

78C

Sir : Take notice of an.....

of which the within is a copy, duly granted in

the within entitled action, on the.....

day of....., 19....., and

duly entered in the office of the Clerk of the

County of.....on the

.....day of....., 19.....

Dated....., N. Y.,

....., 19.....

Office and Post Office Address

STATE OF NEW YORK

.....~~CORRECT~~  
COUNTY OF.....ALBANY.....

McKownville Water District,  
organized and existing under  
and by virtue of the laws of  
the State of New York, in the  
Town of Guilderland, County  
of Albany, New York,,

to

Stuyvesant Plaza, Inc.

COPY EASEMENT.

John N. Schilling, Jr.,  
Office and Post Office Address  
206 Washington Avenue,  
Albany, New York.

Due and timely service of a copy of the  
within

is hereby admitted

this.....day of....., 19.....

To.....

Attorney for.....

THIS INDENTURE, made this 19<sup>th</sup> day of February, 1959, between the Town of Guilderland on behalf of the McKownville Water District, organized and existing under and by virtue of the laws of the State of New York, in the Town of Guilderland, County of Albany and State of New York, hereinafter called the grantor and Stuyvesant Plaza, Inc., a domestic corporation, with offices at No. 120 Washington Avenue, in the City of Albany, County of Albany and State of New York, hereinafter called the grantee, witnesseth:

That in consideration of the sum of Five Thousand Five Hundred Dollars (\$5,500.00) now paid to the said grantor by the grantee, the receipt whereof is hereby acknowledged, the said grantor hereby grants and conveys a perpetual easement and right of way over, on and through, for ingress and egress, the following described premises:

ALL THAT parcel of land situate in the Town of Guilderland, County of Albany and State of New York, bounded and described as follows: Beginning at a point in the north line of Western Avenue, said point being fifty (50) feet distant in a westerly direction from the center line of the culvert which is two hundred and eighty-eight (288) feet westerly of the west line of Fuller Road, said point of beginning being the southeast corner of the parcel of land of nine and fifty-one hundredths (9.51) acres conveyed by Emma E. Van Loan to McKownville Water District, by Deed recorded in the Albany County Clerk's Office April 1, 1949 in Liber 1160 of Deeds at page 193, thence northerly at right angles to the north line of Western Avenue and Running along the easterly line of said parcel of land for a distance of two hundred (200) feet, thence westerly making an interior angle of one hundred twenty (120) degrees thirty (30) minutes with the last described course and running the bounds of said parcel of land for a distance of

COPY

TOWN  
OF  
GUILDERLAND

fifty-eight and three-hundredths (58.03) feet, thence southerly at right angles to the north line of Western Avenue for a distance of two hundred twenty-nine and forty-five hundredths (229.45) feet to the north line of Western Avenue, thence easterly along the north line of Western Avenue for a distance of fifty (50) feet to the point and place of beginning, containing 0.2465 of an acre of land.

This grant is made subject to the following conditions:

1. The said right of way shall, at all times hereafter, be kept open and unobstructed for the use and benefit of the grantee, its successors and assigns, its agents and servants and tenants and occupiers as a means of ingress and egress by foot and vehicle; but not to be used for the storage or permanent parking of vehicles.

2. The grantee herein shall grade and maintain the right of way and it and its successors and assigns shall keep it in good repair and in good and safe condition at its own expense and shall maintain the tile overflow drain from the McKownville Water District reservoir.

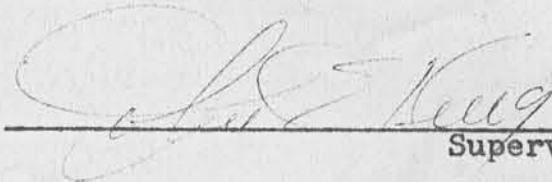
3 → That the grantor herein grants and conveys the above described premises pursuant to Section 198, Subdivision 12, Paragraph A and Section 90 of the Town Law and the Modifying Decision of the Water Power and Control Commission of the State of New York, dated December 9, 1958.

IN WITNESS WHEREOF, the Grantor, as represented by the Town Board, has caused its seal to be hereto affixed and these presents to be signed by its Supervisor pursuant to a resolution by the Town Board bearing date of the 28th day of October, 1958.

TOWN OF GUILDERLAND ACTING ON BEHALF OF  
MCKOWNVILLE WATER DISTRICT

( S E A L )

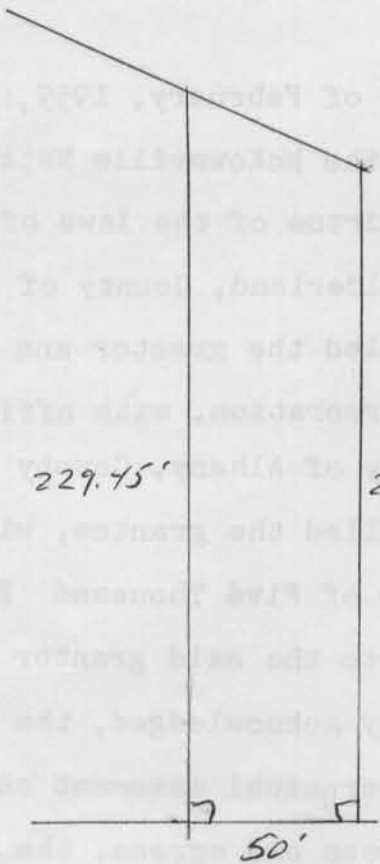
By

  
Supervisor.

TOWN  
OF  
GUILDERLAND

$$214.72' \times 50' \rightarrow 10,736 \text{ sf}$$

$$= 0.25 \pm \text{ Acres}$$



STATE OF NEW YORK )  
                          ) ss.:  
COUNTY OF ALBANY )  
Town of Guilderland)

On this 19th day of February 1959, before me, the subscriber, personally appeared John E. King, to me known and known to me and who, being by me duly sworn, did depose and say that he resides in the Town of Guilderland, Albany County, New York, and is the Supervisor of the Town of Guilderland, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said Town, and that the seal affixed to the foregoing instrument is such seal; that the same was affixed thereto by the order of the Town Board, and that he signed his name thereto by like order.

*Milo Clark*  
\_\_\_\_\_  
TOWN CLERK,  
TOWN OF GUILDERLAND, ALBANY COUNTY,  
NEW YORK.

TOWN  
OF  
GUILDERLAND

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_  
OF \_\_\_\_\_

being duly sworn deposes and says that he is \_\_\_\_\_ in this action; that he read the foregoing \_\_\_\_\_, and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Notary Public - Commissioner of Deeds

(CORPORATION VERIFICATION)

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_  
OF \_\_\_\_\_

being duly sworn, deposes and says that he is an officer, to wit, the \_\_\_\_\_ of the \_\_\_\_\_ in the within entitled action; that the foregoing \_\_\_\_\_ is true to deponent's own knowledge, except as to the matters which are therein stated to be alleged on information and belief and that as to those matters deponent believes it to be true.

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Notary Public - Commissioner of Deeds

(AFFIDAVIT OF PERSONAL SERVICE)

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_  
OF \_\_\_\_\_

being duly sworn, deposes and says; that he served summons \_\_\_\_\_ in the within entitled action, upon the following named defendant at the following time and place, viz:

by delivering to and leaving with said defendant and with each of them, personally, a true copy thereof; that he knew the person so served to be the same person mentioned in said summons \_\_\_\_\_ as defendant herein; that at the time of making such service, he was over eighteen years of age and not a party to this action.

That he asked defendant whether he was in military service of the United States Government, in any capacity whatever, and defendant replied he was not. Defendant clad in ordinary civilian clothes and wore no uniform of any kind.

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Notary Public - Commissioner of Deeds

(AFFIDAVIT OF SERVICE BY MAIL)

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_  
OF \_\_\_\_\_

being duly sworn deposes and says that he is \_\_\_\_\_ the attorney for \_\_\_\_\_ herein. That he is over eighteen years of age; that on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, he served the within \_\_\_\_\_ upon \_\_\_\_\_ by depositing a true copy of the same properly enclosed in a post-paid wrapper in the Post-Office - a Branch Post-Office - Official Depository maintained and exclusively controlled by the United States at \_\_\_\_\_ directed to the said attorney for the said \_\_\_\_\_ at \_\_\_\_\_ N. Y., that being the address within the state designated h for that purpose upon the last papers served by h in this action, or the place where he then resided or kept an office, according to the best information which can be conveniently obtained.

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Notary Public - Commissioner of Deeds