

\$78,000.00
Stamps

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 19th day of December, 1984, eleven hundred and Eighty-Four BETWEEN REGENCY PARK ASSOCIATES, a New York Partnership, having offices c/o Louis Partners Realty & Development Corp., 521 Fifth Avenue, New York, New York 10175

2274 705

613.113

party of the first part, and RP ASSOCIATES, a New York general partnership having an office at Executive Park North, Albany, New York 12203

party of the second part.

WITNESSETH, that the party of the first part, in consideration of ----- Dollars,

lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and convey unto the party of the first part, the heirs or successors and assigns of the party of the second part hereof,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Guilderland, County of Albany and State of New York bounded and described as follows:

Beginning at a point in the southerly line of Western Turnpike (U.S. Route No. 20) at its point of intersection with the division line between lands on the west formerly conveyed to Ellen J. Smith and lands on the east of Regency Park Associates; thence running from said point of beginning South 76°10'20" East along said southerly line of Western Turnpike (U.S. Route 20) 2.12 feet to a point; thence South 70°30'36" East continuing along said southerly line 161.00 feet to a point; thence South 19°29'24" East through lands of said Regency Park Associates 87.93 feet to a point; thence in a general southerly direction continuing through lands of Regency Park Associates with a curve to the left tangent to the last mentioned line 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 South 11°52'12" West 106.00 feet to a point; thence continuing in a general southerly direction continuing through lands of Regency Park Associates with a curve to the left having a radius of 219.0 feet, a central angle of 18°05'56", an arc length of 69.26 feet and whose chord bears South 4°47'40" East 68.96 feet to a point; thence South 13°51'16" East continuing through lands of Regency Park Associates with a line tangent to the last mentioned curve 41.03 feet; thence continuing in a general southerly direction continuing through lands of Regency Park Associates with a curve to the right tangent to the last above mentioned line having a radius of 293.50 feet, a central angle of 8°57'42", an arc length of 45.91 feet and whose chord bears South 9°22'25" East 45.86 feet to a point; thence North 85°15'00" East continuing through lands of Regency Park Associates 4.05 feet to

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TRANSFER TAX
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COUNTY

the most westerly corner of lands formerly conveyed to William T. Jr. and Josephine M. Siver; thence South 42°04'09" East along the southwesterly line of said lands of Siver and the continuation thereof 135.30 feet to a point; thence North 65°55'52" East 114.20 feet to a point in the division line between lands on the northeast formerly conveyed to Sevil L. and Helen M. Robinson and lands on the southwest of Regency Park Associates; thence South 36°01'26" East along said division line 97.69 feet to a point; thence South 42°37'26" East continuing along said division line 395.00 feet to a point in the division line between lands on the south formerly conveyed to John Rockenstyre, George Rockenstyre and Cornelius Rockenstyre and lands on the north of Regency Park Associates; thence South 71°35'12" West along said division line 564.03 feet to a point in the division line between lands on the northeast of the aforesaid Cornelius Rockenstyre and lands on the southwest of Regency Park Associates; thence South 31°45'27" East along said division line 847.97 feet to an angle point therein; thence South 36°37'43" East continuing along said division line 465.73 feet to a point in the northwesterly line of New York State Route 155 (State Farm Road); thence South 49°20'29" West along said northwesterly line of N.Y.S. Route 155 196.73 feet to a point; thence South 56°39'10" West continuing along the northwesterly line of N.Y.S. Route 155 200.03 feet to a point; thence South 67°04'09" West continuing along the northwesterly line of N.Y.S. Route 155 272.33 feet to a point in the division line between lands on the southwest reputedly of Normanvale Estates (Dominic Ferraioli) and recorded in the Office of the Albany County Clerk in Book 1511, page 185 and lands on the northeast of the aforesaid Regency Park Associates; thence running North 42°14'34" West along said division line 1608.92 feet to a point in the first mentioned division line; thence along said division line the following courses and distances: North 45°53'15" East 723.60 feet to a point; North 09°54'08" West 34.98 feet to a point; North 57°40'52" East 236.74 feet to a point; North 60°30'52" East 136.91 feet to a point, and North 06°11'26" West 495.85 feet to the point of beginning, said point of beginning being South 79°15'15" East 470.15 feet from an existing concrete right of way monument set in the southerly line of aforesaid Western Turnpike.

Being part of the premises conveyed to the party of the first part by deed dated September 3, 1971, recorded in the Albany County Clerk's Office on September 3, 1971 in Book 2031 of Deeds, page 583.

Together with permanent sign rights reserved in a deed dated July 27, 1973 from Regency Park Associates to Goldmark Leasing Co. recorded in Albany County Clerk's Office on August 1, 1973 in Liber 2068 of Deeds, page 537.

Together with 3 non-exclusive permanent easements for ingress and egress granted in 3 deeds:

(1) Deed dated July 27, 1973 from Guilderland Barker Center Inc. to Regency Park Associates and Goldmark Leasing Co. recorded in Albany County Clerk's Office on August 1, 1973 in Liber 2068 of Deeds, page 597.

(2) Deed dated July 27, 1973 from Goldmark Leasing Co. to Guilderland Barker Center, Inc. and Regency Park Associates recorded in Albany County Clerk's Office on August 1, 1973 in Liber 2068 of Deeds, page 599.

(3) Deed dated July 27, 1973 from Goldmark Leasing Co. to Guilderland Barker Center, Inc. and Regency Park Associates recorded in Albany County Clerk's Office on August 1, 1973 in Liber 2068 of Deeds, page 601.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

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 party of the second part, the heirs or successors and assigns of the party of the second part forever.

LIBER 2274 pg 797

This conveyance is made subject to enforceable easements and restrictions of record, to Regulatory Agreements for Multi-Family Housing Projects dated October 7, 1971, recorded in Albany County Clerk's Office in Book 2014 of Mortgages, page 71 as amended by Agreement dated October 26, 1973, recorded as aforesaid in Book 2050 of Mortgages, page 1091 and dated December 18, 1972, recorded as aforesaid in Book 2034 of Mortgages, page 1111 and to the following mortgages:

Mortgage for \$5,580,700.00 dated October 7, 1971, recorded as aforesaid on October 7, 1971 in Book 2014 of Mortgages at page 87 which mortgage is held by Secretary of Housing and Urban Development by Assignment dated September 19, 1975, recorded as aforesaid on September 25, 1975 in Book 2079 of Mortgages, at page 1147.

Mortgage for \$5,567,800.00 dated December 18, 1972, recorded as aforesaid on December 18, 1972 in Book 2034 of Mortgages, page 1047 which mortgage is held by Secretary of Housing and Urban Development by Assignment dated September 16, 1975, recorded September 25, 1975 in Book 2079 of Mortgages at page 1081.

Mortgage and Note Modification, Consolidation and Spreader Agreement dated as of January 1, 1987, recorded as aforesaid on May 29, 1983 in Book 2211 of Mortgages at page 246 which by its terms was consolidated with the 2 mortgages above set forth forming one \$12,710,703.75 lien and upon which 3 mortgages there is presently due and owing the principal sum of \$12,705,198.33 with interest from December 1, 1984, plus past due interest of \$135,884.53.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part 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.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Regency Park Associates
By Loeb Partners Realty and
Development Corp.
General Partner

By


Its _____

On the _____ day of _____ 19____ before me On the _____ day of _____ 19____ before me

227 793

to the
executed
STATE OF NEW YORK
COUNTY OF ALBANY)

who
that

On this 19th day of November, 1984, before me personally came GARY L. NAUGHTON to me personally known, who being by me duly sworn did depose and say that he is the President of Loeb Partners Realty and Development Corp., the General Partner of Regency Park Associates, a Partnership, that he executed the foregoing instrument on behalf of Loeb Partners Realty and Development Corp. acting as General Partner of Regency Park Associates, at the act and deed of that partnership.

STATE :

On the
person
to me
that

that
of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.

E. J. ...
Notary Public

to
me
and

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

SECTION
BLOCK
LOT
COUNTY OF TOWN

REGENCY PARK ASSOCIATES
TO

RP ASSOCIATES

(Regency Park Apartments)

RETURN BY MAIL TO:

Marvin I. Honig, Esq.
54 Second Street
Troy, New York 12180

Zip No.

DEC 27 1984

STATE OF NEW YORK
COUNTY OF ALBANY)

Recorded in 1888
in the office of
the County Clerk

GUY L. ...
ALBANY COUNTY CLERK