO, Executive Director