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OFFICE OF
ALBANY COUNTY CLERK
ALBANY, N.Y.

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BARGAIN AND SALE DEED

THIS INDENTURE, made the 9th day of March, 1990, between ARMAND QUADRINI CONSTRUCTION, INC., of 5885 Farm Road, Slingerlands, New York, hereinafter referred to as "party of the first part";

and

DAVID ELLENBOGEN, residing at 13 Witte Road, Albany, New York, and NORMAN ELLENBOGEN, residing at 104 Hampton Street, Delmar, New York 12054, as tenants in common, hereinafter referred to as "parties of the second part";

WITNESSETH that the party of the first part in consideration of One and no/100 dollars, lawful money of the United States, and other good and valuable consideration paid by the parties of the second part, do hereby grant, release unto the parties of the second part, their successors and assigns forever:

ALL that tract, piece or parcel of land situate, lying and being in the Town of Guilderland, County of Albany, and State of New York, being more particularly bounded and described in Schedule "A" annexed hereto and made a part hereof.

BEING the same premises conveyed to the party of the first part by deed dated October 4, 1982 and recorded October 14, 1982 in the Albany County Clerk's Office in Book 2229 of Deeds, Page 931.

THIS CONVEYANCE is made in the regular course of business of the party of the first part, does not constitute a disposition of all or substantially all, of the assets thereof, and all requisite approvals have been obtained.

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

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 encumbered 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 reads "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

ARMAND QUADRINI CONSTRUCTION,
INC.

By: Armand Quadrini
Armand Quadrini, President



STATE OF NEW YORK)
) SS:
 COUNTY OF ALBANY)

On this 9th day of March, 1990, before me personally came Armand Quadrini, to me known who, being duly sworn, did depose and say that he resides at 20 Shady Lane, Albany, New York; that he is the President of Armand Quadrini Construction, Inc., the corporation described in, and which executed the above 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.



 Notary Public

ROBERT G. WAKEMAN
 NOTARY PUBLIC, STATE OF NEW YORK
 RESIDING IN ALBANY COUNTY
 COMMISSION EXPIRES 2/28/91

RECORD & RETURN:

Joseph Kay, Esq.
 11 North Pearl Street
 Albany, New York 12207

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Lawyers Title Insurance Corporation

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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

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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

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tangent to the last mentioned curve having a radius of 400.00 feet, a central angle of $15^{\circ}13'44''$, an arc length of 106.32 feet and whose chord bears $N 11^{\circ}52'32''$ East 106.00 feet to a point; thence $N 19^{\circ}29'24''$ 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)

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