STATE OF NEW YORK

6993--A

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 -- 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 licensing restrictions for manufacturers and wholesalers of alcoholic beverages 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:

Section 1. The closing paragraph of subparagraph (xviii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as added by chapter 288 of the laws of 2022, is amended to read as follows:

Provided, however, that with respect to such retail licensee's interest in a business engaged in the manufacture or sale at wholesale of alcoholic beverages described in subdivision one-a of section one hundred one of this article: (i) such interest must have been acquired prior to the effective date of [~~the~~] chapter **two hundred eighty-eight** of the laws of two thousand twenty-two [~~which added this subparagraph~~]; (ii) such retail licensee may not purchase alcoholic beverages directly from any such manufacturer or wholesaler; and (iii) no more than fifteen percent of the annual dollar value of alcoholic beverages purchased by such retail licensee for sale on the premises may be produced by any such manufacturer[~~.~~]**; or**

§ 2. Subparagraph (xviii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as added by chapter 304 of the laws of 2022, is amended to read as follows:

[~~(xviii)~~] **(xix)** on real property located on that certain tract or parcel of land situated in the Town of Shelby, County of Orleans and

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

LBD11436-03-3

State of New York, being part of Great Lot No. 32 in Township 14, Range 3 of the Holland Land Purchase and bounded and described as follows:
Beginning at the point of intersection of the centerline of Maple Ridge Road, a/k/a New York State Route No. 31A (66 foot wide right-of-way) with the centerline of Bates Road;
thence (1) North 00° 12' 14" West and along the centerline of said Bates Road a distance of 225.00 feet to a point; thence (2) North 89° 47' 46" East and along the south line of lands now or formerly owned by Joyce and Raymond Cook, Jr. (See Liber 392 of Deeds at page 246 and Tax Account No. 080.00 - 03 - 15.3) a distance of 200.00 feet to a point; thence (3) North 00° 12' 14" West and along the westerly line of lands now or formerly of said Joyce and Raymond Cook, Jr. and also along the westerly line of lands now or formerly owned by Mark G. and Evon C. Navarra (See Liber 498 of Deeds at page 88 and Tax Account No. 080.00 - 03 - 15.2) and lands now or formerly owned by John E. Harris, Jr. (See Liber 452 of Deeds at page 207 and Tax Account No. 080.00 - 03 - 16.0) a distance of 300.00 feet to a point; thence (4) South 89° 47' 46" West and along the north line of lands now or formerly of said John E. Harris, Jr. a distance of 200.00 feet to a point in the centerline of Bates Road;
thence (5) North 00° 10' 30" West and along the centerline of said Bates Road a distance of 1414.14 feet to a point; thence (6) North 89° 46' 17" East and along the south line of lands now or formerly owned by Harry R. and Lois A. Deyarmin (See Liber 466 of Deeds at page 322 and Tax Account No. 080.00 - 03 - 17.00) and also along the south line of lands now or formerly owned by Michael J. Healy and Vincent J. Licata (See Liber 391 of Deeds at page 1077 and Tax Account No. 080.00 - 03 - 01.4) a distance of 398.06 feet to a point on the westerly line of lands now or formerly owned by the Niagara Mohawk Power Corporation (See Liber 360 of Deeds at page 186 and Tax Account No. 080.00 - 03 - 23.0); thence (7) South 02° 21' 51" East and continuing along the westerly line of lands now or formerly owned by the said Niagara Mohawk Power Corporation a distance of 1932.39 to a point in the centerline of Maple Ridge Road, a/k/a New York State Route No. 31A; thence (8) South 88° 47' 20" West and along the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A, a distance of 471.69 feet to the point of beginning.
Hereby intending to describe a parcel of land shown on a Survey Map made by Clark Patterson Associates, dated August 7, 2006, being Project No. 9418.00 and Drawing Number BNDY - 2. Together with the right, privilege and easement for use of one or more of four road crossings not to exceed 20 feet in width, as reserved in the Warranty Deed made by Glenn L. Hill and Nola A. Hill to the Niagara Mohawk Power Corporation, dated November 2, 1972 and recorded November 3, 1972 in the Orleans County Clerk's Office in Liber 360 of Deeds at page 186. ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Shelby, County of Orleans and State of New York, being part of Great Lot No. 32 in Township 14, Range 3 of the Holland Land Purchase and bounded and described as follows:
Commencing at the point of intersection of the centerline of Maple Ridge Road, a/k/a New York State Route No. 31A (66 foot wide right-of-way) with the centerline of Bates Road; thence (A) North 88° 47' 20" East and along the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A a distance of 621.72 feet to the point of beginning; thence (1) North 02° 21' 51" West and along the easterly line of lands now or formerly owned by the Niagara Mohawk Power Corporation (See Liber 360 of Deeds at page 186 and Tax Account No. 080.00 - 03 - 23.0) a distance of 1931.96 feet to a point;

thence (2) North 89° 45' 02" East and along the south line of lands now or formerly owned by Douglas A. Holka (See Liber 545 of Deeds at page 43 and Tax Account No. 080.00 - 03 - 1.1) a distance of 1378.90 feet to a point; thence (3) South 00° 12' 37" East and along the westerly line of lands now or formerly owned by Franklin Tower (See Liber 489 of Deeds at page 185 and Tax Account No. 080.00 - 03 - 14.0) a distance of 1908.72 feet to a point in the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A; thence (4) South 88° 47' 20" West and along the centerline of said Maple Ridge Road, a/k/a New York State Route No. 31A, a distance of 1306.49 feet to the point of beginning.

Hereby intending to describe a parcel of land shown on a Survey Map made by Clark Patterson Associates, dated August 7, 2006, being Project No. 9418.00 and Drawing Number BNDY - 2. Together with the right, privilege and easement for use of one or more of four road crossings not to exceed 20 feet in width, as reserved in the Warranty Deed made by Glenn L. Hill and Nola A. Hill to the Niagara Mohawk Power Corporation, dated November 2, 1972 and recorded November 3, 1972 in the Orleans County Clerk's Office in Liber 360 of Deeds at page 186[~~.~~]**; or**

§ 3. Subparagraph (xviii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as added by chapter 328 of the laws of 2022, is amended to read as follows:

[~~(xviii)~~] **(xx)** ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk and State of New York, bounded and described as follows:

Beginning at a point on the northwesterly side of Main Street (Montauk Highway - NYS Rte. 27) distant 541 feet more or less northeasterly, as measured along the same, from the corner formed by the intersection of the northeasterly side of Windmill Lane with the northwesterly side of Main Street, said point being also at the division line between the easterly side of land now or formerly of Stanley Flower, Jr. and the westerly side of the hereafter described parcel; Running thence along said division line and along the easterly side of land now or formerly of Peter Bistrian, North 21 degrees 34 minutes 40 seconds West 380 feet; Thence still along land now or formerly of Peter Bistrian, North 64 degrees 52 minutes 20 seconds East, 74 feet; Thence along land now or formerly of Peter Bistrian, Cullum and EJS Realty Corp. South 21 degrees 34 minutes 40 seconds East 380 feet to the northwesterly side of Main Street; and Thence along the northwesterly side of Main Street, South 64 degrees 52 minutes 20 seconds West 74 feet to the point or place of beginning. Being the same premises conveyed by Nicholas Catalano by deed dated May 5, 1977 and recorded in the Suffolk County Clerk's Office on May 16, 1977, in Liber 8235, cp 582. Being the same premises conveyed in part to W. John Cox by deed dated May 23, 1985 and recorded in the Suffolk County Clerk's Office on May 30, 1985, in Liber 9799, cp 453. Provided, however, notwithstanding section one hundred seven-a of this article, the retail licensee and brand owner located at the premises described in this subparagraph may designate the importer licensee located at the premises described in subparagraph (xiv) of paragraph (a) of subdivision one of section one hundred one of this article as owner of such brands for purposes of brand label registration and price scheduling as required under this chapter[~~.~~]**; or**

§ 4. The opening and closing paragraphs of subparagraph (xviii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law, as added by chapter 348 of the laws of 2022, are amended to read as follows:

[~~(xviii)~~] (xxi) Parcel A: ALL THAT CERTAIN plot, place or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows: BEGINNING at the corner formed by the intersection of the northerly side of Grove Street with the easterly side of Bleecker Street; THENCE easterly along the northerly side of Grove Street 117 feet 9 1/2 inches to the center of a party wall between Nos. 53 and 55 Grove Street; THENCE northerly parallel with or nearly so with Bleecker Street and partly through the center of said party wall 47 feet; THENCE westerly parallel with or nearly so with Grove Street 36 feet 7 inches to a point distant 82 feet 5 inches from Bleecker Street; THENCE northerly at right angles to Christopher Street 29 feet 1 1/2 inches; THENCE westerly parallel with Grove Street 88 feet 6 inches to the easterly side of Bleecker Street; THENCE southerly along the easterly side of Bleecker Street 73 feet 3 inches to the point or place of beginning. Notwithstanding section one hundred seven-a of this article, the retail licensee and brand owner located at the premises described in this subparagraph and further identified as Parcel A may designate the manufacturer licensee located at the premises described in subparagraph (xiv) of paragraph (a) of subdivision one of section one hundred one of this article as owner of such brands for purposes of brand label registration and price scheduling as required under this chapter.

Parcel G:

THE condominium unit (the "Unit") known as Unit Nos. C1 and C2 in the Building (hereinafter referred to as the "Building") known as the Bleeker-Grove Condominium and by the street numbers 312-314 Bleeker Street, a/k/a 48 Grove Street, New York, New York, said Units being designated and described as Unit Nos. C1 and C2 in the declaration establishing a plan condominium ownership of said premises under Article 9-b of the Real Property Law of the State of New York (the "New York Condominium Act"), dated 6/13/1990, recorded in the Office of the Register of New York County (the "Register's Office") on 2/5/1991 in reel 1760 page 1981, and also designated as Tax Lot Nos. 1001 and 1002 in Block 588, Section 2, of the Borough of Manhattan on the Tax Map of the Real Property Assessment Department of the City of New York and on the floor plans of said Building, certified by Howard I. Zimmerman Associates, Architects, on the 1/28/1991, and filed with the Real Property Assessment Department of the City of New York as Condominium Plan No. 755, and also filed in the City Register's Office on 2/5/1991, as Map No. 5059.

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

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

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

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

RUNNING thence southerly along Bleeker Street, 40 feet;

THENCE westerly parallel with Grove Street, 83 feet;

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

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

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

§ 5. Paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law is amended by adding a new subparagraph (xxii) to read as follows:

(xxii) Parcel A

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

BEGINNING at a point in the Wilmington-Lake Placid State Highway (Route 86) said point being located 600 feet North Easterly from the point where the division line between lots Nos. 31 and 32 of Mallory's Grant intersects the center of said Highway and which point of beginning is the most Easterly corner of a parcel of land conveyed by Bernard J.P. Comiskey to Marjorie B. Wilkins by deed dated July 7, 1950 and recorded in the Essex County Clerk's Office on July 10, 1950 in Book 279 of Deeds at page 293, and from said point of beginning running thence in a Northwesterly direction along the Northeasterly line of said parcel a distance of 550 feet to the most Northerly corner thereof; thence Southwesterly along the Northeasterly line of said parcel (described as parallel to the center of said highway) and continuing in the same course along the Northwesterly line of a parcel of land conveyed by said Comiskey to Walter N. Zywan and Marylyn V. Zywan a total distance on this course of 600 feet to a point in the division line between said lots Nos. 31 and 32; thence Northwesterly along said division line a distance of 1985 feet more or less to the most Westerly corner of lot No. 32; thence Northeasterly along the Westerly boundary of Mallory's Grant a distance of 1696 feet more or less to the most Northerly corner of lot No. 32; thence Southeasterly along the division line between lots Nos. 32 and 33 a distance of 3280 feet more or less to a point in the center of the aforesaid State Highway; thence Southwesterly along the center thereof to the point or place of beginning.

Parcel B

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

BEGINNING at a 3/4 inch iron pipe found in the southerly bounds of New York State Highway Route 86, and at the most northerly corner of a parcel of land belonging (N/F), to Betty Jane Smart, by virtue of a deed recorded in the Office of the Essex County Clerk in Book 725 of Deeds at Page 176, and RUNNING THENCE N 57° 07' 56" E, along said southerly bounds, a distance of 296.17 feet, to a 1 inch iron pipe found in the most westerly corner of a parcel of land belonging to Richard D. Railton and Maries L Railton, by virtue of a deed recorded in the Office of the Essex County Clerk in Book 810 of Deeds at Page 339;

THENCE TURNING and running S 48° 57' 21" E, along the southwesterly bounds of Railton (L810-P339), passing through an iron rod at 99.94

feet, and passing through a 3/4 inch iron pipe at 200.24 feet, a total distance of 614.50 feet, to the most northerly corner of a parcel of land belonging to Richard D. Railton and Maries L Railton, by virtue of a deed recorded in the Office of the Essex County Clerk in Book 993 of Deeds at Page 346;

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

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

Parcel C

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

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

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL:

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

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

1. South 49° 25' 55" East, 395.00 feet;
2. South 49° 27' 22" East, 349.45 feet;

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

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

1. South 29° 37' 10" West, 32.66 feet to a point:
2. South 32° 53' 59" East, 40.69 feet to a point;
3. South 55° 14' 56" West, 65.59 feet to a point;

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

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

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

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

Parcel D

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

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

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

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

THENCE TURNING and running N 53° 11' 24" W, (passing through a 3/4 inch iron pipe at 20 feet, more or less), along the northeasterly line of WILLIAMS (L456-P19), a distance of 415 feet, more or less, to the most easterly corner of a parcel of land belonging (N/F) to Betty Jane Smart, by virtue of a deed recorded In the Office of the Essex County Clerk in Book 725 of Deeds at Page 176;

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

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

Parcel E

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

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

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

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

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

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

1. South 29° 37' 1 O" Well, 32.66 feet to a point;
2. South 32° 53' 59" East, 40.69 feet to a point;
3. South 55° 14' 56" West, 65.59 feet to a point;

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

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

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

Parcel F

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

COMMENCING at the northeast comer of Lot No. 66; thence westerly along the northerly line of Lot No. 66, 848.85 feet to its intersection with the northeasterly line of the New York State Thruway; thence southeasterly along the northeasterly line of said Thruway 440.26 feet; thence northerly in a straight line 767 feet to the place of beginning.

Parcel G

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

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

Parcel H

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

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

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

S 69° 33' E, 200.0 feet;
S 72° 32' E, 200.0 feet;
S 76° 46' E, 200.0 feet;

S 80° 15' E, 1100.0 feet;
S 77° 38' E, 380.0 feet;
S 73° 16' E, 494.6 feet to a point in the southwesterly corner of 29.78 acre parcel heretofore conveyed by Carl Steinhoff and Bertha Steinhoff to Winfield D. Davis and Marceline M. Davis;
Running thence along the general westerly bounds of said Davis parcel in the following three courses:
N 18° 21' 30" E, a distance of 31.9 feet to a 1" pipe;
N 18° 21' 30" E, 461.0 feet to a 1" pipe;
N 18° 21' 30" E, 829.7 feet to a 1" pipe, which marks the general northwest corner of said Davis parcel;
Running thence in the same course, N 18° 21' 30" E, and in an extension northerly of the westerly boundary line of said Davis parcel so-called, a distance of 213 feet, more or less, to a point in the southerly boundary line of said premises reputedly owned by Mabel DeMasi;
Running thence N 60° 57' W, and along the general southerly boundary line of said DeMasi property, so-called, a distance of 475 feet, more or less, to a 1/4 pipe set in a small pile of stones, which point is reputed to be on the division line of Lots 28/29;
Running thence N 30° 02' 30" E. and along the general westerly bounds of said DeMasi property, so-called, a distance of 305.9 feet to a 1/4" pipe set at the easterly face of a 6 foot high boulder at or near the general southerly bank of the AuSable River;
Running thence upstream along or nearly along the southerly bank of the AuSable River in the following nine courses:
N 64° 38' W, 168.2 feet;
N 55° 27' W, 186.6 feet;
N 87° 01' W, 151.4 feet;
S 53° 08' W, 279.9 feet;
S 50° 39' W, 97.0 feet;
S 54° 52' W, 149.9 feet;
S 81° 52' W, 186.6 feet;
N 76° 04' 30" W, 312.0 feet;
S 57° 33' W, 680.0 feet to a point on the bridge spanning to AuSable River, which point lies over the southerly bank of said river;
Running thence along the center or nearly in the center of said New York State Highway, Route 86, in the following five courses:
S 20° 50' W, 119.0 feet;
S 26° so' W, 200.0 feet;
S 39° 34' W, 200.0 feet;
S 45° 08' W, 400.0 feet;
S 49° 45" W, 300.0 feet to the point or place of beginning.
EXCEPTING all those portions, rights and privileges which have been acquired by the State of New York and County of Essex for highway purposes.
EXCEPTING premises conveyed by deed from Yates-Prime, Ltd. to the People of the State of New York, acting by and through the Commissioner of Environmental Conservation of the State of New York dated January 24, 1996 and recorded May 29, 1996 in Book 1111 at Page 116.
EXCEPTING AND RESERVING premises conveyed by deed from Richard H. Nagamine, Jr. and Sylvia E. Nagamine to Yates Prime, Ltd. dated November 9, 2000 and recorded January 3, 2001 in Book 1272 at page 1.

§ 6. This act shall take effect immediately; provided, however, that the amendments to subparagraph (xviii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law made by section

three of this act shall not affect the expiration of such subparagraph and shall expire and be deemed repealed therewith; provided, further, that the amendments to subparagraph (xviii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law made by section four of this act shall not affect the expiration of such subparagraph and shall expire and be deemed repealed therewith; and provided, further, that upon the sale or transfer of the parcels detailed in subparagraph (xxii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law as added by section five of this act, such subparagraph shall expire and be deemed repealed unless the licensee immediately obtains a leasehold upon such sale or transfer of such parcel as part of the sale or transfer. If the licensee obtains such a leasehold, the subparagraph pertaining to such parcel shall expire and be deemed repealed upon the end or termination of such lease. The state liquor authority shall notify the legislative bill drafting commission upon notification by the licensee of the sale, transfer or termination of the leasehold, or non-renewal of the leasehold of the parcel detailed in subparagraph (xxii) of paragraph (a) of subdivision 13 of section 106 of the alcoholic beverage control law in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.