

**Albany County Clerk  
Albany County Court House  
16 Eagle Street Rm 128  
Albany, NY 12207**

Return to:

BARTLETT PONTIFF STEWART  
POB 2168  
GLENS FALLS NY 12801

Instrument: Deed

Document Number: 8866842 Book: 2719 Page: 1092

Grantor HOLT-HARRIS, JOHN E III

Grantee HOLT-HARRIS, JOHN E III  
EATON, KATHERINE

Number of Pages: 3

Transfer Tax Receipt  
Albany County Clerk Received:  
Trans Tax# 1330  
Trans Tax.....\$0.00

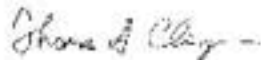
Amount: \$0.00

Filing Date/Time: 09/18/2002 at 4:06 PM

Receipt Number: 16480

Note:

THIS PAGE CONSTITUTES THE CLERK'S ENDORSMENT, REQUIRED BY SECTION 316A(5) &  
319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH.

  
Thomas G. Clingan, County Clerk

Dee

C. 1330

Albany County Clerk  
Document Number 8866842  
Rcvd 09/18/2002 4:06:01 PM

QUITCLAIM DEED



LIBER 2719 PAGE 1092

THIS INDENTURE made the 9th day of September, 2002 between JOHN E. HOLT-HARRIS III, residing at 16 Waverly Place, Albany, New York 12203, party of the first part, and JOHN E. HOLT-HARRIS III and KATHERINE EATON, as joint tenants with right of survivorship, both residing at 16 Waverly Place, Albany, New York 12203, parties of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar (\$1.00) lawful money of the United States and other good and valuable consideration paid by the parties of the second part, does hereby grant and release unto the parties of the second part, its successors and assigns forever all that certain lot, piece and parcel of land situate, lying and being in the Town of Guilderland, County of Albany, State of New York more particularly bounded and described as follows:

BEGINNING at a point located in the northerly bounds of Waverly Place at its intersection with the division line between the lands now or formerly of John E. and Susan S. Holt-Harris as described in Liber 2476 at Page 565 to the East and the herein described parcel to the West; said pointed being located N. 51° 13' 31" W., a distance of 166.53 feet as measured along the southerly bounds of land now or formerly of John E. and Susan S. Holt-Harris as described in Liber 2476 at Page 565 from the southeasterly corner of said lands now or formerly of Holt-Harris; thence N. 51° 13' 31" W., and continuing along the lands now or formerly of John E. And Susan S. Holt-Harris as described in Liber 2476 at Page 565 a distance of 164.47 feet to a point thence through the lands now or formerly of Holt-Harris the following five courses and distances:

1. N.38° 46' 29" E. a distance of 114.0 feet to a point;
2. S. 51° 13' 31" E. a distance of 136.0 feet to a point;
3. S. 38° 46' 29" W. a distance of 66.89 feet to a point;
4. S. 16° 13' 31" E. a distance of 28.08 feet to a point;
5. S. 28° 46' 29" W. a distance of 31.48 feet to the point and place of

beginning.

TOGETHER with an easement for ingress and egress to the above-described premises for persons and vehicles over the adjoining lands now or formerly of John E.

RECEIVED
\$.....
REAL ESTATE
SEP 18 2002
TRANSFER TAX
ALBANY
COUNTY

Holt-Harris, Jr., more particularly described as follows:

BEGINNING at a point located in the northerly bounds of Waverly Place at its intersection with the division line between the lands now or formerly of John E. and Susan S. Holt-Harris as described in Liber 2476 at Page 565 to the East and the above described parcel to the West; said point being located N.  $51^{\circ} 13' 31''$  W. a distance of 166.53 feet as measured along the southerly bounds of lands now or formerly of John E. and Susan S. Holt-Harris as described in Liber 2476 at Page 565 from the southeasterly corner of said lands now or formerly of Holt-Harris; thence through the lands now or formerly of John E. and Susan S. Holt-Harris as described in Liber 2476 at Page 565 and in part along the easterly bounds of the above described parcel N.  $28^{\circ} 46' 29''$  E., a distance of 43.61 feet to a point; thence continuing through the lands now or formerly of Holt-Harris N.  $32^{\circ} 08' 54''$  W., a distance of 22.11 feet to a point in the easterly bounds of the herein described parcel; thence along said easterly bounds N.  $38^{\circ} 46' 29''$  E., a distance of 20.20 feet to a point; thence through the lands of Holt-Harris the following two courses:

1. S.  $32^{\circ} 08' 54''$  E. a distance of 37.46 feet to a point;
2. S.  $28^{\circ} 46' 29''$  W. a distance of 59.03 feet to a point in the southerly bounds of lands now or formerly of Holt-Harris; thence along the southerly bounds of lands now or formerly of Holt-Harris N.  $51^{\circ} 13' 31''$  W., a distance of 17.18 feet to the point and place of beginning.

EXCEPTING AND RESERVING to the heirs, executors and assigns of John E. Holt-Harris, Jr. an easement over the premises herein conveyed for the purpose of installing and maintaining a sewer line to service the adjoining lands now or formerly of John E. Holt-Harris, Jr. over that strip of land more particularly bounded and described as follows:

BEGINNING at a point located in the northerly bounds of the above described parcel and being measured N.  $51^{\circ} 13' 31''$  W., a distance of 26.42 feet from the northeasterly corner of the above-described parcel; thence through the land of the above described parcel S.  $15^{\circ} 39' 14''$  W., a distance of 67.28 feet to a point in the easterly bounds of said parcel; thence along the easterly bounds S.  $38^{\circ} 46' 29''$  W., a distance of 5.01 feet to a point; thence continuing along the northeasterly bounds of said parcel S.  $16^{\circ} 13' 31''$  E., a distance of 3.73 feet to a point; thence through said parcel S.  $15^{\circ} 39' 14''$  W., a distance of 48.90 feet to a point in the southerly bounds of said parcel; thence along said southerly bounds N.  $51^{\circ} 13' 31''$  W., a distance of 16.31 feet to a point; thence through said parcel N.  $15^{\circ} 39' 14''$  E., a distance of 123.96 feet to a point in the northerly bounds of said parcel; thence along said northerly bounds S.  $51^{\circ} 13' 31''$  E., a distance of 16.31 feet to the point of beginning.

This easement shall include the right to excavate the land within the said easement if such excavation is reasonably necessary for proper maintenance and repair of the sewer line and no liability shall be incurred by reason of the necessity of excavating the land for the purposes herein mentioned, provided any excavations are

filled in and the land is restored to its original condition as quickly as possible.

The above described premises and easements are shown on a map entitled "Foundation Plan for No. 16 Waverly Place" made by Hershberg & Hershberg dated May 20, 1999.

SUBJECT to all covenants, conditions, easements and restrictions of record affecting the premises.

BEING the same premises conveyed by John E. Holt-Harris, Jr. to John E. Holt-Harris III by deed dated June 7, 1999 and recorded in the Albany County Clerk's Office on June 8, 1999 in Liber 2631 at Page 1036. This conveyance is made and accepted subject to an indebtedness secured by a mortgage upon said premises held by Charter One Bank which mortgage was recorded in the Albany County Clerk's Office on June 18, 1999 in Liber 3742 of Mortgages at Page 460.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, its successors and assigns forever.

Subject to the trust fund provisions of Section Thirteen of the Lien Law.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

*John E. Holt-Harris III*  
John E. Holt-Harris III STATE OF NEW YORK )  
COUNTY OF ALBANY }

STATE OF NEW YORK )  
COUNTY OF Warren ) ss:

Recorded in DEEDS  
As Shown Hereon and  
Examined  
*Thomas G. Clingan*  
THOMAS G. CLINGAN  
ALBANY COUNTY CLERK

On the 9th day of September in the year 2002 before me, the undersigned, a Notary Public in and for said state, personally appeared JOHN E. HOLT-HARRIS III, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*Patricia E. Watkins*  
Notary Public 142779

RTR:

BARTLETT, PONTIUS  
& RHODES, P.C.  
ATTORNEYS AT LAW  
P.O. Box 2168 - One Washington St.  
Glens Falls, NY 12033

PATRICIA E. WATKINS  
Notary Public, State of New York  
Qualified in Saratoga County  
My Commission Expires Oct. 31, 2005  
47988

Attn: PEWatkins