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

6603--B

Cal. No. 535

I N  S E N A T E

January 29, 2016

Introduced by Sen. GOLDEN -- 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

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

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

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

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

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CITY REGISTER OF THE CITY OF NEW YORK, COUNTY OF KINGS, ON 4/24/12, AS CRFN 2012000163630, AS AMENDED BY FIRST AMENDMENT TO DECLARATION DATED 7/9/13 AND RECORDED 8/14/13 AS CRFN 2013000321931 (WHICH DECLARATION AND AMENDMENTS (IF APPLICABLE) THERETO ARE HEREINAFTER COLLECTIVELY REFERRED TO AS THE "DECLARATION"). THIS UNIT IS ALSO DESIGNATED AS TAX LOT 1002 IN BLOCK 266 OF THE COUNTY OF KINGS ON THE TAX MAP OF THE REAL PROPERTY ASSESSMENT DEPARTMENT AND ON THE FLOOR PLANS OF THE BUILDING, CERTIFIED BY SHERIDA E. PAULSON, ARCHITECTS, ON 439/12 AND FILED WITH THE REAL PROPERTY ASSESSMENT DEPARTMENT ON 4/20/12 AS CONDOMINIUM PLAN NO. 3197 AND ALSO FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK, COUNTY OF KINGS, ON 4/24/12 AS CONDOMINIUM MAP NO. 2012000163631.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S 2. This act shall take effect immediately.