

This Indenture

made November 15, 1989

Between FREDERICK I. SMITH, residing at 2144 Western Avenue, Guilderland, New York

LIBER 2404 PAGE 556

FREDERICK I. SMITH and ELLA C. SMITH, husband and wife, residing at 2144 Western Avenue, Guilderland, New York *party of the first part, and*

Witnesseth that the party of the first part, in consideration of

ies
party of the second part,

One and no/100----- Dollars (\$1.00)
lawful money of the United States, and other good and valuable consideration

paid by the party of the second part, does hereby grant and release unto the party of the second part, *the/*heirs or successors and assigns of the party of the second part forever, all

that certain lot piece or parcel of land, situate lying and being in the Town of Guilderland, aforesaid and bounded and described as follows. viz: Beginning at the northeast corner which corner is on the south side of the Western Turnpike on line of property owned by James N. Crumme and runs thence south fifteen degrees west six chains forty links thence south fifty four degrees east two chains seventy one links to a stone thence south forty one degrees fifty five minutes west twelve chains ninety one links to a stake corner Batterman's line thence south forty nine degrees east five chains thirty two links thence north forty two degrees east ten chains ninety links thence north forty two degrees east ten chains ninety links thence west fourteen degrees thirty minutes west fifty three links to an oak stump thence along the west side of the creek to stone in board fence thence north nine degrees thirty minutes west seven chains sixty four links to the Western Turnpike and thence north seventy four degrees west six chains seventy two links to the place of beginning, containing thirteen acres be the same more or less and being the same premises conveyed to Anna L. Hine by John A. Kelderhouse and Catharine Kelderhouse, his wife, by deed dated September 10, 1907 and recorded in Albany County Clerk's Office September 10, 1907 in Book No. 567 of Deeds page 77. Excepting from the above described premises so much thereof as was conveyed by Anna L. Hine to the United Traction Company by deed dated February 2, 1912 and recorded in Albany County Clerk's Office July 24, 1912 in Book No. 602 page 238 and subject to an agreement made by said Anna L. Hine with the Department of Highways of the State of New York, dated October 3, 1911 and recorded in Albany County Clerk's Office December 22, 1911 in Book No. 603 of Deeds page 95.

BEING the same premises conveyed to the party of the first part by deed dated the 15th day of November, 1989, and recorded in the Albany County Clerk's office on the 21st day of November, 1989, in Book 2404 of Deeds at page 554.

SUBJECT to all enforceable easements and covenants of record.

RECEIVED
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REAL ESTATE
NOV 21 1989
TRANSFER TAX

STATE OF NEW YORK)
COUNTY OF ALBANY)

Together with the appurtenances and all the estate and rights of the party^{ies} 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^{ies} of the second part forever.

And the party of the first part covenants as follows:

First. That the party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

Second. That the party^{ies} of the second part shall quietly enjoy the said premises;

Third. That the premises are free from incumbrances, except as aforesaid,

Fourth. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth. That the party of the first part will forever **WARRANT** the title to said premises;

Sixth. 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 the day and year first above written.

In Presence of

Frederick I. Smith
FREDERICK I. SMITH

L. S.

L. S.

L. S.

L. S.

STATE OF NEW YORK, COUNTY OF _____ ss.:

On _____ 19____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that deponent resides at No. _____

deponent is _____ of _____ the corporation described in and which executed the foregoing instrument; deponent 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; deponent signed deponent's name therein by his order.

STATE OF NEW YORK, COUNTY OF ALBANY ss.:

On November 15, 1989, before me personally came

FREDERICK I. SMITH

to me known to be the individual described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

Frank Teleschi
Notary Public

FRANK TEDESCHI
NOTARY PUBLIC, State of New York
(Qualified in Schoenady County)
Commission Expires March 30, 1991

12/31/89

WARRANTY WITH FULL COVENANT

FREDERICK I. SMITH

TO

FREDERICK I. SMITH
and ELLA C. SMITH

Dated, November 19 89

STATE OF NEW YORK

County of _____ ss.

RECORDED ON THE

Day of _____ 19____

at _____ o'clock _____ M.

in Liber _____ of Deeds

at Page _____ and resumed

CLERK

PLEASE RECORD AND RETURN TO:

AINSWORTH, SULLIVAN, TRACY,
KNAUF, WARNER & RUSLANDER
BOX 49
Albany County Courthouse