



ALBANY COUNTY – STATE OF NEW YORK  
BRUCE A. HIDLEY COUNTY CLERK  
16 EAGLE STREET, ALBANY, NEW YORK 12207

COUNTY CLERK'S RECORDING PAGE  
\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



INSTRUMENT #: R2024-4337

Receipt#: 20240685758  
Clerk: BFREER  
Rec Date: 03/18/2024 09:18:33 AM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 4  
Rec'd Frm: GUENTHER JAMES

Party1: BEHN MICHAEL I AS EXEC  
BEHN ANITA J AKA  
BEHN ANITA O AKA  
Party2: GUENTHER JAMES MARSHALL  
GUENTHER MARTHA JEAN  
Muni: GUILDERLAND TOWN

Recording:

Cover Page	5.00
Recording Fee	35.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of Sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 200.00

Transfer Tax  
Transfer Tax - State 1300.00

Sub Total: 1300.00

Total: 1500.00  
\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 4763  
Transfer Tax

Transfer Tax - State 1300.00

Total: 1300.00

BF 3 Guild

SMPR Title Agency  
1-800-724-7856  
File # 42573

## EXECUTOR'S DEED

**THIS INDENTURE**, made the 25<sup>th</sup> day of February, 2024,  
between

**MICHAEL I. BEHN**, as executor(s) of the last will and testament of **ANITA J. BEHN A/K/A ANITA O. BEHN**, late of Albany County, New York who died on the 7th day of August, 2023, with and address of 27 E. Parkwood Street, Albany, NY 12203, party of the first part, and  
*Marshall*

*BB*  
**JAMES GUENTHER** and **MARTHA GUENTHER**, *as tenants by the entirety,*  
*Jean*  
residing at 35 Richmond Avenue, Lee, MA 01238 parties of the second part,

**WITNESSETH**, that the party of the first part, to whom letters testamentary were issued by the Surrogate's Court, Albany County, New York on September 6, 2023 and by virtue of the power and authority given in and by said last will and testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of **Three Hundred Twenty Five Thousand and 00/100** dollars (\$325,000.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the distributees or successors and assigns of the party of the second part forever,

### SEE SCHEDULE A ATTACHED

**BEING** the same premises conveyed to Melvin L. Behn and Anita O. Behn by deed from Merritt A. Cline and Edith C. Cline by deed dated April 24, 1967 and recorded in the Albany County Clerk's Office on May 12, 1967 in Book 1904 at Page 301. Melvin L. Behn is also known as Melvyn L. Behn, who died a resident of Albany County on February 2, 1999, leaving Anita O. Behn a/k/a Anita J. Behn, as surviving spouse.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,  
**TOGETHER** with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has 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 party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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 costs 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.

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.

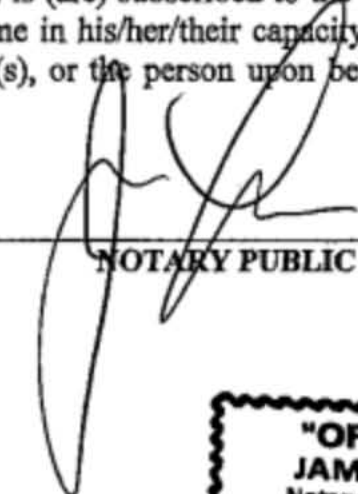
IN PRESENCE OF:

  
MICHAEL I. BEHN, EXECUTOR

STATE OF ILLINOIS ) ss.:  
COUNTY OF LAKE )

On the 28<sup>th</sup> day of FEBRUARY 2024 in the year 2024 before me, the undersigned, personally appeared **MICHAEL I. BEHN** 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.

PR!  
~~Jerson Hoyer  
1754 US Route 9  
Chitten Park, NY 12065  
Box 8 SMPB~~

  
NOTARY PUBLIC



*Fidelity National Title Insurance Company*

*Issued by*

***SMPR TITLE AGENCY, INC.***

**SCHEDULE A DESCRIPTION**

ALL that certain lot, piece or parcel of land in the Town of Guilderland, County of Albany and State of New York, briefly described as follows:

Beginning at a point in the northeasterly line of the Country Club highlands, formerly the property of Wm. J. McKown, at a point where it is intersected by the southeasterly line of the premises conveyed by Jean Nogel to James J. Smith by deed dated July 30, 1954 and recorded in the Albany County Clerk's Office on July 30, 1954 in Book 1411 of Deeds at Page 167, and continuing northeasterly along the southeasterly line of premises so conveyed to James J. Smith a distance of 49.45 feet; thence northwesterly with an interior angle of 119 degrees 11 minutes 10 seconds a distance of 118.33 feet to the southeasterly line of a street known as Parkwood Street East; thence southwesterly along the said street on the arc of a circle with an interior angle of 32 degrees 3 minutes 20 seconds and a radius of 158.50 feet for a distance of 88.69 feet to a point of reverse curve; thence southerly along said street on the arc of a circle with an interior angle of 76 degrees 8 minutes 20 seconds and a radius of 35 feet for a distance of 46.92 feet to a point of tangency; thence southeasterly along said tangent for a distance of 5.71 feet; thence southeasterly and with an interior angle of 104 degrees 59 minutes 30 seconds and along the northerly line of Country Club Highlands (formerly McKown) a distance of 156.22 feet; thence continuing southeasterly along the line of premises formerly Country Club Highlands with an interior angle of 179 degrees 55 minutes a distance of 24.55 feet to the point or place of beginning, the last course making an interior angle of 90 degrees 2 minutes with the first mentioned course.

Subject to the exception and reservation of a strip of land of the width of 12 feet on the southerly (Southwesterly) end of said lot adjoining the land formerly of Wm. J. McKown for a road or highway for the benefit of Lots : #1, 2, 3, 4, 5, 6, 7. and 8, subdivision of the whole lot of Christian LaGrange, deceased.

The above premises are shown as Lot 11 on a map entitled "Revised Map of Parkwood Homes, James J. Smith, Owner" which map was dated Oct 28, 1954, revised July 5, 1958 and filed in the Albany County Clerk's Office as Map in Drawer 157 Map 3379.