STATE OF NEW YORK

1852

2019-2020 Regular Sessions

IN SENATE

January 16, 2019

Introduced by Sen. JACOBS -- 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 exempting certain parcels of land from the provisions of law which generally restrict manufacturers, wholesalers and retailers from sharing an interest in a liquor license

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph (xii) of paragraph (a) of subdivision 1 of section 101 of the alcoholic beverage control law, as added by chapter 453 of the laws of 2018, is amended and a new subparagraph (xiii) is added to read as follows:

(xii) ALSO ALL THOSE TRACTS OR PARCELS OF LAND, situate in the Tenth Ward of the City of Troy, County of Rensselaer and State of New York, known as Lots Number Seven (7), A Seven (A7), Six (6), A Six (A6), Five (5), A Five (A5) and the southerly portions of Lots Four (4) and A Four (A4), as the same are laid down and described on a certain Map made by Frederick W. Orr, dated August 15, 1918, filed in the Office of the Clerk of the County of Rensselaer as Map No. 29 1/2, Drawer 18. The said premises hereby intended to be conveyed are bounded and described as follows:

COMMENCING at an iron rod in the westerly side of River Street at the most southeasterly corner of premises heretofore conveyed by Harry Goldberg and Norman Goldberg to Arthur E. Collins and another, by Deed dated November 8, 1940, recorded November 12, 1940 In the Office of the Clerk of the County of Rensselaer in Book 633 of Deeds at page 400 and running thence southerly along the westerly line of River Street 215.6 feet to a pipe in the most southeasterly corner of Lot No. A7; thence westerly along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to the easterly shore of the Hudson River; thence northerly along the east-

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

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erly shore of the Hudson River 216 feet more or less to the most southwesterly corner of land heretofore conveyed by the said Harry Goldberg and Norman Goldberg to Arthur E. Collins and another hereinbefore recited; thence along the southerly line of lands heretofore conveyed to said Collins and another easterly 31.75 feet; thence northerly 6.33 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence easterly 150.57 feet to the point or place of beginning.

EXCEPTING THEREFROM that portion of the above described premises as were conveyed by John B. Garrett, Inc. to Cahill Orthopedic Laboratory, Inc. by deed dated June 22, 1993 and recorded in the Rensselaer County Clerk's Office on June 24, 1993 in Book 1690 of Deeds at Page 215,

Containing 17,600 square feet of land more or less.

BEARINGS refer to the magnetic meridian of 1993. Said premises are also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage and depth 115.60 x 220.00 being the same premises described in Book 6534 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being the same premises in the 2009 City of Troy Assessment Rolls and 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA, ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT)[~~.~~]**; or**

(xiii) ALL THAT TRACT OR PARCEL OF LAND, together with building and improvements erected thereon, situate in the City of Buffalo, county of Erie and State of New York, being Lots Nos, 1 to 10 inclusive and Lots Nos. 23 to 32 inclusive, in Block "I", of the Subdivision of a part of Lot 88, Black Rock, Township 11, Range I of the Holland Land Company's Survey, as shown on Cover Map No. 196, filed in the Erie County Clerk's Office, Buffalo, New York and more particularly described as follows:

BEGINNING at the intersection of the southerly line of Chandler Street and the easterly line of Manton Place, said point of beginning being also the northwesterly corner of Lot No 1 in the above referred to subdivision, running thence southerly along the easterly line of Manton Place a distance of 280 feet to the northerly line of Grote Street, which point is also the southwesterly corner of Lot No. 23 in the above referred to subdivision; thence easterly along the northerly line of Grote Street, 303.16 feet more or less to the easterly line or Lot No. 32 in said subdivision, which point is also the southwesterly corner of lands owned now or formerly by Anthony Young and Caroline Young, his wife; thence northerly along the easterly line of Lots 32 and 10, being also along the westerly line of land now or formerly of Anthony Young and wife and lands of Barcola Manufacturing Company a distance of 280 feet, more or less, to the southerly line of Chandler Street, said point being also the northeasterly corner of Lot No. 10 and the northwesterly corner of lands now or formerly of Barcola Manufacturing Company; thence westerly along the southerly side of Chandler Street a distance of 306.70 feet more or less to the easterly line of Manton Place, the point and place of beginning, containing 1.96 acres of land, being the same more or less.

§ 2. Subparagraph (xii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as amended by chapters 453 of the laws of 2018, is amended and a new subparagraph (xiii) is added to read as follows:

(xii) all those tracts or parcels of land, situate in the Tenth Ward of the City of Troy, County of Rensselaer and State of New York, known as Lots Number Seven (7), A Seven (A7), Six (6), A Six (A6), Five (5), A Five (A5) and the southerly portions of Lots Four (4) and A Four (A4), as the same are laid down and described on a certain Map made by Frederick W. Orr, dated August 15, 1918, filed in the Office of the Clerk of

the County of Rensselaer as Map No. 29 1/2, Drawer 18. The said premises hereby intended to be conveyed are bounded and described as follows:

COMMENCING at an iron rod in the westerly side of River Street at the most southeasterly corner of premises heretofore conveyed by Harry Goldberg and Norman Goldberg to Arthur E. Collins and another, by Deed dated November 8, 1940, recorded November 12, 1940 In the Office of the Clerk of the County of Rensselaer in Book 633 of Deeds at page 400 and running thence southerly along the westerly line of River Street 215.6 feet to a pipe in the most southeasterly corner of Lot No. A7; thence westerly along the southerly line of Lots Nos. A7 and 7, 163 feet more or less to the easterly shore of the Hudson River; thence northerly along the easterly shore of the Hudson River 216 feet more or less to the most southwesterly corner of land heretofore conveyed by the said Harry Goldberg and Norman Goldberg to Arthur E. Collins and another hereinbefore recited; thence along the southerly line of lands heretofore conveyed to said Collins and another easterly 31.75 feet; thence northerly 6.33 feet; thence easterly 18 feet; thence southerly 6.33 feet; thence easterly 150.57 feet to the point or place of beginning.

EXCEPTING THEREFROM that portion of the above described premises as were conveyed by John B. Garrett, Inc. to Cahill Orthopedic Laboratory, Inc. by deed dated June 22, 1993 and recorded in the Rensselaer County Clerk's Office on June 24, 1993 in Book 1960 of Deeds at Page 215, Containing 17,600 square feet of land more or less.

BEARINGS refer to the magnetic meridian of 1993. Said premises are also described as follows: Ward & Plate: 1005500 669 RIVER ST: frontage and depth 115.60 x 220.00 being the same premises described in Book 6534 of Deeds at Page 256 in the Rensselaer County Clerk's Office and being the same premises in the 2009 City of Troy Assessment Rolls and 90.78-3-2.1 In Rem Serial No. AY0054 (RIVERVIEW PROPERTIES INC; CORINA, ANGELO; MCLAUGHLIN, JOHN D & VASIL, SCOTT)[~~.~~]**; or**

(xiii) on such premises or business located on any of the following fifteen parcels:

PARCEL A

All that Tract or Parcel of Land, situate in the City of Buffalo, County of Erie and State of New York, being part of Inner Lot No, 200, described as follows:

Beginning at a point in the west line of Ellicott Street where said west line is intersected by the southerly line of said Inner Lot No. 200, which point is one hundred eighty-nine and six tenths (189.6) feet south of the intersection of said west line of Ellicott Street with the south line of Huron Street: running thence westerly along the south line of said Inner Lot No., 200, one hundred (100) feet: thence northerly parallel with Ellicott Street forty-eight and five hundredths (48.05) feet: thence easterly and at right angles to Ellicott Street eighteen and thirty-six hundredths (18.36) feet: thence southerly one (1) foot more or less to a division line of the northerly wall of building known as No. 338-342 Ellicott Street and southerly wall of building known as No. 346 Ellicott Street: thence easterly and at right angles to Ellicott Street eighty-one and sixty-four hundredths (81.64) feet to the westerly line of Ellicott Street: thence southerly along the westerly line of Ellicott Street forty-six and seventy-two hundredths (46.72) feet to the point or place of beginning.

PARCEL B

ALL that tract or parcel of land, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot Number fifty-

seven (57), Township eleven (11) and Range eight (8) of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the westerly line of Elmwood Avenue distant one hundred thirty-three (133) feet northerly from its intersection with the northerly line of Hodge Avenue; and running thence westerly at right angles to the westerly line of Elmwood Avenue, one hundred thirteen (113) feet; thence northerly parallel with the said westerly line of Elmwood Avenue, thirty-four (34) feet; thence easterly at right angles to the said westerly line of Elmwood Avenue, one hundred thirteen (113) feet to said westerly line of Elmwood Avenue; and thence southerly along said westerly line of Elmwood Avenue, thirty-four (34) feet to the place of beginning.

PARCEL C

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Buffalo, County of Erie and State of New York, being part of Lot No. fifty-one (51), Township eleven (11), Range eight (8) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the intersection of the east line of Delaware Avenue (99 feet wide) with the north line of Allen Street (62 feet wide); thence east along the north line of Allen Street, 357.38 feet to the west line of Franklin Street (86 feet wide); thence north along the west line of Franklin Street, 55.07 feet to the south line of lands conveyed to the City of Buffalo Urban Renewal Agency by a deed recorded in the Erie County Clerk's Office in Liber 9394 of Deeds at page 279; thence west along said south line, 17.10 feet to an angle point in said lands; thence continuing west along the south line of said lands, 161.43 feet to the center line of the block between Franklin Street and Delaware Avenue; thence continuing west along the south line of said lands 174.25 feet to the east line of Delaware Avenue, thence south along the east line of Delaware Avenue, 97.32 feet to the point of beginning.

PARCEL D

All that Tract or Parcel of Land, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 48, Township 11, Range 8 of the Holland Land Company's Survey, and bounded and described as follows:

BEGINNING at a point in the westerly line of Elmwood Avenue at a distance of 384 feet north of the point of intersection of the said line of Elmwood Avenue with the northerly line of Bird Avenue; running thence westerly parallel with Bird Avenue 150 feet; thence northerly parallel with said line of Elmwood Avenue to the southerly line of land heretofore conveyed by the Byers Building Company to Guy W. Hinckley and Marian Hinckley, his wife, by deed dated September 1, 1918, and recorded in Erie County Clerk's Office in Liber 1368 of Deeds at Page 600, September 14, 1918; thence easterly along the southerly line of land so conveyed to said Guy W. Hinckley and Marian Hinckley, his wife, 150 feet to the said line of Elmwood Avenue; and running thence southerly along said line of Elmwood Avenue about 32.24 feet to the point or place of beginning.

PARCEL E

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate in the Village of Williamsville, Town of Amherst, County of Erie and State of New York, being part of Lot Number one (1), Twelve (12), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the point of intersection of the northerly line of Main Street and the easterly line of Furnace Street now known as East Spring Street, thence easterly along said northerly line of Main Street thirty (30) feet thence northerly at right angles thirty (30) feet to the easterly line of East Spring Street thence southerly along said easterly line of East Spring Street one hundred thirty-two (132) feet to the place of beginning.

PARCEL F

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND situate, lying and being in the Town of Clarence, County of Erie and State of New York, being part of Lot 12, Section 13, Township 12, Range 6 of the Holland Land Company's Survey and more particularly described as follows:

BEGINNING at the southeast corner of Lot 12, Section 13;

THENCE north 87 degrees 22 minutes 20 seconds west along the south line of Lot 12, said line being northerly right of way of Main Street, as laid out 99.00 feet in width, 1227.54 feet to a point, said point being the intersection of the south line of Lot 12 and the easterly right of way of Transit Road as shown on Transit Acquisition Map Part 1, S.H. 88, Map 3, Parcel 3;

THENCE north 00 degrees 12 minutes 50 seconds east along the easterly right of way of Transit Road, said line also being parallel to and 67,000 feet at right angles easterly of the west line of Lot 12, 1202.82 feet to a point;

THENCE south 89 degrees 47 minutes 10 seconds east along a line, said line being at right angles to the previous course, 1235.48 feet to a point, said point lying on the east line of Lot 12;

THENCE south 00 degrees 37 minutes 10 seconds west along the east line of Lot 12, 1254.57 feet to the point or place of beginning.

EXCEPTING AND RESERVING from the foregoing that piece or parcel described as follows:

BEGINNING at a point in the south line of Lot 12, said point being 67.06 feet southeasterly of the southwest corner of Lot 12;

THENCE north 00 degrees 12 minutes 50 seconds east along the existing right of way of Transit Road, 200.00 feet to a point;

THENCE south 87 degrees 22 minutes 20 seconds east along a line parallel to the south line of Lot 12, 200.00 feet to a point;

THENCE south 00 degrees 12 minutes 50 seconds west along a line parallel to the west line of Lot 12, 200.00 feet to a point, said point being on the south line of Lot 12;

THENCE north 87 degrees 22 minutes 20 seconds west along the south line of Lot 12, 200.00 feet to the point or place of beginning.

EXCEPTING AND RESERVING that part of the above described premises appropriated by The People of the State of New York for highway purposes by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10926 of Deeds at page 8401 and designated as Map No. 107, Parcel No. 107.

PARCEL G

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 12, Section 13, Township 12, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at the point of intersection between the easterly boundary line of Transit Road (as a street 100 feet wide) and the southerly line of lands conveyed to Sears, Roebuck and Co. by deed recorded in the Erie County Clerk's Office in Liber 7587 of Deeds at page 264; thence easterly along the southerly line of lands so conveyed to Sears, Roebuck and

Co., 555 feet to a point; thence southerly along a course which is at right angles to the last described course, 150 feet to a point, which is the point or place of beginning; thence easterly along a course which is at right angles to the last described course, 286.11 feet to a point; thence northeasterly along a course which is at an interior angle of 205° 58', 28.55 feet to a point; thence easterly at an exterior angle of 205° 53' and along a line drawn parallel to the southerly line of lands so conveyed to Sears, Roebuck and Co., 45.68 feet to a point; thence southwesterly at an interior angle of 25° 58', 175.14 feet to a point; thence southerly at an exterior angle of 115° 58', 38.99 feet to a point; thence westerly along a course which is at right angles to the last described course, said cource being along a line drawn parallel to the southerly line of lands so conveyed to Sears, Roebuck and Co., 200 feet to a point; thence northerly along a course which is at right angles to the last described course, 103.17 feet to the point or place of beginning, containing .58 acre, more or less.

PARCEL H

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 12, Section 13, Township 12, Range 6 of the Holland Land Company's Survey, being more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly line of Transit Road, as presently laid out, and the northerly line of lands conveyed to the Atlantic Refining & Marketing Corp., as recorded in the Erie County Clerk's Office under Liber 9519 of Deeds at page 625; Thence northerly along the easterly line of Transit Road a distance of 162.73 feet to an angle point therein; Thence continuing northerly along the easterly line of Transit Road at an exterior angle of 179°00'35" a distance of 177.50 feet to a point; Thence easterly along a line at an interior angle of 90°00'00" a distance of 274.00 feet to a point; Thence southerly along a line at an interior angle of 90°00'00" a distance of 55.00 feet to a point; Thence southwesterly along a line at an interior angle of 157°46'55" a distance of 172.50 feet to a point; Thence southerly along a line at an exterior angle of 158°35'37" a distance of 138.00 feet to a point; Thence westerly along a line at an interior angle of 87°24'24" along the northerly line of said lands conveyed to the Atlantic Refining & Marketing Corp., and its easterly extension a distance of 210.00 feet to the point of beginning, containing 1.87 acres more or less.

PARCEL I

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 12, Section 13, Township 12, Range 6 of the Holland Land Company's Survey, being more particularly bounded and described as follows;

COMMENCING at the intersection of the easterly line of Transit Road, as presently laid out, and the southerly line of lands conveyed to Sears Roebuck and Co., as recorded in the Erie County Clerk's Office under Liber 7587 of Deeds at page 264; Thence easterly along the southerly line of said lands conveyed to Sears Roebuck and Co. a distance of 598.97 feet to the Point of Beginning; Thence easterly continuing along the southerly line of said lands conveyed to Sears Roebuck and Co. a distance of 387.86 feet to a point; Thence southerly along a line at an interior angle of 90°00'00" a distance of 138.00 feet to a point; Thence westerly along a line at an interior angle of 90°00'00" a distance of 174.00 feet to a point; Thence northwesterly along a line at an interior angle of 159°23'23" a distance of 51.14 feet to a point; Thence westerly along a line at an exterior angle of 159°23'23" a distance of 166.00

feet to a point; Thence northerly along a line at an interior angle of 90°00'00" a distance of 120.00 feet to the point of beginning, containing 1.14 acres more or less.

PARCEL J

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 12, Section 13, Township 12, Range 6 of the Holland Land Company's Survey, being more particularly bounded and described as follows;

BEGINNING at a point in the southeasterly corner of Lot No. 12, Section 13, said point being a point in the northerly line of Main Street (99 feet wide); Thence northerly along the east line of said Lot No. 12, Section 13 a distance of 1254.57 feet to a point in the southerly line of lands conveyed to Sears Roebuck and Co. as recorded in the Erie County Clerk's Office under Liber 7587 of Deeds at page 264; Thence westerly along the southerly line of said lands conveyed to Sears Roebuck and Co. at an interior angle of 89°35'15" a distance of 209.58 feet to a point; Thence southerly along a line at an interior angle of 90°00'00" a distance of 124.54 feet to a point of curvature; Thence southwesterly along a curved line to the right having a radius of 90.00 feet an arc distance of 109.23 feet to a point of tangency; Thence southwesterly along a tangent line a distance of 103.99 feet to a point of curvature; Thence southerly along a curved line to the left having a radius of 50.84 feet an arc distance of 62.65 feet to a point of tangency; Thence southerly along a tangent line a distance of 159.23 feet to a point; Thence southeasterly along a line at an interior angle of 149°33'11" a distance of 211.02 feet to a point; Thence southeasterly along a line at an exterior angle of 157°25'48" a distance of 157.33 feet to a point; Thence southeasterly along a line at an interior angle of 163°12'34" a distance of 113.80 feet to a point; Thence southerly along a line at an exterior angle of 151°38'46" a distance of 183.05 feet to a point; Thence southwesterly along a line at an exterior angle of 134°05'32" a distance of 47.82 feet to a point; Thence southerly along a line at an interior angle of 133°52'57" a distance of 138.65 feet to a point in the northerly line of said Main Street; Thence easterly along the northerly line of said Main Street at an interior angle of 90°00'00" a distance of 252.79 feet to the point of beginning, containing 7.93 acres more or less.

PARCEL K

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 12, Section 13, Township 12, Range 6 of the Holland Land Company's Survey, being more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly line of Transit Road, as presently laid out, and the northerly line of lands conveyed to the Atlantic Refining & Marketing Corp. as recorded in the Erie County Clerk's Office under Liber 9519 of Deeds at page 625; thence northerly along the easterly line of Transit Road a distance of 162.73 feet to an angle point therein; thence continuing northerly along the easterly line of Transit Road at an exterior angle of 179° 00' 35" a distance of 177.50 feet to a point; thence easterly along a line at an interior angle of 90° 00' 00" a distance of 274.00 feet to a point; thence southerly along a line at an interior angle of 90° 00' 00" a distance of 55.00 feet to a point; thence southwesterly along a line at an interior angle of 157°46'55" a distance of 172.50 feet to a point; thence southerly along a line at an exterior angle of 158° 35' 37" a distance of 138.00 feet to a point; thence westerly along a line at an interior

angle of 87° 24' 24" along the northerly line of said lands conveyed to the Atlantic Refining & Marketing Corp. and its easterly extension a distance of 210.00 feet to the point of beginning.

TOGETHER WITH the benefits of a Declaration of Easements made by the Town of Clarence, Erie County, Industrial Development Agency dated August 7, 2007 and recorded August 10, 2007 in Liber 11133 of Deeds at page 338.

PARCEL L

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 12, Section 13, Township 12, Range 6 of the Holland Land Company's Survey, being more particularly bounded and described as follows:

COMMENCING at the intersection of the easterly line of Transit Road, as presently laid out, and the southerly line of lands conveyed to Sears Roebuck and Co. as recorded in the Erie County Clerk's Office under Liber 7587 of Deeds at Page 264; thence easterly along the southerly line of said lands conveyed to Sears Roebuck and Co. a distance of 598.97 feet to the Point of Beginning ;thence easterly continuing along the southerly line of said lands conveyed to Sears Roebuck and Co. a distance of 387.86 feet to a point; thence southerly along a line at an interior angle of 90° 00' 00" a distance of 138.00 feet to a point; thence westerly along a line at an interior angle of 90° 00' 00" a distance of 174.00 feet to a point; thence northwesterly along a line at an interior angle of 159° 23' 23" a distance of 51.14 feet to a point; thence westerly along a line at an exterior angle of 159° 23' 23" a distance of 166.00 feet to a point; thence northerly along a line at an interior angle of 90° 00' 00" a distance of 120.00 feet to the point of beginning.

TOGETHER WITH the benefits of a Declaration of Easements made by the Town of Clarence, Erie County, Industrial Development Agency dated August 7, 2007 and recorded August 10, 2007 in Liber 11133 of Deeds at page 338.

PARCEL M

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 51, Township 11, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the northerly line of Allen Street 39 feet west of the intersection of said northerly line with the westerly line of Park Street; thence westerly along the northerly line of Allen Street, 129 feet to a point; thence northerly at right angles to the northerly line of Allen Street, 130 feet to a point; thence easterly along a line parallel with the northerly line of Allen Street, 59 feet to a point; thence southerly along a line which intersects the northerly line of Allen Street at a right angle 30 feet to a point; thence easterly along a line parallel with the northerly line of Allen Street, 70 feet to a point; thence southerly in a straight line 100 feet to the point of beginning.

PARCEL N

The premises which are the subject of this agreement shall be the Delaware Park Casino, also know as the Marcy Casino, and includes the area bounded on the South by the South line of the existing service road providing access to the Casino and Rose Garden, on the West by the East right-of-way line of Lincoln Parkway, on the North by the Southerly edge of the promenade (does not include promenade), and on the East by a line approximately 30 feet East of the East wall of the Casino Structure.

PARCEL O

WHEREAS, Subtenant desires to sublease a portion of the Park premises (hereinafter called "Premises or Leased Premises"), commonly known as a part of the first floor of the Museum Building and adjacent exterior space; and

The Park hereby agrees to sublease to Subtenant that portion of the first floor of the Museum Building and adjoining outdoor space, together with an area for storage (hereinafter Leased Premises), as described in Exhibit "A" and subject to City Department of Public Works, Parks and Streets (hereinafter called "DPW") approvals as set forth herein.

§ 3. This act shall take effect immediately.