

WARRANTY DEED

THIS INDENTURE MADE THE 30<sup>TH</sup> DAY OF August, 1988

BETWEEN GORDON THAYER, residing at 1669 Ridge Road, Lansing New York party of the first part, and

VAUGHN H. SELBY and ARLENE F. SELBY, husband and wife as tenants by the entirety residing at 105 Ludlow Road, Lansing, New York,, parties of the second part,

WITNESSETH, that the party of the first part, in consideration of ONE AND NO/100 (\$1.00) DOLLAR, lawful money of the United States, and other good and valuable consideration paid by the parties of the second part, does hereby grant and release unto the parties of the second part, his or her heirs, distributees and assigns forever.

ALL THAT PIECE OR PARCEL OF LAND situate in the Town of Lansing, County of Tompkins, State of New York and located on Ludlow Road in said town more particularly bounded and described as follows: Commencing at a point in the centerline of Ludlow Road which said point is located S. 17° 00' 00" E. 1,097 feet from the intersection of the said centerline of Ludlow Road with the centerline of Algerine Road in said town, said point or place of beginning also being the southwesterly corner of premises heretofore conveyed by grantor to DONALD J. SHELDON, and JANE P. SHELDON by deed dated December 14, 1972 and recorded in the Tompkins County Clerk's Office in Liber 505 of deeds at page 123; thence running N 83° 08' E 475 feet to an iron pin; thence N 17° 00' W 258.63 feet to an iron pin; thence N 88° 37' 00" E 735.65 feet to an iron pin; thence S 19° 28' 40" E 701.51 feet to an iron pin; thence S 68° 30' 10" W 860.73 feet to a point which said point marks the Southeast corner of premises heretofore conveyed to grantees herein; thence N 17° 00' W along grantees' Easterly line 225.71 feet to a point marked by an iron pin; thence S 70° 58' W along grantees' Northerly line and passing through an iron pipe at 319.20 feet and running a total distance of 349.20 feet to a point in the center line of said Ludlow Road; thence N 17° 00' 00" W 60.04 feet along the center line of Ludlow Road to a point; thence N 70° 58' E 935.90 feet to a point; thence N 19° 28' 40" W 258.86 feet to a point; thence S 83° 08' W 943.24 feet to a point in the center line of Ludlow Road; thence N 17° 00' 00" W 60.95 feet along the center line of Ludlow Road to the point or place of beginning

SUBJECT to the following to the extent they affect the above described premises:

1.) The rights of the public in and to that portion of the above described premises lying within the bounds of the public highway.

2.) The right of ingress and egress in common with

grantor, his successors, heirs and assigns across a 60 foot strip of land as shown on a survey map and designated as " Roadway R.O.W." on a survey entitled "Map of Survey Parcel of Land owned by Thalapp Builders Inc.," dated October 20, 1975 drawn by R. L. MacDowell and filed in the Tompkins County Clerk's Office on December 23, 1975.

3.) Further subject to the rights of ingress and egress over the same 60 foot right of way as conveyed to Thomas J. Cook, and Carolyn Cook, their heirs, successors and assigns by deed of Thalapp Builders Inc. dated December 3, 1975 and recorded in the Tompkins County Clerk's Office in liber 549 at page 572.

4.) An easement given by Thalapp Builders Inc., to New York State Electric and Gas Corporation and New York Telephone Company dated February 11, 1974 and recorded April 3, 1974 in the Tompkins County Clerk's Office in liber 517 of deeds at page 297.

5.) Right of way granted to New York State Electric and Gas Corporation dated October 22, 1947 and recorded in the Tompkins County Clerk's Office in liber 305 of deeds at page 68.

6.) An easement given to the New York State Electric and Gas Corporation by instrument dated January 28, 1972 and recorded in said clerk's office in liber 499 of deeds at page 45.

7.) An easement granted to the New York Telephone Company by instrument acknowledged July 7, 1972, and recorded July 26, 1972 in said clerk's office in liber 501 of deeds at page 638.

SUBJECT to the following covenants which shall run with the land for a period ending June 9, 1997.

1.) The land shall be used for residential purposes only.

2.) Modern sanitary septic tank system, approved and installed pursuant to directions of the Tompkins County Department of Health shall be used.

3.) No building shall be erected other than a private dwelling, and once a private dwelling is erected a garage for personal passenger cars and buildings incidental to a private dwelling. Any dwelling constructed on said lot shall have a market value of at least \$25,000.00 exclusive of land.

4.) The premises shall not be used for commercial purposes of any kind or nature.

5.) No livestock or poultry of any kind or nature shall be kept on the premises, except the usual household pets. Any pets kept on the premises shall be harbored in such manner as to avoid any inconvenience or annoyance to surrounding landowners.

6.) The exterior of any house constructed on the premises (exclusive of landscaping) shall be completed within two years after foundation is finished.

7.) No trailers or mobile homes shall be kept on the premises at any time except camping vehicles may be stored on the premises provided that they are stored in a building or stored on the premises behind landscaping in such manner as to be out of sight from the public highways and adjoining landowners

8.) The premises shall not be used for storage of any materials, equipment or supplies of any kind or nature.

9.) Any dwelling and buildings incidental thereto, constructed on said premises, shall be built at least 25 feet from any street or highway line and at least 12 feet from the lot lines.

10.) No fence or wall, other than the wall of a building, may be built to a height of more than 6 feet so that same will not interfere with a neighbor's light, air or view.

These restrictions may be modified by agreement of a majority of owners of parcels located within 300 feet of the perimeter of the above described premises.

BEING a part of the same premises conveyed to grantor herein by deed of Thalap Builders, Inc. dated October 21, 1977 and recorded October 25, 1977 in the Tompkins County Clerk's Office in liber 561 of deeds at page 56. Reference is hereby made to a certain map of survey entitled "Map of Survey Showing Parcels of Land on Ludlow Road," dated August 24, 1974, and amended May 10, 1988, drawn by R. L. MacDowell, Jr., said map being filed concurrently herewith.

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 parties of the second part, their heirs, distributees and assigns forever.

AND SAID party of the first part covenants as follows:

FIRST, that the parties of the second part shall quietly enjoy the said premises;

SECOND, that said 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 grantor 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 any improvements before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF

Gordon Thayer L.S.  
GORDON THAYER

STATE OF NEW YORK)  
COUNTY OF TOMPKINS) SS:

On this 30<sup>th</sup> day of August, Nineteen Hundred and EIGHTY EIGHT before me, the subscriber, personally appeared GORDON THAYER to me personally known and known to me to be the same person described in and who executed the within Instrument, he acknowledged to me that he executed the same.

*Wesley E. McDermott*  
NOTARY PUBLIC

WESLEY E. McDERMOTT  
Notary Public, State of New York  
No. 55-7816135  
Qualified in Tompkins County  
Term Expires OCT 31, 1988

RECEIVED  
\$ 92.00  
REAL ESTATE  
33 AUG 30 1988  
TRANSFER TAX  
TOMPKINS  
COUNTY

Tompkins County, ss: \_\_\_\_\_ Day of August 1988  
Recorded on the 30<sup>th</sup> of DEEDS  
4:09 o'clock P.M., in Liber 639  
at page 689 and examined. Rachel A. Pierce Clerk

WESLEY E. McDERMOTT  
ATTORNEY AT LAW  
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ITHACA, N. Y. 14850  
(607) 273-8410