

State of New York

County of Albany

ss..

City of Albany

On this 1st day of April, Nineteen Hundred and Forty-nine, before me, the subscriber, personally appeared

EMMA E. VAN LOAN,

to me personally known and known to me to be the same person described in and who executed the within Instrument, and she duly acknowledged to me that she executed the same

*Stella F. Lane*

Stella F. Lane, Notary Public, in the State of New York, Residing in Albany County  
My commission expires 3/30/50

OFFICE OF ALBANY COUNTY CLERK  
APR 1 12 49 PM '49  
ALBANY

LIBER 1160 PAGE 196

8102

**WARRANT WITH LIEN COVENANT**

EMMA E. VAN LOAN  
d/b/a Pitkin Witbeck Realty Company

TO

McKOWNVILLE WATER DISTRICT

*Wanted*

Dated. APRIL 1st, 1949.

STATE OF NEW YORK

County of Albany ss.

RECORDED ON THE  
1 day of *April* 19*49*  
at *12:48* o'clock *P.M.*  
in LIBER *1160* of DEEDS  
at PAGE *193* and examined

*Donald Lynch*  
CLERK  
*Recd 28 July 1950*

Edwin L. Fowler  
Attorney at Law  
Albany, N. Y.

# This Indenture,

Made the 1st day of April, Nineteen Hundred and Forty-nine,

Between EMMA E. VAN LOAN, d/b/a Pitkin Witbeck Realty Company, residing at 37 Lenox Avenue in the City of Albany, N. Y.,

part y of the first part, and  
McKOWNVILLE WATER DISTRICT of the Town of Guilderland, Albany County, N. Y.,

Witnesseth that the party of the first part, in consideration of  
----- ONE ----- Dollar  
(\$1.00 ) lawful money of the United States, and other good and valuable considerations paid by the party of the second part, do es hereby grant and release unto the party of the second part, its

successors and assigns forever, all the following described real property, easements and rights of way in the Town of Guilderland, County of Albany, State of New York, viz:

PARCEL 1. Beginning at a point on the northerly side of Western Turnpike, situated at McKownville in the Town of Guilderland, Albany County, said point being 50 feet westerly from the center line of an existing culvert under the State Highway and said existing culvert being 250 feet more or less westerly from the westerly side of Fuller Road at the northerly side of the Western Turnpike, running thence westerly along the northerly side of the Western Turnpike for a distance of 480.0 feet to a point on the northerly side of the Western Turnpike; thence northerly with an interior angle of 90 degs.- 00 mins. - 00 sec., for a distance of 80 feet; thence westerly and parallel to the northerly side of the Western Turnpike, with an interior angle of 270 degs. - 00 Mins. - 00 Sec., for a distance of 100.0 feet; thence northwesterly with an interior angle of 131 degs. - 20 Mins. - 00 Secs. for a distance of 800.0 feet; thence northeasterly with an interior angle of 90 degs. - 00 Mins. - 00 Sec., for a distance of 216.0 feet; thence easterly with an interior angle of 130 degs. - 58 Mins. - 42 Sec., for a distance of 280.38 feet; thence southerly with an interior angle of 123 degs. - 41 Mins. - 18 Sec., for a distance of 300.0 feet; thence southeasterly with an interior angle of 213 degs. - 30 Mins. - 00 Sec., for a distance of 623.0 feet; thence southerly with an interior angle of 120 degs. - 30 Mins. - 00 Sec., for a distance of 200.0 feet to the point and place of beginning on the northerly side of Western Turnpike, said last named course being at right angle to the northerly side of Western Turnpike; containing 9.51 acres more or less.

Excepting, however, the strip of land previously acquired by the New York Power & Light Corporation from Emma E. Van Loan for the construction, maintenance and operation of the Central Avenue - Krum Kill

LIBER 1160 PAGE 193

transmission line which traverses the above described parcel, the acquisition of which is recorded at Albany County Court House, September 6, 1940 in Book of Deeds 917, Page 264; but retaining the rights reserved by Emma E. Van Loan, her heirs and assigns, to the dam and all appliances and appurtenances connected therewith, together with the permanent right to maintain, operate, inspect, repair or rebuild said dam and for such purposes, the permanent right to enter upon the above described parcel, with the condition, however, that said dam, together with the appurtenances and appliances connected therewith, shall not at any time be maintained in a manner which will interfere with the construction, maintenance and operation of said transmission line by the New York Power & Light Corporation over and across the above described parcel, nor in a manner which will unreasonably interfere with the use of said parcel by the New York Power & Light Corporation, its successors and assigns in the ordinary conduct of its business as an Electric or Gas Utility.

<sup>+ Tower</sup>  
**PARCEL 2.** All that tract or parcel of land at McKownville, in the Town of Guilderland, Albany County, beginning at a point situated on the easterly side of the land acquired by the New York Power & Light Corporation from Emma E. Van Loan for the Central Avenue - Krum Kill transmission line as recorded at Albany County Court House, September 6, 1940 in Book of Deeds 917, Page 264, said point also being opposite Station 136/02 of said transmission line; running thence in a northerly direction along the easterly side of said land acquired by New York Power & Light Corporation for a distance of 150.0 feet, to a point which is opposite Station 134/52 of said transmission line; running thence easterly with an interior angle of 90 degs. - 00 Mins. - 00 Sec. for a distance of 100.0 feet; thence southerly with an interior angle of 90 Degs. - 00 Mins. - 00 Sec., 100.0 feet distant from and parallel to the easterly line of said property acquired by the New York Power & Light Corporation, for a distance of 150.0 feet; thence westerly with an interior angle of 90 Degs. - 00 Mins. - 00 Sec., for a distance of 100.0 feet to the point and place of beginning, the last named course being at right angle to said easterly line of the property acquired by the New York Power & Light Corporation, containing 0.34 acre more or less, as shown on the map above referred to.

**EASEMENTS AND RIGHTS OF WAY:** An easement or right of way upon, over and through land owned by the party of the first part and the streets and ways thereon, as shown in red outline on map of lands and rights of way to be acquired for McKownville Water District, prepared by Benjamin L. Smith & Associates dated March 1948, revised April 22, 1948, to lay at any times or time, and from time to time pipes and conduits, with the right to maintain, re-lay or remove the same, or to remove any existing pipes or conduits therein, with the right of ingress and egress to said lands, streets and ways, and all other rights and privileges incident or necessary to the enjoyment of said easement or right.

The land hereby conveyed being a portion of the same premises described in a deed from Caroline L. Witbeck to Emma E. Van Loan dated May 14th, 1940 and recorded in Albany County Clerk's Office on May 15th, 1940 in Book 917 of Deeds at page 142.

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 successors and assigns forever.

LIBER 1160 PAGE 195

And said party of the first part

covenants as follows:

First. That the party of the second part shall quietly enjoy the said premises;

Second. That said party of the first part

will forever Warrant the title to said premises.

Third. That 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 first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

OFFICE OF ALBANY COUNTY CLERK

APR 1 12 49 PM '41

In Witness Whereof, the party of the first part has

hereunto set her hand and seal the day and year first above written.

In Presence of

PITKIN WITBECK REALTY COMPANY

By: Emma T. Van Loan

