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00624

LIBER 2155 PAGE 591

# This Indenture,

Made the 24th day of August ~~July~~ Nineteen Hundred and Seventy-eight

~~Between~~ GOLDMARK LEASING COMPANY, a New York Partnership, with offices at 2120 Western Avenue, Guilderland, New York,

part y of the first part, and  
GERALD GOLDIE, residing at 117 Essex Circle, Guilderland, New York, and  
WILLIAM R. SWIFT, residing at 37 Ormond Street, Albany, New York,  
as tenants in common,

parties of the second part,  
Witnesseth that the part y of the first part, in consideration of  
ONE and 00/100 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, their heirs and assigns forever, all

See SCHEDULE A attached hereto

OFFICE OF  
ALBANY COUNTY CLERK  
AUG 24 11 28 AM '78  
ALBANY, N. Y.

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\$ 24.50  
REAL ESTATE  
AUG 24 1978  
TRANSFER TAX  
ALBANY

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, their heirs and assigns forever.

And said party of the first part

covenants as follows:

First. That the parties of the second part shall quietly enjoy the said premises;

Second. That said party of the first part

will forever warrant the title to said premises.

Third. That, in Compliance with Sec. 13 of the Lien Law, the grantor 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 party of the first part has hereunto set its hand and seal the day and year first above written.

In Presence of

GOLDMARK LEASING COMPANY

By: Gerald Goldie  
GERALD GOLDBE

L.S.

STATE OF NEW YORK )  
COUNTY OF Albany ) SS:

On this 24<sup>th</sup> day of August 1978, before me personally came GERALD GOLDBE, to me known to be the person who executed the foregoing instrument, and who, being duly sworn by me, did depose and say that he is a member of the firm of GOLDMARK LEASING COMPANY, a Partnership, and that he executed the foregoing instrument in the firm name of GOLDMARK LEASING COMPANY, and that he had authority to sign the same, and he acknowledged to me that he executed the same as the act and deed of said firm for the uses and purposes therein mentioned.

Lewis A. Stransky  
Notary Public in and for the State of New York  
Lewis A. Stransky  
Member Public for New York State  
Residing in Albany County  
My Commission Expires March 24, 1982

**Goldmark**

WARRANTY WITH LIEN COVENANT

GOLDMARK LEASING COMPANY

TO

GERALD GOLDBE and WILLIAM R. SWIFT, as tenants in common

1978

Dated, August 24

R.F.R. to  
O'CONNELL AND ARCHONWITZ, P.C.  
ATTORNEYS AND COUNSELLORS AT LAW  
100 STATE STREET  
ALBANY, NEW YORK 12207

## SCHEDULE "A"

ALL that tract or parcel of land situate in the Town of Guilderland, County of Albany and State of New York more particularly shown on a certain Map of Surveys, Properties on Western Turnpike, to be conveyed to Goldmark Leasing Co., Town of Guilderland, County-Albany, State-New York, dated December 20, 1972 made by Paul E. Hite, L.S., filed in Albany County Clerk's Office on August 1, 1973 as Map 4923 in Drawer 167, and more particularly bounded and described as follows:

BEGINNING at a point in the southerly right-of-way line of Western Turnpike (US Route 20), said point of beginning being 163.12 feet easterly measured along said southerly line of Western Turnpike (US Route 20) from its point of intersection with the division line between lands on the west formerly conveyed to Ellen J. Smith by deed dated May 1, 1922 and recorded in the office of the Albany County Clerk in Book of Deeds 705 page 191 and lands on the east conveyed to Regency Park Associates by deed dated September 3, 1971 and recorded as aforesaid in Book of Deeds 2033 page 583; thence running from said point of beginning S 70°30'36" East along said southerly right-of-way line of Western Turnpike (US Route 20) 324.00 feet to a point; thence S 51°29'43" West continuing along said right-of-way line of Western Turnpike (US Route 20) 9.43 feet to a point; thence S 67°30'01" East continuing along said southerly right-of-way line of Western

Turnpike (U.S. Route 20) 92.06 feet to a point; thence S 53°40'45" West along the northwesterly line of lands formerly of Guilderland Barker Center, Inc. and lands formerly of Maple Manor Apartments Inc. 337.44 feet to a point; thence S 73°49'21" West continuing along lands formerly of Maple Manor Apartments Inc. 104.94 feet to a point; thence N 42°04'08" West along lands of Regency Park Associates 51.48 feet to a point; thence S 85°15'00" West along lands of Regency Park Associates 4.05 feet to a point in the easterly line of Devonshire Drive; thence in a general northerly direction along said easterly line of Devonshire Drive with a curve to the left having a radius of 293.50 feet a central angle of 08°57'42", an arc length of 45.91 feet, and whose chord bears N 09°22'25" West 45.86 feet to a point; thence N 13°51'16" West continuing along the easterly line of Devonshire Drive with a line tangent to the last mentioned curve 41.03 feet to a point; thence in a general northerly direction continuing along the easterly line of Devonshire Drive with a curve to the right tangent to the last mentioned line having a radius of 219.01 feet, a central angle of 18°06'56", an arc length of 69.24 feet and whose chord bears N 04°47'48" West 68.96 feet to a point; thence continuing in a general northerly direction along the easterly line of Devonshire Drive with a curve to the right tangent to the last mentioned curve having a radius of 400.00 feet, a central angle of 15°13'44", an arc length of 106.32 feet and whose chord bears N 11°52'32" East 106.00 feet to

a point; thence N 19°29'24" East continuing along the easterly  
 line of Devonshire Drive with a line tangent to the last  
 mentioned curve 87.93 feet to the point of beginning.

State of New York }  
 County of Albany } ss: Recorded  
 On the 24 day of Aug 19 77  
 ..... 11:25 A.M. In  
 book 2155 ..... of  
 .....  
 page 591 ..... and examined

*Ray T. Regan*

ALBANY COUNTY CLERK