

This Indenture,

Made the 26th day of September 1954
Nineteen Hundred and Sixty-Eight

Between

JOSEPH O'BRIEN, residing at No. 30 Orlando Avenue, Albany, New York

as Executor of the estate of the last Will and Testament of

JAMES J. SMITH
JAMES J. SMITH

by virtue of
, late of

the County of Albany, New York

ROBERT W. BUTLER and JOYCE C. BUTLER, his wife, residing at No. 32 Norwood Street, Town of Guilderland, County of Albany and State of New York

Witnesseth, That the party of the first part, by virtue of the power and authority to him given in and by the said last Will and Testament, and in consideration of

Twenty-eight thousand and no/100ths
(\$ 28,000.00) lawful money of the United States,

does hereby grant and release unto the parties of the second part, their heirs, executors and assigns forever, all

ALL that piece or parcel of land, situate in the Town of Guilderland, in the County of Albany and State of New York more particularly bounded and described as follows: BEGINNING at the intersection of the westerly line of Norwood Street (extension) with the northerly line of the twelve (12) foot right of way and runs thence northerly along the said westerly side of Norwood Street (extension) on the arc of a circle with an interior angle of thirty-three degrees twenty-eight minutes twenty-three seconds (33° 28' 23") and a radius of one hundred fourteen and six hundredths (114.86) feet for a distance of sixty-seven and sixteen one hundredths (67.16) feet to a monument at the point of reverse curve, then continuing northerly on a curve to the right with an interior angle of ten degrees thirty-seven minutes twenty seconds (10° 37' 20") and a radius of one hundred sixty and forty-two one hundredths (160.42) feet for a distance of twenty-nine and seventy-four one hundredths (29.74) feet; thence northwesterly with an interior angle of one hundred thirty-nine degrees nineteen minutes (130° 19') with the chord for a distance of forty-two (42) feet; thence southwesterly with an interior angle of one hundred seventeen degrees forty-nine minutes (117° 49') for a distance of forty-four and thirty-seven one hundredths (44.37) feet; thence southwesterly with an interior angle of one hundred fifty-two degrees eleven minutes (152° 11') for a distance of thirty-two (32) feet to the northerly side of the twelve (12) foot right of way; thence southeasterly along the said northerly side of the twelve (12) foot right of way with an interior angle of ninety degrees ten minutes (90° 10') for a distance of one hundred twenty-five and seventy-eight one hundredths (125.78) feet to the point and place of beginning, the last course making an interior angle of fifty-one degrees forty-seven minutes ten seconds (51° 47' 10") with the chord of the first mentioned course. Being known as Lot No. 1 on a certain map made by LeRay S. Rickard C. E. filed in the office of the Clerk of Albany County as Map No. 2750 on March 6, 1951 in Drawer 145.

ALSO ALL that certain lot, piece or parcel of land situated, lying and being in the Town of Guilderland in the County of Albany and State of New York more particularly bounded and described as follows: BEGINNING at a point at the intersection of the division line between the lands of Wood on the west and Catherine Smith on the east and running thence northeasterly along said division line ninety-three (93) feet; thence southeasterly with an interior angle of ninety degrees (90°) for a distance of one hundred twenty-seven and ninety-two one hundredths (127.92) feet to the westerly line of Norwood Street (extension) thence southwesterly with an interior angle of one hundred twenty-eight degrees fifty-eight minutes (128° 58') with the chord and along the said westerly line of Norwood Street on the arc of a circle with a radius of one hundred sixty and forty-two one hundredths (160.42) feet and an interior angle of ten degrees seven minutes (10° 7') for a distance of twenty-eight and thirty-two one hundredths (28.32) feet; thence northwesterly with an interior angle of fifty-one degrees two minutes (51° 2') with the chord, for a distance of forty-two feet (42) thence southwesterly with an interior angle of two hundred forty-two degrees eleven minutes (242° 11') for a distance of forty-four and thirty-seven one hundredths (44.37) feet, thence westerly with an interior angle of two hundred seven degrees forty-nine minutes (207° 49') for a distance of thirty-two (32) feet to the northerly side of the twelve (12) foot right of way thence northwesterly with an interior angle of eighty-nine degrees fifty minutes (89° 50') for a distance of eighty-three (83) feet to the point or place of beginning, the last course making an angle of ninety degrees ten minutes (90° 10') with the first mentioned course; Being known as Street Number 21 Norwood Street, extension and designated as lot No. 3 on a certain map made by LeRay S. Rickard, C. E. filed in the office of the Clerk of Albany County as Map No. 2750, on March 6, 1951 in Drawer 145.

BEING a portion of the same premises conveyed to Catherine M. Smith herein by James S. Treanor, by deed dated September 15, 1944 and recorded in the Albany County Clerk's Office September 18, 1944 in Book 963 of Deeds, at page 232;

THIS conveyance is made subject to all restrictions, easements, covenants and conditions of record affecting said premises.

BEING the same premises of which Catherine M. Smith died seized August 10, 1967 testate devising said premises to her husband, James J. Smith, who died testate on October 23, 1967 and also the same premises described in a mortgage Catherine M. Smith to National Commercial Bank and Trust Company dated September 26, 1963 and recorded in Albany County Clerk's Office September 27, 1963 in Book 1746 of Mortgages at page 131.

Together with all the right, title and interest of James J. Smith in and to a 12-foot right of way adjoining said premises on the south.

Together with the appurtenances, and also all the estate which the said Testator had at the time of his decease, in said premises, And also the estate therein, which the party of the first part has or had power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

To have and to hold the premises herein granted unto the parties of the second part, their heirs, executors and assigns forever.

SUBJECT to the Trust Fund provisions of Section Thirteen of the Lien Law.

And the party of the first part covenants that he has not done or suffered anything whereby the said premises have been incumbered in any way whatsoever.

1954 Sept 26 268

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

ALBANY COUNTY
Notary Public
J. O'Brien

Joseph F. O'Brien

As Executor(s) under the Last Will and Testament of

JAMES J. SMITH, Deceased

State of New York)
County of Albany) ss. On this 26th day of September
before me, the subscriber, personally appeared Nineteen Hundred and Sixty-Eight

JOSEPH F. O'BRIEN,
the Executor of the last Will and Testament of JAMES J. SMITH

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he duly and severally acknowledged to me that he executed the same as such Executor as aforesaid for the purposes therein mentioned.

Werner H. Moore
Notary Public State of New York

My commission expires 3-30-69 3/30/69

WERNER H. MOORE
Notary Public in the State of New York
Residence in Albany County
My Commission Expires March 30, 1969

ALBANY COUNTY 001877
REAL ESTATE TRANSFER TAX STATE OF NEW YORK
Dept. of Taxation SEP 26 1968 30.80
Finance PR. 1555

Executor of JAMES J. SMITH, deceased.
wife,
AD 68

Her
12703

new (in Albany) day of September 1968 M. In 1968...
...and examined
W. B. Bartlett

Together with the appurtenances, and also all the estate which the said Testator had at the time of his decease, in said premises, And also the estate therein, which the party of the first part has or had power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

To have and to hold the premises herein granted unto the parties of the second part, their heirs, executors and assigns forever.

SUBJECT to the Trust Fund provisions of Section Thirteen of the Lien Law.

And the party of the first part covenants that he has not done or suffered anything whereby the said premises have been incumbered in any way whatever.

1954 268

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

ALBANY COUNTY
JUL 10 1954
ALBANY, N.Y.

Joseph F. O'Brien
As Executor(s) under the Last Will and Testament of

JAMES J. SMITH, Deceased

State of New York } On this 26th day of September
County of Albany } vs. Nineteen Hundred and Sixty-Eight
before me, the subscriber, personally appeared

JOSEPH F. O'BRIEN,

the Executor of the last Will and Testament of JAMES J. SMITH

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he duly and severally acknowledged to me that he executed the same as such Executor as aforesaid for the purposes therein mentioned.

Werner H. Hoors
Notary Public State of New York
My commission expires 3-30-69 3/30/70
WERNER H. HOORS
Notary Public in the State of New York
Residing in Albany County
My Commission Expires March 30, 1969

ALBANY COUNTY

001877

REAL ESTATE TRANSFER TAX STATE OF NEW YORK
Dept. of Taxation SEP 25 '58
\$ 30.80
PA. 12556

Red
EXECUTORS

JOSEPH F. O'BRIEN, as Executor of the estate of JAMES J. SMITH, deceased.

TO

ROBERT W. BUTLER and
JOYCE C. BUTLER, his wife,

Dated, September 26, 1958

Please mail to:
Mr. Robert W. Butler
32 Newwood St.
Albany, N.Y. 12203

alc of New York } ss: Notaricus
County of Albany }
On the 26th day of Sep. 1958 M. In
KAPLAN, MALEY & MURPHY, Notaries Public
93 STATE ST. ALBANY, N. Y.
it page 2 of 2, and examined
John S. Bartlett