S T A T E O F N E W Y O R K

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I N S E N A T E

April 24, 2013

Introduced by Sens. MARCELLINO, GOLDEN, MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to manufacturers of alcohol and retail interest and licenses

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

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

13-A. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION THIRTEEN OF THIS SECTION OR ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE STATE LIQUOR AUTHORITY MAY ISSUE A LICENSE OR LICENSES UNDER SECTION EIGHTY-ONE-A OF THIS CHAPTER TO THE OWNER AND/OR OPERATOR OF THE PARCEL DESCRIBED IN THIS PARAGRAPH. THE LEGAL DESCRIPTION FOR THE PARCEL SO IDENTIFIED AS THE SITE ARE AS FOLLOWS:

ANY SUCH PREMISES OR BUSINESS CONSTITUTING A RETAIL BAKERY AND RESTAURANT AS DEFINED IN THIS CHAPTER CONTAINED WHOLLY WITHIN THE BOUNDARIES OF THE COUNTY OF NEW YORK, BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF 3RD AVENUE AND THE NORTHERLY SIDE OF EAST 74TH STREET; RUNNING THENCE NORTHERLY ALONG THE WESTERLY SIDE OF 3RD AVENUE, 76 FEET 8 INCHES; THENCE WESTERLY PARALLEL WITH EAST 74TH STREET, 100 FEET; THENCE SOUTHERLY PARALLEL WITH 3RD AVENUE, 76 FEET 8 INCHES TO THE NORTHERLY SIDE OF EAST 74TH STREET; AND THENCE EASTERLY

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

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ALONG THE NORTHERLY SIDE OF EAST 74TH STREET, 100 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 74TH STREET AND THE WESTERLY SIDE OF 3RD AVENUE, TO THE POINT OR PLACE OF BEGINNING.

AND, BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF 40TH STREET, DISTANT 147 FEET 6 INCHES WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF 5TH AVENUE WITH THE SOUTHERLY SIDE OF 40TH STREET; AND, RUNNING THENCE SOUTHERLY AND PARALLEL TO 5TH AVENUE AND PART OF THE DISTANCE THROUGH A PARTY WALL, 98 FEET 9 INCHES; THENCE WESTERLY PARALLEL WITH 40TH STREET, 62 FEET 6 INCHES; THENCE NORTHERLY AGAIN PARALLEL WITH 5TH AVENUE AND PART OF THE DISTANCE THROUGH ANOTHER PARTY WALL 98 FEET 9 INCHES TO THE SOUTHERLY SIDE OF 40TH STREET; THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF 40TH STREET 62 FEET 6 INCHES TO THE POINT OR PLACE OF BEGINNING.

AND BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF 21ST STREET WITH THE EASTERLY SIDE OF 5TH AVENUE; RUNNING THENCE NORTHERLY ALONG THE SAID EASTERLY SIDE OF 5TH AVENUE, 62 FEET 3 1/2 INCHES; THENCE EASTERLY ALONG A LINE WHICH FORMS AN ANGLE ON ITS SOUTHERLY SIDE WITH THE SAID EASTERLY SIDE OF 5TH AVENUE OF 88 DEGREES, 30 MINUTES, 81 FEET 1/2 INCH; THENCE SOUTHERLY ALONG A LINE WHICH FORMS AN ANGLE 90 DEGREES, 5 MINUTES AND 30 SECONDS ON ITS WESTERLY SIDE WITH THE LAST MENTIONED COURSE 15 FEET 2 INCHES TO THE SOUTHERLY FACE OF THE SOUTHERLY WALL OF THE ONE STORY BRICK BUILDING ON THE PREMISES ADJOURNING THE PREMISES HEREBY DESCRIBED ON THE NORTH; THENCE EASTERLY ALONG THE SOUTHERLY FACE OF THE SOUTHERLY WALL OF SAID BUILDING, 10 FEET 1 1/2 INCHES TO THE END THEREOF; THENCE NORTHERLY ALONG THE EASTERLY FACE OF SAID WALL, 1/2 INCH TO THE CENTRE LINE OF A PARTY WALL STANDING PARTLY ON THE PREMISES HEREBY DESCRIBED AND PARTLY ON THE PREMISES ADJOURNING ON THE NORTH; THENCE EASTERLY THROUGH THE CENTRE OF SAID PARTY WALL, 23 FEET 5 1/2 INCHES TO AN ANGLE IN SAID WALL; THENCE NORTHEASTERLY STILL ALONG THE CENTRE OF SAID PARTY WALL, 24 FEET 1/2 OF AN INCH TO ANOTHER ANGLE IN SAID WALL; THENCE NORTHEASTERLY STILL ALONG SAID CENTRE LINE OF SAID PARTY WALL, 33 FEET 11 7/8 INCHES TO THE WESTERLY SIDE OF BROADWAY; THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF BROADWAY, 65 FEET 4 INCHES TO THE CORNER FORMED BY THE INTERSECTION OF SAID WESTERLY SIDE OF BROADWAY WITH THE NORTHERLY SIDE OF 21ST STREET; AND THENCE WESTERLY ALONG THE SAID NORTHERLY SIDE OF 21ST STREET, 195 FEET TO THE POINT OR PLACE OF BEGINNING.

AND, BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF CENTRAL PARK SOUTH, FORMERLY KNOWN AS 59TH STREET, IN THE SAID BOROUGH AND CITY, DISTANT 450 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF SEVENTH AVENUE WITH THE SAID SOUTHERLY SIDE OF CENTRAL PARK SOUTH; RUNNING THENCE SOUTHERLY, PARALLEL WITH SEVENTH AVENUE 200 FEET 10 INCHES TO THE NORTHERLY SIDE OF WEST 58TH STREET; THENCE WESTERLY ALONG THE NORTHERLY SIDE OF WEST 58TH STREET, 145 FEET TO THE EASTERLY SIDE OF BROADWAY; THENCE NORTHWESTERLY ALONG THE EASTERLY SIDE OF BROADWAY 165 FEET 9 1/2 INCHES TO ITS INTERSECTION WITH THE EASTERLY SIDE OF GRAND OR COLUMBUS CIRCLE; THENCE NORTHERLY ALONG THE EASTERLY SIDE OF GRAND OR COLUMBUS CIRCLE, 50 FEET 3 INCHES TO THE SOUTHERLY SIDE OF CENTRAL PARK SOUTH; THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF CENTRAL PARK SOUTH, 189 FEET 10 1/2 INCHES TO THE POINT OR PLACE OF BEGINNING.

AND, BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF 10TH STREET WITH THE WESTERLY SIDE OF BROADWAY; RUNNING THENCE WESTERLY ALONG THE SAID SOUTHERLY SIDE OF 10TH STREET, 125 FEET 5 INCHES TO THE DIVISION LINE BETWEEN LOTS 222 AND 223 ON SAID MAP; THENCE SOUTHERLY ALONG SAID DIVISION LINE AT RIGHT ANGLES TO SAID SOUTHERLY SIDE OF EAST 10TH STREET, 92 FEET 3-1/2 INCHES TO THE DIVISION LINE

BETWEEN LOTS 222 AND 191 ON SAID MAP; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST COURSE AND ALONG THE DIVISION LINE BETWEEN LOTS 220, 221 AND 222 ON SAID MAP ON THE NORTH AND LOTS 191, 192 AND 193 ON SAID MAP ON THE SOUTH, 61 FEET 1 INCH TO THE DIVISION LINE BETWEEN LOTS 193 AND 194 ON SAID MAP; THENCE SOUTHERLY ALONG SAID LAST MENTIONED DIVISION LINE AT RIGHT ANGLES TO THE LAST COURSE, 92 FEET 3 INCHES TO THE NORTHERLY SIDE OF EAST 9TH STREET;

ALL THAT CERTAIN PLOT, PIECE OF PARCEL OF LAND SITUATE, LYING AN BEING IN THE BOROUGH OF MANHATTAN, COUNTY, CITY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF ASTOR PLACE AND THE EASTERLY SIDE OF BROADWAY; RUNNING THENCE NORTHERLY ALONG THE EASTERLY SIDE OF BROADWAY, 133 FEET 1/2 OF AN INCH TO THE CORNER FORMED BY THE INTERSECTION OF EASTERLY SIDE OF BROADWAY AND THE SOUTHERLY SIDE OF EAST 8TH STREET;

THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF EAST 8TH STREET, 116 FEET 81/4 INCHES;

THENCE SOUTHERLY ON A LINE FORMING AN ANGLE OF 97 DEGREES 51 MINUTES 40 SECONDS WITH THE SOUTHERLY SIDE OF EAST 8TH STREET, 98 FEET 7 INCHES TO THE NORTHERLY SIDE OF ASTOR PLACE;

THENCE WESTERLY ALONG THE NORTHERLY SIDE OF ASTOR PLACE, 143 FEET 91/2 INCHES TO THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF ASTOR PLACES AND THE EASTERLY SIDE OF BROADWAY, AT THE POINT OR PLACE OF BEGINNING.

S 2. This act shall take effect immediately.