

Albany County Clerk
 Document Number 10765293
 Rcvd 11/05/2010 10:35:18 AM

Warranty deed, ind. or corp.



Albany County Clerk
 Deed Books (Record Room)
 Book 2991 Page 909



THIS INDENTURE

made this 2nd day of November

Two Thousand and Ten

BETWEEN

FRANK A. CATALANO, having an address of 10 Colvin Avenue Albany, New York 12206,

party of the first part,

ANTHONY CATALANO, as Trustee of the **FRANK A. CATALANO, JR. FAMILY TRUST**, under agreement dated November 2, 2010, having an address of P.O. Box 2052, New York, New York 10185

party of the second part,

Witnesseth that the party of the first part, in consideration of TEN Dollars (\$10.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, its heirs and assigns forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Guilderland, Albany County, New York, bounded and described as follows, viz:

BEGINNING at an iron pipe at the most southerly point in the division line between the lands of Philip Wogel, Jean Wogel and Carol Buher on the west and the lands now or formerly of Catherine M. Smith on the east, said point of beginning being the southeasterly corner of Lot No. 4, as shown on the map of the subdivision of property in Guilderland, Albany County, belonging to the heirs of Christian LaGrange, deceased, made by Wm. H. Slingerlands & Sons, Surveyors, filed in the Albany County Clerk's Office as Map No. 146 in Drawer 8, Book 8 of Maps, running thence northeasterly along the said division line, for a distance of 126.06 feet, to the northeast corner of the lot herein being described; thence northwesterly, at right angles to the preceding course, for a distance of 113.66 feet to the northwest corner of the lot herein being described; thence southwesterly on the arc of a circle deflecting to the south (left), with a radius of 315.00 feet and a central angle of 23° 03' 12", for an arc distance of 126.74 feet to the point of curve of said circle; said point being in the southerly lot line of the lot herein being described, (and also in the southerly lot line of property of Philip Wogel, Jean Wogel and Carol Buher); thence southeasterly along the said property line, with an interior angle with the chord of the preceding course of 93° 07' 24", for a distance of 107.72 feet to the point and place of beginning; the last described course making an interior angle with the first described course of 89° 50'. Excepting and reserving from the above-described premises the strip of land at the southerly end of the lot, 12 feet wide, to be reserved as a right of way for a road or highway, or water pipe line, for the use and benefit of the subdivision of all the lots shown and designated on the map previously referred to as Map No. 146, Drawer 8, Book 8; being a part of the property conveyed to Carol M. Buher, Philip Wogel and Jean Wogel by Anna LaGrange Friebel by warranty deed dated February 17, 1949, and recorded in the Albany County Clerk's Office on that day in Book 1155 of Deeds at page 42.

SUBJECT to all covenants, conditions, restrictions and easements of record, and together with all rights granted to Jean Wogel pursuant to easement dated December 18, 1950, between McKown Farm Realty Corporation and Philip Wogel and Jean Wogel, his wife, and Carol Buher, recorded in the Albany County Clerk's Office December 21, 1950, in Book 1248 of Deeds at page 389.

ALSO, all that piece or parcel of land situate, lying and being in the Town of Guilderland, Albany County, New York, on the easterly side of Glenwood Street Extended lying between the westerly boundary of the lands of William C. Lester and Marjorie R. Lester, his wife, and Glenwood Street Extended, as laid down on the map made by LeRay S. Rickard, C.E., and filed in the Albany County Clerk's Office on August 30th, 1951, as Map No. 2794, Drawer 146, being more particularly bounded and described as follows:

BEGINNING at a stake in the division line between the lands of William C. Lester and Marjorie R. Lester, his wife, on the north and the "Country Club Highlands" on the south, said point being one hundred seven and seventy-two hundredths feet (107.72') westerly from an iron pipe in the southeasterly corner of Lot #4 as laid down on a map of subdivision of property in Guilderland, Albany County, New York, belonging to the heirs of Christian LaGrange, deceased, made by William H. Slingerland and Son, surveyors, and on the lands of William McKown, said point also being the point of curve and running thence northeasterly on the arc of a circle with a radius of three hundred eighty-six and seventy-nine hundredths feet (386.79') and a central angle of fourteen degrees twenty-nine minutes for a distance of ninety-seven and seventy-seven hundredths feet (97.77') to the point of tangency of said curve; thence northeasterly on the tangent for a distance of twenty-nine and one hundredth feet (29.01') to a stake at the southwesterly corner of Lot #23; the two preceding courses being the easterly side of Glenwood Street Extended as laid down on a map of Part I of Glenwood Heights, made by LeRay S. Rickard, C.E., filed as Map No. 2974, Drawer 146, in the Albany County Clerk's Office; thence easterly along said lot line with an interior angle of ninety degrees (90°) for a distance of six and thirty-four hundredths feet (6.34') to a point, which is one hundred thirteen and sixty-six hundredths feet (113.66') westerly from the northeasterly corner of Lot #21; thence southwesterly on the arc of a circle (making an interior angle of seventy-eight degrees, twenty-eight minutes, twenty-four seconds with the tangent) with a radius of three hundred fifteen feet (315.00') and a central angle of twenty-three degrees, three minutes, twelve seconds (23° 03' 12") for a distance of one hundred twenty-six and seventy-four hundredths feet (126.74') to the point and place of beginning.

INTENDING hereby to convey a strip of land on the easterly side of Glenwood Street lying between the westerly boundary of the property of William C. Lester and Marjorie R. Lester and the westerly boundary of Glenwood Street Extended as now laid down for the purpose of giving the parties of the second part access to, over and upon Glenwood Street as laid down.

SUBJECT to all covenants, conditions, easements and restrictions of record and any state of facts an accurate survey may show.

EXCEPTING and reserving therefrom a strip of land a width of twelve feet (12') on the southerly end of said lot adjoining the lands formerly of McKown for a road or highway for the use and benefit of the subdivision lot's #1, 2, 3, 5, 6, 7 and 8 of the lot of the heirs of Christian LaGrange, deceased.

SUBJECT TO the enforceable restrictive covenants, conditions and easements of record now affecting said premises.

BEING the same premises conveyed to Frank A. Catalano by Mary Anne Taffe and John J. Siegrist by deed dated May 15, 1995 and recorded in the Albany County Clerk's Office on May 22, 1995 in Liber 2534 of Deeds at Page 223.

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

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

And, the party of the first part covenant(s) as follows:

First, That the party of the second part shall quietly enjoy the said premises:

Second, That the party of the first part will forever Warrant the title to said premises.

And, Third, 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 for the first 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 party of the first part has hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF



Frank A. Catalano, Jr.

State of New York)
County of) ss.

On the 2nd day of ~~October~~ ^{November}, 2010 before me, the undersigned, personally appeared Frank A. Catalano, Jr., personally known to me or provided to me on the basis of satisfactory evidence, to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

DONNA LAJOIE
Notary Public, State of New York
011/1002/10
Qualified Notary Public
Commission Expires 6/22/14

RECORD AND RETURN TO:

Anthony Catalano, Trustee
10 Colvin Avenue
Albany, N.Y. 12206