

Warranty Deed with Lien Covenant

This Indenture

Made the 22nd day of February, Two Thousand

Between JOHN J. O'CONNOR and ROSALEEN P. O'CONNOR, residing at 140 Washington Avenue, Apt. B-23, Albany, New York 12203, parties of the first part, and

JOHN L. BEBB and LAURIE BEBB, his wife, residing at 1425 Western Avenue, Albany, New York 12203, parties of the second part,

Witnesseth that the parties of the first part, in consideration of One Dollar (\$ 1.00) lawful money of the United States, 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,

SEE EXHIBIT "A"

Being the same premises conveyed to John J. O' Connor and Rosaleen P. O'Connor by deeds from Vincent J. Powers with dated November 20, 1964 and recorded in the Office of the Albany County Clerk on November 24, 1964 in Liber 1813 of Deeds at Page 472 and Liber 1813 of Deeds at Page 439.

Subject to all covenants, easements and restrictions of record.

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;

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ALBANY, NY

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**Conway
Lavelle
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Attorneys At Law

Wall Street Center
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Albany, NY 12208-8222

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Second, That said parties of the first part will forever Warrant the title to said premises; and

Third, That, in Compliance with Sec. 13 of the Lien Law, the parties of the first part will receive the consideration for the 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

John J. O'Connor
John J. O'Connor

Rosaleen P. O'Connor
Rosaleen P. O'Connor

**Conway
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LIBER 2650 PAGE 926

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

On the 22nd day of February in the year 2000 before me, the undersigned, a notary public in and for said state, personally appeared JOHN J. O'CONNOR and ROSALEEN P. O'CONNOR, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals or the person upon behalf of which the individuals acted, executed the instrument.

Kara Conway Love

Notary Public

KARA CONWAY LOVE
Notary Public, State of New York
No. 407749
Our term is until 01/01/01

Record & Return:
Kathryn E. Clearfield, Esq.
Assistant Counsel
Office of the State Comptroller
A.E. Smith State Office Building 6th Floor
Albany, NY 12236-0001

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EXHIBIT "A"

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All that tract or parcel of land with the buildings thereon, situate in the Town of Guilderland, County of Albany and State of New York, known and designated as lots numbered 318, 319 and 320, the northerly half of lot 317 and the southerly part of lot 321 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 November 21, 1928, in Drawer 67 of Maps Book 67, Vol. 3 No. 10 in the Office of the County Clerk of Albany County, 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 575 feet northerly of the point of intersection of said westerly line of Elmwood Street with the northerly line of Western Avenue, and running westerly 150 feet at an angle of 90° with said westerly line of Elmwood Street; thence northerly 77 feet, parallel with said westerly line of Elmwood Street, thence easterly 150 feet at an angle of 90° with said westerly line of Elmwood Street; thence southerly 77 feet along said westerly line of Elmwood Street to the point of beginning. Said parcel represents a rectangular area 77 feet by 150 feet or 11,550 square feet.

Also, all that tract or parcel of land situate in the Town of Guilderland, County of Albany, State of New York, known and designated as lots numbered 357, 358, 359, the northerly half of lot 356 and the southerly part of 360 on a certain plan of lots entitled "Country Club Highlands", and filed on November 21, 1928 in the Albany County Clerk's Office in the 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 575 feet northerly of the northerly line of Western Avenue and running easterly 38 feet 2 1/4 inches at right angles to the westerly line of Elmwood Street, thence northerly 77 feet parallel with said westerly line of Elmwood Street; thence westerly 23 feet 2 3/4 inches at right angles to said westerly line of Elmwood Street; thence southerly 78 feet 5 1/4 inches along said easterly line of Fuller Road to point of beginning.

Together with all right, title and interest of the grantors/mortgagors in and to:

A certain parcel of land 15 feet wide and 77 feet long in said Town and along the southeasterly boundaries of lots numbered 356, 357, 358, 359 and 360 and along the northwesterly boundaries of lots numbered 317, 318, 319, 320 and 321 as above described. Said parcel being described on the said map of "Country Club Highlands" as a service road or alley.

Excepting and reserving therefrom:

All that tract or parcel of land situate in the Town of Guilderland, County of Albany, State of New York, and is particularly described as follows:

EXHIBIT "A"

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All that piece or parcel of property hereinafter designated as Parcel No. 9, situate in the Town of Guilderland, County of Albany, State of New York, to be acquired in fee for the Fuller Road County Road F.A.S.S. No. 156, as shown on the map heretofore filed in the Albany County Clerk's Office and described as follows:

PARCEL NO. 9

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 McKown Farm Realty Corp., (reputed owner) on the South and the property of Vincent J. Powers (reputed owner) on the North, said point being 37± feet distant southeasterly measured at right angles from Station 11+10± of the hereinafter described survey base line for the construction of the Fuller Road F.A. S. S. No. 156, thence easterly along said division line 11± feet to a point 48 feet distant Southeasterly measured at right angles from Station 11+12± of the said base line; thence North 33° 33' East 79± feet to a point on the division line between the property of Vincent J. Powers, (reputed owner) on the South and the property of the McKown Farm Realty Corp. (reputed owner) on the North, the last mentioned point being 48 feet distant Southeasterly measured at right angles from Station 11+91± of the said base line thence westerly along said division line 10± feet to its intersection with the southeasterly boundary of said existing highway, the last mentioned point being 38± feet distant measured at right angles from Station 11+89± of the said base line; Southwesterly along the last mentioned Southeasterly boundary of said existing highway 78.44 feet to the point of beginning, being 0.019 acres, more or less. The above mentioned base line is a portion of the 1959 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.

Said premises being known as 14 Elmwood Street, McKownville, Town of Guilderland, Albany County, State of New York.

STATE OF NEW YORK)
 COUNTY OF ALBANY)
 Recorded in DEEDS
 As Shown Hereon and
 Examined
 THOMAS G. CLINGAN
 ALBANY COUNTY CLERK

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