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BARGAN AND SALE DEED WITH COVENANTS AGAINST GRANTORS ACT

DEED

THIS INDENTURE, made the 27<sup>th</sup> day of November, 2013, BETWEEN

MARCIA DEVOE, residing at 48 Shunpike, Clinton Corners, New York 12514, as party of the first part, and ✓

MARCIA DEVOE, residing at 48 Shunpike, Clinton Corners, New York 12514, and ERIC ALEXANDER, residing at 957 Park Avenue, Apt. 3E, New York, New York 10028, as Joint Tenants with Rights of Survivorship, as party of the second part ✓

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever:

ALL that certain plot, piece or parcel of land with buildings and improvements thereon erected situate, lying and being in the Town of Washington, County of Dutchess, State of New York, more particularly bounded and described as set forth on Schedule "A" annexed hereto: ✓

BEING the same premises conveyed by Ronda Gyurits, As Executrix of the Estate of William F. Brill to Marica DeVoe by deed dated February 20, 2009, and recorded in the Dutchess County Clerk's Office on March 6, 2009 as Document # 02 2009 1037.

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 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, 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 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. 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:

  
MARCIA DEVOE

STATE OF NEW YORK  
COUNTY OF DUTCHESS ss:

On the 27<sup>th</sup> day of November in the year 2013, before me, the undersigned, a notary public in and for said state, personally appeared MARCIA DEVOE personally known to me or proved 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 she executed the same in her capacity, and that by her signature on the instrument, the individual or the person on behalf of whom the individuals acted, executed the instrument.

  
NOTARY PUBLIC

CHERYL J. KIP  
NOTARY PUBLIC, State of New York  
Qualified in Dutchess County  
Reg. No. 01K15813325  
Commission Expires June 30, 2014

Tax Identification number: 135889-6666-00-289635-0000  
Town of Washington, County of Dutchess, State of New York  
Said premises commonly known as 48 Shunpike, Clinton Corners, New York 12514

Record and Return to:  
Ann Gifford, Esq.  
Teahan & Constantino  
PO Box 369  
Millbrook, New York 12545

Schedule A Description

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Washington, County of Dutchess: ✓

BEGINNING at a point at the southeasterly assumed roadline of County Road #57, also known as Shunpike, said point being the most westerly corner of the herein described parcel and a point in the division line between this parcel and lands of Clarence H. Klaus, described in Liber 894 of Deeds at page 475, thence along the southeasterly and southerly assumed roadline of County Road #57, N 47° 44' 08" E 236.61 feet, N 49° 29' 50" E 189.38 feet and on a curve to the right of radius 240.00 feet, an arc length of 222.39 feet to the northeasterly corner of the herein described parcel; thence along lines of no physical bounds through the lands of Mary Catherine Smith, described in Liber 1309 of Deeds at page 20, S 19° 21' 33" W 445.00 feet and S 88° 55' 03" W 417.10 feet to a point at the easterly line of lands of Klaus; thence along lands of Klaus N 21° 30' E 120.00 feet, N 5° 30' E 33.00 feet and N 83° 00' W 173.00 feet to the point or place of beginning.