

THIS INDENTURE, made the day of June, nineteen hundred and ninety-seven, BETWEEN

97R1184/17

GORDON R. ROTHENAY and DARLENE E. ROTHENAY, residing at Route #2 Box 163, Salt Point, New York 12578 party of the first part, and

STANLEY R. BACHMAN and GLORIA A. BACHMAN, RR 2 Box 37B, Holmes, NY 12531 husband and wife, as to a 50% Int. * 1 Oak Street, Pawling, New York 12564 and party of the second part. Jonathan W. Bachman and Teri Bachman, H+W, as to a 50% Int.

WITNESSETH, that the party of the first part, in consideration of TEN (\$10.00) dollars, 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, the heirs or successors and assigns of the party of the second part 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 Washington, County of Dutchess, more particularly described as follows:

BEGINNING at a concrete monument set in the corner formed by the intersection of the east line of State Highway Route 82A with the south line of Canoe Hill Road; thence along the east line of State Highway Route 82 South 36 55' West a distance of 379 feet to a point marking the northwest corner of the Doppel lot. Thence from this point, the following courses and distances: South 53 05' East 200 feet to a point marking the northeast corner of the Doppel lot; thence South 36 55' West 150 feet to a point marking the southeast corner; thence N 53 05' West 200 feet to a point marking the southwest corner; thence North 36 55' East 150 feet along the east line of State Highway 82A to the point of beginning, marking the northwest corner of the Doppel lot, containing 30,000 square feet

SUBJECT to covenants, easements, restrictions and rights of way of record, if any. BEING and intended to be the same premises as conveyed to the party of the first part by deed dated the 11th day of November, 1988, and recorded in the Office of the Clerk of the County of Dutchess on January 3rd, 1989, in Liber 1822 of Deeds at Page 452.

*Frank A. Toman executes this deed solely for the purpose of evidencing his agreement to release a restriction of record more particularity restriction number "6," as appears in Liber 1034 of deeds of page 382 which reads substantially as follows:

"6. only a one family dwelling at least 1000 square feet of enclosed living area, not including garage, can be built on the premises."

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 incumbered 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 this part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Frank A. Toman FRANK A. TOMAN

Gordon R. Rothenay GORDON R. ROTHENAY Darlene E. Rothenay DARLENE E. ROTHENAY

CLERK'S NOTE - VARIATION IN TYPE OR OTHER MATERIAL SAME AS IN ORIGINAL

97R1184

11-1-89

