

WARREN COUNTY CLERK
RECORDING COVER SHEET

EMP. INITIALS mgINSTRUMENT # 5702 DEE# PAGES 7TOWNS OF CHESTER 2400

ADDTL. FEE _____

TYPE OF DOCUMENT: WARRANTY# ADDTL. NAMES 6DEEDTRANSFER TAX AMT. -0-

TRANSFER TAX STAMP

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RECEIVED

REAL ESTATE

AUG 29 2001

TRANSFER TAX
WARREN COUNTY MORTGAGE TAX STAMPMORTGAGE TAX AMT. -0-

MORTGAGE TAX # _____

GRANTOR/MORTGAGOR ELIZABETH A. McPHILLIPS, ET AL.GRANTEE/MORTGAGEE McPHILLIPS PROPERTIES, L.L.C.

RECORDED BY _____

RETURN TO McPhillips, Fitzgerald & Cullum288 Glen St., P.O. Box 299Glens Falls, NY 12801

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/ Recording Stamp
/

Upon recording, this page becomes a part
of the document (\$3.00)

LLC 1229 Dues
PAG 121
PARTIALY RECORDED
WARREN COUNTY CLERK
01 AUG 28 PM 4:07

RECORDED

WARRANTY DEED

with Lien Covenant

THIS INDENTURE, made the 24th day of August, Two-Thousand and One,

Between **ELIZABETH A. McPHILLIPS**, residing at 35 Old Laxfield Road, Shrewsbury, MA 01545; **JANE M. COBB**, residing at 22 Celestial Way, Pepperell, MA 01463; **BERNICE McPHILLIPS McMAHON**, residing at 8297 Delgany Avenue, Playa Del Rey, CA 90293; **EMILY McPHILLIPS**, residing at 7 Bushnell Drive, Lexington, MA 02173; **MARTEA M. BLANEY**, of 150 El Camino Grande, Sedona, AZ 86336; **MARY A. SAUNDERS**, residing at 218 Superior Avenue S.W., Calgary, Alberta, Canada T3C2H9; and **THOMAS F. McPHILLIPS**, residing at 26 McPhillips Drive, Chestertown, NY 12817,

parties of the first part,
and

McPHILLIPS PROPERTIES, L.L.C., a duly organized limited liability company of the State of New York, having an address of 288 Glen Street, Glens Falls, New York 12801,

party of the second part,

Witnesseth that the party of the first part, for ONE DOLLAR (\$1.00) and other good and valuable consideration, does hereby grant and release unto the party of the second part, its successors and assigns forever

ALL of the interests of the parties of the first part in and to the following described premises located in the Town of Chester, Warren County, New York:

PARCEL ONE

All of our interest in all that part of Lot number seventeen (17) of the twenty-fourth (24) Township of Totten & Crossfield's Purchase, as described in a deed from David and Mary Russell to Thomas F. McPhillips and Bernard McPhillips, dated February 24, 1905, recorded in the Warren County Clerk's Office on March 23, 1905 in Book 103 of Deeds at Page 366 and identified on Warren County Tax Map for the Town of Chester as Section 14, Block 1, Lot 10 and containing 230 acres.

Being the same premises described in the following deeds:

- a. Deed dated December 31, 1984 from Thomas P. McPhillips and Bernard F. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 667 of Deeds at Page 786;
- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81; and
- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1224 of Deeds at Page 205.

PARCEL TWO

All of our interest in all that parcel of land being part of Lot number twenty-eight (28) of the twenty-fourth (24) Township of Totten & Crossfield's Purchase, as described in a deed from Arthur Perry and wife and Frederick Veder and wife to Thomas F. McPhillips, Bernard McPhillips and James McPhillips, dated July 1,

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1918, recorded in the Warren County Clerk's Office on July 10, 1918 in Book 185 of Deeds at Page 5, and identified on Warren County Tax Map for the Town of Chester as Section 32, Block 1, Lot 1, and assessed for 20.75 acres, actual acreage being 35.4.

Being the same premises described in the following deeds:

- a. Deed dated December 31, 1984 from Thomas P. McPhillips and Bernard F. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 667 of Deeds at Page 786;
- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81; and
- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1226 of Deeds at Page 205.

PARCEL THREE

All of our interest in Lot number 3 of the gore south of Township 12 of Totten & Crossfield's Purchase, described in a deed from Robert b. Gilchrist and M. Augustus Gilchrist to James McPhillips, Thomas F. McPhillips and Bernard F. McPhillips dated March 6, 1902, recorded in the Warren County Clerk's Office on June 21, 1902 in Book 94 of Deeds at Page 480, and identified on Warren County Tax Map for the Town of Chester as Section 73, Block 1, Lot 3.21 as containing 161.68 acres.

Being the same premises described in the following deeds:

- a. Deed dated December 31, 1985 from Thomas P. McPhillips and Bernard F. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 677 of Deeds at Page 940;
- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81;
- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1226 of Deeds at Page 205.

PARCEL FOUR

All of our interest in Part of Lot number 6 in subdivision of Great Lot Number 4 of Gore south of 24th township, and south part of Lot number 5 in subdivision of Great Lot Number 5 of Gore south of 24th township, deed Racquette Falls Land Co., to James McPhillips and Thomas F. McPhillips dated July 14, 1905, recorded in the Warren County Clerk's Office on September 8, 1905 in Book 105 of Deeds at Page 52 and identified on Warren County Tax Map for the Town of Chester as Section 73, Block 1, Lot 10 as containing 231.6 acres.

Being the same premises described in the following deeds:

- a. Deed dated December 31, 1985 from Thomas P. McPhillips and Bernard F. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 677 of Deeds at Page 940;
- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81;

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- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1224 of Deeds at Page 205.

PARCEL FIVE

All of our interest in the northwest corner of Lot 90, Hyde Township, part of subdivisions 1 and 4 of Lot 90 Hyde township, deed Lyman B. Hill to James McPhillips, Thomas F. McPhillips and Bernard McPhillips of one-half interest dated November 29, 1924 and recorded in Book 162 at Page 508 also deed Albert Beswick the referee to James McPhillips of one-half interest dated May 31, 1944 and recorded June 1, 1944 in Book 228 of Deeds at Page 181, identified on Warren County Tax map for the Town of Chester as Section 88, Block 1, Lot 2 as containing 43.15 acres and Section 88, Block 1, Lot 3 as containing 95.10 acres.

Being the same premises described in the following deeds:

- a. Deed dated December 31, 1985 from Thomas P. McPhillips and Bernard F. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 677 of Deeds at Page 940;
- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81;
- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1224 of Deeds at Page 205.

PARCEL SIX

All of our interest in Lot Number 2 in the subdivision of Great Lot Number 6 in the Gore south of the 24th Township deed Arthur Perry and wife to James McPhillips, Thomas F. McPhillips and Bernard McPhillips dated October 16, 1920 and recorded October 20, 1920 in Book 146 of Deeds at Page 257, identified on Warren County Tax Map as Section 72, Block 1, Lot 5 as containing 163.08 acres.

Being the same premises described in the following deeds:

- a. Deed dated December 31, 1985 from Thomas P. McPhillips and Bernard F. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 677 of Deeds at Page 940;
- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81;
- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1224 of Deeds at Page 205.

PARCEL SEVEN

All of our interest in part of Lot 24 of the 24th Township of T&C Pur. deed Arthur W. Perry, et al. to Thomas F., Bernard, and James McPhillips, dated July 1, 1918, recorded July 10, 1918, in Book 139 of Deeds at Page 4, excepting parcels conveyed. Identified on Warren County Tax Map for the Town of Chester as Section 69, Block 1, Lot 40, as containing 33.5 acres.

Being the same premises described in the following deeds:

- a. Deed dated December 30, 1986 from Thomas P. McPhillips and Bernard F. McPhillips to the parties

**McPhillips
Properties,
LLC**

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of the first part herein, which deed is recorded with the Warren County Clerk in Book 689 of Deeds at Page 298;

- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81;
- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1226 of Deeds at Page 205.

PARCEL EIGHT

All of our interest in Lot 3 of Great Lot 4 of the Gore South of the 24th Township, being part of premises described in deed from Arthur W. Perry and others to James, Thomas F., and Bernard McPhillips, dated October 16, 1920, recorded October 20, 1920, in Book 146 of Deeds at Page 257, and identified on Warren County Tax Map for the Town of Chester as Section 73, Block 1, Lot 4, as containing 112 acres.

Being the same premises described in the following deeds:

- a. Deed dated December 30, 1986 from Thomas P. McPhillips and Bernard F. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 689 of Deeds at Page 298;
- b. Deed dated December 26, 2000 from Catherine E. McPhillips to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1198 of Deeds at Page 81;
- c. Deed dated August 7, 2001 from Isabelle M. Ortale to the parties of the first part herein, which deed is recorded with the Warren County Clerk in Book 1226 of Deeds at Page 205.

Together with the appurtenances and all the estate and rights of the parties 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.

And said parties of the first part covenant as follows:

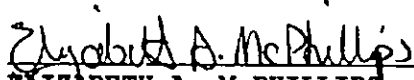
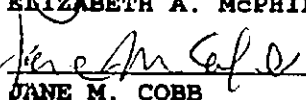
First, That the party of the second part shall quietly enjoy the said premises;

Second, That said parties of the first part will forever **Warrant** the title to said premises.

Third, that, in compliance with Sec. 13 of the Lien Law, the grantors 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 parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of


 ELIZABETH A. McPHILLIPS

 JANE M. COBB

Mary A. Saunders
MARY A. SAUNDERS

Bernice McPhillips McMahon
BERNICE McPHILLIPS McMAHON

MARTHA M. BLANEY

Martha M. Blaney

BY: Rose E. McPhillips, P.O.A.

ROSE E. McPHILLIPS, Attorney-in-Fact

Emily C. McPhillips by Rose E. McPhillips, P.O.A.

EMILY McPHILLIPS

Thomas F. McPhillips
THOMAS F. McPHILLIPS

STATE OF NEW YORK)
) ss.:
 COUNTY OF WARREN)

On the 24 day of August, in the year 2001, before me, the undersigned, a notary public in and for said state, personally appeared **ELIZABETH A. McPHILLIPS**, 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 upon behalf of which the individual acted, executed the instrument.

Dennis J. Phillips
 Notary Public

STATE OF NEW YORK)
) ss.:
 COUNTY OF WARREN)

On the 24 day of August, in the year 2001, before me, the undersigned, a notary public in and for said state, personally appeared **JANE M. COBB**, 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 upon behalf of which the individual acted, executed the instrument.

Dennis J. Phillips
 Notary Public

STATE OF NEW YORK)
) ss.:
 COUNTY OF WARREN)

On the 24 day of August, in the year 2001, before me, the undersigned, a notary public in and for said state, personally appeared **MARY A. SAUNDERS**, 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 upon behalf of which the individual acted, executed the instrument.

Dennis J. Phillips
 Notary Public

DENNIS J. PHILLIPS
 Notary Public, State of New York
 Warren County, No. 4528182
 My Commission Expires Nov. 30, 2002

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STATE OF NEW YORK)
) ss.:
COUNTY OF WARREN)

On the 24th day of August, in the year 2001, before me, the undersigned, a notary public in and for said state, personally appeared **BERNICE McPHILLIPS McMAHON**, 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 upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF WARREN)

DENNIS J. PHILLIPS
Notary Public, State of New York
Warren County, No. 45281K2
My Commission Expires Nov. 30. 2002

On the 24th day of August, in the year 2001, before me, the undersigned, a notary public in and for said state, personally appeared **ROSE E. McPHILLIPS**, attorney-in-fact for Martha M. Blaney, 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 upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF WARREN) ss.:

DENNIS J. PHILLIPS
Notary Public, State of New York
Warren County, no. 4528142
My Commission Expires Nov. 30, 2002

On the 24th day of August, in the year 2001, before me, the undersigned, a notary public in and for said state, personally appeared **ROSE E. McPHILLIPS**, attorney-in-fact for Emily McPhillips, 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 upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF WARREN) ss.:

DENNIS PHILLIPS
 Eastern Public State of New York
 Warren County, No. 4528182
 My Commission Expires Nov. 30, 2002

On the 24th day of August, in the year 2001, before me, the undersigned, a notary public in and for said state, personally appeared **THOMAS F. McPHILLIPS**, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Record & Return to:

McPhillips, Fitzgerald & Cullum L.L.P.
288 Glen Street, P.O. Box 299
Glens Falls, NY 12801

DENNIS J. PHILLIPS
History Public, State of New York
Warren County, no 4528182
My Commission Expires Nov. 30, 2002

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