



WASHINGTON COUNTY – STATE OF NEW YORK

STEPHANIE C. LEMERY, COUNTY CLERK

383 BROADWAY, BUILDING A

FORT EDWARD, NY 12828

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



INSTRUMENT #: 2020-2925

Receipt#: 2020452326

Clerk: VL

Rec Date: 07/06/2020 02:41:58 PM

Doc Grp: RP

Descrip: DEED

Num Pgs: 6

Rec'd Frm: LAKE GEORGE TITLE

Party1: LINDBERG CARL A

Party2: BLACK CREEK HEADWATERS FARM LLC

Town: HEBRON

159.-1-11

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
Additional Names	0.50
TP584	5.00
Notice of Transfer of Sal	10.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 210.50

Transfer Tax

Transfer Tax - State 0.00

Sub Total: 0.00

Total: 210.50

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 1993

Transfer Tax

Consideration: 0.00

Total: 0.00

Record and Return To:

MEYER FULLER AND STOCKWELL PLLC
1557 STATE ROUTE 9
LAKE GEORGE NY 12845

WARNING***

*** Information may be amended during the verification process, and may not be reflected on this cover page.

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Stephanie C. Lemery
Washington County Clerk

WARRANTY DEED WITH LIEN COVENANT

DATE OF DEED: June 13, 2020

GRANTOR: **CARL A. LINDBERG**
ONA L. LINDBERG
1187 County Route 31
Granville, New York 12832

GRANTEE: **BLACK CREEK HEADWATERS FARM, LLC**
A New York Limited Liability Company
1187 County Route 31
Granville, New York 12832

THIS WARRANTY DEED made between Grantor and Grantee on the deed date stated above **WITNESSES THAT GRANTOR** in consideration of

-----One Dollar (\$1.00)-----

lawful money of the United States and other good and valuable consideration, paid by Grantee,

DOES HEREBY GRANT AND RELEASE UNTO GRANTEE and his assigns forever all that property located at:

1187 County Route 31
Town of Hebron
County of Washington
State of New York
TAX MAP #: 159.-1-11

(THE PROPERTY IS DESCRIBED MORE FULLY IN SCHEDULE "A" ATTACHED)

THIS GRANT IS MADE:

TOGETHER with the appurtenances and all the estate and rights of the Grantor in and to said premises.

TO HAVE AND TO HOLD the premises granted by this Warranty Deed unto the Grantee and his assigns forever.

AND THE GRANTOR COVENANTS as follows:

FIRST: That Grantee shall **QUIETLY ENJOY** said premises;

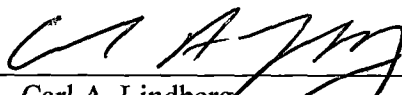
SECOND: That Grantor will forever **WARRANT** the title to said premises;

THIRD: That this conveyance is made subject to the trust fund provisions of section thirteen of the lien law.

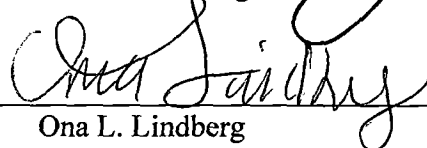
If there are more than one Grantor or Grantee, the words "Grantor" and "Grantee" used in this deed includes them.

IN WITNESS OF THIS CONVEYANCE, Grantor has executed this **WARRANTY DEED** on the deed date stated above.

IN PRESENCE OF



Carl A. Lindberg (L.S.)



Ona L. Lindberg (L.S.)

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

On the 13th day of June, 2020, before me, the undersigned, personally appeared **Carl A. Lindberg and Ona L. Lindberg**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.



Notary Public

STARR L SMITH
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SM8241762
Qualified in Essex County
My Commission Expires 05-23-2023

SCHEDULE "A"

PARCEL NO. 1:

ALL THAT TRACT OR PARCEL OF LAND situate on the north side of County Route #31, Town of Hebron, Washington County, State of New York and being more particularly bounded and described as follows:

BEGINNING at a point at the southwest corner of the herein-described parcel on the north boundary of County Route #31 and being N 63°-12'-50" E 878.45' from the southwest corner of Fred R. and Lydia Bitterly property; thence from said point of beginning the following three (3) courses through lands of Fred R. and Lydia Bitterly:

N 35°-22'-50" W 438.61'	to a point, thence
N 54°-37'-25" E 544.24'	to a point, thence
S 35°-22'-50" E 354.22'	to a point on the north boundary of County Route #31;
	thence the following three (3) courses along County Route #31:
Southwesterly 197.22'	along a curve to the left having a radius of 1625.00' and a delta of 06°-57'-14" to a point, thence
S 41°-56'-38" W 70.96'	to a point, thence
Southwesterly 283.28'	along a curve to the right having a radius of 1589.54' to the point and place of beginning.

SUBJECT to easements and rights-of-way of record.

Said parcel containing 5.000. plus or minus, acres.

PARCEL NO. 2:

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the Town of Hebron, County of Washington and State of New York, bounded and described as follows, namely: Bounded on the north by lands now or formerly of Thomas Fleming, lands now or formerly of William Fleming, Jr. and lands now or formerly of Helen Burch; on the east by the highway leading from North Hebron to West Hebron; on the south by lands now or formerly of Charles Wilbur, on the west by lands now or formerly of Dennis Carrol, and being the same farm which William Fleming, Sr. owned at the time of his death, and upon which he resided for many years prior thereto; and which was conveyed to him by Daniel Woodard Jr., and Marriam Woodard, his wife, by deed dated March 26th, 1866, recorded in the Washington County Clerk's Office in Book No. 68 of Deeds at Page 276.

Together with all and singular the hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in or to the above bargained premises,

with the said hereditaments and appurtenances, TO HAVE AND TO HOLD the said described lands and premises to the said party of the second part, his heirs and assigns, to the sole and only proper benefit and behoof of the said party of the second part, his heirs and assigns forever.

EXCEPTING from the above-described premises a parcel of land consisting of approximately four (4) acres of land, more or less, described in a deed from Michael Fleming and Ella Fleming, his wife, to Walter H. Getty, dated August 26, 1913 and recorded in the Washington County Clerk's Office on August 28, 1913 in Liber 158 of Deeds at Page 219 as follows:

"All that tract or parcel of land situate in the Town of Hebron, and adjoining the swamp, together with certain rights and privileges, covenants and agreements.

All that tract or parcel of land situate in the Town of Hebron, County of Washington and State of New York, bounded and described as follows, viz: Beginning at the east end of a stone wall near the west side of a swamp and being the northwest corner of the swamp lot hereby conveyed and running thence southwesterly along the edge of the swamp to the wood road; thence running southerly along the edge of the swamp to a stake and stones set for a corner, thence running easterly to a stake and stones set for a corner in the edge of a meadow lot; thence running northerly along the east side of said swamp the same being the west side of the meadow lot to a stake and stones set for a corner at the northeast corner of the swamp; thence continuing easterly along the side of the outlet of the swamp to a stake and stones set for a corner in the driveway crossing the outlet of the said swamp; thence running northerly two rods to a stake and stones set for a corner; thence running northwesterly to a stake and stones set for a corner in the north side of the outlet of said swamp; thence running southwesterly to the stone wall; thence running westerly along the stone wall and fence to the place of beginning.

And also the right at all times to use the roadway now or formerly used by the said Michael Fleming, leading from said swamp to the highway and the further right to excavate in the ravine forming the outlet of said swamp for the purpose of draining said swamp.

The party of the second part covenants and agrees, however, to maintain a suitable and proper crossing over said outlet or ravine for the purpose of enabling the said Michael Fleming, his heirs and assigns, to pass to and from said lands adjoining said ravine with teams and vehicles.

The right to use the roadway above described is and shall be upon condition that the party of the second part, his heirs and assigns, keep all barways and gateways used properly closed whenever using them."

Also a certain spring conveyed by Eliza G. Vaughn and Ella Fleming to Michael Fleming, by deed dated June 25, 1926 and recorded in the Washington County Clerk's Office on July 22, 1926 in Book 189 of Deeds at Page 195, and described as follows:

"A spring situate approximately 85 ft. east of a butternut tree near and easterly of Co. Highway leading from North Hebron to West Hebron, and about opposite house and farm

buildings owned and occupied by second part, together with certain rights & privileges, etc. etc.”

The grantee herein takes subject to the rights of the New York State Electric and Gas Corporation to construct and maintain a pole line with authority to cut, trim, and remove trees in maintaining said line as granted to the New York Electric and Gas Corporation by Michael Fleming Estate, Emma Perry, Admx, by instrument dated July 5, 1944 and recorded in the Washington County Clerk's Office on July 28, 1944 in Liber 235 of Deeds at Page 28.

Parcel No. 1 and Parcel No. 2 being the same premises conveyed to the parties of the first party by deed dated the 30th day of September, 1970 and recorded in the Washington County Clerk's Office on the 6th day of October, 1970 in Book 423 of Deeds at Page 122.

Being the same premises conveyed in a Deed dated April 19, 2019 from Fred R. Bitterly and Sandra A. Adams-Bitterly f/k/a Sandra Alexandra Adams to Carl A. Lindberg and Ona L. Lindberg, and recorded in the Washington County Clerk's Office on April 30, 2019 as Instrument #: 2019-126215.

The premises is accepted subject to an indebtedness secured by a mortgage on said premises held by Mortgage Electronic Registration Systems, Inc. which mortgage was recorded in the Washington County Clerk's Office on May 20, 2020 as Instrument #: 2020-2142, on which there is an unpaid principal of approximately FOUR HUNDRED THIRTY SEVEN THOUSAND DOLLARS (\$437,000.00), with interest thereon, which said mortgage debt the Grantee assumes and agrees to pay, as part of the purchase price of the above described premises, and the Grantee hereby executes and acknowledges this instrument for the purpose of complying with the provisions of General Obligation Law section 5-705.

R&R: Meyer, Fuller & Stockwell, PLLC
1557 State Route 9
Lake George, NY 12845