



HAMILTON COUNTY - STATE OF NEW YORK
 JANE S. ZARECKI, COUNTY CLERK
 PO BOX 204, 102 COUNTY VIEW DRIVE
 LAKE PLEASANT, NY 12108

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



RECEIPT NO. : 20112389

Clerk: EH
 Instr #: 2011-1206
 Rec Date: 08/31/2011 01:53:31 PM
 Doc Grp: RP
 Descrip: DEED
 Num Pgs: 5
 Rec'd Frm: CAROLS ABSTRACTING SERVICE

Party1: TOOHEY THOMAS III
 Party2: YAN CHAO YAN
 Town: HOPE

Recording:	
Cover Page	5.00
Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	0.00
RP5217 - County	9.00
RP5217 All others - State	241.00
Sub Total:	<u>320.00</u>
Transfer Tax	
Transfer Tax	290.00
Sub Total:	<u>290.00</u>
Total:	<u>610.00</u>

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

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

Transfer Tax# : 46
 Consideration: 72500.00
 Transfer Tax: 290.00

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

Jane A. Zarecki

Jane S. Zarecki
 Hamilton County Clerk

Record and Return To:

ROGER L PAUL ESQ
 POB 629
 NORTHVILLE NY 12134

THIS INDENTURE, Made the 26th day of August, 2011

BETWEEN **MICHAEL TOOHEY**, residing at 370 Hope Falls Road, Northville, New York 12134 and **THOMAS TOOHEY, III**, having a mailing address of P.O. Box 201, Mayfield, New York 12117

party(ies) of the first part

and

YAN CHAO YAN, residing at 2185 85 Street, ^{3rd Floor} Brooklyn, New York 11214

party(ies) of the second part

WITNESSETH, that the party(ies) 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 party(ies) of the second part do(es) hereby grant and release unto the party(ies) of the second part his/her/their heirs and assigns forever, all

THAT TRACT OR PARCEL OF LAND situate in the Town of Hope in the County of Hamilton and State of New York, bounded and described as follows:

Beginning at the east corner of Lot Number Three (3) and runs thence south thirty (30) degrees East twenty-five (25) chains to the corner of Lot Number Seven (7); thence south sixty (60) degrees West forty (40) chains; thence north thirty (30) degrees West twenty-five (25) chains; thence north sixty (60) degrees East forty (40) chains to the place of beginning. Containing one hundred (100) acres more or less. Being a part of a tract of 1500 acres of land lying in the River and Middle Division of Palmer's Purchase and east of Patents Nos. 10 and 11 in Bergen's Purchase, and known as being Lot No. 2 of the Subdivision of said tract. Being also the same lands and premises heretofore conveyed Jennie L. Brownell, late of the Town of Hope, N.Y., deceased, by two separate deeds and conveyances, one of said deeds being from Frank Sanborn and Jennie Sanborn, his wife, to Mrs. S. M. (Jennie L.) Brownell, bearing date of February 24, 1902, and recorded in Hamilton County Clerk's Office on the 6th day of October, 1903, in Book No. 39 of Deeds at page 385, and the other of said deeds being from John W. Olmstead and Martha Olmstead, his wife, to Jennie L. Brownell, bearing date of May 26, 1903, and recorded in Hamilton County Clerk's Office on the 6th day of October, 1903, in Book No. 39 of Deeds at page 383, to which said deeds and the recording thereof reference is here made for a more detailed description of said premises.

ALSO: All that certain piece or parcel of lands situate and lying in the Town of Hope, County of Hamilton, State of New York, it being a part of Subdivision of Lot No. 3 of Palmer's Purchase and bounded as follows: Beginning at a stake and stones on the east side of the highway leading from school house at Hope Falls northeast past (formerly) of Joseph Bass' residence, and runs from thence four chains south-west along said highway to the corner of said lot opposite school house: runs thence south-east seven chains along highway leading from Hope Falls to Croweville to land (formerly) owned and occupied by Sarah Ann Sanborn; thence northeast along said Sanborn's land eight chains to a little brook; thence northwest one chain and seven links to a small marked elm tree; thence a westerly course six chains to hemlock knot driven in the ground; thence northwest two chains and sixty-four links to the place of beginning. Containing three and one-half acres of land be the same more or less. Being the same lands and premises heretofore conveyed to Mary E. Williams, now deceased, by Carnelius F. Moul and wife by deed bearing date of July 12, 1904, and recorded in Hamilton County Clerk's Office on the 14th day of November,

1907 in Book No. 45 of Deeds at page 279, to which said deed and the recording thereof reference is here made for a more detailed description of said premises.

ALSO: All that Tract or Parcel of Land, situate in the Town of Hope, County of Hamilton and State of New York, being a part of Lot Number Four in a tract of land of fifteen hundred acres in the Middle and River Division of Palmer's Purchase, and is further bounded and described as follows: Beginning at the north corners of Lots No. 1 and 2, same tract, and runs thence northerly along the east line of said (Lot) No. 4 to the road leading past the School House Dist. No. 5; thence westerly along said road to the intersection of a road leading toward Tenantville, N.Y.; thence southerly along said Tenantville road to the said corner of Lots Nos. 1 and No. 2, the place of beginning. Containing about one-half an acre of land, more or less. The said line or course goes on and includes to the south fence of said Tenantville Road, meaning to convey to the party of the second part all of the road. Being also the same lands and premises heretofore conveyed to John A. Williams, late of the Town of Hope, N.Y., deceased, by George B. Bass and Henrietta Bass, his wife, by deed dated October 10, 1914, and recorded in Hamilton County Clerk's Office on the 27th day of June, 1919, in Book No. 53 of Deeds, at page 305, to which said deed and the recording thereof reference is here made for a more detailed description of said premises.

BEING a the same premises to Portia Williams by Orra A. Brownell and Emma Brownell, his wife, and Buel Brownell by Quit Claim Deed, dated August 7, 1937 and recorded in the Hamilton County Clerk's Office on August 9, 1937 in Book 73 of Deeds at page 447. Thereafter, Seymour M. Brownell, as the surviving husband of Jennie L. (Mrs. S.M.) Brownell conveys his interest in the above said premises by Quit Claim Deed dated May 5, 1941 and recorded in the Hamilton County Clerk's Office on May 24, 1941 in Book 77 of Deeds at Page 403.

The said Portia B. Williams died intestate on April 25, 1978, Letters of Administration in the Estate of Portia B. Williams were issued to Mary LaFoe by the Fulton County Surrogate's Court on April 22, 2004.

Excepting and reserving therefrom a parcel of land conveyed by Portia B. Williams to Ralph G. Clausen by Deed dated May 15, 1941 and recorded in the Hamilton County Clerk's Office on May 24, 1941 in Book 77 of Deeds at Page 404. Together with the right and privilege of crossing and re-crossing said premises with teams, vehicles and otherwise, along the line of an old wood road as the same is now laid out and used for the purpose of going to and from other lands formerly owned by Portia B. Williams and adjoining the premises hereby conveyed from and to the above mentioned road as excepted and reserved in the above mentioned deed in Book 77 at page 404.

Excepting and reserving therefrom a parcel of land conveyed by Portia Williams to Russell Cole and Nancy Cole, his wife, by Warranty Deed dated September 14, 1974 and recorded in the Hamilton County Clerk's Office on November 1, 1974 in Book 164 of Deeds at Page 272.

Excepting and reserving therefrom a parcel of land conveyed by Portia Williams to Orra C. Brownell by Warranty Deed dated September 14, 1974 and recorded in the Hamilton County Clerk's Office on November 1, 1974 in Book 164 of Deeds at Page 274.

Excepting and reserving therefrom a parcel of land conveyed by Portia Williams to Keith E. Hoffman and Kathaleen M. Hoffman by Warranty Deed dated October 29, 1974 and recorded in the Hamilton County Clerk's Office on November 1, 1974 in Book 164 of Deeds at Page 276.

Excepting and reserving therefrom a parcel of land conveyed by Portia Williams to John Harris Williams by Warranty Deed dated May 5, 1976 and recorded in the Hamilton County Clerk's Office on May 7, 1976 in Book 167 of Deeds at Page 659.

SUBJECT TO Adirondack Park Settlement Agreement Dated October 20, 2005 and recorded in the Hamilton County Clerk's Office on October 26, 2005 in Book 6 of APA Permits at Page 525.

BEING the same premises conveyed to Michael Toohey and Thomas Toohey, III from Mary LaFoe, Administrator of the Estate of Portia B. Williams, by Administrator's Deed dated July 11, 2006 and recorded in the Hamilton County Clerk's Office on July 13, 2006 in Book 237 of Deeds at Page 402.

ALSO SUBJECT TO Adirondack Park Agency Amended Settlement Agreement dated September 13, 2008 and recorded in the Hamilton County Clerk's Office on September 30, 2008 in Book 7 of APA Permits at Page 413.

A MORE MODERN DESCRIPTION OF THE ABOVE REFERENCED PARCEL IS AS FOLLOWS:

All that tract or parcel of land situate in the Town of Hope, County of Hamilton and State of New York being more particularly described as follows:

Beginning at an iron rod set in the northeasterly line of Rice Road at the southwest corner of the lands of Orra Brownell, running thence along the southerly line of the lands of Orra Brownell and the lands of Nancy Brownell N 67°42'40" E 1560.00' to an iron rod set, thence along the easterly line of the lands of Nancy Brownell N 24°30'00" W 416.00' to an iron rod set in the southerly line of the lands of William R. Gleaves III & Candace R. Ambrosino, running thence along the southerly line of the lands of Gleaves and Ambrosino N 67°42'20" E 1013.75' to a drill hole in a boulder, thence along the westerly line of the lands of HSUS Wildlife Land Trust as marked by a wire fence and stone wall S 23°23'30" E 1637.48' to an iron post found, thence along the northerly line of the lands of Joseph P. Strelka (now reputedly of Susan Imgruth) as marked by a stonewall & wire fence S 67°27'20" W 1611.08' to an iron rod set, thence along the northeasterly line of the lands of Thomas A. Carroll, Jr. et al. N 46°30'00" W 1300.00' to an iron rod set, thence along the northwesterly line of the lands of Carroll S 43°30'00" W 434.86' to an iron rod set in the northeasterly line of Rice Road, thence along the northeasterly line of Rice Road N 37°59'10" W 114.47' and N 31°13'50" W 112.38' to the point of beginning, containing 63.74 acres.

TOGETHER with the appurtenances and all the estate and rights of the party(ies) of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party(ies) of the second part his/her/their heirs and assigns forever.

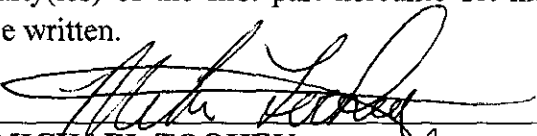
AND the said party(ies) of the first part covenant(s) as follows:

FIRST – That the party(ies) of the second part shall quietly enjoy the said premises;

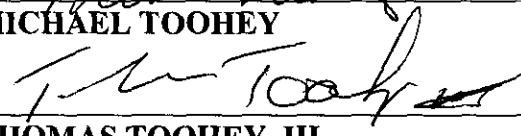
SECOND - That the party(ies) of the first part will forever warrant the title to said premises;

THIRD - That, in compliance with Sec. 13 of the Lien Law, the party(ies) of the first part 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 party(ies) of the first part hereunto set his/her/their hand(s) and seal(s) the day and year first above written.



MICHAEL TOOHEY L.S.



THOMAS TOOHEY, III L.S.

STATE OF NEW YORK }
COUNTY OF FULTON } SS.:

On the 26th day of August in the year 2011 before me, the undersigned, personally appeared **MICHAEL TOOHEY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public or Commissioner of Deeds
Michael J. Paul
Fulton County
my comm. expires 2/21/13

STATE OF NEW YORK }
COUNTY OF FULTON } SS.:

On the 26th day of August in the year 2011 before me, the undersigned, personally appeared **THOMAS TOOHEY, III** personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public or Commissioner of Deeds
Michael J. Paul
Fulton County
my comm. expires 2/21/13

Record & Return to:
Roger L. Paul, Esq.
P.O. Box 629
Northville, NY 12134