



**John H. Zurlo, County Clerk**  
 137 Margaret St  
 Ste 101  
 Plattsburgh, NY 12901-2966  
 (518) 565-4700

BC

## Clinton County Clerk Recording Cover Sheet

**Received From :**  
 DEAN C SCHNELLER  
 98 BOYNTON AVE  
 PLATTSBURGH, NY 12901

**Return To :**  
 DEAN C SCHNELLER  
 98 BOYNTON AVE  
 PLATTSBURGH, NY 12901

**First 1ST PARTY(---OR)**

FACTEAU, JAMES

**First 2ND PARTY(-EE)**

FACTEAU, JAMES

**Instr Number : 2020-00309343**

**Index Type :** Land Records

**Type of Transaction :** Deed - (Other Property)

**Recording Fee :** \$315.50

**Recording Pages :** 4

The Property affected by this instrument is situated in Schuyler Falls, in the County of Clinton, New York

**Real Estate Transfer Tax**

**RETT # :** 69  
**Deed Amount :** \$0.00  
**RETT Amount :** \$0.00  
**Total Fees :** \$315.50

State of New York  
 County of Clinton

I hereby certify that the within and foregoing was recorded in the Clerk's office for Clinton County, New York

**On (Recorded Date) :** 08/12/2020  
**At (Recorded Time) :** 10:37:00 AM



Doc ID - 009020540004

John H. Zurlo, County Clerk



# THIS INDENTURE

Made the 30th day of July  
Two Thousand Twenty

**BETWEEN JAMES FACTEAU**, residing at 1441 Hardscrabble Road,  
Cadyville, New York 12918,

party of the first part, and

**JAMES FACTEAU**, residing at 1441 Hardscrabble Road, Cadyville, New York  
12918, and **REGINALD H. FACTEAU**, residing at 767 Military Turnpike, Plattsburgh,  
New York 12901, as Joint Tenants with Rights of Survivorship,

parties of the second part,

**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 consideration paid by the parties of the second part, do hereby grant  
and release unto the parties of the second part, their heirs,  
successors and assigns forever,

**ALL THAT CERTAIN PIECE OR PARCEL OF LAND**, with improvements  
thereon, described in Schedule A, attached hereto and made a part hereof.

**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, successors and assigns forever.

**AND** said party of the first part covenants 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.



SCHEDULE A

T/O Schuyler Falls

**ALL OF THE PARCEL OR PIECE OF LAND remaining from the original parcel described in a deed dated March 24, 1995, from Richard Auger, Jr. and Diana Auger to James Facticeau recorded in the Clinton County Clerk's office in Vol. 946, Pages 0032 through 0036.**

**THIS remaining parcel includes all of the parcel described above with the exception of the subdivision entitled Salmon River Woodlands. This subdivision entitled Salmon River Woodlands dated May 19, 1995 is filed to the Book 24 of Maps at Page 146 in the office of the Clinton County Clerk.**

**Dean C. Schneller, Esq. did not order or review an Abstract of Title or Tax Search. Therefore, no legal opinion was rendered regarding the state of title to this property.**

Form 622X N. Y. DEED-WARRANTY with Lien Covenant

TUTORIAL EXPLANATIONS OF THE FORMS  
PUBLISHED BY THE NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE

11564

# This Indenture

73586

Made the 24<sup>th</sup> day of MARCH  
Nineteen Hundred and 95

Between Roger Auger, Jr. and Diana Auger his wife, residing  
at 5 Smart Road, Plattsburgh, New York

party of the first part, and

Ref:

James Pacteau, residing at 1441 Bardscrabble Road, Cadyville,  
New York

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

ONE DOLLAR AND 00/100----- Dollar (\$1.00 )  
lawful money of the United States, and other good and valuable consideration  
paid by the part y of the second part, does hereby grant and release unto the  
part y of the second part, the heirs or successors-----  
and assigns forever, all

(SEE SCHEDULE A)

02393



BOOK 946 PAGE 0032

## SCHEDULE A (PAGE 1 of 2)

ALL THAT TRACT, PART, PIECE OR PARCEL OF LAND, SITUATE IN THE TOWN OF SCHUYLER FALLS, THE COUNTY OF CLINTON, THE STATE OF NEW YORK, BEING A PORTION OF LANDS BELONGING TO ROGER AUGER JR. AND DIANA AUGER, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 690 OF DEEDS AT PAGE 214, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF A PARCEL OF LAND BELONGING TO THE TOWN OF SCHUYLER FALLS, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 489 OF DEEDS, AT PAGE 125, AND RUNNING THENCE N08 47 '23"E, ALONG THE EASTERLY BOUNDS OF LANDS BELONGING TO JEAN M. SNYDER, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK IN BOOK 789 OF DEEDS, AT PAGE 155, AND ALONG THE EASTERLY BOUNDS OF LANDS BELONGING TO RICK AND LAURIE GONYEA, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 847 OF DEEDS, AT PAGE 315, A DISTANCE OF 188.11 FEET, TO THE NORTHEASTERLY CORNER OF GONYEA (L847-P315);

THENCE TURNING AND RUNNING N82 03'23"W, ALONG THE NORTHERLY LINE OF GONYEA (L847-P315) AND CONTINUING THE SAME BEARING THROUGH LANDS OF THE GRANTORS HEREIN, A TOTAL DISTANCE OF 465.51 FEET, TO A POINT;

THENCE TURNING AND RUNNING N07 54'47"E, THROUGH LANDS OF THE GRANTORS HEREIN AND ALONG THE EASTERLY LINE OF A PARCEL OF LAND BELONGING TO OUIDA MARIE SMART, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 443 OF DEEDS, AT PAGE 87, A TOTAL DISTANCE OF 355.93 FEET, TO THE NORTHEASTERLY CORNER OF SMART (L443-P87);

THENCE TURNING AND RUNNING N81 35'20"W, ALONG NORTHERLY LINE OF SMART (L443-p87), A DISTANCE OF 25.15 FEET, TO THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND BELONGING TO PETER SORRELL, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 569 OF DEEDS, AT PAGE 997;

THENCE TURNING AND RUNNING N07 54'56"E, ALONG THE EASTERLY BOUNDS OF SORRELL (L569-P997), A DISTANCE OF 136.95 FEET, TO THE NORTHEASTERLY CORNER, THEREOF;

THENCE TURNING AND RUNNING S84 21'03"E, ALONG THE SOUTHERLY BOUNDS OF A PARCEL OF LAND BELONGING TO JOHN TRIP SR., BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 272 OF DEEDS, AT PAGE 125, A DISTANCE OF 699.16 FEET, TO THE NORTHEASTERLY CORNER OF LANDS OF THE GRANTORS HEREIN;

THENCE TURNING AND RUNNING S08 47'24"W, ALONG THE WESTERLY BOUNDS OF A PARCEL OF LAND BELONGING TO THE SCHUYLER FALLS YOUTH CLUB, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK IN BOOK 272 OF DEEDS, AT PAGE 125, A DISTANCE 409.07 FEET, TO A POINT, AND TO THE NORTHEASTERLY CORNER OF A PARCEL OF LAND

BOOK 946 PAGE 0033

SCHEDULE A (PAGE 2 of 2)

BELONGING TO REGINALD BESAW, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 765 OF DEEDS, AT PAGE 345;

THENCE TURNING AND RUNNING N82 24'23"W, ALONG THE NORTHERLY BOUNDS OF BESAW (L765-P345), A DISTANCE OF 150.00 FEET, TO THE NORTHWESTERLY CORNER THEREOF;

THENCE TURNING AND RUNNING S08 47'24"W, ALONG THE WESTERLY BOUNDS OF TWO PARCELS OF LAND OF BESAW (L765-P345) AND (L765-P342) AND ALONG THE WESTERLY BOUNDS OF LANDS OF ROY AND ROSE SHARP (L658-P182) AND OF ROGER AND MARY MCKEE (L743-P111), A DISTANCE OF 300.00 FEET, TO THE NORTHEASTERLY CORNER OF LANDS BELONGING TO THE TOWN OF SCHUYLER FALLS (L489-P125);

THENCE TURNING AND RUNNING N81 12'36"W, A DISTANCE OF 50.00 FEET, TO THE POINT OR PLACE OF BEGINNING, CONTAINING 7.7 ACRES OF LAND.

EXCEPTING AND RESERVING FROM THE ABOVE DESCRIBED PREMISES IN FAVOR OF THE GRANTORS AND GRANTEE HEREIN, A FIFTY FOOT STRIP OF LAND CONTAINING 1.34 ACRES, FOR POSSIBLE FUTURE CONVEYANCE TO THE TOWN OF SCHUYLER FALLS FOR HIGHWAY PURPOSES, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWESTERLY CORNER OF A FIFTY FOOT STRIP OF LAND BELONGING TO THE TOWN OF SCHUYLER FALLS, BY VIRTUE OF A DEED RECORDED IN THE OFFICE OF THE CLINTON COUNTY CLERK, IN BOOK 489 OF DEEDS, AT PAGE 125, AND RUNNING THENCE S81 12' 36"E, ALONG THE NORTHERLY BOUNDS OF SAID PARCEL, A DISTANCE OF 25.00 FEET, TO THE TRUE POINT OF BEGINNING OF THE CENTERLINE HEREIN BEING DESCRIBED;

RUNNING THENCE N08 47'23"E, ALONG SAID CENTERLINE, A DISTANCE OF 555.60 FEET, TO A POINT;

THENCE TURNING AND RUNNING N84 21'03" W, A DISTANCE OF 321.51 FEET, TO A POINT;

THENCE TURNING AND RUNNING S07 54' 47"W, A DISTANCE OF 354.20 FEET, TO A POINT ON THE SOUTHERLY BOUNDS OF THE ABOVE DESCRIBED 7.7 ACRE PARCEL, SAID RIGHT OF WAY CONTAINING 1.41 ACRES.

BEING PART OF THE SAME PREMISES CONVEYED BY PRESTON D. SMART TO ROGER AUGER JR. AND DIANA AUGER BY DEED DATED FEBRUARY 27, 1987 AND RECORDED IN THE CLINTON COUNTY CLERK'S OFFICE IN VOL. 690 OF DEEDS AT PAGE 214.

BOOK 946 PAGE 0034

The following conditions shall limit the use of the land being deeded in this Deed:

1. If the land is subdivided, it will be subdivided so that only single family dwellings are put upon the land.
2. These shall be either stick built or modular houses put upon the land being conveyed and no trailers will be allowed. Doublewide mobile homes will be allowed. *None are marked 4, 95 K 222222*
3. The land being conveyed is shown on a survey prepared by Roderick Cobane a licensed land surveyor, with New York State license number 49544 dated January 22, 1995.
4. On this survey there is indicated a 50 foot right of way running East to West and commencing at a point at the end of the to be extended Smart Road. Said point is described as a 50 foot right of way which the surveyor has indicated at South 82° 24' 23", 150 feet on both the North and the South side of said right of way which is also denominated as a cul-de-sac on said survey. This right of way shall never be used as an egress or ingress for vehicles or any type that use gas or some sort of petroleum to make it operate. This right of way shall be for bicycles or pedestrians to walk from the sub-division to the Town of Schuyler Falls Park and back indicated on the map as The Clinton County Justice Deputy Sheriff Corporation.
5. On the aforementioned survey, a copy of which is attached hereto and marked Exhibit "A", or the North side of the property being conveyed, there shall be no roads of ingress or egress permitting cars of any type or vehicle powered by gas or petroleum to exit through the North side of the property into any land North thereof.
6. It being the intention of this conveyance and of these covenants that the only right of way as restricted by these covenants shall be as shown on the survey.
7. All restrictions contained in the Deed from Preston D. Smart to Roger Auger, Jr. and Diana Auger, his wife dated February 27, 1987 recorded in the Clinton County Clerk's office on February 27, 1987 in Liber 690 at Page 214 shall continue as if set forth at length herein.

BOOK 946 PAGE 0035

Together with the appurtenances and all the estate and rights of the part Y 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, and assigns forever.

And said

First, That the party of the second part shall quietly enjoy the said premises; covenant as follows:

Second, That said

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 part of the first part ha hereunto set hand and seal the day and year first above written.

In Presence of

(X) Roger Auger Jr.
Diana Auger
Diana Auger

State of New York } ss.
County of }
before me, the subscriber, personally appeared

On this 24th day of March
Nineteen Hundred and 95

ROGER AUGER JR. & DIANA AUGER

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

Madrid M. Brown
Notary Public

LIBER 946 RECORDED OF Needs
PAGE 32 8 EXAMINED

MAY 15 2 23 PM '95

CLINTON COUNTY
CLERK'S OFFICE
BERNARD ANELL

Handwritten signature

Madrid M. Brown
Notary Pub. St. of NY
Clinton County
44110 Exp 10/31/95

BOOK 946 PAGE 0036