



OTSEGO COUNTY – STATE OF NEW YORK  
KATHY SINNOTT GARDNER, COUNTY CLERK  
197 MAIN STREET, COOPERSTOWN, NY 13326-1128

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH\*\*\*



INSTRUMENT #: 2021-1635

Receipt#: 2021357607  
Clerk: JB  
Rec Date: 03/23/2021 04:08:28 PM  
Doc Grp: RP  
Descrip: DEED  
Num Pgs: 6  
Rec'd Frm: HARLEM AND JERVIS

Party1: GENDRON RICHARD T BY ADMR  
Party2: PHILCOX JODI J  
Town: OTEGO  
324.18-1-12

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Notice of Transfer of Sal	10.00
RP5217 - County	9.00
RP5217 All others - State	241.00

Sub Total: 335.00

Transfer Tax  
Transfer Tax 80.00

Sub Total: 80.00

Total: 415.00

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

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 1764  
Transfer Tax  
Consideration: 19900.00

Transfer Tax 80.00

Total: 80.00

I hereby certify that the within and foregoing  
was recorded in the Otsego County Clerk's  
Office.

Record and Return To:

HARLEM AND JERVIS  
493 CHESTNUT ST  
SUITE 2  
ONEONTA NY 13820

Kathleen Sinnott Gardner

**ADMINISTRATOR'S DEED**

THIS INDENTURE, made the 10<sup>th</sup> day of February, 2021, BETWEEN

**GINA FONTAINE**, 128 Deepkill Road, Troy, New York 12180, **Individually and as**  
~~Executor~~ of the Estate of **RICHARD T. GENDRON**, Deceased,  
Administrator

party of the first part,

**JODI J. PHILCOX** and **KEITH R. PHILCOX**, 276 Old Farm Road, Riverhead, New York  
11901, tenants by the entirety,

parties of the second part,

WITNESSETH, that the party of the first part to whom Letters of Administrator were issued by the Surrogate's Court, Rensselaer County, New York, on November 5, 2020 (a copy of the same attached hereto), and by virtue of the power and authority given in by Article 11 of the Estates, Powers and Trust Law, and pursuant to the decree of the Rensselaer County Surrogate's Court dated and entered November 5, 2020, and in consideration of Nineteen Thousand Nine Hundred and 00/100 (\$19,900.00) Dollars paid by the parties of the second part, does hereby grant and release unto the parties of the second part, the distributees or successors and assigns of the parties of the second part forever,

See Attached Schedule A.

Being the same premises transferred to Richard T. Gendron and Mary L. Gendron by Warranty Deed, dated December 23, 2008, and recorded in the Otsego County Clerk's Office at Liber 1120 of Deeds, at Page 983. Mary L. Gendron died a resident of Rensselaer County, New York, on March 4, 2016, leaving her surviving spouse, Richard T. Gendron.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof.

TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise,

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, the distributees or successors and assigns of the parties of the second part forever.

AND the party of the first part covenants that the he has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that he 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.

2021357607

**2021-1635**  
03/23/2021 04:08:28 PM  
6 Pages  
DEED

Kathy Sinnott Gardner, Otsego County Clerk

Clerk: JB



SCHEDULE "A"

*ALL THAT TRACT OR PARCEL OF LAND*, being Lot 8, Subdivision No. 4, Underwood Heights as shown on filed map 430, Otsego County Clerk's Office, situate in the Town of Otego, County of Otsego and State of New York described as follows:

Beginning at a 5/8" steel rod capped "Rasmussen LS 49107" set for the northwest corner of Lot 8, Subdivision No. 4, Underwood Heights, Re: Filed Map 430, Otsego County Clerk's Office. Thence, southerly along the easterly bounds of Lot 7 on a bearing of S 23° 17' 06" E, a distance of 200.00 feet to where a 5/8" steel rod capped as above was set for the southwest corner of the herein described Lot 8. Thence, easterly along the southerly bounds of the herein described Lot 8, being the northerly bounds of the lands now or formerly of Reina Reiter, Liber 800 of Deeds at page 222, on a bearing of N 89° 55' 33" E, a distance of 400.46 feet to where a 5/8" steel rod capped as above was set for the southeast corner of the herein described Lot 8. Thence, northerly along the easterly bounds of the herein described Lot 8, on a bearing of N 23° 26' 01" W, a distance of 231.51 feet to where a 5/8" steel rod capped as above was set at the beginning of a curve having a radius of 60.00 feet. Said capped rod is in the northeasterly corner of the herein described Lot 8 and is in the bounds of a cul-de-sac at the end of Maplecrest Way. Thence southerly, easterly, and northeasterly, a distance of 181.40 feet along said cul-de-sac of Maplecrest Way through a central angle of 173° 13' 11" to where a 5/8" steel rod capped as above was set in the southerly bounds of Maple Crest Way at the beginning of a curve concave to the north having a radius of 305.00 feet. Thence along the southerly bounds of Maplecrest Way westerly, 125.81 feet along said curve through a central angle of 23° 38' 03" to the point and place of beginning. Containing 1.1951 acres (82060.62 square feet) of land. Bearings referred to are Record North per filed map 430, Underwood Heights, Otsego County Clerk's Office.

The above described Lot 8 is subject to all utility easements recorded, unrecorded, open or notorious.

Together with a right of way for ingress, egress and utilities over and across all private and "proposed" public roads set forth on said filed subdivision map (Filed map 430, Underwood Heights) for access to a publicly owned and maintained highway.

All of the above is shown on a survey numbered 34-582, dated February 1, 2007, prepared by William Rasmussen, Land Surveyor, License Number 49107, Oneonta, New York and filed with the Otsego County Clerk's Office as Map Number 00006151.

The above-described parcel is subject to the following restrictions and encumbrances:

- (a) All lots in the tract shall be known and described as single family residential dwelling lots. No structure shall be erected, altered, placed or permitted to remain on any such lot, other than one detached single family dwelling unit, not to exceed two stories in height and a private garage for not more than two cars, which garage may be attached or detached and shall conform to the architectural design of the house.
- (b) No building shall be located nearer to the front line or nearer to the side street line than thirty feet (30') and no building shall be located nearer than seven feet (7') to any side lot line.
- (c) No residential structure shall be erected or placed on less than one building lot and not more than two building lots may be used for any one residential structure.
- (d) No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
- (e) No trailer, basement, tent, shack, garage, barn or other out building erected in the tract shall at any time be used as a residence temporarily or permanently, or shall any structure of a temporary character be used as a residence.
- (f) These covenants are to run with the land and shall be binding on all parties and all persons claiming under them, unless and until by a vote of two thirds (2/3) of the ten owners of the lots, it is agreed to change, modify or revoke these covenants in whole or in part.

(g) If the owners of the lots, or any of them, or their heirs or assigns, shall violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in the said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages for such violation.

(h) Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

(i) Easements are reserved for installation of extension of utility facilities for additional lots within the subdivision.

(j) All residential dwelling units constructed in Underwood Subdivision 4, adjoining subject premises shall cost, exclusive of land, the sum of Twenty Thousand Dollars (\$20,000.00) each.

SUBJECT to all easements, covenants and rights of way of record.

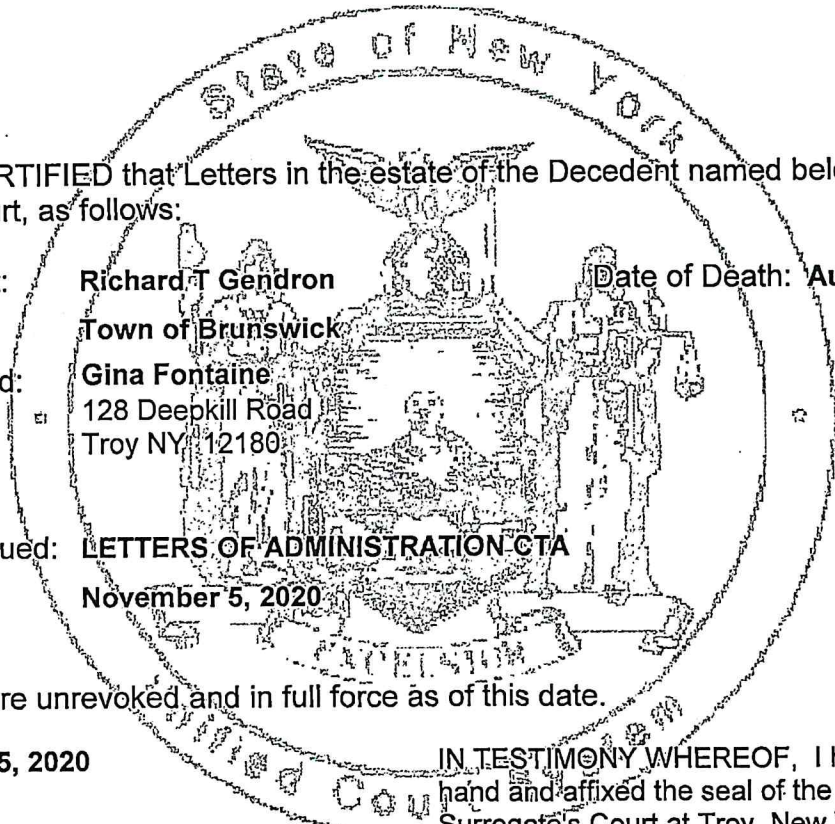
The above described premises being a portion of the premises conveyed by Ross L. Underwood to Maple Crest Landscaping & Excavation, LLC by deed dated April 26, 2006 and recorded May 19, 2006 in Liber 1093 of Deeds at page 1006 in the Otsego County Clerk's Office.

Maple Crest Landscaping & Excavation, LLC is validly organized and existing under the laws of the State of New York and the members of the LLC have approved this conveyance.

# Surrogate's Court of the State of New York Rensselaer County

## Certificate of Appointment of Administrator

File #: 2020-483



IT IS HEREBY CERTIFIED that Letters in the estate of the Decedent named below have been granted by this court, as follows:

Name of Decedent: **Richard T Gendron** Date of Death: **August 18, 2020**

Domicile: **Town of Brunswick**

Fiduciary Appointed: **Gina Fontaine**  
Mailing Address: **128 Deepkill Road  
Troy NY 12180**

Type of Letters Issued: **LETTERS OF ADMINISTRATION CTA**

Letters Issued On: **November 5, 2020**

Limitations: **NONE**

and such Letters are unrevoked and in full force as of this date.

Dated: **November 5, 2020**

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Rensselaer County Surrogate's Court at Troy, New York.

WITNESS, Hon. Paul V. Morgan, Judge of the Rensselaer County Surrogate's Court.

*Susan M. Wilson*

Susan M Wilson, Chief Clerk  
Rensselaer County Surrogate's Court

*This Certificate is Not Valid Without the Raised Seal of the Rensselaer County Surrogate's Court*



The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

- IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

*Gina Fontaine*  
**GINA FONTAINE**  
**Administrator of the Estate of Richard T. Gendron**

State of New York :  
County of Rensselaer : ss.:

On this 10<sup>th</sup> day of February, in the year 2021, before me, the undersigned, personally appeared **GINA FONTAINE**, 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, executed the instrument.

KRISTINA M HAYDEN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HA6029316  
Qualified in Rensselaer County  
My Commission Expires 08-09-2021

*Kristina Hayden*  
Notary Public-State of New York  
My commission expires 8/9/2021