

2561

2017-2018 Regular Sessions

I N S E N A T E

January 13, 2017

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to licenses to sell at retail for consumption on the premises

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 106 of the alcoholic beverage control law is
2 amended by adding a new subdivision 13-a to read as follows:

3 13-A. (A) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION THIRTEEN OF
4 THIS SECTION THE STATE LIQUOR AUTHORITY MAY ISSUE A LICENSE UNDER
5 SECTION EIGHTY-ONE-A OF THIS CHAPTER TO THE OWNER, LESSOR AND/OR OPERA-
6 TOR OF PARCEL OR PARCELS DESCRIBED IN THIS PARAGRAPH:

7 ALL THAT CERTAIN PLOT, PIECE, OR PARCEL OF LAND WITH THE BUILDINGS AND
8 IMPROVEMENTS THEREON ERECTED, SITUATE, LYING, AND BEING IN THE CITY OF
9 NEW YORK, COUNTY OF KINGS AND STATE OF NEW YORK, AND MORE PARTICULARLY
10 BOUNDED AND DESCRIBED AS FOLLOWS:

11 THE CONDOMINIUM UNIT (HEREINAFTER REFERRED TO AS THE "UNIT") IN THE
12 BUILDING (HEREINAFTER REFERRED TO AS THE "BUILDING") KNOWN AS 210 JORA-
13 LEMON STREET CONDOMINIUM AND BY THE STREET NUMBER 208-230 JORALEMON
14 STREET A/K/A 45-63 COURT STREET, COUNTY OF KINGS, STATE OF NEW YORK,
15 SAID UNIT BEING DESIGNATED AND DESCRIBED AS RETAIL UNIT (RU) IN A DECLA-
16 RATION DATED 4/18/1.2 MADE BY THE CITY OF NEW YORK, ACTING BY AND
17 THROUGH ITS DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES, PURSUANT TO
18 ARTICLE 9-B OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK (HEREIN-
19 AFTER REFERRED TO AS THE "CONDOMINIUM ACT") ESTABLISHING A PLAN FOR
20 CONDOMINIUM OWNERSHIP OF THE BUILDING AND THE LAND (HEREINAFTER REFERRED
21 TO AS THE "LAND") UPON WHICH THE BUILDING IS SITUATE (WHICH LAND IS MORE
22 PARTICULARLY DESCRIBED IN EXHIBIT A ANNEXED HERETO AND BY THIS REFERENCE
23 MADE A PART HEREOF), WHICH DECLARATION WAS RECORDED IN THE OFFICE OF THE
24 CITY REGISTER OF THE CITY OF NEW YORK, COUNTY OF KINGS, ON 4/24/12, AS

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03930-01-7

1 CRFN 2012000163630, AS AMENDED BY FIRST AMENDMENT TO DECLARATION DATED
2 7/9/13 AND RECORDED 8/14/13 AS CRFN 2013000321931 (WHICH DECLARATION AND
3 AMENDMENTS (IF APPLICABLE) THERETO ARE HEREINAFTER COLLECTIVELY REFERRED
4 TO AS THE "DECLARATION"). THIS UNIT IS ALSO DESIGNATED AS TAX LOT 1002
5 IN BLOCK 266 OF THE COUNTY OF KINGS ON THE TAX MAP OF THE REAL PROPERTY
6 ASSESSMENT DEPARTMENT AND ON THE FLOOR PLANS OF THE BUILDING, CERTIFIED
7 BY SHERIDA E. PAULSON, ARCHITECTS, ON 4/20/12 AND FILED WITH THE REAL
8 PROPERTY ASSESSMENT DEPARTMENT ON 4/20/12 AS CONDOMINIUM PLAN NO. 3197
9 AND ALSO FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW
10 YORK, COUNTY OF KINGS, ON 4/24/12 AS CONDOMINIUM MAP NO. 2012000163631.

11 TOGETHER WITH AN UNDIVIDED 10.5% INTEREST IN THE COMMON ELEMENTS (AS
12 SUCH TERM IS DEFINED IN THE DECLARATION).

13 TOGETHER WITH AND SUBJECT TO THE RIGHTS, OBLIGATIONS, EASEMENTS,
14 RESTRICTIONS AND OTHER PROVISIONS SET FORTH IN THE DECLARATION, FLOOR
15 PLANS AND THE BY-LAWS OF 210 JORALEMON STREET CONDOMINIUM, AS THE SAME
16 MAY BE AMENDED FROM TIME TO TIME (HEREIN AFTER REFERRED TO AS THE
17 "BY-LAWS"), ALL OF WHICH SHALL CONSTITUTE COVENANTS RUNNING WITH THE
18 LAND AND SHALL BIND ANY PERSON HAVING AT ANY TIME ANY INTEREST OR ESTATE
19 IN THE UNIT, AS THOUGH RECITED AND STIPULATED AT LENGTH HEREIN.

20 THE LAND ON WHICH THE BUILDING AND UNIT IS LOCATED IS SITUATED IN THE
21 COUNTY OF KINGS AND STATE OF NEW YORK AND IS MORE FULLY DESCRIBED IN THE
22 DECLARATION OF CONDOMINIUM RECORDED IN THE OFFICE OF THE CITY REGISTER
23 OF THE CITY OF NEW YORK, COUNTY OF KINGS, ON 4/24/12, AS CRFN
24 2012000163630, AS AMENDED.

25 ALL THAT CERTAIN, PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND
26 BEING IN THE BOROUGH OF BROOKLYN, COUNTY OF KINGS AND STATE OF NEW YORK,
27 BOUNDED AND DESCRIBED AS FOLLOWS:

28 BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY
29 SIDE OF JORALEMON STREET WITH THE EASTERLY SIDE OF COURT STREET;

30 RUNNING THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF JORALEMON STREET,
31 A DISTANCE OF 273 FEET 9 INCHES OF THE LANDS NOW OF FORMERLY OF BROOKLYN
32 LAW SCHOOL;

33 THENCE SOUTHERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 88 DEGREES
34 24 MINUTES 15 SECONDS WITH THE LAST MENTIONED LINE AND RUNNING ALONG THE
35 WESTERLY SIDE OF LANDS NOW OR FORMERLY OF BROOKLYN LAW SCHOOL, A
36 DISTANCE OF 179 FEET 7-3/4 INCHES;

37 THENCE EASTERLY ALONG A LINE FORMING AN EXTERIOR ANGLE OF 97 DEGREES
38 19 MINUTES 37 SECONDS WITH THE LAST MENTIONED LINE AND RUNNING ALONG THE
39 SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF BROOKLYN LAW SCHOOL A
40 DISTANCE OF 13 FEET 3 5/8 INCHES;

41 THENCE SOUTHERLY AT RIGHT ANGLES TO THE LAST MENTIONED LINE AND
42 CONTINUING ALONG THE WESTERLY LINE OF LANDS NOW OF FORMERLY OF BROOKLYN
43 LAW SCHOOL A DISTANCE OF 3 FEET 11 3/4 INCHES TO LANDS NOW OR FORMERLY
44 OF 111 LIVINGSTON LLC;

45 THENCE SOUTHERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 90 DEGREES
46 36 MINUTES 24 SECONDS WITH THE NORTHERLY SIDE OF LIVINGSTON STREET AND
47 RUNNING ALONG THE WESTERLY LINE OF LANDS NOW OR FORMERLY OF 111 LIVING-
48 STON LLC, A DISTANCE 164 FEET 1/8 INCHES TO THE NORTHERLY SIDE OF
49 LIVINGSTON STREET;

50 THENCE WESTERLY ALONG THE NORTHERLY SIDE OF LIVINGSTON STREET A
51 DISTANCE OF 36 FEET 2 INCHES TO LANDS NOW OR FORMERLY OF 85 LIVINGSTON
52 TENANTS CORP;

53 THENCE NORTHERLY ALONG A LINE FORMING AN EXTERIOR ANGLE OF 90 DEGREES
54 48 MINUTES WITH THE LAST MENTIONED COURSE AND ALONG THE LANDS NOW OR
55 FORMERLY OF 85 LIVINGSTON TENANTS CORP A DISTANCE, 150 FEET;

1 THENCE WESTERLY ALONG A LINE FORMING AN EXTERIOR ANGLE OF 89 DEGREES
2 12 MINUTES WITH THE LAST MENTIONED COURSE AND ALONG THE LANDS NOW OR
3 FORMERLY OF 85 LIVINGSTON TENANTS CORP AND CONTINUING ALONG THE LANDS
4 NOW OR FORMERLY OF THE NEW YORK CITY BOARD OF EDUCATION A DISTANCE OF
5 221 FEET 2 INCHES;

6 THENCE SOUTHERLY ON A LINE FORMING AN EXTERIOR ANGLE OF 90 DEGREES 40
7 MINUTES WITH THE LAST MENTIONED COURSE AND ALONG THE LANDS NOW OR
8 FORMERLY OF THE NEW YORK CITY BOARD OF EDUCATION A DISTANCE 23 FEET
9 4-1/2 INCHES;

10 THENCE WESTERLY ON A LINE FORMING AN INTERIOR ANGLE OF 90 DEGREES 34
11 MINUTES 05 SECONDS WITH THE LAST MENTIONED COURSE AND CONTINUING ALONG
12 THE LANDS NOW OR FORMERLY OF THE NEW YORK CITY BOARD OF EDUCATION A
13 DISTANCE 50 FEET TO THE EASTERLY SIDE OF COURT STREET; AND

14 THENCE NORTHERLY ALONG THE EASTERLY SIDE OF COURT STREET, 180 FEET 3
15 INCHES TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF
16 JORALEMON STREET WITH THE EASTERLY SIDE OF COURT STREET THE POINT OR
17 PLACE OF BEGINNING.

18 (B) PROVIDED, HOWEVER, THAT THE OWNER, LESSOR AND/OR OPERATOR OF A
19 LICENSED PREMISES DESCRIBED IN PARAGRAPH (A) OF THIS SUBDIVISION IS
20 PROHIBITED FROM SELLING ANY ALCOHOLIC BEVERAGES MANUFACTURED OR SOLD AT
21 WHOLESALE BY ANY BUSINESS THAT IT HAS ANY DIRECT OR INDIRECT INTEREST
22 IN.

23 S 2. This act shall take effect immediately.