A 291

Standard N.Y.B.T.U. Form 8007
Bargain & sale deed, with covenant against grantor's acts—Ind. or Corp.

DATE CODE

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT – THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made as of the 1st day of January, nineteen hundred and eighty-five

BETWEEN RUSTIC VILLAGE, a New York general partnership having an office at Executive Park North, Albany, New York 12203,

Send Tax Bills to; National Savings Bank of Albany
90 STATE St.
Albany, NY 12207

Map 107-13
Par 132 thr

party of the first part, and

BOOK 6502 PAGE 589

WATERVLIET SHORES ASSOCIATES, a New York general partnership having an office at Executive Park North, Albany, New York 12203

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

TEN ---------- dollars,

lawful money of the United States, and other valuable consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

ALL two tracts of land in Davidson County, Tennessee as follows: TRACT NO. I: Land in the 2nd Civil District of Davidson County, Tennessee, described partly according to a survey made by T. R. Sanford, Surveyor, May 31, 1966, and described as follows: BEGINNING at a point in the easterly margin of a 25 foot easement for gravel drive between the properties owned by Marion Thurman and wife, and Roger C. Smith, said point is 175.87 feet south of the southerly margin of Thompson Place, formerly Honeysuckle Place, thence North 82° E 173 feet more or less to a point; thence south 11° 24' E 72.2 feet to a point; thence South 84° W 175 feet to a point in the easterly margin of said easement for gravel drive; thence North 0° 30' W along the easterly margin of said easement for gravel drive, 65 feet to the point of beginning. BEING the same property conveyed to Marion Thurman and wife, Eva M. Thurman, by deed from Roger C. Smith, of record in Book 4151, page 171, Register's Office for Davidson County, Tennessee. Conveyance of this tract is subject to a deed of trust to Charles Nelson, Trustee, of record in Book 4155, page 266, RODC, Tenn.

TRACT NO. II: A certain tract or parcel of land lying and being in the Second, formerly the Third Civil District of Davidson County, Tennessee, described according to a survey made by Z. J. Wilkinson, Surveyor, January 4, 1960, as follows: BEGINNING on the southerly margin of Honeysuckle Lane in the westerly line of 16.81 acres conveyed to M. E. Eubank, by deed from Joseph R. West, Clerk and Master, of record in Book 851, page 284, Register's Office for said County, thence with said lane, north 81° east 349 feet to an iron pin; thence south 9° 30' east 240 feet to an iron pin; thence north 84° east 125 feet to an iron pin; thence south 6° east 144.5 feet; thence south 89° 30' west 32 feet to a post; thence south 57° 15' west 165 feet to a post; thence north 23° 02' west 291 feet to a post; thence north 47° 35' west with a fence 246.3 feet to the beginning.

BEING the same premises conveyed by OAK PARK GARDENS, INC. to RUSTIC VILLAGE by deed dated May 1, 1977, and recorded in the office of the Registrar of Davidson County, Tn. on July 7, 1983 in Book 6090 at page 441.

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 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, the heirs or successors and assigns of the party of the second part forever.

This conveyance is made subject to a deed of trust dated June 30, 1983, made by RUSTIC VILLAGE to Harold C. Hanson, Trustee, and The National Savings Bank of the City of Albany, recorded in Book _____ at page _____, given to secure a deed of trust note dated June 30, 1983, in the original principal sum of One Million Dollars, to be paid by RUSTIC VILLAGE pursuant to the terms of a wrap around deed of trust bearing even date, intended to be recorded herewith.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered 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 the party 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.

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:

RUSTIC VILLAGE
By:

Sidney Albert,
General Partner

Prepared by:
Marvin I. Honig
Attorney at Law
54 Second Street
Troy, N.Y. 12180

STATE OF NEW YORK, COUNTY OF Albany ss:

On the 2ND day of January 1985, before me personally came Sidney Albert, a general partner of RUSTIC VILLAGE, A New York general partnership to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same. on behalf of and as the act and deed of said partnership.

Marvin I Honig

MARVIN I. HONIG
NOTARY PUBLIC, State of New York
Residing in Rensselaer County
Reg. No. 1850358
Term Expires 3-30-85

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No. ; that he is the of , the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed h name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

BOOK 6502 PAGE 591

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. ; that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

RUSTIC VILLAGE

TO

WATERVLIET SHORES ASSOCIATES

(Terrace Hill Apartments)

SECTION
BLOCK
LOT
COUNTY OR TOWN

RETURN BY MAIL TO:

Marvin I. Honig, Esq.
54 Second Street
Troy, New York 12180

Zip No.

[518] 274-7252

Reserve this space for use of Recording Office.

STATE OF NEW YORK)

COUNTY OF ALBANY)ss.:

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SIDNEY ALBERT, being duly sworn, deposes and says: that I am a partner of Rustic Village, a New York General Partnership of Sidney Albert, Irving Kirsch and Morris Massry; that Rustic Village partnership has made a conveyance of real property known as the "Terrace Hill Apartments", Nashville, Tenn. to Watervliet Shores Associates, a New York general partnership. The actual consideration for this transfer of this property is $1,100,000.00, and upon information and belief, such consideration is equal to or greater than the fair market value of the property at a voluntary sale.

Sidney Albert

Sworn to and subscribed before
me this 2nd day of Janaury, 1985

MARVIN I. HONIG
NOTARY PUBLIC, State of New York
Residing in Rensselaer County
Reg. No. 1850358
Term Expires 3-30-85

I 8 6 4 7 6

IDENTIF. REFERENCE

MAR 1 3 43 PM '85

FELIX A. WILSON JR. REGISTER
DAVIDSON COUNTY, TN

OFFICIAL RECEIPT
FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____ BOOK 6502 PAGE 593

FOR _____

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID
	CO.	1100000.00	2860.00-	CAMT.
			VB 2860.00	CAMT.
			2860.00	CSTAX
			.50	PRFEE
			12.00	WDEED
				CHECK 2872.50-
			5264A03/01/85 BAL	.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

I 8 6 4 7 6

IDENTIF. REFERENCE

MAR 1 3 49 PM '85

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

No. 112539