

**This Indenture**

Made the 9<sup>th</sup> day of December, Nineteen Hundred and Forty Seven,

~~Between~~ ARVILLA LANG COX, residing at 338 State Street, in the City of Albany, N. Y., and MICHAEL D. REILLY, residing at 55 North Pine Avenue, in the City of Albany, N. Y.,

as Execut ORS of the last Will and Testament of JOSEPH A. COX, late of Albany, New York,

deceased, parties of the first part, and RALPH McCLINTOCK and ELSIE McCLINTOCK, his wife, residing at Madison Avenue and Fuller Road in the City of Albany, N. Y.,

parties of the second part:  
~~Witnesseth~~ That the parties of the first part, by virtue of the power and authority in them given in and by the said last Will and Testament, and in consideration of

Ten Thousand\$-----Dollars,  
(\$ 10,000.00 ) lawful money of the United States,

to them paid by the parties of the second part, do hereby grant and release unto the parties of the second part,

their successors and assigns forever, all that tract or parcel of land situate, lying and being in the Thirteenth Ward of the City of Albany and State of New York, bounded and described as follows: Beginning at the point of intersection of west line of Lot No. 5 with the north line of Madison Avenue, formerly Lydius Street, being the southwest corner of said Lot No. 5 as laid down on a map of twenty seven lots lying west of Megerline Street, made by Evert Van Allen in 1817, for the City of Albany, and runs thence northerly on said west line of Lot No. 5 twenty three (23) chains, thirty two (32) links to the south line of Washington Avenue; thence easterly along said south line of Washington Avenue thirteen (13) chains; thence southerly on a line parallel with said west line of Lot No. 5 to said north line of Madison Avenue, formerly Lydius Street; thence westerly along said north line of Madison Avenue, formerly Lydius Street, twelve chains, eighty links (12 ch. 80 links) to the point or place of beginning, containing about 31.5 acres of land, and being a part of the same premises as conveyed by John Enos and others to Charles S. Motisber by deed dated February 7th, 1916, and recorded in Albany County Clerk's Office June 8th, 1916, in Book No. 648 of Deeds, page 518, and being the same premises conveyed by Charles S. Motisber and wife to Joseph A. Cox by quit claim deed dated June 26, 1916 and recorded in the Albany County Clerk's office June 29, 1916 in Book 657 of Deeds, at page 30.

ALSO All that tract or parcel of land lately situated in the town of Guilderland, but now in the City of Albany, and State of New York, bounded and described as follows: Beginning at a point in the north line of Lydius Street or Madison Avenue, being the southwest corner of Lot Number Five (5) on the map of Evert

Van Allen, filed in Albany County Clerk's Office September 13, 1817, and about one mile west of Magazine Street; thence northerly along the westerly line of said Lot Number five, now owned by the party of the second part (Joseph A. Cox) hereto, about six hundred and forty (640) feet to lands now or formerly owned by George Van Schoick; thence westerly about three hundred and sixty (360) feet along said lands of Van Schoick to the Fuller Road; thence along said Fuller Road about six hundred and fifty (650) feet to Lydius Street or Madison Avenue; thence easterly along Lydius Street or Madison Avenue to the point or place of beginning. Being the same premises conveyed to Joseph A. Cox by Addie Stalker, now Addie Welsh, by warranty deed dated January 19, 1917 and recorded in the Albany County Clerk's office January 20, 1917, in Book No. 654 of Deeds, at page 343.

Excepting and reserving therefrom, however, a certain strip of land conveyed by Joseph A. Cox to the New York Power & Light Corporation, by deed dated March 6, 1940, and recorded in the Albany County Clerk's office March 7, 1940, in Book 920 of Deeds, at page 120.

The above described parcels of land being a portion of premises of which the said Joseph A. Cox died seized, April 23, 1940, leaving a Last Will and Testament, which was duly admitted to probate by the Surrogate of Albany County on May 6, 1940 and recorded in the office of the Clerk of said Surrogate's Court in Book 83 of Wills, page 460 in and by which will the parties of the first part hereto were nominated executors.

**Together** with the appurtenances, and also all the estate which the said Testator had at the time of his decease, in said premises, and also the estate therein, which the parties of the first part have or have power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

**To have and to hold** the premises herein granted unto the parties of the second part, their heirs and assigns forever.

**And** the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

That the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**In Witness Whereof** The parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of

Anville Lang Cox  
 and  
 Michael P. Rully  
 As Executors of the Last Will  
 and Testament of Joseph A.  
 Cox, deceased.



OFFICE OF  
ALBANY COUNTY CLERK  
Dec 9 2 43 PM '47  
ALBANY, N. Y.

# State of New York

County of Albany }  
City of Albany }  
On this 9<sup>th</sup>

SS:

day of December, Nineteen Hundred and  
Forty Seven,  
before me, the subscriber, personally appeared  
Arville Lang Cox and Michael D. Reilly,

the Execut ors of the last Will and Testament of  
Joseph A. Cox,

to me personally known and known to me to be the same persons described  
in and who executed the within Instrument, and they duly severally  
acknowledged to me that they executed the same as such Execut ors  
as aforesaid for the purposes therein mentioned.

*Susan Preston*

SUSAN PRESTON  
Notary Public in the State of New York  
Residing in Rensselaer County, No. 47  
Gehlicentified in the Counties of  
Albany 322, Columbia 654  
Greene 321, Schenectady 5284  
My commission expires March 20, 1948

10  
**ALBANY**

ARVILLA LANG COX and  
MICHAEL D. REILLY, As  
Executors of the Last Will and  
Testament of Joseph A. Cox, dec'd

AND  
RALPH MCCLINTOCK and ELSIE  
MCCLINTOCK, his wife.

Dated, December 9<sup>th</sup> 19 47

County of Albany ss.  
SHERIFF OF NEW YORK

RECORDED  
ON THE  
9 day of Dec 1947  
at 2:43 o'clock P.M.  
in LIBER 1098 of DEEDS  
at Page 165 and examined.

Thomas G. Allen  
Attorney