

BARGAIN AND SALE
FORM XXXXXXXXXXXX DEED WITH LIEN COVENANT

NATIONAL LEGAL SUPPLY, INC.
66 BEAVER STREET ALBANY, N.Y. 12207

This Indenture,

Made the 14th day of May
Nineteen Hundred and eighty-eight

Between

State of New York
County of JUL 14 19 14 AM 1900 } ss.

Recorded on the 7/6 deeds
of 40 day
of 19 at
o'clock M. in liber
of DEEDS at page
and examined.

Clerk

Thomas F. McPhillips of 4 Broadacres Road, Glens Falls, New York 12801; Elizabeth A. McPhillips of 36 Creeley Road, Belmont, MA, 02178; Jane M. Cobb of 72 Bradford Road, Watertown, MA, 02172; Emily Moriarty of 104 Lewis Road, Belmont, MA, 02178; Bernice McPhillips of 272 Adam Street, Newton, MA, 02158; Martha M. Blaney of 45 Roundup, Box 1858, Sedona, Arizona, 86336; Mary A. Saunders of 218 Superior Avenue Southwest, Calvery, Alberta Canada T3C2B9, Catherine E. McPhillips, part ies of the first part, and 1001 Grove Street, Mamaroneck, NY 10543 and Isabelle M. Ortale, RD #2, Box 223-14, Kingston, NY 12401.

Niagara Mohawk Power Corporation, a corporation organized and existing under the laws of the State of New York and having its principal place of business at 300 Erie Boulevard West, in the City of Syracuse, New York,

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

.....One and no/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, do hereby grant and release unto the
part y of the second part, its successors and assigns forever, ~~etc~~

All that certain piece or parcel of land situate, lying and being in the Town of Johnsburg, County of Warren and State of New York bounded and described as follows:

Beginning at a point in the division line between the lands of the parties of the first part on the northwest and the lands now or formerly of Oliver A. Stromberg on the southeast at Station 1198+94.5 of the traverse for the proposed right of way for the proposed electric transmission line of the party of the second part extending from its Warrensburg Substation to its North Creek Substation and running thence from said point of beginning South 50 degrees 14 minutes West along said division line 50.7 feet to a point distant 50.00 feet southwesterly measured at right angles from said traverse; thence, North 49 degrees 05 minutes 30 seconds West parallel to said traverse 1878.2 feet to a point in the division line between the lands of the parties of the first part on the southeast and lands now or formerly of Norma N. Rawson and Mary E. Noxon on the northwest; thence, North 52 degrees 08 minutes East along the last mentioned division line and passing through Station 1217+72.3 of said traverse and passing through a found rectangular pipe at 44.9 feet, a total distance of 102.0 feet to a point distant 50.00 feet northeasterly measured at right angles from said traverse; thence, South 49 degrees 05 minutes 30 seconds East parallel to said traverse 1874.8 feet to a point in the division line between the lands of the parties of the first part on the northwest and the lands now or formerly of Thomas P. and Bernard F. McPhillips (Book 417 of Deeds on Page 518) on the southeast; thence, South 50 degrees 14 minutes West in part along the last mentioned division line and passing through a found iron pipe at 42.3 feet and continuing along said first mentioned division line a total distance of 50.7 feet to the point or place of beginning containing 4.31 acres of land be the same more or less.

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OF 114

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38

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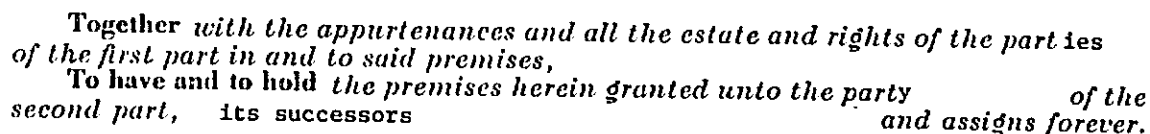
All bearings refer to NYS grid coordinates.

Being a portion of the premises conveyed by Thomas P. McPhillips and Bernard F. McPhillips to parties of the first part herein by deed dated December 30, 1986 and recorded at the Warren County Clerk's Office on December 31, 1986 in Book 689 of Deeds at Page 298.

TOGETHER with the permanent right to cut, trim and remove all brush, trees or obstructions (except buildings) either by mechanical means or by approved vegetative management techniques upon the adjoining premises of the party of the first part which may in the opinion of the party of the second part, its successors or assigns, interfere with or be likely to interfere with the successful operation of an electric transmission line or lines now or hereafter to be constructed on the lands above described, or upon the adjoining lands of the party of the second part.

TOGETHER with the right, at all times to cross and recross the adjoining premises of the party of the first part on foot and with motor vehicles and other equipment for the purpose of constructing, operating, inspecting or repairing any and all structures or fixtures of every kind and nature which the party of the second part, its successors or assigns, may erect, operate, construct or maintain upon the above-described premises, said right of entry to be confined to routes designated by the party of the first part if practicable and reasonable; the party of the second part to reimburse the party of the first part for all physical damage to the lands or crops growing thereon in the exercise of such right of crossing.

RESERVING, however, unto the party of the first part, its heirs and assigns, the right to cross and recross the lands above described at three points fifty feet in width to be designated by the party of the second part, its successors or assigns. The use of said crossing shall be at the sole risk of the party or parties using the same.



XXXXXXXXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXXXXXXX of the second party shall enjoy the said proceeds;
 XXXXXXXXXXXXXXXX DDDDDXXXXXXXXXXXX

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
Bernice McPhillips
Bernice McPhillips
Martha M. Blaney
State of New York
County of Warren

Catherine E. McPhillips
Isabelle M. Ortale
Isabelle M. Ortale
Isabelle M. Ortale
Emily Moriarty
Emily Moriarty

Thomas F. McPhillips
Elizabeth A. McPhillips
Elizabeth A. McPhillips
Elizabeth A. McPhillips
Elizabeth A. McPhillips
Elizabeth A. McPhillips

ss.

County of Warren
On this 14th day of May
Nineteen Hundred and eighty-eight
before me, the subscriber, personally appeared Elizabeth A. McPhillips, Bernice McPhillips, Jane M. Cobb, Thomas F. McPhillips and Emily Moriarty, CATHERINE E. McPHILLIPS & ISABELLE M. ORTAL
to me personally known and known to me to be the same persons described in and who executed the within Instrument, and they acknowledged to me that they executed the same.

RECORD & RETURN TO:

STATE OF NEW YORK }
COUNTY OF WARREN } SS:

Walter A. Mc Clusky
P.O. Box 130
Red Hook, NY 12571

On this 14th day of May, 1988, before me personally came ROSE E. McPHILLIPS to me known to be the individual described in, and who executed the foregoing Instrument and to me known to be the Attorney-in-Fact for MARY A. SAUNDERS and MARTHA M. BLANEY, the individuals described in and who, by their Attorney-in-Fact, executed the same and acknowledged that she executed said Instrument as the act and deed of the said MARY A. SAUNDERS and MARTHA M. BLANEY, by virtue of Powers of Attorney dated December 30, 1976, recorded on May 4, 1984 in Book 661 of Deeds at Page 273 for MARY A. McPHILLIPS (a/k/a MARY A. SAUNDERS) and at Page 239 for MARTHA McPHILLIPS, (a/k/a MARTHA M. BLANEY).

Brenda M. Phillips
Notary Public