

This Indenture,

Made the 24th day of January
Nineteen Hundred and Fifty-Six A.D.

Between

State of New York
County of

Recorded on the _____ day
of _____ A. D. 19 _____ at
_____ o'clock _____ M. in the
office of DEEDS at page _____
and examined.

Clerk

GARY D. SMITH and KATHERINE A. SMITH, his wife, residing at
12 Elmwood Street, Albany, New York 12203,

parties of the first part, and
RICHARD KILLIAN, residing at No. 20 Elliot Avenue, in the City
and County of Albany, State of New York,

Witnesseth that the part _____ part two of the second part,
less of the first part, in consideration of _____

TEN and No/100 _____ Dollars (\$10.00)
lawful money of the United States,

paid by the part _____ of the second part, do hereby grant and release unto the
parties of the second part, their _____ and assigns forever, all

that tract and parcel of land situate in the Town of Guilderland,
County of Albany, State of New York, known and designated as lots
numbers 314, 315, 316 and the southerly portion of 317 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 five
hundred and five (505) 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 and fifty (150) feet
at an angle of 90 degrees with said westerly line of Elmwood Street;
thence northerly seventy (70) feet parallel with said westerly line
of Elmwood Street; thence easterly one hundred and fifty (150) feet
at an angle of 90 degrees with said westerly line of Elmwood Street;
thence southerly seventy (70) feet along said westerly line of Elm-
wood Street to the point of beginning. Said lots in the aggregate
represent a rectangular area of seventy (70) feet by one hundred and
fifty (150) feet or ten thousand five hundred (10,500) square feet.

Said premises are known as No. 12 Elmwood Street, McRownville, Albany,
New York.

This deed also conveys all that other tract and parcel of land, sit-
uate, lying and being in the Town of Guilderland, County of Albany,
State of New York, known and designated as lots numbered 353, 354,
355, and the southerly ten (10) feet of lot 356 as shown on a certain
plan of lots entitled "Country Club Highlands" surveyed for Arthur F.
Pitkin and Benjamin F. Witbeck by Leslie Allen, Surveyor, and filed
December 31, 1912 in the office of the County Clerk of Albany County,
New York as Revised Map of "Country Club Highlands" bounded and
described as follows:



ALBANY, N. Y.
FEB 8 2 10 PM '56
OFFICE OF THE COUNTY CLERK

BEGINNING at a point at the easterly line of Fuller Road at the junction of the northwest corner of lot number 352 and southwest corner of lot number 353; thence easterly along the northerly line of lot 352 a distance of fifty-one (51) feet nine (9) inches; thence northerly and at a right angle a distance of seventy (70) feet; thence westerly and along a line parallel to the said northerly line of lot number 352 a distance of thirty-eight (38) feet two (2) inches to the easterly line of Fuller Road; thence southerly along the easterly line of Fuller Road a distance of seventy-one (71) feet nine (9) inches to the point of beginning.

EXCEPTING therefrom, however, all that parcel of land designated as Parcel No. 8 on Map No. 2 prepared by New York State Department of Public Works re the improvement of a highway known as "Fuller Road-County Road F.A.S.S. No. 156" bounded and described as follows:

BEGINNING at a point on the southeasterly boundary of the existing Fuller Road Highway, at the intersection of the said boundary with the division line between the property of Roger H. and Olga S. Briggs (reputed owners) on the south and the property of McKown Farm Realty Corporation (reputed owner) on the north, said point being 36+ feet distant southeasterly measured at right angles from Station 10+ 39+ of the hereinafter described survey baseline for the construction of the Fuller Road F.A.S.S. No. 156; thence easterly along said division line 12+ feet to a point 48 feet distant southeasterly measured at right angles from Station 10+ 41+ of the said base line; thence north 33° -31' east 71+ feet to a point on the division line between the property of McKown Farm Realty Corporation (reputed owner) on the south and the property of Vincent J. Powers (reputed owner) on the north, the last mentioned point being 48 feet distant southeasterly measured at right angles from Station 11+12+ of the said base line; thence westerly along said division line 11+ feet to its intersection with the southeasterly boundary of said existing highway, the last mentioned point being 37+ feet distant southeasterly measured at right angles from Station 11+10+ of the said base line; thence southwesterly along the last mentioned southeasterly boundary of said existing highway 71+ feet to the point of beginning, being 0.019 acres more or less.

The above mentioned survey base line is a portion of the 1959 survey base line for the Fuller Road and is described as follows: Beginning at Station 5+00, thence north 33° -33' east 800 feet to Station 13+00. All bearings referred to True North.

Subject to all applicable covenants, conditions, restrictions and easements of record and to any state of facts disclosed by an accurate survey.

Being the same premises conveyed to the party of the first part by John F. Neffman, 12 Elmwood Street, Albany, New York, by deed executed on December 29, 1976 and recorded in the Albany County Clerk's Office in Book 2125 of Deeds at page 588.

Together with the appurtenances and all the estate and rights of the part *100* of the first part in and to said premises,
 To have and to hold the premises herein granted unto the part _____ of the second part, and assigns forever.

And said grantors do jointly and severally _____ covenant as follows:
 First, That the part _____ of the second part shall quietly enjoy the said premises;

Second, That said grantors

will forever WARRANT the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantors 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 sums for any other purpose.

In Witness Whereof, the part *100* of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of

G. D. Smith

Katherine A. Smith

State of New York
 County of ALBANY

On this twenty-fourth day of January, Nineteen Hundred and twenty-nine before me, the subscriber, personally appeared

Gary D. Smith and Katherine A. Smith

to me personally known and known to me to be the same persons described in and who executed the within instrument, and they acknowledged to me that they executed the same.

W. H. [Signature]

 WITNESSETH
 Myself and the State of New York
 Notary Public in and for Albany County
 January 24, 1929

State of New York
 County of _____

On this Nineteen Hundred and _____ day of _____ before me, the subscriber, personally appeared

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.

Subscribed by
County of Albany
On the 8. day of Feb.
1979
P.C. 1027 and

Ray T. Pige
ALBANY COUNTY CLERK

(Three large diagonal lines)

Red

REGISTERED MAIL DOCUMENT

GARY D. SMITH and
KATHERINE A. SMITH

TO
RICHARD KILLIAN

Done, February 7, 1979

R/R: Richard Killian
12 Elmwood St.
Albany, N.Y. 12203