FORM 583X N. Y. DEED—WARRANTY with Lien Covenant

13997

TUTTLE BLANK REGISTERED U. S. PAT. OFFICE
TUTTLE LAW PRINT, PUBLISHERS RUTLAND, VT. 05701

This Indenture

Made the 3rd *day of* September, *Nineteen Hundred and* Seventy-one

VOL 543 PAGE 154

Between MARION A. REA, 41 11th Avenue, Hawthorne, N. J.,

party of the first part, and

ANDREW N. BEDARD and ROSEE BEDARD, his wife, as tenants by the entirety, residing in West Chazy, Town of Chazy, Clinton County, N. Y.,

parties of the second part,

Witnesseth *that the part of the first part, in consideration of*

----------ONE----------

Dollar ($ 1.00) *lawful money of the United States,* and other valuable considerations *paid by the parties of the second part, does hereby grant and release unto the parties of the second part,* their heirs *and assigns forever, all* those certain pieces or parcels of land situate, lying and being in the Town of Chazy, County of Clinton and State of New York as described in 1946,

PARCEL I. BEING a part of lot No. 8 in Point Au Roche Patent, lying east of the highway and bounded and described as follows, to wit: On the south by the highway leading past land formerly owned by Gala Barber, on the east by land formerly owned by Wilbur A. Atwood and land formerly owned by Gala Barber, on the north by land owned by L. J. Deno and on the west by the highway; Being part of the premises once owned by the late Elam L. Larkin and containing twenty (20) acres of land, more or less.

PARCEL II. ALSO all of that certain other piece or parcel of land, situate, lying and being in the Town, County, and State aforesaid, containing ten (10) acres of land, more or less, and particularly described in a deed dated October 17, 1881, executed by William Atwood and Luna, his wife, to Elam L. Larkin, and recorded in Clinton County Clerk's Office November 27, 1881, in Vol. 76 of Deeds at page 1. Said premises are further described as follows: Bounded on the west and north by premises formerly owned by the late Ernest Goewey, east by premises formerly owned by the late Frank Lapierre and now owned by Lewis G. Robinson and south by the third parcel herein described.

PARCEL III. ALSO all of that certain other piece or parcel of land, situate, lying and being in the Town, County, and State aforesaid, and containing about fifty (50) acres of land, more or less, and described as follows: bounded north by premises formerly owned and occupied by Ernest Goewey and by the second parcel hereinbefore described; east by premises formerly owned by Robert Anderson and now occupied by Wilbern M. Rigsbee; south by land of Emerson C. Felton and west by lands of George Winterbottom formerly owned by J. Murray Atwood; the three parcels hereinbefore described being the same premises conveyed by Henry M. Ostrander and Rhuhamah, his wife, and Sarah Ostrander Rea to Charles D. Rea, party of the first part hereto, by deed dated January 7, 1910, and recorded in Clinton County Clerk's Office in Vol. 113 of Deeds at page 26.

EXCEPTING from the third parcel hereinbefore described, all that certain piece or parcel of land situated, lying and being in the Town of Chazy, County of Clinton, State of New York, and being a part of lot number twenty (20) Point Au Roche Patent, bounded and described as follows, to wit: Beginning in the center of the highway (New York

State Route No. 22) leading from Plattsburgh through West Chazy to Mooers, N. Y.; thence running westerly in the north line of said fifty (50) acre lot one hundred thirty-five (135) feet to a stone marker placed in the ground on said north line, thence in a southerly direction one hundred ten (110) feet to a stone marker placed in the ground; thence in an easterly direction parallel with said north line, one hundred thirty-five (135) feet to the center of above mentioned highway; thence in a northerly direction in the center of said highway one hundred ten (110) feet to the place of beginning, containing 14850 square feet of land, more or less.

Said excepted portion being the same premises conveyed by Charles D. Rea and Josie E. Rea, his wife, to Marie L. Walker by deed dated August 26, 1939, and recorded in Clinton County Clerk's Office, September 5, 1939, in Vol. 191 of Deeds at page 475.

EXCEPTING ALSO from the third parcel a lot 110 ft. square which adjoins the westerly line of the said Walker premises, as described in a deed from Marion Rea and Andrew Bedard to Victor H. Shivik and Evelyn H. Shivik, his wife, by a deed dated June 14, 1960 and recorded in Vol. 431 of Deeds at Page 65.

EXCEPTING ALSO from this conveyance and reserving title unto party of the first part of a parcel of land being the former Charles D. Rea homestead lot and described as follows: Beginning at a point in the center of State Highway No. 22 extending from the Hamlet of Beekmantown through the Village of West Chazy which point is 132 ft. south from the southeast corner of the Cortland Wood property, and running thence west or westerly at right angles to said highway for a distance of 217 ft. to an iron pipe set in the ground; thence turning and running south or southerly and parallel with the west line of said highway for a distance of 130 ft. to an iron pipe set in the ground; thence turning and running east or easterly and at right angles to said State Highway and to the center thereof for a distance of 217 ft.; thence turning and running north or northerly and along the center line of said highway for a distance of 130 ft. to the point or place of beginning. Intending to convey the lot upon which is located the brick dwelling known as the Rea Home.

Reserving to Marion A. Rea, her successors and assigns, for the benefit of the Rea homestead and lot described above, until January 1, 1980 the right to use the pipe and pump from the well now located on the Andrew N. Bedard farm (being the premises contracted to be conveyed by the contract dated March 30, 1951) as now used, and to receive water at the house on the above described parcel, with the provision that the owners or occupants thereof shall pay one-half the cost of maintenance and repair of the water system, exclusive of electricity used in operating the pump.

All of the above being part of the premises conveyed by Charles D. Rea to Charles D. Rea and Marion A. Rea, his daughter, by a deed dated August 23, 1946 and recorded in Vol. 230 of Deeds at Page 193 in the Clinton County Clerk's Office as to which the habendum clause created ownership by joint tenancy. Charles D. Rea died a resident of the Town of Chazy on June 21, 1951 and was interred in the Beekmantown Cemetery, leaving party of the first part as surviving owner.

COUNTY REAL ESTATE TRANSFER TAX Dept. of Taxation SEP 97 R Fiappie STATE OF NEW YORK $0.25

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 parties of the second part,* their heirs *and assigns forever.*

And *said* party of the first part *covenant* s *as follows:*

First, *That the parties 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, in Compliance with Sec. 13 of the Lien Law, 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.*

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

Marion A Rea (L.S.)

(L.S.)

(L.S.)

(L.S.)

State of New York }
County of CLINTON } ss. *On this* 3rd *day of* September *Nineteen Hundred and* Seventy-one *before me, the subscriber, personally appeared*

MARION A. REA

to me personally known and known to me to be the same person described in and who executed the within instrument, and she *acknowledged to me that* she *executed the same.*

no seal seen

Robert T. Booth
Notary Public

ROBERT T. BOOTH
Notary Public in the State of New York
Residing in the County of Clinton
My Commission Expires March 30, 19 72

RECORDED
LIBER 543 OF Deeds
PAGE 154 & EXAMINED
'71 SEP 9 PM 2 53

CLINTON COUNTY
CLERK'S OFFICE
HALSEY J. STACK, CLERK

Halsey J. Stack