

LIBER 2768 PAGE 569

This Indenture made on May 11, 2004

(C8991)

Between**MICHELLE DIACETIS**, formerly known as **MICHELLE A. MALKOWSKI**, residing at 617 Via Ponderosa, Schenectady, New York,

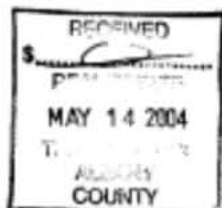
party of the first part, and

MICHAEL D. MALKOWSKI, residing at 26 Elmwood Street, Albany, New York,

party of the second part.

Witnesseth that the party of the first part, in consideration of -----
-----ONE AND 00/100----- Dollars (\$ 1.00)

lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, all

THAT CERTAIN LOT, PIECE OR PARCEL OF LAND with the buildings and improvements thereon erected, situate, lying and being in the Town of Guilderland, County of Albany and State of New York, bounded and described as follows:**BEGINNING** at a point in the westerly line of Elmwood Street Extension at the southeasterly corner of Lot No. 1, as said Lot is laid down on a certain map entitled, "Map of Elmwood Street Extension Amended" dated April 22, 1937 and amended February 2, 1939, made by Leslie C. Sherman, Surveyor, and duly filed in the Office of the County Clerk of Albany County, New York on September 3, 1940 in Drawer No. 101 as Map No. 1168, and running thence from said point of beginning Northerly and on the arc of a circle of a radius of five hundred twenty-seven and seventy-four hundredths (527.74) feet and bearing to the left and along the westerly line of Elmwood Street Extension for a distance of about sixty-two (62) feet; thence North thirty-eight degrees twenty-eight minutes West on a line at right angles to the easterly line of Fuller Road for a distance of about one hundred fourteen (114) feet to a point in the easterly line of said Fuller Road; thence South fifty-one degrees thirty-two minutes West and along the easterly line of said Fuller Road and on a line at right angles to the last described line for a distance of sixty (60) feet to the southwesterly corner of said Lot No. 1; thence South thirty-eight degrees twenty-eight minutes East and along the southerly line of said Lot No. 1 and on a line at right angles to the easterly line of Fuller Road for a distance of one hundred thirty-three and twenty-six hundredths (133.26) feet to the point and place of beginning.**BEING** the southerly sixty (60) feet in width of said Lot No. 1 on the map herein above referred to and the above description being prepared by and taken from a survey of said premises made by Conrad Hammann, Licensed Engineer and Surveyor, bearing date of May 11, 1949 upon which survey the above-described premises are designated as "St. No. 1".**BEING** a portion of the premises conveyed to Abram J. Lee by Mary Ellen Herndon by deed dated April 12, 1949 and recorded in the Albany County Clerk's Office on May 19, 1949.**AND EXCEPTING** herefrom the 0.014 acres more or less conveyed by Katherine Riegel to the County of Albany by deed dated January 30, 1969 and recorded in the Albany County Clerk's Office on August 22, 1969 in Liber 1985 at page 213. This conveyance is made subject to restrictions and easements of record, if any.**BEING THE SAME PREMISES** conveyed by deed of Norwig Debye-Saxinger to Michael D. And Michelle A. Malkowski, his wife, dated July 23, 1993 and recorded in the Albany County Clerk's Office on July 29, 1993 in Liber 2488 of Deeds at Page 675.

RECORD & RETURN TO:

Dorsman & Dorsman, Esqs.
311 Washington Avenue
Albany, NY 12206-3012Albany County Clerk
Document Number 9243836
Rcvd 05/14/2004 1:52:21 PM



**Albany County Clerk
Albany County Court House
16 Eagle Street Rm 128
Albany, NY 12207**

Return to:

**DORSMAN AND DORSMAN
311 WASHINGTON AVE
ALBANY NY 12206**

Instrument: Deed

Document Number: 9243836 Book: 2768 Page: 569

Grantor

DIACETIS, MICHELLE AKA
MALKOWSKI, MICHELLE A AKA

Grantee

MALKOWSKI, MICHAEL D

Number of Pages: 2

Transfer Tax Receipt
Albany County Clerk Received:
Trans Tax # 8991
.....\$0.00

Filing Date/Time: 05/14/2004 at 1:52 PM

Receipt Number: 126138

Note:

THIS PAGE CONSTITUTES THE CLERK'S ENDORSMENT, REQUIRED BY SECTION 316A(5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH.

Thomas G. Clingan

Thomas G. Clingan, County Clerk

Deed

QUITCLAIM WITH LIEN COVENANT

MICHELLE DIACETIS

TO

MICHAEL D. MALKOWSKI

Dated,

STATE OF NEW YORK

County of Albany ss.

RECORDED ON THE

day of _____

at _____ o'clock _____ M.

in Liber _____ of Deeds

at Page _____ and examined

PLEASE RECORDED AND INDEXED BY:

STATE OF NEW YORK }
COUNTY OF ALBANY }
Recorded in DEEDS }
As Shown Hereon And }
Examined }
Thomas G. Clingan
THOMAS G. CLINGAN }
ALBANY COUNTY CLERK }

RITA M. BOOKHOP
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ALBANY COUNTY
REG. NO. 4884677
COMMISSION EXPIRES JULY 29, 2005

Rita M. Bookhop
(signature and office of individual taking acknowledgment)

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

On May 11, 2004 before me, the undersigned, personally appeared MICHELLE DIACETIS

State of New York, County of Albany

SS.: ACKNOWLEDGMENT RPL300-a (Do not use outside New York State)
-063-50-9992

In Presence of

Michelle Diacetis
Michelle Diacetis, formerly
known as Michelle A. Malkowski
L.S.
L.S.
L.S.
L.S.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

In Witness Whereof, the party of the first part has duly executed this deed the day and year first above written.

And, the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part 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.

To have and to hold the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises,