

7669--A

Cal. No. 1101

I N   S E N A T E

May 27, 2014

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Introduced by Sens. DeFRANCISCO, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the alcoholic beverage control law, in relation to the exemption of certain parcels of land

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

1     Section 1.     Subdivision 13 of section 106 of the alcoholic beverage  
2 control law, as amended by chapter 22 of the laws of 2011, is amended to  
3 read as follows:  
4     13. No retail licensee for on-premises consumption shall be inter-  
5 ested, directly or indirectly, in any premises where liquors, wines or  
6 beer are manufactured or sold at wholesale, by stock ownership, inter-  
7 locking directors, mortgage or lien on any personal or real property or  
8 by any other means, except that liquors, wines or beer may be manufac-  
9 tured or sold wholesale by the person licensed as a manufacturer or  
10 wholesaler thereof on real property owned by an interstate railroad  
11 corporation or a United States certificated airline with a retail  
12 license for on-premises consumption, or on premises or with respect to a  
13 business constituting an overnight lodging and resort facility located  
14 wholly within the boundaries of the town of North Elba, county of Essex,  
15 township eleven, Richard's survey, great lot numbers two hundred seven-  
16 ty-eight, two hundred seventy-nine, two hundred eight, two hundred nine-  
17 ty-eight, two hundred ninety-nine, three hundred, three hundred eigh-  
18 teen, three hundred nineteen, three hundred twenty, three hundred  
19 thirty-five and three hundred thirty-six, and township twelve, Thorn's  
20 survey, great lot numbers one hundred six and one hundred thirteen, as  
21 shown on the Adirondack map, compiled by the conservation department of  
22 the state of New York - nineteen hundred sixty-four edition, in the  
23 Essex county atlas at page twenty-seven in the Essex county clerk's  
24 office, Elizabethtown, New York, provided that such facility maintains

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

LBD15338-03-4

1 not less than two hundred fifty rooms and suites for overnight lodging,  
2 or on premises or with respect to the operation of a restaurant in an  
3 office building located in a city having a population of five hundred  
4 thousand or more and in which is located the licensed premises of such  
5 manufacturer or wholesaler, provided that the building, the interior of  
6 the retail premise and the rental therefor fully comply with the criteria  
7 set forth in paragraph two of subdivision three of section one  
8 hundred one of this article, any such premises or business located on  
9 that tract or parcel of land, or any subdivision thereof, situate in the  
10 Village of Lake Placid, Town of North Elba, Essex County, New York; it  
11 being also a part of Lot No. 279, Township No. 11, Old Military Tract,  
12 Richard's Survey; it being also all of Lot No. 23 and part of Lot No. 22  
13 as shown and designated on a certain map entitled "Map of Building Sites  
14 for Sale by B.R. Brewster" made by G.T. Chellis C.E. in 1892; also being  
15 PARCEL No. 1 on a certain map of lands of Robert J. Mahoney and wife  
16 made by G.C. Sylvester, P.E. & L.S. # 21300, dated August 4, 1964, and  
17 filed in the Essex County Clerk's Office on August 27, 1964, and more  
18 particularly bounded and described as follows; BEGINNING at the inter-  
19 section of the northerly bounds of Shore Drive (formerly Mirror Street)  
20 with the westerly bounds of Park Place (formerly Rider Street) which  
21 point is also the northeast corner of Lot No. 23, from thence South  
22 21°50' East in the westerly bounds of Park Place a distance of 119 feet,  
23 more or less, to a lead plug in the edge of the sidewalk marking the  
24 southeast corner of Lot No. 23 and the northeast corner of Lot No. 24;  
25 from thence South 68°00'50" West a distance of 50.05 feet to an iron  
26 pipe set in concrete at the corner of Lots 23 and 22; from thence South  
27 65°10'50" West a distance of 7.94 feet along the south line of Lot No.  
28 22 to an iron pipe for a corner; from thence North 23°21'40" West and at  
29 17.84 feet along said line passing over a drill hole in a concrete side-  
30 walk, and at 68.04 feet further along said line passing over an iron  
31 pipe at the southerly edge of another sidewalk, and at 1.22 feet further  
32 along said line passing over another drill hole in a sidewalk, a total  
33 distance of 119 feet, more or less, to the northerly line of Lot No. 22;  
34 from thence easterly in the northerly line of Lot 22 and 23 to the  
35 northeast corner of Lot No. 23 and the point of beginning. Also includ-  
36 ing the lands to the center of Shore Drive included between the norther-  
37 ly straight line continuation of the side lines of the above described  
38 parcel, and to the center of Park Place, where they abut the above  
39 described premises SUBJECT to the use thereof for street purposes. Being  
40 the same premises conveyed by Morestuff, Inc. to Madeline Sellers by  
41 deed dated June 30, 1992, recorded in the Essex County Clerk's Office on  
42 July 10, 1992 in Book 1017 of Deeds at Page 318, or any such premises or  
43 business located on that certain piece or parcel of land, or any subdi-  
44 vision thereof, situate, lying and being in the Town of Plattsburgh,  
45 County of Clinton, State of New York and being more particularly bounded  
46 and described as follows: Starting at an iron pipe found in the easterly  
47 bounds of the highway known as the Old Military Turnpike, said iron pipe  
48 being located 910.39 feet southeasterly, as measured along the easterly  
49 bounds of said highway, from the southerly bounds of the roadway known  
50 as Industrial Parkway West, THENCE running S 31° 54' 33" E along the  
51 easterly bounds of said Old Military Turnpike Extension, 239.88 feet to  
52 a point marking the beginning of a curve concave to the west; thence  
53 southerly along said curve, having a radius of 987.99 feet, 248.12 feet  
54 to an iron pipe found marking the point of beginning for the parcel  
55 herein being described, said point also marked the southerly corner of  
56 lands of Larry Garrow, et al, as described in Book 938 of Deeds at page

1 224; thence N 07° 45' 4" E along the easterly bounds of said Garrow,  
2 748.16 feet to a 3"x4" concrete monument marking the northeasterly  
3 corner of said Garrow, the northwesterly corner of the parcel herein  
4 being described and said monument also marking the southerly bounds of  
5 lands of Salerno Plastic Corp. as described in Book 926 of Deeds at Page  
6 186; thence S 81° 45' 28" E along a portion of the southerly bounds of  
7 said Salerno Plastic Corp., 441.32 feet to an iron pin found marking the  
8 northeasterly corner of the parcel herein being described and also mark-  
9 ing the northwest corner of the remaining lands now or formerly owned by  
10 said Marx and Delaura; thence S 07° 45' 40" W along the Westerly bounds  
11 of lands now of formerly of said Marx and DeLaura and along the easterly  
12 bounds of the parcel herein being described, 560.49 feet to an iron pin;  
13 thence N 83° 43' 21" W along a portion of the remaining lands of said  
14 Marx and DeLaura, 41.51 feet to an iron pin; thence S 08° 31' 30" W,  
15 along a portion of the remaining lands of said Marx and Delaura, 75.01  
16 feet to an iron pin marking northeasterly corner of lands currently  
17 owned by the Joint Council for Economic Opportunity of Plattsburgh and  
18 Clinton County, Inc. as described in Book 963 of Deeds at Page 313;  
19 thence N 82° 20' 32" W along a portion of the northerly bounds of said  
20 J.C.E.O., 173.50 feet to an iron pin; thence 61° 21' 12" W, continuing  
21 along a portion of the northerly bounds of said J.C.E.O., 134.14 feet to  
22 an iron pin; thence S 07° 45' 42" W along the westerly bounds of said  
23 J.C.E.O., 50 feet to an iron pin; thence S 66° 48' 56" W along a portion  
24 of the northerly bounds of remaining lands of said Marx and DeLaura,  
25 100.00 feet to an iron pipe found on the easterly bounds of the afore-  
26 said highway, said from pipe also being located on a curve concave to  
27 the west; thence running and running northerly along the easterly bounds  
28 of the aforesaid highway and being along said curve, with the curve  
29 having a radius of 987.93 feet, 60.00 feet to the point of beginning and  
30 containing 6.905 acres of land. Being the same premises as conveyed to  
31 Ronald Marx and Alice Marx by deed of CIT Small Business Lending Corp.,  
32 as agent of the administrator, U.S. Small Business Administration, an  
33 agency of the United States Government dated September 10, 2001 and  
34 recorded in the office of the Clinton County Clerk on September 21, 2001  
35 as Instrument #135020, or any such premises or businesses located on  
36 that certain plot, piece or parcel of land, situate, lying and being in  
37 the Second Ward of the City of Schenectady, on the Northerly side of  
38 Union Street, bounded and described as follows: to wit; Beginning at the  
39 Southeasterly corner of the lands lately owned by Elisha L. Freeman and  
40 now by Albert Shear; and running from thence Easterly along the line of  
41 Union Street, 44 feet to the lands now owned by or in the possession of  
42 James G. Van Vorst; thence Northerly in a straight line along the last  
43 mentioned lands and the lands of the late John Lake, 102 feet to the  
44 lands of one Miss Rodgers; thence Westerly along the line of the last  
45 mentioned lands of said Rodgers to the lands of the said Shear; and  
46 thence Southerly along the lands of said Shear 101 feet, 6 inches to  
47 Union Street, the place of beginning.

48 Also all that tract or parcel of land, with the buildings thereon,  
49 situate in the City of Schenectady, County of Schenectady, and State of  
50 New York, situate in the First, formerly the Second Ward of the said  
51 City, on the Northerly side of Union Street, which was conveyed by  
52 William Meeker and wife to Elisha L. Freeman by deed dated the second  
53 day of December 1843, and recorded in the Clerk's Office of Schenectady  
54 County on December 5, 1843, in Book V of Deeds at page 392, which lot in  
55 said deed is bounded and described as follows: Beginning at a point in  
56 the Northerly line of Union Street where it is intersected by the East-

1 erly line of property numbered 235 Union Street, which is hereby  
2 conveyed, and running thence Northerly along the Easterly line of said  
3 property, One Hundred Forty and Five-tenths (140.5) feet to a point  
4 sixteen (16) feet Southerly from the Southerly line of the new garage  
5 built upon land adjoining on the North; thence Westerly parallel with  
6 said garage, Forty-six and Seven-tenths (46.7) feet; thence Southerly  
7 One Hundred Forty and Eighty-tenths (140.8) feet to the Northerly margin  
8 of Union Street; thence Easterly along the Northerly margin of Union  
9 Street, about Forty-eight and three-tenths (48.3) feet to the point or  
10 place of beginning.

11 The two above parcels are together more particularly described as  
12 follows:

13 All that parcel of land in the City of Schenectady beginning at a  
14 point in the northerly margin of Union Street at the southwesterly  
15 corner of lands now or formerly of Friedman (Deed Book 636 at page 423)  
16 which point is about 60 feet westerly of the westerly line of North  
17 College Street and runs thence N. 86 deg. 42' 20" W. 92.30 feet to the  
18 southeasterly corner of other lands now or formerly of Friedman (Deed  
19 Book 798 at page 498); thence N. 04 deg. 06' 48" E. 140.50 feet to the  
20 southwesterly corner of lands now or formerly of Stockade Associates  
21 (Deed Book 1038 at page 521); thence S. 87 deg. 05' 27" E. 46.70 feet to  
22 lands now or formerly at McCarthy (Deed Book 1129 at page 281); thence  
23 along McCarthy S. 00 deg. 52' 02" E. 3.69 feet to the northwesterly  
24 corner of lands now or formerly of SONYMA (Deed Book 1502 at page 621);  
25 thence along lands of SONYMA S. 02' 56" W. 34.75 feet to a corner; thence  
26 still along lands of SONYMA and lands now or formerly of Magee (Deed  
27 Book 399 at page 165) S. 86 deg. 11' 52" E. 42.57 feet to a corner;  
28 thence still along lands of Magee and Lands of Friedman first above  
29 mentioned S. 03 deg. 10' 08" W. 102.00 feet to the point of beginning.

30 Excepting and reserving all that portion of the above parcel lying  
31 easterly of a line described as follows:

32 All that tract or parcel of land, situated in the City of Schenectady  
33 and County of Schenectady and State of New York, on the Northerly side  
34 of Union Street bounded and described as follows:

35 Beginning at a point in the northerly line of Union Street, said point  
36 being in the division line between lands now or formerly of Electric  
37 Brew Pubs, Inc. (1506 of Deeds at page 763) on the West and lands now or  
38 formerly of Margaret Wexler and Donna Lee Wexler Pavlovic, as trustees  
39 under Will of Ruth F. Wexler (Street number 241 Union Street) on the  
40 East; thence North 03 deg. 04' 10" East, along the building known as  
41 Street No. 241 Union Street, a distance of 30.50 feet to a point; thence  
42 North 88 deg. 45' 45" West, along said building and building eve, a  
43 distance of 5.62 feet to a point; thence North 03 deg. 03' 30" East,  
44 along said building eve of Street No. 241 Union Street, a distance of  
45 32.74 feet; thence South 88 deg. 45' 45" East, along said building eve,  
46 a distance of 1.2 feet to an intersection of building corner of Street  
47 No. 241 Union Street and a brick wall; thence north 03 deg. 37' 30"  
48 East, along said brick wall, a distance of 14.47 feet to a point in the  
49 corner of the brick wall, thence South 86 deg. 46' 45" East along said  
50 brick wall a distance of 4.42 feet to the intersection of brick wall  
51 with the boundary line between the Electric Brew Pubs, Inc. (aforesaid)  
52 on the West and lands of Margaret Wexler and Donna Lee Wexler Pavlovic,  
53 (aforesaid) on the East; thence North 03 deg 10' 08" East a distance of  
54 0.62 feet to the Northeast corner of lands belonging to Margaret Wexler  
55 and Donna Lee Wexler Pavlovic.

1 Also all that tract or parcel of land commonly known as the Union  
2 Street School, located on the Northeasterly corner of Union and North  
3 College Streets in the First Ward of the City and County of Schenectady  
4 and State of New York, more particularly bounded and described as  
5 follows: Beginning at a point in the Northerly street line of Union  
6 Street where it is intersected by the Easterly street line of North  
7 College Street, and runs thence Northerly along the Easterly street line  
8 of North College Street, one hundred seven and five-tenths (107.5) feet  
9 to a point, thence easterly at an angle of ninety (90) degrees, one  
10 hundred ninety-one and seventy-five hundredths (191.75) feet to a point  
11 in the Northwesterly street line of Erie Boulevard thence southwesterly  
12 along the Northwesterly street line of Erie Boulevard, one hundred twen-  
13 ty-three and eight-tenths (123.8) feet to its intersection with the  
14 Northerly street line of Union Street; thence Westerly along the North-  
15 erly street line of Union Street, one hundred twenty-four and fifty-five  
16 hundredths (124.55) feet to the point or place of beginning.

17 The above described parcel of property includes the Blue Line parcel  
18 of land, which is a portion of the abandoned Erie Canal Lands, located  
19 in the First Ward of the City of Schenectady, New York, and which Blue  
20 Line parcel lies between the Northwesterly line of Erie Boulevard as set  
21 forth in the above described premises and the Northeasterly lot line of  
22 the old Union Street School as it runs parallel with the Northwesterly  
23 line of Erie Boulevard as aforesaid.

24 The two above parcels are together more particularly described as  
25 follows: All that parcel of land in the City of Schenectady beginning at  
26 a point in the northerly margin of Union Street and the northwesterly  
27 margin of Erie Boulevard and runs thence along Union Street N. 86 deg.  
28 42' 20" W. 124.55 feet to the easterly margin of North College Street;  
29 thence along North College Street N. 05 deg 04' 40" E. 107.50 feet to  
30 the southeasterly corner of lands now or formerly of McCarthy (Deed Book  
31 1129 at page 279); thence along McCarthy, Cottage Alley and lands now or  
32 formerly of McGregor (Deed Book 912 at page 624) S. 84 deg. 55' 20" E.  
33 191.75 feet to the northwesterly margin of Erie Boulevard; thence along  
34 Erie Boulevard S. 38 deg. 03' 53" W. 123.54 feet to the point of begin-  
35 ning, any such premises or businesses located on that tract or parcel of  
36 land situate in the Town of Hopewell, Ontario County, State of New York,  
37 bounded and described as follows: Commencing at a 5/8" rebar found on  
38 the division line between lands now or formerly of Ontario County -  
39 Finger Lakes Community College (Liber 698 of Deeds, Page 466) on the  
40 north and lands now or formerly of James W. Baird (Liber 768 of Deeds,  
41 Page 1109) on the south; thence, North 43°-33'-40" West, on said divi-  
42 sion line, a distance of 77.32 feet to the Point of Beginning. Thence,  
43 North 43°-33'-40" West, continuing on said division line and through  
44 said lands of Ontario County, a distance of 520.45 feet to a point on  
45 the southeasterly edge of an existing concrete pad; thence, South  
46 74°-19'-53" West, along said edge of concrete and the projection there-  
47 of, a distance of 198.78 feet to a point on the easterly edge of pave-  
48 ment of an existing campus drive; thence, the following two (2) courses  
49 and distances along said edge of pavement: Northeasterly on a curve to  
50 the left having a radius of 2221.65 feet, a chord bearing of North  
51 30°-16'-39" East, a chord distance of 280.79, a central angle of  
52 07°-14'-47", a length of 280.98 feet to a point of reverse curvature;  
53 thence, Northeasterly on a curve to the right having a radius of 843.42  
54 feet, a chord bearing of North 45°-25'-09" East, a chord distance of  
55 534.08, a central angle of 36°-55'-01", a length of 543.43 feet to a  
56 point; thence, South 30°-04'-59" East, a distance of 18.28 feet to the

1 corner of the property acquired by Ontario County (Liber 766 of Deeds,  
2 Page 1112), as shown on a map recorded in the Ontario County Clerk's  
3 Office as Map No. 6313; thence, the following four (4) courses and  
4 distances along said property line: South 30°-04'-59" East, a distance  
5 of 177.17 feet to a point; thence, South 02°-20'-33" East, a distance of  
6 147.53 feet to a point; thence, South 41°-31'-35" East, a distance of  
7 200.93 feet to a point; thence, South 23°-48'-53" West, along said prop-  
8 erty line, and the projection thereof, through the first said lands of  
9 Ontario County - Finger Lakes Community College (Liber 698 of Deeds,  
10 Page 466), a distance of 517.96 feet to Point of Beginning. Said parcel  
11 containing 7.834 acres, more or less, as shown on a map entitled  
12 "Proposed Lease Area - Friends of the Finger Lakes Performing Arts  
13 Center, Hopewell, NY", prepared by Bergmann Associates, drawing LM-01,  
14 dated June 10, 2005, last revised August 17, 2005. The related PAC Prop-  
15 erties are shown on the Map denominated "FLCC Campus Property, FLPAC  
16 Ground Lease, Parking, Vehicular & Pedestrian Access", recorded in the  
17 Ontario County Clerk's Office on December 10, 2009 in Book 1237 of Deeds  
18 at page 9 and are comprised of the areas separately labeled as Parking  
19 Lot 'A', Parking Lot 'G', the Ticket Booth area, the Sidewalks, and the  
20 Entry Roads; ANY SUCH PREMISES OR BUSINESSES LOCATED ON ALL THAT CERTAIN  
21 PIECE OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE, COUNTY OF ONON-  
22 DAGA, STATE OF NEW YORK, LYING GENERALLY NORTHWESTERLY OF THE WEST  
23 HIAWATHA BOULEVARD, AND GENERALLY NORTHEASTERLY OF THE NEW YORK STATE  
24 BARGE CANAL, BEING A PORTION OF LOT 11I AND LOT 11J OF THE CAROUSEL  
25 CENTER SUBDIVISION AS SHOWN ON A RESUBDIVISION PLAN OF THE CAROUSEL  
26 CENTER SUBDIVISION FILED AS MAP NO. 8743 IN THE ONONDAGA COUNTY CLERK'S  
27 OFFICE, AND AS OF MAY 20, 2014 IDENTIFIED AS SPACE L323 IN A LEASE  
28 BETWEEN THE LIQUOR LICENSE APPLICANT AND PROPERTY OWNER AND ON THE THIRD  
29 LEVEL OF THE SHOPPING CENTER THEREON, SUCH SHOPPING CENTER LAND BEING  
30 MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

31 BEGINNING AT THE POINT OF THE INTERSECTION OF THE DIVISION LINE  
32 BETWEEN THE NORTHEASTERLY BOUNDARY OF THE NEW YORK STATE BARGE CANAL,  
33 SYRACUSE TERMINAL DESIGNATED AS "PARCEL NO. T-111" ON THE SOUTHWEST AND  
34 LOT 11I OF THE CAROUSEL CENTER SUBDIVISION ON THE NORTHEAST WITH THE  
35 NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE NORTH 50 DEG.  
36 26 MIN. 28 SEC. WEST, ALONG SAID DIVISION LINE, 690.72 FEET; TO A POINT;  
37 THENCE THROUGH LOT 11I AND 11J OF SAID SUBDIVISION THE FOLLOWING THIR-  
38 TY-FIVE (35) COURSES AND DISTANCES:

- 39 1) THENCE NORTH 40 DEG. 22 MIN. 15 SEC. EAST 191.79 FEET TO A POINT;
- 40 2) THENCE SOUTH 82 DEG. 04 MIN. 58 SEC. EAST 294.58 FEET TO A POINT;
- 41 3) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 314.89 FEET TO A POINT;
- 42 4) THENCE SOUTH 82 DEG. 07 MIN. 45 SEC. EAST 53.96 FEET TO A POINT;
- 43 5) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 70.18 FEET TO A POINT;
- 44 6) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 40.81 FEET TO A POINT;
- 45 7) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 35.49 FEET TO A POINT;
- 46 8) THENCE SOUTH 82 DEG. 07 MIN. 50 SEC. EAST 1.52 FEET TO A POINT;
- 47 9) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 45.53 FEET TO A POINT;
- 48 10) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 92.67 FEET TO A POINT;
- 49 11) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 194.00 FEET TO A POINT;
- 50 12) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 121.00 FEET TO A POINT;
- 51 13) THENCE NORTH 07 DEG. 52 MIN. 14 SEC. EAST 408.67 FEET TO A POINT;
- 52 14) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 168.50 FEET TO A POINT;
- 53 15) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 34.33 FEET TO A POINT;
- 54 16) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 15.33 FEET TO A POINT;
- 55 17) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 341.67 FEET TO A POINT;
- 56 18) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 199.44 FEET TO A POINT;

1 19) THENCE NORTH 07 DEG. 52 MIN. 31 SEC. EAST 0.97 FEET TO A POINT;  
2 20) THENCE NORTH 52 DEG. 50 MIN. 09 SEC. EAST 11.22 FEET TO A POINT;  
3 21) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 20.77 FEET TO A POINT;  
4 22) THENCE NORTH 37 DEG. 05 MIN. 57 SEC. WEST 30.86 FEET TO A POINT;  
5 23) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 21.02 FEET TO A POINT;  
6 24) THENCE SOUTH 52 DEG. 13 MIN. 00 SEC. WEST 5.85 FEET TO A POINT;  
7 25) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 7.41 FEET TO A POINT;  
8 26) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 108.15 FEET TO A POINT;  
9 27) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 0.75 FEET TO A POINT;  
10 28) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 22.46 FEET TO A POINT;  
11 29) THENCE NORTH 82 DEG. 07 MIN. 44 SEC. WEST 0.75 FEET TO A POINT;  
12 30) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 43.48 FEET TO A POINT;  
13 31) THENCE NORTH 52 DEG. 52 MIN. 15 SEC. EAST 7.78 FEET TO A POINT;  
14 32) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 47.79 FEET TO A POINT;  
15 33) THENCE NORTH 37 DEG. 07 MIN. 44 SEC. WEST 7.78 FEET TO A POINT;  
16 34) THENCE NORTH 07 DEG. 52 MIN. 16 SEC. EAST 198.11 FEET TO A POINT;  
17 AND  
18 35) THENCE SOUTH 82 DEG. 07 MIN. 44 SEC. EAST 207.07 FEET TO A POINT  
19 ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 81, THENCE ALONG  
20 THE WESTERLY AND SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE ROUTE 81,  
21 IN A GENERALLY SOUTHEASTERLY DIRECTION, THE FOLLOWING SEVEN (7) COURSES  
22 AND DISTANCES:  
23 1) THENCE SOUTH 18 DEG. 26 MIN. 44 SEC. EAST 44.24 FEET TO A POINT;  
24 2) THENCE SOUTH 31 DEG. 26 MIN. 40 SEC. EAST 70.85 FEET TO A POINT;  
25 3) THENCE SOUTH 37 DEG. 56 MIN. 38 SEC. EAST 377.51 FEET TO A POINT;  
26 4) THENCE SOUTH 33 DEG. 48 MIN. 10 SEC. EAST 129.69 FEET TO A POINT;  
27 5) THENCE SOUTH 32 DEG. 22 MIN. 13 SEC. EAST 213.26 FEET TO A POINT;  
28 6) THENCE SOUTH 42 DEG. 27 MIN. 42 SEC. EAST 58.65 FEET TO A POINT;  
29 AND  
30 7) THENCE SOUTH 40 DEG. 20 MIN. 45 SEC. EAST 77.11 FEET TO ITS INTER-  
31 SECTION WITH LANDS APPROPRIATED BY THE PEOPLE OF THE STATE OF NEW YORK  
32 DESCRIBED AS MAP 1401 PARCEL 1831 IN BOOK 5256 OF DEEDS AT PAGE 686 AND  
33 BOOK 5274 OF DEEDS AT PAGE 836; THENCE ALONG THE BOUNDS OF SAID MAP 1401  
34 PARCEL 1831 THE FOLLOWING FIFTEEN (15) COURSES AND DISTANCES:  
35 1) SOUTH 07 DEG. 30 MIN. 19 SEC. EAST 39.16 FEET TO A POINT; THENCE  
36 2) SOUTH 03 DEG. 25 MIN. 41 SEC. WEST 30.00 FEET TO A POINT; THENCE  
37 3) SOUTH 12 DEG. 49 MIN. 21 SEC. WEST 30.00 FEET TO A POINT; THENCE  
38 4) SOUTH 22 DEG. 11 MIN. 30 SEC. WEST 30.00 FEET TO A POINT; THENCE  
39 5) SOUTH 31 DEG. 35 MIN. 08 SEC. WEST 30.00 FEET TO A POINT; THENCE  
40 6) SOUTH 40 DEG. 57 MIN. 25 SEC. WEST 30.01 FEET TO A POINT; THENCE  
41 7) SOUTH 48 DEG. 44 MIN. 51 SEC. WEST 20.00 FEET TO A POINT; THENCE  
42 8) SOUTH 55 DEG. 01 MIN. 19 SEC. WEST 19.99 FEET TO A POINT; THENCE  
43 9) SOUTH 65 DEG. 30 MIN. 44 SEC. WEST 8.49 FEET TO A POINT; THENCE  
44 10) NORTH 75 DEG. 22 MIN. 31 SEC. WEST 38.92 FEET TO A POINT; THENCE  
45 11) NORTH 29 DEG. 08 MIN. 26 SEC. WEST 25.83 FEET TO A POINT; THENCE  
46 12) NORTH 07 DEG. 58 MIN. 33 SEC. WEST 20.27 FEET TO A POINT; THENCE  
47 13) NORTH 07 DEG. 40 MIN. 45 SEC. EAST 100.00 FEET TO A POINT; THENCE  
48 14) NORTH 82 DEG. 23 MIN. 04 SEC. WEST 1.00 FEET TO A POINT; AND  
49 15) SOUTH 07 DEG. 40 MIN. 49 SEC. WEST 425.30 TO ITS INTERSECTION WITH  
50 THE NORTHERLY BOUNDS OF MAP 1402 PARCEL 1836 OF SAID APPROPRIATION;  
51 THENCE ALONG THE BOUNDS OF MAP 1402 PARCEL 1836 AS DESCRIBED IN BOOK  
52 5256 OF DEEDS AT PAGE 686 AND BOOK 5274 OF DEEDS AT PAGE 836 THE FOLLOW-  
53 ING THREE (3) COURSES AND DISTANCES:  
54 1) SOUTH 07 DEG. 40 MIN. 17 SEC. WEST 70.35 FEET TO A POINT; THENCE  
55 2) SOUTH 82 DEG. 09 MIN. 26 SEC. EAST 1.00 FEET TO A POINT; AND

1 3) NORTH 07 DEG. 40 MIN. 37 SEC. EAST 70.35 FEET TO ITS INTERSECTION  
2 WITH THE BOUNDS OF THE HEREINABOVE DESCRIBED MAP 1401 PARCEL 1831;  
3 THENCE ALONG THE BOUNDS OF SAID MAP 1401 PARCEL 1831 THE FOLLOWING TEN  
4 (10) COURSES AND DISTANCES:  
5 1) NORTH 07 DEG. 40 MIN. 37 SEC. EAST 100.00 FEET TO A POINT; THENCE  
6 2) NORTH 40 DEG. 32 MIN. 01 SEC. EAST 61.06 FEET TO A POINT; THENCE  
7 3) NORTH 50 DEG. 26 MIN. 34 SEC. EAST 110.76 FEET TO A POINT; THENCE  
8 4) NORTH 55 DEG. 51 MIN. 53 SEC. EAST 43.02 FEET TO A POINT; THENCE  
9 5) NORTH 66 DEG. 11 MIN. 17 SEC. EAST 30.00 FEET TO A POINT; THENCE  
10 6) NORTH 79 DEG. 28 MIN. 24 SEC. EAST 30.00 FEET TO A POINT; THENCE  
11 7) SOUTH 87 DEG. 12 MIN. 02 SEC. EAST 30.00 FEET TO A POINT; THENCE  
12 8) SOUTH 73 DEG. 54 MIN. 22 SEC. EAST 30.00 FEET TO A POINT; THENCE  
13 9) SOUTH 59 DEG. 56 MIN. 49 SEC. EAST 33.00 FEET TO A POINT; AND  
14 10) SOUTH 47 DEG. 06 MIN. 38 SEC. EAST 95.11 FEET TO ITS INTERSECTION  
15 WITH THE DIVISION LINE BETWEEN LOT 11J ON THE NORTHWEST AND THE LANDS  
16 NOW OR FORMERLY OF WOODSTEAD ENTERPRISES CO. AS DESCRIBED IN BOOK 3530  
17 OF DEEDS AT PAGE 257 ON THE SOUTHEAST (FORMERLY LANDS OF ROME WATERTOWN  
18 AND OSWEGO RAILROAD COMPANY VIA LETTERS PATENT, BOOK 292, PAGE 264);  
19 THENCE SOUTH 28 DEG. 12 MIN. 27 SEC. WEST ALONG SAID DIVISION LINE AND  
20 ALONG THE NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD IN PART,  
21 36.93 FEET TO ITS POINT OF INTERSECTION WITH NORTHEASTERLY BOUNDARY OF  
22 WEST HIAWATHA BOULEVARD; THENCE NORTH 61 DEG. 43 MIN. 58 SEC. WEST ALONG  
23 SAID NORTHEASTERLY BOUNDARY 158.30 FEET TO ITS POINT OF INTERSECTION  
24 WITH THE NORTHWESTERLY BOUNDARY OF SAID WEST HIAWATHA BOULEVARD; THENCE  
25 WEST ALONG SAID NORTHWESTERLY BOUNDARY THE FOLLOWING THREE (3) COURSES:  
26 1) SOUTH 30 DEG. 39 MIN. 30 SEC. WEST 599.46 FEET TO A POINT; THENCE 2)  
27 SOUTH 30 DEG. 30 MIN. 42 SEC. WEST 62.49 FEET TO A POINT; AND 3) SOUTH  
28 23 DEG. 40 MIN. 55 SEC. WEST 220.04 FEET TO ITS POINT OF INTERSECTION  
29 WITH SOUTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE SOUTH 49  
30 DEG. 30 MIN. 46 SEC. EAST ALONG SAID SOUTHWESTERLY BOUNDARY, 0.30 FEET  
31 TO ITS POINT OF INTERSECTION WITH THE FIRST HEREINABOVE DESCRIBED  
32 NORTHWESTERLY BOUNDARY OF WEST HIAWATHA BOULEVARD; THENCE SOUTH 40 DEG.  
33 26 MIN. 20 SEC. WEST, ALONG SAID NORTHWESTERLY BOUNDARY, 98.08 FEET TO  
34 ITS POINT OF INTERSECTION WITH THE DIVISION LINE BETWEEN LOT 11J ON THE  
35 NORTHEAST AND LOT 11H OF THE CAROUSEL CENTER SUBDIVISION ON THE SOUTH-  
36 WEST; THENCE NORTH 50 DEG. 25 MIN. 12 SEC. WEST, ALONG SAID DIVISION  
37 LINE, 147.85 FEET TO THE NORTHWEST CORNER OF LOT 11H; THENCE SOUTH 40  
38 DEG. 26 MIN. 20 SEC. WEST 217.47 FEET TO THE SOUTHWEST CORNER OF LOT  
39 11H; THENCE SOUTH 49 DEG. 49 MIN. 16 SEC. EAST 147.83 FEET TO A POINT ON  
40 THE FIRST HEREINABOVE DESCRIBED NORTHWESTERLY BOUNDARY OF WEST HIAWATHA  
41 BOULEVARD; THENCE ALONG SAID NORTHWESTERLY BOUNDARY OF WEST HIAWATHA  
42 BOULEVARD THE FOLLOWING TWO (2) COURSES: 1) SOUTH 40 DEG. 26 MIN. 20  
43 SEC. WEST 17.66 FEET TO A POINT; AND 2) SOUTH 43 DEG. 01 MIN. 50 SEC.  
44 WEST 468.25 FEET TO THE POINT OF BEGINNING.  
45 EXCEPTING THE FOLLOWING PIECE OR PARCEL OF LAND APPROPRIATED BY THE  
46 PEOPLE OF THE STATE OF NEW YORK DESCRIBED AS MAP 1401 PARCEL 1832 IN  
47 BOOK 5256 OF DEEDS AT PAGE 686 AND BOOK 5274 OF DEEDS AT PAGE 836:  
48 COMMENCING AT THE SOUTHWEST CORNER OF HEREIN ABOVE DESCRIBED MAP 1402  
49 PARCEL 1836 SAID POINT HAVING A PROCEEDING COURSE OF SOUTH 07 DEG. 40  
50 MIN. 17 SEC. WEST 70.35 FEET IN THE PREMISES DESCRIBE HEREINABOVE;  
51 THENCE NORTH 13 DEG. 18 MIN. 48 SEC. WEST 138.17 FEET TO THE SOUTHEAST  
52 CORNER OF MAP 1401 PARCEL 1832; THENCE ALONG THE BOUNDS OF SAID MAP 1401  
53 PARCEL 1832 THE FOLLOWING FOUR (4) COURSES AND DISTANCES:  
54 1) NORTH 82 DEG. 09 MIN. 26 SEC. WEST 1.00 FEET TO A POINT; THENCE  
55 2) NORTH 07 DEG. 53 MIN. 50 SEC. EAST 353.36 FEET TO A POINT; THENCE  
56 3) SOUTH 81 DEG. 54 MIN. 58 SEC. EAST 1.00 FEET TO A POINT, AND

1 4) SOUTH 07 DEG. 53 MIN. 54 SEC. WEST 353.36 FEET TO THE POINT OF  
2 BEGINNING; or on premises or with respect to a business constituting the  
3 overnight lodging facility located wholly within the boundaries of that  
4 tract or parcel of land situated in the borough of Manhattan, city and  
5 county of New York, beginning at a point on the northerly side of west  
6 fifty-fourth street at a point one hundred feet easterly from the inter-  
7 section of the said northerly side of west fifty-fourth street and the  
8 easterly side of seventh avenue; running thence northerly and parallel  
9 with the easterly side of seventh avenue one hundred feet five inches to  
10 the center line of the block; running thence easterly and parallel with  
11 the northerly side of west fifty-fourth street and along the center line  
12 of the block fifty feet to a point; running thence northerly and paral-  
13 lel with the easterly side of seventh avenue one hundred feet five inch-  
14 es to the southerly side of west fifty-fifth street at a point distant  
15 one hundred fifty feet easterly from the intersection of the said south-  
16 erly side of west fifty-fifth street and the easterly side of seventh  
17 avenue; running thence easterly along the southerly side of west fifty-  
18 fifth street thirty-one feet three inches to a point; running thence  
19 southerly and parallel with the easterly side of the seventh avenue one  
20 hundred feet five inches to the center line of the block; running thence  
21 easterly along the center line of the block and parallel with the south-  
22 erly side of west fifty-fifth street, one hundred feet; running thence  
23 northerly and parallel with the easterly side of seventh avenue one  
24 hundred feet five inches to the southerly side of west fifty-fifth  
25 street; running thence easterly along the southerly side of west fifty-  
26 fifth street twenty-one feet ten and one-half inches to a point; running  
27 thence southerly and parallel with the easterly side of seventh avenue  
28 one hundred feet five inches to the center line of the block; running  
29 thence westerly along the center line of the block and parallel with the  
30 northerly side of west fifty-fourth street three feet one and one-half  
31 inches; running thence southerly and parallel with the easterly side of  
32 seventh avenue one hundred feet five inches to the northerly side of  
33 west fifty-fourth street at a point distant three hundred feet easterly  
34 from the intersection of the said northerly side of west fifty-fourth  
35 street and the easterly side of seventh avenue; running thence westerly  
36 and along the northerly side of west fifty-fourth street two hundred  
37 feet to the point or place of beginning, provided that such facility  
38 maintains not less than four hundred guest rooms and suites for over-  
39 night lodging. Any lien, mortgage or other interest or estate now held  
40 by said retail licensee on or in the personal or real property of such  
41 manufacturer or wholesaler, which mortgage, lien, interest or estate was  
42 acquired on or before December thirty-first, nineteen hundred thirty-  
43 two, shall not be included within the provisions of this subdivision;  
44 provided, however, the burden of establishing the time of the accrual of  
45 the interest, comprehended by this subdivision shall be upon the person  
46 who claims to be entitled to the protection and exemption afforded here-  
47 by.

48 S 2. This act shall take effect immediately.