

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
BEFORE THE STATE TAX COMMISSION

Case No. _____

In the Matter of the Instrument executed by _____ :

MOUNT SINAI HOSPITAL _____ :

to _____ :

ORDER OF REFUND

ELWA CORPORATION _____ :

and _____ :

ANESA CORPORATION _____ :

APPLICATION having been made by Steven M. Goldman, Attorney for Mount Sinai Hospital, for refund of the mortgage recording tax paid to the Recording Officer of New York County upon the mortgage dated November 20, 1974, executed by Mount Sinai Hospital to ELWA Corporation and ANESA Corporation;

NOW THEREFORE, after examination of the record and the proofs presented and due consideration thereof;

The State Tax Commission hereby finds:

(1) A mortgage dated November 20, 1974, securing \$455,000.00, executed by Mount Sinai Hospital to ELWA Corporation and ANESA Corporation, covering property in the City of New York, New York County, was recorded in the office of said recording officer on November 26, 1974, in Reel 330 of Records, at Page 56, mortgage recording tax of \$5,687.50 was paid at recording.

(2) That Mount Sinai Hospital is a voluntary nonprofit hospital corporation.

(3) That of the tax paid \$2,275.00 was collected pursuant to Section 253.1 of the Tax Law, \$1,137.50 was collected pursuant to Section 253.2 and \$2,275.00 was collected pursuant to Section 253-a.

Based upon the foregoing findings and all of the evidence pre-

sented herein,

The State Tax Commission hereby determines:

Pursuant to the provisions of Section 253.3, as amended by Laws of 1973, mortgages of voluntary nonprofit hospital corporations are exempt from payment of mortgage recording tax.

Now therefore, it is ordered:

(1) That the Recording Officer of New York County be, and he hereby is authorized and directed to deduct the sum of \$5,687.50 from mortgage tax moneys in his hands or which shall come to his hands and to refund said amount to Mount Sinai Hospital.

(2) That three certified copies of this order be mailed to the Recording Officer of New York County, one of which he is directed to file with the records of his office, one with the Finance Administrator of the City of New York as a warrant for the disbursement of \$4,550.00 and one with the Metropolitan Transportation Authority as a warrant for the disbursement of \$1,137.50.

DATED, Albany, New York
March 23, 1976

STATE TAX COMMISSION


Commissioner


Commissioner


Commissioner