

STATE OF NEW YORK

6993

2023-2024 Regular Sessions

IN SENATE

May 16, 2023

Introduced by Sen. RYAN -- 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 licensing restrictions for manufacturers and wholesalers of alcoholic beverages on licensees who sell at retail for on-premises consumption; and providing for the repeal of certain provisions upon expiration thereof

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

1 Section 1. Subparagraph (xviii) of paragraph (a) of subdivision 13 of
2 section 106 of the alcoholic beverage control law, as added by chapter
3 348 of the laws of 2022, is amended and a new subparagraph (xix) is
4 added to read as follows:
5 (xviii) Parcel A:
6 ALL THAT CERTAIN plot, place or parcel of land, with the buildings and
7 improvements thereon erected, situate, lying and being in the Borough of
8 Manhattan, City, County and State of New York, bounded and described as
9 follows:
10 BEGINNING at the corner formed by the intersection of the northerly side
11 of Grove Street with the easterly side of Bleecker Street;
12 THENCE easterly along the northerly side of Grove Street 117 feet 9 1/2
13 inches to the center of a party wall between Nos. 53 and 55 Grove
14 Street;
15 THENCE northerly parallel with or nearly so with Bleecker Street and
16 partly through the center of said party wall 47 feet;
17 THENCE westerly parallel with or nearly so with Grove Street 36 feet 7
18 inches to a point distant 82 feet 5 inches from Bleecker Street;
19 THENCE northerly at right angles to Christopher Street 29 feet 1 1/2
20 inches;

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

LBD11436-01-3

1 THENCE westerly parallel with Grove Street 88 feet 6 inches to the east-
2 erly side of Bleecker Street;
3 THENCE southerly along the easterly side of Bleecker Street 73 feet 3
4 inches to the point or place of beginning. Notwithstanding section one
5 hundred seven-a of this article, the retail licensee and brand owner
6 located at the premises described in this subparagraph and further iden-
7 tified as Parcel A may designate the manufacturer licensee located at
8 the premises described in subparagraph (xiv) of paragraph (a) of subdivi-
9 sion one of section one hundred one of this article as owner of such
10 brands for purposes of brand label registration and price scheduling as
11 required under this chapter.

12 Parcel B:

13 ALL that lot of land in the borough of Manhattan, County of New York,
14 City and State of New York, bounded and described as follows:
15 BEGINNING on the southwesterly corner of Commence and Barrow Streets;
16 RUNNING THENCE westerly along the southerly side of Barrow Street twenty
17 feet, seven and One-half inches to the easterly face of the easterly
18 wall of the premises known as seventy-seven Barrow Street;
19 RUNNING THENCE southerly in a straight line along the easterly face of
20 said wall and the line to continuation thereof eighty feet, eleven inch-
21 es;
22 RUNNING THENCE northeasterly in a straight line and past of the distance
23 along the northerly wall of the three story basement, brick building
24 known as 48 Commerce Street fifty-five feet, eight and three fourths
25 inches to the westerly side of Commerce Street;
26 THENCE northerly along the westerly side of Commerce Street sixty feet,
27 nine and one half inches to the point or place of BEGINNING.

28 Parcel C:

29 ALL that certain plot, piece or parcel of land with the buildings and
30 improvements thereon erected, situate, lying, and being in the Borough
31 of Manhattan, City, County and State of New York, bounded and described
32 as follows:
33 BEGINNING at a point on the northerly side of Christopher Street,
34 distant 125 feet westerly from the corner formed by the intersection of
35 the northerly side of Christopher Street with the westerly side of
36 Bleecker Street;
37 RUNNING THENCE northerly parallel with Bleecker Street, 90 feet;
38 THENCE westerly in the rear parallel with Christopher Street, 25 feet;
39 THENCE southerly parallel with Bleecker Street 90 feet to the northerly
40 side of Christopher Street;
41 THENCE easterly along the northerly side of Christopher Street, 25 feet
42 to the point or place of BEGINNING.

43 Parcel D:

44 ALL that piece or parcel of land, together with the buildings and
45 improvements thereon, situate, lying and being in the Third Ward of the
46 City of Hudson, Columbia County, New York, bounded and described as
47 follows:
48 BEGINNING at a point in the southerly line of Warren Street, which point
49 marks the northeasterly corner of the premises herein described and the
50 northwesterly corner of the premises conveyed by Richman's Apparel of
51 Hudson, N.Y., to the City of Hudson by deed dated December 18, 1975, and
52 recorded the same day in Columbia County Clerk's Office in Book 520 of
53 Deeds at Page 1137; running thence along said land so conveyed to the
54 City of Hudson, the following three courses and distances: (1) S 44° 33'
55 20" W, 11.45 feet to a point, (2) N 45° 26' 40" W, 4 feet to a point,
56 and (3) 45° 20' 30" W, 109.27 feet to a point in the northerly line of

1 Cherry Alley; thence along said Cherry Alley N 45° 52' 40" W 23.40 feet
2 to an iron pin, which iron pin marks the southwesterly corner of the
3 premises here in described; thence along lands now or formerly of Michael
4 Martin N 44° 37' 20" E, 120.67 feet to a point in the southerly line
5 of Warren Street; thence along the southerly line of Warren Street the
6 following two courses and distances: (1) S 45° 52' 40" E, 23.39 feet,
7 and (2) S 45° 51' 30" E, 5.37 feet to the point or place beginning as
8 shown on a map entitled "Survey update of Lands of Richman's Apparel of
9 Hudson, New York, Inc." dated January 11, 1982, made by M. Chazen, P. E.
10 & L. S., and recorded in the Columbia County Clerk's Office as Micro
11 7469.

12 TOGETHER WITH the Temporary Easement granted by The City of Hudson to
13 Bread and Roses, LLC dated 3/10/2003 recorded 3/14/2003 in Cartridge 441
14 Frame 1222.

15 Parcel E:

16 ALL that certain plot, piece or parcel of land, situate, lying, and
17 being in the Borough of Manhattan, City, County and State of New York,
18 bounded and described as follows:

19 BEGINNING at a point on the southerly side of Grove Street, distant 83
20 feet westerly from the corner formed by the intersection of the said
21 southerly side of Grove Street with the westerly side of Bleecker
22 Street;

23 RUNNING THENCE westerly along the southerly side of Grove Street, 42
24 feet;

25 THENCE southerly parallel with the westerly side of Bleecker Street, 100
26 feet;

27 THENCE easterly and parallel with the southerly side of Grove Street, 42
28 feet;

29 THENCE northerly again parallel with the westerly side of Bleecker
30 Street, 100 feet to the point or place of BEGINNING.

31 Said premises is commonly known as 42-44 Grove Street, New York, New
32 York.

33 Parcel F:

34 BEGINNING at a point on the southerly side of Grove Street distant 75
35 feet and 3/4 of an inch easterly from the corner formed by the inter-
36 section of the said southerly side of Grove Street with the easterly
37 side of Bleecker Street;

38 RUNNING THENCE southerly parallel with the easterly side of Bleecker
39 Street 81 feet and 10-5/8 inches to the northwesterly side of Seventh
40 Avenue South;

41 THENCE northeasterly along the said northwesterly side of Seventh Avenue
42 South 117 feet and 11 inches to the corner formed by the intersection of
43 the said northwesterly side of Seventh Avenue South with the southerly
44 side of Grove Street;

45 THENCE westerly along the southerly side of Grove Street 86 feet and 9
46 inches to the point or place of BEGINNING.

47 SAID PREMISES being known as and by the street numbers 92-100 Seventh
48 Avenue South and 52-58 Grove Street.

49 Parcel G:

50 THE condominium unit (the "Unit") known as Unit Nos. C1 and C2 in the
51 Building (hereinafter referred to as the "Building") known as the Bleek-
52 er-Grove Condominium and by the street numbers 312-314 Bleecker Street,
53 a/k/a 48 Grove Street, New York, New York, said Units being designated
54 and described as Unit Nos. C1 and C2 in the declaration establishing a
55 plan condominium ownership of said premises under Article 9-b of the
56 Real Property Law of the State of New York (the "New York Condominium

1 Act"), dated 6/13/1990, recorded in the Office of the Register of New
2 York County (the "Register's Office") on 2/5/1991 in reel 1760 page
3 1981, and also designated as Tax Lot Nos. 1001 and 1002 in Block 588,
4 Section 2, of the Borough of Manhattan on the Tax Map of the Real Prop-
5 erty Assessment Department of the City of New York and on the floor
6 plans of said Building, certified by Howard I. Zimmerman Associates,
7 Architects, on the 1/28/1991, and filed with the Real Property Assess-
8 ment Department of the City of New York as Condominium Plan No. 755, and
9 also filed in the City Register's Office on 2/5/1991, as Map No. 5059.

10 TOGETHER with an undivided 15.193% and 30.331% interest, respectively,
11 in the common elements,

12 THE premises within which the Unit is located are more particularly
13 bounded and describes as follows:

14 ALL that certain plot, piece or parcel of land, situate, lying and being
15 the Borough of Manhattan, City, County, and State of New York, bounded
16 and described as follows:

17 BEGINNING at the corner formed by the intersection of the westerly side
18 of Bleeker Street with the southerly side of Grove Street;

19 RUNNING thence southerly along Bleeker Street, 40 feet;

20 THENCE westerly parallel with Grove Street, 83 feet;

21 THENCE northerly parallel with Bleeker Street, 40 feet to the southerly
22 side of Grove Street;

23 THENCE easterly along the southerly side of Grove Street, 83 feet to the
24 point or place of beginning.

25 THAT the said premises are known as and by the street address(es)
26 312-314 Bleeker Street a/k/a 48 Grove Street, New York, NY. Provided,
27 however, that with respect to such retail licensees' interest in a busi-
28 ness engaged in the manufacture or sale at wholesale of alcoholic bever-
29 ages described in subdivision one-a of section one hundred one of this
30 article: (i) such retail licensees may not purchase alcoholic beverages
31 directly from any such manufacturer or wholesaler; and (ii) no more than
32 fifteen percent of the annual dollar value of alcoholic beverages
33 purchased by any such individual retail licensee for sale on the prem-
34 ises may be produced by any such manufacturer[-]; or

35 (xix) Parcel A:

36 ALL that certain plot, piece or parcel of land with the buildings and
37 improvements thereon erected, situated, lying and being in the Town of
38 Wilmington, County of Essex and State of New York, being part of lot No.
39 32 of Mallory's Grant and more particularly described as follows:

40 BEGINNING at a point in the Wilmington-Lake Placid State Highway (Route
41 86) said point being located 600 feet North Easterly from the point
42 where the division line between lots Nos. 31 and 32 of Mallory's Grant
43 intersects the center of said Highway and which point of beginning is
44 the most Easterly corner of a parcel of land conveyed by Bernard J.P.
45 Comiskey to Marjorie B. Wilkins by deed dated July 7, 1950 and recorded
46 in the Essex County Clerk's Office on July 10, 1950 in Book 279 of Deeds
47 at page 293, and from said point of beginning running thence in a
48 Northwesterly direction along the Northeasterly line of said parcel a
49 distance of 550 feet to the most Northerly corner thereof; thence South-
50 westerly along the Northeasterly line of said parcel (described as
51 parallel to the center of said highway) and continuing in the same
52 course along the Northwesterly line of a parcel of land conveyed by said
53 Comiskey to Walter N. Zywan and Marylyn V. Zywan a total distance on
54 this course of 600 feet to a point in the division line between said
55 lots Nos. 31 and 32; thence Northwesterly along said division line a
56 distance of 1985 feet more or less to the most Westerly corner of lot

1 No. 32; thence Northeasterly along the Westerly boundary of Mallory's
2 Grant a distance of 1696 feet more or less to the most Northerly corner
3 of lot No. 32; thence Southeasterly along the division line between lots
4 Nos. 32 and 33 a distance of 3280 feet more or less to a point in the
5 center of the aforesaid State Highway; thence Southwesterly along the
6 center thereof to the point or place of beginning.

7 Parcel B:

8 ALL THAT TRACT, PART, PIECE OR PARCEL OF LAND, situate in Lots 33 and
9 34, Mallory's Grant, Town of Wilmington, County of Essex, State of New
10 York, being more particularly bounded and described as follows:

11 BEGINNING at a 3/4 inch iron pipe found in the southerly bounds of New
12 York State Highway Route 86, and at the most northerly corner of a
13 parcel of land belonging (N/F), to Betty Jane Smart, by virtue of a deed
14 recorded in the Office of the Essex County Clerk in Book 725 of Deeds at
15 Page 176, and

16 RUNNING THENCE N 57° 07' 56" E, along said southerly bounds, a distance
17 of 296.17 feet, to a 1 inch iron pipe found in the most westerly corner
18 of a parcel of land belonging to Richard D. Railton and Maries L Rail-
19 ton, by virtue of a deed recorded in the Office of the Essex County
20 Clerk in Book 810 of Deeds at Page 339;

21 THENCE TURNING and running S 48° 57' 21" E, along the southwesterly
22 bounds of Railton (L810-P339), passing through an iron rod at 99.94
23 feet, and passing through a 3/4 inch iron pipe at 200.24 feet, a total
24 distance of 614.50 feet, to the most northerly corner of a parcel of
25 land belonging to Richard D. Railton and Maries L Railton, by virtue of
26 a deed recorded in the Office of the Essex County Clerk in Book 993 of
27 Deeds at Page 346;

28 THENCE TURNING and running S 61° 14' 53" W, along the northwesterly line
29 of Railton (LP.), a distance of 255.24 feet, to the most westerly corner
30 thereof, being a 1/2 inch iron pipe set in the northeasterly bounds of
31 the aforementioned premises of (N/F) Betty Jane Smart (L725-P176);

32 THENCE TURNING and running N 53° 11' 24" W, along the northeasterly
33 bounds of lands (N/F) of SMART (L725-P176), a distance of 700.31 feet,
34 to the point or place of beginning.

35 Parcel C:

36 All that certain plot, piece or parcel of land, situate, lying and being
37 In the Town of Wilmington, County of Essex, State of New York, briefly
38 described as follows:

39 Commencing at the intersection of the southeast limit of Highway #86
40 with the southwest bank of White Brook; thence southwesterly along the
41 highway limit, 309.39 feet to a cedar stake which is the point of begin-
42 ning and which is also the northwest corner of Parcel #1 as shown on a
43 survey of Wilmington Development Company property by Norman Briggs, LS.,
44 dated July 1, 1952; thence S 50° 00' W, along the highway limit, 309.39
45 feet to a cedar stake: thence S 34' 00' 50" E. 1209.50 feet to a 4" x 4"
46 cedar post on the bank of the AuSable River; thence northeasterly
47 approximately 21 0 feet; following the river bank, to a 4" x 4" cedar
48 post which is also the southwest corner of Parcel #1; thence N. 49° 29'
49 50" W, 1180.73 feet to the point of beginning.

50 EXCEPTING FROM THE ABOVE DESCRIBED PARCEL:

51 All that tract or parcel of land situate in the Town of Wilmington,
52 County of Essex, State of New York, being part of Lot 33, Mallory's
53 Grant lying east of New York State Route 86 and west of the West Branch
54 of the AuSable River and is more particularly bounded and described as
55 follows:

1 Beginning at a point at the most northerly corner of the premises marked
2 by a 5/8 inch iron rod with cap, said point being the following two (2)
3 courses from a 3/4 inch iron pipe in the southeast bounds of New York
4 State Route 86 which lies 304.52 feet southwest of White Brook:

5 1. South 49° 25' 55" East, 395.00 feet;

6 2. South 49° 27' 22" East, 349.45 feet;

7 Thence, South 49° 27' 22" East, 450.00 feet along the southwest line of
8 certain lands of Richard M. Sibalski and Jane F. Sibalski, Deed Book
9 772/Page 4, to a point on the west bank of the West Branch of the AuSable
10 River, said course passing through a 1/2 inch iron pipe line marker
11 at a distance of 440.00 feet;

12 Thence, Southerly 130 feet more or less along the west bank of the West
13 Branch of the AuSable River on the following three (3) courses to a
14 point at the southerly corner:

15 1. South 29° 37' 10" West, 32.66 feet to a point:

16 2. South 32° 53' 59" East, 40.69 feet to a point;

17 3. South 55° 14' 56" West, 65.59 feet to a point;

18 Thence, North 48° 23' 02" West, 246.21 feet along the southwesterly line
19 to 5/8 inch iron rod with cap, said course passing through a 5/8 inch
20 iron rod line marker at a distance of 51.00 feet;

21 Thence, North 56° 25' 45" West, 95, 11 feet along the southwesterly line
22 to 5/8 inch iron rod with cap;

23 Thence, North 09° 51' 36" West, 179.07 feet along the west line to the
24 Point-of-Beginning

25 Together with a right of way for all normal purposes of ingress and
26 egress over the existing drive from the southwest line of the premises
27 southwest and northwest to the New York State Route 86 and also the
28 right to maintain, repair and replace the existing utility lines provid-
29 ing service to the premises hereinabove described in their present
30 locations.

31 Parcel D:

32 ALL THAT TRACT, PART, PIECE OR PARCEL OF LAND, situate in Lots 33 and
33 34, Mallory's Grant, Town of Wilmington, County of Essex, State of New
34 York and being more particularly bounded and described as follows:

35 BEGINNING at a 1 inch iron pipe, and the most westerly corner of a
36 parcel of land belonging to Richard D. Railton and Maries L. Railton, by
37 virtue of a deed recorded in the Office of the Essex County Clerk in
38 Book 81 O at Page 339, and RUNNING THENCE S 48° 57' 21" E, along the
39 southwesterly line of Railton (L810-P339) passing through an iron rod at
40 99.94 feet, and a 1/2 inch iron pipe at 200.24 feet, a total distance of
41 614.50 feet to a 1/2 inch iron pipe, and to the TRUE POINT OF BEGINNING
42 of the 3.0 acre parcel herein being described;

43 THENCE CONTINUING along said southwesterly line, S 48° 57' 21" passing
44 through a 1/2 inch iron pipe at 595.91 feet, a total distance of 629
45 feet more or less, to a point on the northerly bank of the AuSable
46 River, and to the most easterly corner of the 3.0 acre parcel herein
47 being described;

48 THENCE TURNING and running southwesterly and upstream, along the bank of
49 the AuSable River, a distance of 230 feet, more or less, to the most
50 easterly corner of a parcel of land belonging (N/F) to Florence
51 Williams; by virtue of a deed recorded in the Office of the Essex County
52 Clerk in Book 456 of Deeds at Page 19;

53 THENCE TURNING and running N 53° 11' 24" W, (passing through a 3/4 inch
54 iron pipe at 20 feet, more or less), along the northeasterly line of
55 WILLIAMS (L456-P19), a distance of 415 feet, more or less, to the most
56 easterly corner of a parcel of land belonging (N/F) to Betty Jane Smart,

1 by virtue of a deed recorded In the Office of the Essex County Clerk in
2 Book 725 of Deeds at Page 176;

3 RUNNING THENCE N 53° 11' 24" W, along the northeasterly line of SMART
4 (L725-P176), (passing through a 3/4 inch iron rod at 99.47 feet), a
5 distance of 189.6 feet, to a 1/2 inch iron pipe, and to the most wester-
6 ly corner of the 3.0 acre parcel herein being described:

7 THENCE TURNING and running N 61° 14' 53" E, through lands belonging to
8 the High Valley Motel Corporation, by virtue of a deed recorded in the
9 Office of the Essex County Clerk in Book 940 of Deeds at Page 142, a
10 distance of 255.24 feet, to the point or place of beginning.

11 Parcel E:

12 All that tract or parcel of land situate in the Town of Wilmington,
13 County of Essex, State of New York, being part of Lot 33, Mallory's
14 Grant lying east of New York State Route 86 and west of the West Branch
15 of the AuSable River and is more particularly bounded and described as
16 follows:

17 Beginning at a point at the most northerly corner of the premises marked
18 by a 5/8 inch iron rod with cap, said point being the following two (2)
19 courses from a 3/4 inch iron pipe in the southeast bounds of New York
20 State Route 86 which lies 304.52 feet southwest of White Brook:

21 1. South 49° 25' 55" East, 395.00 feet:

22 2. South 49° 27' 22" East, 349.45 feet;

23 Thence, South 49° 27' 22" East, 450.00 feet along the southwest line of
24 certain lands of Richard M. Sibalski and Jane F. Sibalski, Deed Book
25 772/Page 4, to a point on the west bank of the West Branch of the AuSa-
26 ble River, said course passing through a 1/2 inch iron pipe line marker
27 at a distance of 440.00 feet;

28 Thence, Southerly 130 feet more or less along the west bank of the West
29 Branch of the AuSable River on the following three (3) courses to a
30 point at the southerly corner;

31 1. South 29° 37' 10" Well, 32.66 feet to a point;

32 2. South 32° 53' 59" East, 40.69 feet to a point;

33 3. South 55° 14' 56" West, 65.59 feet to a point;

34 Thence, North 48° 23' 02" West, 246.21 feet along the southwesterly line
35 to a 5/8 inch iron rod with cap, said course passing through a 5/8 inch
36 iron rod line marker at a distance of 51.00 feet;

37 Thence, North 56° 28' 45" West, 95.11 feet along the southwesterly line
38 to a 5/8 inch iron rod with cap;

39 Thence, North 09° 51' 36" West, 179.07 feet along the west line to the
40 Point-of Beginning. Together with a right of way for all normal purposes
41 of ingress and egress over the existing drive from the southwest line of
42 the premises southwest and northwest to New York State Route 86.

43 Parcel F:

44 ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island,
45 County of Erie and State of New York, being part of Lot No. 66, on said
46 Island, bounded and described as follows:

47 COMMENCING at the northeast comer of Lot No. 66; thence westerly along
48 the northerly line of l.Lot No. 66, 848.85 feet to its intersection with
49 the northeasterly line of the New York State Thruway; thence southeast-
50 erly along the northeasterly line of said Thruway 440.26 feet; thence
51 northerly in a straight line 767 feet to the place of beginning.

52 Parcel G:

53 ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island,
54 County of Erie and State of New York, being parts of Lots Nos. 82 and
55 83, on said Island, bounded and described as follows:

1 Beginning at the point of the intersection of the southwesterly line of
2 Grand Island Connecting Boulevard and the easterly line of lands
3 conveyed to George J. Stortz, by deed recorded in Erie County Clerk's
4 Office in Liber 325 of Deeds at page 610; thence northwesterly along the
5 southwesterly line of Grand Island Connecting Boulevard, 200 feet;
6 thence southwesterly at right angles to the southwesterly line of Grand
7 Island Connecting Boulevard, 1871.45 feet to the south line of said Lot
8 No. 82 and 83, 1688.78 feet to the easterly line of lands deeded to
9 Stortz, as aforesaid; thence northerly along the said line of Stortz's
10 land 861.40 feet to the point of beginning.

11 Parcel H:

12 ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Wilmington,
13 County of Essex, State of New York, being a part of Lot 28, Mallory's
14 Grant, and of Lots 7 and B, Jay Tract, being bounded and described as
15 follows:

16 BEGINNING at a point which marks the intersection of the center line of
17 New York State Highway, Route 86, with the center line of Fox Farm Road,
18 so-called;

19 Running thence along the center line of Fox Farm Road in the following
20 six courses:

21 S 69° 33' E, 200.0 feet;

22 S 72° 32' E, 200.0 feet;

23 S 76° 46' E, 200.0 feet;

24 S 80° 15' E, 1100.0 feet;

25 S 77° 38' E, 380.0 feet;

26 S 73° 16' E, 494.6 feet to a point in the southwesterly corner of
27 29.78 acre parcel heretofore conveyed by Carl Steinhoff and Bertha
28 Steinhoff to Winfield D. Davis and Marceline M. Davis;

29 Running thence along the general westerly bounds of said Davis parcel in
30 the following three courses:

31 N 18° 21' 30" E, a distance of 31.9 feet to a 1" pipe;

32 N 18° 21' 30" E, 461.0 feet to a 1" pipe;

33 N 18° 21' 30" E, 829.7 feet to a 1" pipe, which marks the general
34 northwest corner of said Davis parcel;

35 Running thence in the same course, N 18° 21' 30" E, and in an extension
36 northerly of the westerly boundary line of said Davis parcel so-called,
37 a distance of 213 feet, more or less, to a point in the southerly bound-
38 ary line of said premises reputedly owned by Mabel DeMasi;

39 Running thence N 60° 57' W, and along the general southerly boundary
40 line of said DeMasi property, so-called, a distance of 475 feet, more or
41 less, to a 1/4 pipe set in a small pile of stones, which point is reput-
42 ed to be on the division line of Lots 28/29;

43 Running thence N 30° 02' 30" E, and along the general westerly bounds of
44 said DeMasi property, so-called, a distance of 305.9 feet to a 1/4" pipe
45 set at the easterly face of a 6 foot high boulder at or near the general
46 southerly bank of the AuSable River.

47 Running thence upstream along or nearly along the southerly bank of the
48 AuSable River in the following nine courses:

49 N 64° 38' W, 168.2 feet;

50 N 55° 27' W, 186.6 feet;

51 N 87° 01' W, 151.4 feet;

52 S 53° 08' W, 279.9 feet;

53 S 50° 39' W, 97.0 feet;

54 S 54° 52' W, 149.9 feet;

55 S 81° 52' W, 186.6 feet;

56 N 76° 04' 30" W, 312.0 feet;

1 S 57° 33' W, 680.0 feet to a point on the bridge spanning to AuSable
2 River, which point lies over the southerly bank of said river;
3 Running thence along the center or nearly in the center of said New York
4 State Highway, Route 86, in the following five courses:

5 S 20° 50' W, 119.0 feet;

6 S 26° so' W, 200.0 feet;

7 S 39° 34' W, 200.0 feet;

8 S 45° 08' W, 400.0 feet;

9 S 49° 45" W, 300.0 feet to the point or place of beginning.

10 EXCEPTING all those portions, rights and privileges which have been
11 acquired by the State of New York and County of Essex for highway
12 purposes.

13 EXCEPTING premises conveyed by deed from Yates-Prime, Ltd. to the People
14 of the State of New York, acting by and through the Commissioner of
15 Environmental Conservation of the State of New York dated January 24,
16 1996 and recorded May 29, 1996 in Book 1111 at Page 116.

17 EXCEPTING AND RESERVING premises conveyed by deed from Richard H. Naga-
18 mine, Jr. and Sylvia E. Nagamine to Yates Prime, Ltd. dated November 9,
19 2000 and recorded January 3, 2001 in Book 1272 at page 1.

20 § 2. This act shall take effect immediately; provided, however, that
21 upon the sale or transfer of the parcels detailed in subparagraph (xix)
22 of paragraph (a) of subdivision 13 of section 106 of the alcoholic
23 beverage control law as added by section one of this act, such subpara-
24 graph shall expire and be deemed repealed unless the licensee immediate-
25 ly obtains a leasehold upon such sale or transfer of such parcel as part
26 of the sale or transfer. If the licensee obtains such a leasehold, the
27 subparagraph pertaining to such parcel shall expire and be deemed
28 repealed upon the end or termination of such lease. The state liquor
29 authority shall notify the legislative bill drafting commission upon
30 notification by the licensee of the sale, transfer or termination of
31 the leasehold, or non-renewal of the leasehold of the parcel detailed in
32 subparagraph (xix) of paragraph (a) of subdivision 13 of section 106
33 of the alcoholic beverage control law in order that the commission may
34 maintain an accurate and timely effective data base of the official
35 text of the laws of the state of New York in furtherance of effectuating
36 the provisions of section 44 of the legislative law and section 70-b of
37 the public officers law.