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

7965--B

2013-2014 Regular Sessions

I N A S S E M B L Y

June 12, 2013

Introduced by M. of A. STEC -- read once and referred to the Committee on Economic Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- 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 authorizing the issuance of a distiller's license to the owners and operators of certain premises

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

Section 1. Section 101 of the alcoholic beverage control law is amended by adding a new subdivision 6 to read as follows:

6. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE STATE LIQUOR AUTHORITY MAY ISSUE A LICENSE UNDER SUBDIVISION TWO-C OF SECTION SIXTY-ONE OF THIS CHAPTER TO THE OWNER AND/OR OPERATOR OF THE PARCELS DESCRIBED IN THIS PARAGRAPH. THE LEGAL DESCRIPTIONS FOR THE THREE PARCELS SO IDENTIFIED AS THE SITE ARE AS FOLLOWS:

PARCEL A

ALL THAT PIECE OR PARCEL OF PROPERTY SITUATE IN THE VILLAGE OF LAKE GEORGE, COUNTY OF WARREN, STATE OF NEW YORK AND BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHWESTERLY BOUNDARY OF BEACH ROAD WITH THE SOUTHEASTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF HOLLY RAJ INC., AND RUNNING THENCE SOUTHEASTERLY ALONG THE SAID SOUTHWESTERLY BOUNDARY OF BEACH ROAD AND THE SOUTHWESTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF THE VILLAGE OF LAKE GEORGE THE FOLLOWING (9) NINE COURSES AND DISTANCES: 1) SOUTH 47° 49' 51" EAST 49.20 FEET TO A POINT; 2) SOUTH 41° 08' 51" EAST 50.18 FEET TO A POINT; 3) SOUTH 34° 19' 51" EAST 20.62 FEET TO A POINT; 4) SOUTH 34° 19' 51" EAST 29.38 FEET TO A POINT; 5) SOUTH 28° 23' 51" EAST 54.00 FEET TO A POINT; 6) SOUTH 23°

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

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28' 51" EAST 75.29 FEET TO A POINT; 7) SOUTH 25° 57' 51" EAST 130.22 FEET TO A POINT; 8) SOUTH 30° 43' 21" EAST 109.09 FEET TO A POINT; AND 9) SOUTH 29° 21' 51" EAST 140.00 FEET TO A POINT IN THE NORTHWESTERLY BOUNDARY OF THE PREMISES CONVEYED BY THE COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY TO THE FORT WILLIAM HENRY CORPORATION BY DEED DATED MAY 18, 1998 AND RECORDED IN THE WARREN COUNTY CLERK'S OFFICE ON MAY 28, 1998 IN LIBER 1066 OF DEEDS AT PAGE 279; THENCE SOUTH 60° 37' 18" WEST ALONG THE SAID NORTHWESTERLY BOUNDARY OF THE PREMISES CONVEYED BY THE COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY TO THE FORT WILLIAM HENRY CORPORATION 70.01 FEET TO A POINT; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY BOUNDARY OF SAID PREMISES CONVEYED BY THE COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY TO THE FORT WILLIAM HENRY CORPORATION THE FOLLOWING (5) FIVE COURSES AND DISTANCES: 1) NORTH 29° 21' 51" WEST 139.17 FEET TO A POINT; 2) NORTH 30° 43' 21" WEST 111.17 FEET TO A POINT; 3) NORTH 25° 55' 51" WEST 130.20 FEET TO A POINT; 4) NORTH 26° 32' 41" WEST 145.00 FEET TO A POINT; AND 5) NORTH 42° 42' 21" WEST 120.00 FEET TO A POINT IN THE FIRST MENTIONED SOUTHEASTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF HOLLY RAJ INC.; THENCE NORTH 51° 01' 09" EAST ALONG THE SAID SOUTHEASTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF HOLLY RAJ INC. 70.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.062 ACRES OF LAND, BEING THE SAME MORE OR LESS.

PARCEL B

ALL THAT PIECE OR PARCEL OF PROPERTY SITUATE IN THE VILLAGE OF LAKE GEORGE, COUNTY OF WARREN, STATE OF NEW YORK AND BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE EASTERLY BOUNDARY OF NEW YORK STATE ROUTE 9N WITH THE NORTHERLY BOUNDARY OF LANDS NOW OR FORMERLY OF CHARLES R. WOOD FOUNDATION, AND RUNNING THENCE NORTHERLY ALONG THE SAID EASTERLY BOUNDARY OF NEW YORK STATE ROUTE 9N THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) NORTH 03°- 06'- 51" WEST 54.12 FEET TO A POINT; 2) NORTH 00°- 54'- 09" EAST 281.77 FEET TO A POINT; 3) NORTH 01°-45'- 09" EAST 59.83 FEET TO A POINT; AND 4) NORTH 02°- 47'- 35" WEST 51.87 FEET TO AN IRON PIN IN THE SOUTHERLY BOUNDARY OF OTHER LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORPORATION; THENCE EASTERLY ALONG THE SAID SOUTHERLY BOUNDARY OF OTHER LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORPORATION THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) NORTH 88°- 22'- 09" EAST 475.96 FEET TO A POINT; 2) NORTH 60°- 07'- 09" EAST 66.22 FEET TO A POINT; AND 3) NORTH 47°- 47'- 09" EAST 315.47 FEET TO AN IRON PIPE IN THE EASTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF THE VILLAGE OF LAKE GEORGE; THENCE SOUTHERLY ALONG THE SAID EASTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF THE VILLAGE OF LAKE GEORGE THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) SOUTH 32°- 08'- 51" EAST 148.00 FEET TO A POINT; 2) SOUTH 37°- 04'- 51" EAST 221.91 FEET TO A POINT; AND 3) SOUTH 32°- 47'- 51" EAST 83.60 FEET TO A POINT IN THE NORTHERLY BOUNDARY OF THE AFOREMENTIONED LANDS NOW OR FORMERLY OF CHARLES R. WOOD FOUNDATION; THENCE WESTERLY ALONG THE SAID NORTHERLY BOUNDARY OF LANDS NOW OR FORMERLY OF CHARLES R. WOOD FOUNDATION THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) SOUTH 55°- 39'- 09" WEST 188.00 FEET TO A SQUARE HEAD BOLT; 2) SOUTH 68°- 08'- 09" WEST 115.00 FEET TO A POINT; 3) SOUTH 81°- 37'-09" WEST 240.84 FEET TO A POINT; AND 4) SOUTH 74°- 08'- 09" WEST 546.05 FEET TO THE POINT OF BEGINNING, CONTAINING 8.558 ACRES OF LAND, BEING THE SAME MORE OR LESS.

ALSO, ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE LYING AND BEING IN THE VILLAGE OF LAKE GEORGE, COUNTY OF WARREN, STATE OF NEW YORK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED ON THE WESTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF WARREN COUNTY AS DESCRIBED IN LIBER 281, PAGE 51, SAID POINT ALSO BEING ON THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF WARREN COUNTY (LIBER 4390 PAGE 154) ON THE SOUTH AND LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORP. (LIBER 497 PAGE 222) ON THE NORTH; THENCE ALONG SAID DIVISION LINE SOUTH 40°27'30" WEST, 188.00 FEET TO THE POINT OF BEGINNING; THENCE THROUGH SAID LANDS OF WARREN COUNTY THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) SOUTH 33°45'28" WEST, 74.95 FEET TO A POINT, 2) SOUTH 59°52'14" WEST, 108.57 FEET TO A POINT, AND 3) NORTH 75°07'46" WEST, 41.87 FEET TO A POINT ON THE DIVISION LINE BETWEEN SAID LANDS OF WARREN COUNTY ON THE SOUTH AND LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORP. (LIBER 497 PAGE 222) ON THE NORTH; THENCE ALONG SAID DIVISION LINE NORTH 66°25'30" EAST, 91.92 FEET TO A POINT; THENCE NORTH 52°56'30" EAST, 115.00 FEET TO THE POINT OR PLACE OF BEGINNING.

EXCEPTING AND RESERVING THEREFROM, ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE LYING AND BEING IN THE VILLAGE OF LAKE GEORGE, COUNTY OF WARREN, STATE OF NEW YORK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED ON THE WESTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF WARREN COUNTY AS DESCRIBED IN LIBER 281, PAGE 51, SAID POINT ALSO BEING ON THE DIVISION LINE BETWEEN LANDS NOW OR FORMERLY OF WARREN COUNTY (LIBER 4390 PAGE 154) ON THE SOUTH AND LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORP. (LIBER 497 PAGE 222) ON THE NORTH; THENCE ALONG SAID DIVISION LINE SOUTH 40°27'30" WEST, 188.00 FEET TO A POINT; THENCE THROUGH SAID LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORP. NORTH 33°45'28" EAST, 102.84 FEET TO A POINT; THENCE NORTH 40°27'30" EAST, 85.36 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF WARREN COUNTY (LIBER 281, PAGE 51); THENCE ALONG SAID WESTERLY BOUNDARY SOUTH 51°54'30" EAST, 12.01 FEET TO THE POINT OR PLACE OF BEGINNING.

PARCEL C

ALL THAT PIECE OR PARCEL OF PROPERTY SITUATE IN THE VILLAGE OF LAKE GEORGE, COUNTY OF WARREN, STATE OF NEW YORK AND BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN AT THE INTERSECTION OF THE EASTERLY BOUNDARY OF NEW YORK STATE ROUTE 9N WITH THE NORTHERLY BOUNDARY OF OTHER LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORPORATION; SAID PIN BEING LOCATED THE FOLLOWING FOUR (4) COURSES AND DISTANCES NORTHERLY FROM THE INTERSECTION OF THE EASTERLY BOUNDARY OF NEW YORK STATE ROUTE 9N WITH THE NORTHERLY BOUNDARY OF LANDS NOW OR FORMERLY OF CHARLES R. WOOD FOUNDATION: 1) NORTH 03°- 06'- 51" WEST 54.12 FEET; 2) NORTH 00°- 54'- 09" EAST 281.77 FEET; 3) NORTH 01°- 45'- 09" EAST 59.83 FEET; AND 4) NORTH 02°- 47'- 35" WEST 51.87 FEET, AND RUNNING THENCE FROM SAID POINT OF BEGINNING NORTHERLY ALONG THE SAID EASTERLY BOUNDARY OF NEW YORK STATE ROUTE 9N THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: 1) NORTH 03°- 29'-09" EAST 105.00 FEET TO A POINT; 2) NORTH 09°- 11'- 09" EAST 60.10 FEET TO A POINT; 3) NORTH 05°- 41'- 09" EAST 161.06 FEET TO A POINT; 4) NORTH 09°- 28'-34" EAST 124.23 FEET TO AN IRON PIN; 5) NORTH 14°- 08'- 27" EAST 150.26 FEET TO A SQUARE MONUMENT; 6) NORTH 22°- 36'- 14" EAST 111.15 FEET TO A POINT; AND 7) NORTH 17°- 47'- 09" EAST 91.79 FEET TO AN IRON PIPE IN THE SOUTHERLY BOUNDARY OF LANDS NOW OR FORMERLY OF ADIRONDACK ENTERTAINMENT AND RECREATION, INC.; THENCE SOUTH 59°- 07'- 51" EAST ALONG THE SAID SOUTHERLY BOUNDARY OF LANDS NOW OR FORMERLY OF ADIRONDACK ENTERTAINMENT AND RECREATION, INC. 40.70 FEET TO A POINT; THENCE NORTH 51°- 01'- 09" EAST ALONG THE SOUTHEASTERLY BOUNDARY OF SAID LANDS NOW OR FORMERLY OF ADIRONDACK ENTERTAINMENT AND RECREATION, INC. 167.30 FEET TO A POINT IN THE SOUTHWESTERLY BOUNDARY OF LANDS NOW OR

FORMERLY OF THE ADIRONDACK LAKEVIEW CORPORATION; THENCE SOUTHEASTERLY ALONG THE SAID SOUTHWESTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF THE ADIRONDACK LAKEVIEW CORPORATION THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) SOUTH 42°- 42'- 21" EAST 120.00 FEET TO A POINT; 2) SOUTH 26°- 32'- 41" EAST 145.00 FEET TO A POINT; 3) SOUTH 25°-55'- 51" EAST 130.20 FEET TO A POINT; 4) SOUTH 30°- 43'- 21" EAST 111.17 FEET TO A POINT; AND 5) SOUTH 29°- 21'- 51" EAST 139.17 FEET TO A POINT; THENCE NORTH 60°- 37'- 18" EAST ALONG THE SOUTHEASTERLY BOUNDARY OF SAID LANDS NOW OR FORMERLY OF THE ADIRONDACK LAKEVIEW CORPORATION 70.01 FEET TO A POINT IN THE WESTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF THE VILLAGE OF LAKE GEORGE; THENCE SOUTHERLY ALONG THE SAID WESTERLY BOUNDARY OF LANDS NOW OR FORMERLY OF THE VILLAGE OF LAKE GEORGE THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) SOUTH 29°- 21'- 51" EAST 32.24 FEET TO A POINT; AND 2) SOUTH 30°- 27'- 51" EAST 73.00 FEET TO AN IRON PIPE IN THE NORTHERLY BOUNDARY OF OTHER LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORPORATION; THENCE WESTERLY ALONG THE SAID NORTHERLY BOUNDARY OF OTHER LANDS NOW OR FORMERLY OF FORT WILLIAM HENRY CORPORATION THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) SOUTH 47°- 47'- 09" WEST 315.47 FEET TO A POINT; 2) SOUTH 60°- 07'- 09" WEST 66.22 FEET TO A POINT; AND 3) SOUTH 88°- 22'- 09" WEST 475.96 FEET TO THE POINT OF BEGINNING, CONTAINING 9.398 ACRES OF LAND, BEING THE SAME MORE OR LESS.

S 2. This act shall take effect immediately.