



SARATOGA COUNTY - STATE OF NEW YORK

KATHLEEN A. MARCHIONE, COUNTY CLERK
40 MCMASTER STREET, BALLSTON SPA, NY 12020

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



RECEIPT NO. : 2012211793501

Clerk: NP
Instr #: 2012039216
Rec Date: 10/19/2012 12:10:43 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 4

Party1: HIGHLAND REAL PROPERTY LLC
Party2: R RIMUALDO PROPERTIES LLC
Town: WILTON

Recording:

| | |
|---------------------------|---------|
| Pages | 15.00 |
| Cover Sheet Fee | 5.00 |
| Recording Fee | 20.00 |
| Names | 0.00 |
| TP 584 | 5.00 |
| RP 5217 - County | 9.00 |
| RP 5217 - State - All oth | 241.00 |
| Education Fee | 20.00 |
| Sub Total: | 315.00 |
| Transfer Tax | |
| Transfer Tax | 3040.00 |
| Sub Total: | 3040.00 |
| Total: | 3355.00 |

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

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

Transfer Tax# : 1412

Consideration: 760000.00
Transfer Tax: 3040.00

Record and Return To:

BILL NEALON
PO BOX 151
GLENS FALLS NY 12801

THIS INDENTURE

Made the *16th* day of *October*, Two Thousand Twelve

BETWEEN Highland Real Property, LLC, New York limited liability company, with offices for the conduct of business located at 11 Beacon Hill Drive, Saratoga Springs, New York 12866

party of the first part, and

R. Rimualdo Properties, LLC, a New York limited liability company, with offices for the conduct of business located at 7 Grants Way, Gansevoort, New York 12831

party of the second part,

WITNESSETH that the party of the first part, in consideration of ONE AND 00/100 DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, do hereby grant and release unto the party of the second part, his heirs, distributees and assigns forever,

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

BEGINNING at a point at the southwesterly corner of lands of Ko-Ho Realty, LLC as recorded in the Saratoga County Clerk's Office in Liber 1575 of Deeds Page 466. Thence along the northerly line of Commerce Park Drive along a curve to the left with a Delta angle = $58^{\circ} 39' 45''$; Radius = 210.00 and a Length of 215.01 feet to a point. Thence along the easterly line of lands of Industrial Park LLC as recorded in Liber 1556 of Deeds Page 107 and along the easterly line of Lot 4 N $08^{\circ} 42' 42''$ W, 287.65 feet to a point. Thence along the southerly line of lands of Robert Moran as recorded in Liber 1031 of Deeds, page 1133 S $82^{\circ} 04' 45''$ E, 568.01 feet to a point. Thence along the westerly line of Lot 6 and the westerly line of said Ko-Ho Realty, LLC S $49^{\circ} 31' 54''$ W, 429.12 feet to the point of beginning. Containing 2.598 acres of land. All distances are level and all bearings are based on record north per filed Saratoga County map W-356 A-6.

SUBJECT TO a mortgage by Joseph J. VanBuren to The Adirondack Trust Company for \$200,000.00, recorded May 6, 2004 in Liber 3533 of Mortgages, page 127; and Joseph J. VanBuren having conveyed all his right, title, and interest to the real property securing said Mortgage and subject to the same to Highland Real Property, LLC, by Deed dated March 7, 2005, and recorded March 14, 2005 in Book 1713 of Deeds at Page 19; and the premises being subject to a further Mortgage made by Highland Real Property, LLC to The Adirondack Trust Company for \$501,514.10, recorded September 15, 2006 in Liber 4210 of Mortgages, page 135; said mortgages having been consolidated by Consolidation, Modification and Extension Agreement between The Adirondack Trust Company and Highland Real Property, LLC, dated September 13, 2006, and recorded September 15, 2006 in Book 4210 of Mortgages, Page 141, in

the amount of \$682,500.00; as modified by Note Modification Agreement between The Adirondack Trust Company and Highland Real Property, LLC dated April 20, 2007, and recorded May 4, 2007 as Instrument #2007017895; as modified by Note Modification Agreement between The Adirondack Trust Company and Highland Real Property, LLC dated June 13, 2010, and recorded August 11, 2010 as Instrument #2010025386; and as modified by Note Modification Agreement between Grantee herein and The Adirondack Trust Company, and recorded simultaneously herewith, which modification modifies the interest rate on the outstanding principal balance of Three Hundred Eighty Five Thousand and 00/100 dollars (\$385,000.00) now owing on said mortgage debt to the rate of five percent (5.00%) per annum, and which outstanding balance the party of the second part hereby assumes and agrees to pay as part of the purchase price of the above described premises, and the party of the second part hereby executes and acknowledges this instrument for the purpose of complying with the provisions of section 5-705 of the General Obligations Law.

This conveyance is made and accepted subject to all covenants, conditions, easements and restrictions of record affecting said premises.

BEING the same premises conveyed to the party of the first part by deed dated March 7, 2005 and recorded in the Saratoga County Clerk's Office on March 14, 2005 in Book 1713 of Deeds at Page 19.

Together with the appurtenances and all the estate and rights of the party 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, his heirs, distributees and assigns forever.

And said party of the first part covenant as follows:

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

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

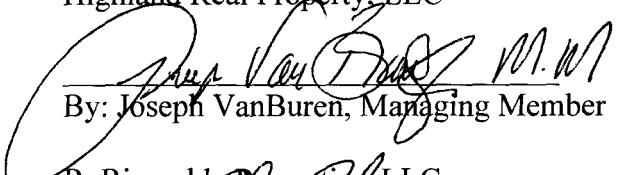
Third, That in Compliance with Sec. 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the 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 party of the first part have hereunto set their hands and seals

the day and year first above written.

IN PRESENCE OF

Highland Real Property, LLC


By: Joseph VanBuren, Managing Member

R. Rimualdo Properties, LLC


By: Ralph J. Rimualdo, Member

STATE OF NEW YORK}
COUNTY OF Saratoga }ss.:

On the 6 day of October, 2012 before me, the undersigned, personally appeared Joseph VanBuren, 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.

STATE OF NEW YORK}
COUNTY OF Saratoga }ss.:

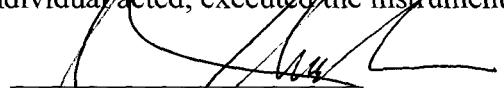

Walter Breakell

Notary Public

WALTER BREAKELL
Notary Public State of New York
#02BR4783721

Qualified in Albany County
Commission Expires September 30, 20 13

On the 16 day of October, 2012 before me, the undersigned, personally appeared Ralph J. Rimualdo, 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

WILLIAM J. NEALON, III
Notary Public, State of New York
No. 4F05843

Qualified in Warren County
Commission Expires 9/30/2014

Record & Return to:

Bill Nealon
PO Box 151
Glen Falls, NY 12801