

This Indenture

Made the 30th day of May, Nineteen Hundred and Ninety-~~500~~^{500x}.

Between

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DAVID M. ELLENBOGEN, a/k/a DAVID ELLENBOGEN, residing at 13 Witte Road, Albany, NY 12203

grantor; and

WILLIAM LIA, with offices at c/o Infiniti of Albany, 3900 State Street, Schenectady, New York 12304

grantee;

Witnesseth, That the grantor, in consideration of the sum of Ten and no/100-----Dollars (\$10.00) lawful money of the United States, and other good and valuable consideration paid by the grantee, does hereby grant and release unto the grantee, his heirs and assigns forever,

(see Schedule A attached)

TO HAVE AND TO HOLD the premises herein granted unto the grantee, his heirs and assigns forever.

And grantor covenants as follows:

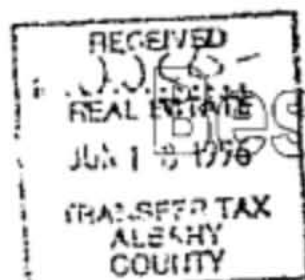
First, That the grantee shall quietly enjoy the said premises;

Second, That said grantor 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.

This conveyance is made subject to all easements and restrictions of record affecting the premises described in Schedule A.

In Witness Whereof, the grantor has hereunto set his hand and seal the day and year first written above.



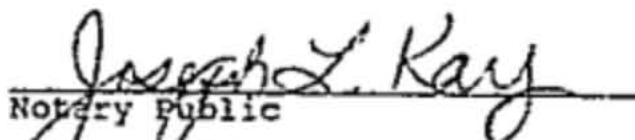
Best Image Available
David M. Ellenbogen
David M. Ellenbogen

ALBANY COUNTY
JUN 13 1976

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

On this 30th day of May, 1996, before me, the subscriber, personally appeared DAVID M. ELLENBOGEN, to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same.

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Notary Public
JOSEPH L. KAY
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ALBANY CO. 84813528
COMMISSION EXPIRES SEPT. 20, 1997

Please record & return to:
Paul J. Goldman, Esq.
Segel, Goldman & Mazzotta, P.C.
5 Washington Square
Washington Avenue Extension
Albany, New York 12205

SCHEDULE A

PARCEL 1

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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. Rite, L.S., filed in Albany County Clerk's Office on August 1, 1973 as Map-4923 in Drawer 157, 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, 1923 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°10'01" East continuing along said southerly right-of-way line of Western

SCHEDULE A
PARCEL 1 - (cont.)

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Turnpike (U.S. Route 20) 92.05 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°51'55" West continuing along the easterly line of Devonshire Drive with a line tangent to the last mentioned curve 42.00 feet to a point; thence in a general northerly direction continuing along the easterly line of Devonshire Drive with a curve to the left 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°47'45" West 68.95 feet to a point; thence continuing in a general northerly direction along the easterly line of Devonshire Drive with a curve to the right

SCHEDULE A
PARCEL 1 - (cont.)

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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.

Said Parcel 1 BEING THE SAME PREMISES conveyed to David Ellenbogen by Norman Ellenbogen by deed dated December 17, 1993 and recorded in the Albany County Clerk's Office on December 22, 1993 in Book 2499 of Deeds at Page 525. ALSO BEING THE SAME PREMISES conveyed to David Ellenbogen and Norman Ellenbogen by Armand Quadrini Construction, Inc., by deed dated March 9, 1990, and recorded that same day in the Albany County Clerk's Office in Book 2411 of Deeds at Page 239.

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 now or formerly 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 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.

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. 603 page 238.

Said Parcel 2 BEING THE SAME PREMISES conveyed to David M. Ellenbogen by Robert F. Smith, as executor of the Estate of Ella C. Smith, by Deed dated March 29, 1994, and recorded that same day in the Albany County Clerk's Office in Book 2506 of Deeds at Page 21.

all that certain lot, piece or parcel of land situated, lying and being in the Town of Guilderland, County of Albany of the State of New York, bounded and described as follows:

Beginning at a point in the southerly line of Great Western Turnpike (Western Avenue) at its intersection with the division line between lands of the parties of the first part on the west and lands conveyed to Frederick I. and Ella C. Smith by deed recorded in the Albany County Clerk's Office in Book 2474 of Deeds at page 556 on the east; thence southerly along said division line S 10° 51'-15" W 364.29 feet to a point; thence, southeasterly continuing along aforesaid division line S 56°-31'-30" E 177.66 feet to a stone monument; thence, southwesterly along the aforesaid division line and along the division line between lands of the parties of the first part on the northwest and lands reputedly of Donnick Ferraioli, Book 2381 of Deeds at page 239, on the southeast S 40°-10'-58" W 1631.03 feet to its intersection with the division line between lands of the parties of the first part on the northeast and lands conveyed to John F. and Patricia L. Harrison by deed recorded in the Albany County Clerk's office in Book 2256 of Deeds at Page 284 on the southwest; thence northwesterly along said division line N 53°-11'-21" W 159.23 feet to its intersection with the division line between lands of the parties of the first part on the southeast and lands conveyed to Joseph Lucarelli et al by deed recorded in the Albany County Clerk's office in Book 2255 of Deeds at Page 1045 on the northwest; thence, northeasterly along said division line the following four courses: 1. N 36°-46'-37" E 1106.68 feet, 2. S 53°-11'-21" E 120.70 feet, 3. N 36°-46'-37" E 295.99 feet, and 4. N 10°-51'-15" E 570.94 feet to a point on the southerly line of Great Western Turnpike; thence, easterly along the southerly line of Great Western Turnpike S 74°-05'-21" E 60.23 feet to the point and place of beginning. Together with any strips or gores between parcels 2 & 3.
Containing 7.06+ acres.

Said Parcel 3 BEING THE SAME PREMISES conveyed to David M. Ellenbogen by Charles C. Nott, IV, and Victoria Nott by Deed dated July 1, 1994, and recorded in the Albany County Clerk's Office on July 5, 1994, in Book 2512 of Deeds at Page 808.

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