

This Indenture.

DEC 11 1938 PM 3:31

Made the 16th day of January, Nineteen Hundred and Fifty,

Between HENRY EDMUND HEWIG, residing at No. 419 Manning Boulevard in the City of Albany, County of Albany and State of New York, and THE NATIONAL COMMERCIAL BANK AND TRUST COMPANY OF ALBANY, a national banking association having its principal office and place of business at No. 60 State Street in the City of Albany, County of Albany and State of New York,
as Executor s of

the last Will and Testament of
HENRY C. HEWIG, *, late of*
the City of Albany, State of New York,

deceased, *part ies of the first part, and*

ROGER H. BRIGGS and OLGA H. BRIGGS, his wife, residing at No. 10 Elmwood Street, McKownville, Town of Guilderland, County of Albany and State of New York,

part ies of the second part:

Witnesseth, That the *part ies of the first part, by virtue of the power and authority to them given in and by the said last Will and Testament, and in consideration of SEVENTEEN THOUSAND TWO HUNDRED SIXTY-FIVE and 00/100 Dollars,*

(\$ 17,265.00) lawful money of the United States,
paid by the part ies of the second part,
do hereby grant and release unto the part ies of the second part, their

heirs and assigns forever, all that tract or parcel of land with the buildings and improvements thereon, situate in the Town of Guilderland, County of Albany and State of New York known and designated as Lots Numbers 310, 311, 312 and 313 on a certain plan of lots entitled "Country Club Highlands" situate in the Town of Guilderland, County of Albany, State of New York, surveyed for Arthur F. Pitkin and Benjamin F. Witbeck by Leslie Allen, Surveyor, and filed November 21, 1928 in the office of the County Clerk of Albany County in the State of New York as Second Revised Map of "Country Club Highlands" bounded and described as follows: BEGINNING at a point in the westerly line of Elmwood Street Four hundred twenty-five (425) feet northerly of the point of intersection of said westerly line of Elmwood Street with the northerly line of Western Avenue, and running westerly One hundred fifty (150) feet at an angle of Ninety (90) degrees with said westerly line of Elmwood Street; thence northerly Eighty (80) feet parallel with said westerly line of Elmwood Street; thence easterly One hundred fifty (150) feet at an angle of Ninety (90) degrees with said westerly line of Elmwood Street; thence southerly Eighty (80) feet along said westerly line of Elmwood Street to the point of beginning. Said lots in the aggregate represent a rectangular area Eighty (80) feet by One hundred fifty (150) feet or Twelve thousand (12,000) square feet.

The said premises are sold, subject to the following restrictions:

No building to be erected, other than a one family dwelling house and appurtenances and not less than thirty-five (35) feet from said westerly line of Elmwood Street, except a porch or stoop; and

at a cost of not less than Ten thousand (\$10,000.00) Dollars.

No intoxicating liquors to be sold and no business or manufacturing carried on on said premises.

Said covenants as to restrictions are to be continuous and running with the land.

This conveyance is made subject also to any other covenants, restrictions and easements, if any, of record affecting said premises, and to such a state of facts as an accurate survey would disclose.

Subject also to all taxes and assessments, or installments thereof, which became payable subsequent to December 31st, 1949.

Being the same premises described in a deed from Caroline L. Witbeck to Henry C. Hewig and Mary Hewig, his wife, dated September 3, 1929 and recorded in the Albany County Clerk's office on September 3, 1929 in Book No. 805 of Deeds at page 416. Mary Hewig, one of the grantees in said deed named, died a resident of the City of Albany on July 28, 1949, survived by her husband, Henry C. Hewig, the other grantee named. Said Henry C. Hewig died a resident of the City of Albany on September 10, 1949 leaving a Last Will and Testament admitted to probate in Albany County Surrogate's Court on September 22, 1949 and Letters Testamentary were issued to the parties of the first part herein on said date.

Together with the appurtenances, and also all the estate which the said Testator had at the time of his decease, in said premises, **And also** the estate therein, which the parties of the first part have or have power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

To have and to hold the premises herein granted unto the parties of the second part, their heirs and assigns forever.

And the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

In Witness Whereof. The parties of the first part have duly executed this instrument ~~herewith~~ ~~set~~ ~~hand~~ ~~and~~ ~~set~~ the day and year first above written.

In Presence of

Henry Edmund Hewig
Henry Edmund Hewig

THE NATIONAL COMMERCIAL BANK AND TRUST COMPANY OF ALBANY

By

Charles G. Ten Eyck

TRUST OFFICER

As Executors of the Last Will and Testament of Henry C. Hewig, deceased.

JUN 16 3 35 PM '50
ALBANY, N. Y.



State of New York

County of ALBANY
CITY of ALBANY

ss.

On this 16 day of January Nineteen Hundred and Fifty before me, the subscriber, personally appeared

HENRY EDMUND HEWIG, one of the Executor^s of the last Will and Testament of HENRY C. HEWIG, deceased,

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he duly acknowledged to me that he executed the same as such Executor as aforesaid for the purposes therein mentioned.

Ellis J. Staley, Jr.

ELLIS J. STALEY, JR.
NOTARY PUBLIC, STATE OF NEW YORK
RESIDING IN ALBANY COUNTY
CERTIFICATES FILED IN RENSSELAER
AND SCHENECTADY COUNTIES
MY COMMISSION EXPIRES MARCH 30, 1951

OFFICE OF
ALBANY COUNTY CLERK
ALBANY, N.Y.
JAN 16 3 35 PM '50

ST ALBANY NEW YORK :
COUNTY OF ALBANY : ss:
CITY OF ALBANY :

On this 16th day of January, 1950, before me personally came Charles A. Ten Eyck to me personally known who, being by me duly sworn, did depose and say that he resides at 2 Marion Ave., Albany, New York that he is the Trust Officer of THE NATIONAL COMMERCIAL BANK AND TRUST COMPANY OF ALBANY, 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.

Douglas B. Milligan

DOUGLAS B. MILLIGAN
Notary Public, State of New York
Qualified in Albany County
Certificate filed in Rensselaer County
Commission Expires March 30, 1951



1950

Deed

EXECUTORS

HENRY EDMUND HEWIG, and
THE NATIONAL COMMERCIAL BANK
AND TRUST COMPANY OF ALBANY,
as Executors, etc.

ROGER H. BRIGGS and OLGA H.
BRIGGS, his wife

Dated, January 19 50.
STATE OF NEW YORK

County of Albany ss.
RECORDED
ON THE 16 day of Jan. AD. 1950
at 3:35 o'clock P. M.

in LIBER Books of DEEDS
at PAGE 331 and examined.
Donaud Spuyt

CLERK
A. K. Roberts Esq.
Wesley H. Pigors
Attorney & Counselor at Law
90 State Street
Albany, New York

Tony