

# This Indenture

State of New York  
County of Albany

Made the 12th day of SEPTEMBER  
Nineteen Hundred and SEVENTY-THREE

Recorded on the \_\_\_\_\_ day  
of SEPTEMBER A. D. 1973 at  
o'clock M. in the  
of DEEDS at page  
and examined.

LIBER 2070 PAGE 981 Clerk

Between

ROBERT B. PETTINGILL and JANET B. PETTINGILL, his wife, both residing in the town of Petersburg, County of Rensselaer, State of New York,

parties of the first part, and  
ALAN W. FRANKLE and PATRICIA M. FRANKLE, his wife, both residing at 8 Elmwood Street, town of Guilderland, County of Albany, State of New York,

RECEIVED  
SEP 14 10 00 AM '73  
ALBANY, N. Y.

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

ONE and 00/100-----Dollar (\$1.00----) lawful money of the United States, and other good and valuable consideration paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs and assigns forever, all that tract or parcel of land situated in the Town of Guilderland, County of Albany and State of New York, known and designated as Lots Numbers Three hundred seven (307) Three hundred eight (308) and Three hundred nine (309) on a certain plan of lots entitled "Country Club Highlands" situate in the Town of Guilderland, County of Albany and State of New York, surveyed for Arthur F. Pitkin and Benjamin F. Witbeck, by Leslie Allen, Surveyor, filed November 21, 1928 in the office of the County Clerk of Albany County, State of New York, as revised map of Elmwood Street, bounded and described as follows:

BEGINNING at a point in the westerly line of Elmwood Street distant three hundred sixty-five (365) feet northerly from the point of intersection of said westerly line of Elmwood Street with the northerly line of Western Avenue, and running thence westerly, along a line at an angle of ninety (90) degrees with said westerly line of Elmwood Street, the distance of One hundred fifty (150) feet; thence northerly, parallel with said westerly line of Elmwood Street, the distance of Sixty (60) feet; thence easterly, along a line at an angle of ninety (90) degrees with said westerly line of Elmwood Street, the distance of One hundred fifty (150) feet, and thence southerly, along said westerly line of Elmwood Street, the distance of Sixty (60) feet to the point of beginning. Said lots in the aggregate comprising a rectangular area of sixty (60) feet by one hundred fifty (150) feet or nine thousand (9,000) square feet.

ALSO, all that tract or parcel of land situate in the town of Guilderland, County of Albany and State of New York, known and designated as Lots Numbers Three hundred forty - six (346), Three hundred forty-seven (347) and Three hundred forty-eight (348) on a certain plan of lots entitled "Country Club Highlands" in said Town of Guilderland, 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, State of New York, as revised "Map of Elmwood Street" bounded and described as follows

BEGINNING at a point in the easterly line of Fuller Road, Three hundred sixty-five (365) feet northerly from the northerly line of Western Avenue and running easterly Seventy-nine (79) feet along a line at an angle of ninety (90) degrees with the westerly line of Elmwood Street; thence northerly sixty (60) feet along a line parallel with said westerly line of Elmwood Street; thence westerly Sixty-seven (67) feet four (4) inches along a line at an angle of ninety

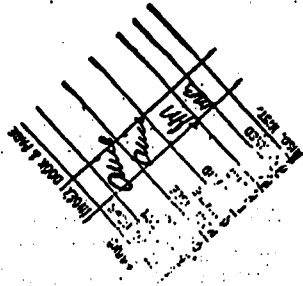
(90) degrees with said westerly line of Elmwood Street to the said easterly line of Fuller Road; thence southerly Sixty-one (61) feet, one and three-eighths (1-3/8) inches along said easterly line of Fuller Road to the point of beginning.

EXCEPTING and reserving therefrom all that piece or parcel of land conveyed to Albany County for Highway purposes by deed recorded in the Albany County Clerk's Office on March 6, 1961 in Book of Deeds 1676 at page 531.

This conveyance is made subject to all restrictions, conditions and easements of record.

BEING the same premises conveyed to the parties of the first part by John H. Rosenbach and Nan Elliott Rosenbach by deed dated August 9, 1968 and recorded in the Albany County Clerk's Office on August 9, 1968 in book of Deeds 1949 at page 357.

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~~LIBER 2070 PAGE 983~~

State of New York } ss: Record.  
County of Albany }  
On the 14 day of SEPT. 1973  
..... 10; 40. A. M. in  
book 2070..... of  
..... DEED.....  
page 981. ss: recorded

*John A. Tomney*

Together with the appurtenances and all the estate and rights of the parties 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, their heirs and assigns forever.

And said parties of the first part covenant as follows:

First, That the parties of the second part shall quietly enjoy the said premises;

Second, That said parties of the first part

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.

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

In Presence of  
*William A. Tomney*

*Robert B. Pettengill*  
Robert B. Pettengill  
*Janet B. Pettengill*  
Janet B. Pettengill

State of New York }  
County of Albany } ss.

On this 12th day of SEPTEMBER  
Nineteen Hundred and SEVENTY-THREE

before me, the subscriber, personally appeared  
ROBERT B. PETTENGILL and JANET B. PETTENGILL;

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

*William A. Tomney*  
WILLIAM A. TOMNEY JR.  
Notary Public, State of New York  
Residing in Albany County  
Commission Expires March 1975

State of New York }  
County of } ss.

On this  
Nineteen Hundred and

before me, the subscriber, personally appeared

to me personally known and known to who executed the within instrument, to me that he executed the oc

REAL ESTATE STATE OF  
TRANSFER TAX IN NEW YORK  
Dept. of Taxation and Finance  
= 38.60  
RECEIVED

ALBANY COUNTY