

TOWN OF CHARLTON
SUBDIVISION APPLICATION FORM - PART 1

Information about the property as it now exists

Property owner(s): James C. Holbrook and Mary E. Holbrook (as listed on the deed)

Owner's address: 4296 Jockey Street Charlton NY 12019

Address of proposed subdivision (if different from owner's address): 2107 Route 67

Owner's phone number: 518-522-3317 Email: _____

Applicant name (if different from the owner): Same as Owner
(if the applicant is a party with a purchase agreement, include a copy of the purchase agreement)

Applicant address: Same as Owner

Applicant phone number: Same as Owner Email: _____

Consultant name/address: VanGuilder Surveying 988 Route 146 Clifton Park, NY 12065

Consultant phone number: 518-383-0634 Email: kweed@gvglandsurveyors.com

Tax map number(s): 225.-1-33.11 Size of property (acres): 87.35
(include block and lot numbers if available)

Road frontage (feet): 2103± on (name of road): Route 67

Road frontage (feet): 391± on (name of road): Jockey Street

Distance to nearest intersection (feet): 0 Name of cross street: Intersection of Jockey Street and Route 67

Zoning district: Residential _____ Residential/Agricultural _____ Agricultural X

Does property have:
Agricultural Exemption: Y or N Conservation Easement: Y or N Special Use Permit: Y or N Variance: Y or N
(if yes to any of the above, please provide permit/variance number, date of issuance, and stipulations)

This property has an ag tax exemption

Area of (acres): State Wetlands: 11.5 Federal wetlands: 1 Flood Plain: 0
(if this information is not known now, it will have to be obtained before the final plan will be complete)

Stream name(s) and classification(s): N/A

Was this property the result of a subdivision within the last 15 years? Y or N

If yes, when and by whom: _____

Describe current uses of the property: This property is currently under agricultural use and also has a single family residence

TOWN OF CHARLTON
SUBDIVISION APPLICATION FORM - PART 2

Information about the proposed subdivision

Purpose of proposed subdivision: This is a proposed three lot subdivision. One lot will contain the existing single family residence, one lot is for a proposed single family residence, and one lot will contain the agricultural fields.

Number of proposed lots: 3 (application fee is \$300 per new lot created - see review guide)

Size of minimum proposed lot (acres): _____ Minimum road frontage of proposed lot (feet): 202.74


Are new roads proposed? No if yes, how long (feet): N/A

Proposed source of potable water: Private well

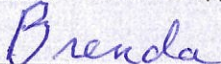
Proposed method of sewage disposal: Private septic

Does the proposed subdivision comply with Zoning Ordinance Requirements for all lots?: Yes

Consult the Review Guide for material which must accompany this application. A list of required material is found under Step 2 - Preliminary Application.

SIGNATURE OF APPLICANT:  DATE: 3/2/23

Print name: Kevin Weed (Agent)

PLANNING BOARD USE ONLY
Date application received by Town: 3-3-2023 Amount of application fee paid \$ 600
Signature of Town Official accepting fee: 

Gilbert VanGuilder
Land Surveyor, PLLC
988 Route 146, Clifton Park, NY 12065
383-0634
FAX 371-8437

Members:

Robert A. Wilklow, PLS
Kevin H. Weed, PLS

January 26, 2023

PROJECT NARRATIVE
SUBDIVISION
2107 NYS ROUTE 67

The applicant, James C. Holbrook is the owner of property located at the southwest corner of the intersection of NYS Route 67 and Jockey Street, identified as tax parcel 225.-1-33.11. This parcel is part of the Holbrook farm, and has been in the Holbrook ownership since 1959. The property is 87.35 acres per tax mapping, and is in the Agricultural zone. Currently, approximately 60 acres of the property is agricultural cropland, with the remaining being forested. Within the forested portion of the property in the northwesterly corner is an existing single family residence on a private well and private septic. The applicant proposes to subdivide this property into three (3) total lots. The purpose of this subdivision is for estate planning purposes. Mr. Holbrook's wife unfortunately passed away, and he is looking to divide his estate among the children. Mr. Holbrook is looking to create one additional residential lot on the property for one of his adult children to build a home. Lot one is proposed to be 5.34± acres in size and will contain the existing single family house, well and septic. Lot 2 is proposed to be 8.65± acres in size and is for the construction of a proposed single family house. Lot 3 is proposed to be 73.36± acres in size and will contain all of the existing agricultural fields and is proposed to remain vacant, and in agricultural use.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: James C. Holbrook			
Project Location (describe, and attach a location map): This property is located at the intersection of Jockey Street and Route 67 in the Town of Charlton			
Brief Description of Proposed Action: This action is a proposed three lot subdivision. One lot will contain the existing single family residence, one lot is for a proposed single family residence, and the third lot will contain the existing agricultural fields and uses.			
Name of Applicant or Sponsor: James C. Holbrook		Telephone: 518-522-3317	
		E-Mail:	
Address: 4296 Jockey Street			
City/PO: Charlton		State: NY	Zip Code: 12019
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		87.35 acres	
b. Total acreage to be physically disturbed?		0.4 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		87.35 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Proposed private well _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Proposed private septic _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The additional proposed single family residence will have impervious surface (roof, driveway) that will create runoff. There are no proposed changes to the existing drainage patterns, so the runoff will continue to discharge to the same downstream receiving areas that currently collect runoff from the site.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Kevin Weed (Agent)</u> Date: <u>3/2/23</u> Signature: <u>[Signature]</u> Title: <u>member</u>		

Project:

Hollbrook

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]
Project: Holbrook
Date: _____

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

AGRICULTURAL DATA STATEMENT AND CONTROL FORM

Town of Charlton Tax Parcel No. 225 1 33.11
(section) - (block) - (lot)
Consolidated Agricultural District No. 1 or 2 Street Name Route 67
(circle)

NOTE: Section 283-a of the Town Law (effective July 1, 1993) requires that any application for a Special Permit, Site Plan Approval, Use Variance or Subdivision Approval **on property within an Agricultural District containing a farm operation, OR on property with boundaries within five hundred (500) feet of a farm operation that is located in an Agricultural District**, include an Agricultural Data Statement. **ALL** applications requiring an Agricultural Data Statement must be referred to the Saratoga County Planning Board in accordance with amended section 239-m and 239-n of the General Municipal Law (effective July 1, 1993).

Part I: Agricultural Data Statement

Name of Applicant James C. Holbrook

Mailing Address 4296 Jockey Street Charlton NY 12019

Description of Project Proposed three (3) Lot subdivision. Lot 1 is
5.34[±] acres in size with existing House, well, septic. Lot 2 is
8.65[±] acres in size for proposed House, well, septic. Lot 3 is
73.36[±] acres to remain vacant farmland.

Names and addresses of those owners of land within Consolidated Agricultural District No. 2 that contain farm operations AND are located within five hundred (500) feet of the project property:

- Garry Heflin 2158 Cook Road Ballston Lake, NY 12019
- Jason Kelsey 1004 Cheltingham Ct. Ballston Spa, NY 12020
- Amy Link 2115 Rt. 67 Ballston Lake, NY 12019
- Richard Smith 4561 Jockey Street Ballston Spa, NY 12020
- Judith Curtiss 4289 Jockey Street Ballston Lake, NY 12019

Attach to this form a copy of a tax map showing the site of the proposed project relative to the locations of farm operations identified above. Farm Operations are defined as "...the land used in agricultural production, farm buildings, equipment and farm residential buildings" according to Section 301, Article 25 AA of the Agricultural and Markets Law.

Part II: Submission and Evaluation (to be completed by Municipal Review Agency)

Type of Submission (Check appropriate type)

Use Variance ____ Special Use Permit ____ Site Plan Review ____ Subdivision Review ____

Municipal Review Authority (Check appropriate agency)

Zoning Board of Appeals ____ Planning Board ____ Town Board ____

Part III: Notice Provision (to be completed by Municipal Review Agency)

Consistent with Section 283-a(3) of the Town Law, written notice of the application described in Part I has been provided to the owners of land identified in the Agricultural Data Statement.

Date Notice Mailed _____

Part IV: Notice to County Planning Board (to be completed by Municipal Review Agency)

Consistent with Section 283-a(5) of the Town Law, the Clerk of the Municipal Review Authority identified in Part II must refer all applications requiring an Agricultural Data Statement to the County Planning Board.

Date Referred to County Planning Board _____

Use Agricultural Data Statement Referral Form

NOTICE

Regarding Disclosure Notice to Prospective Purchasers

As of July 1, 1999:

1. **When any purchase and sale contract is presented** for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district, the prospective grantor shall present to the prospective grantee a disclosure notice which states the following:

"It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

- 1a. Such disclosure notice shall be signed by the prospective grantor and grantee prior to the sale, purchase or exchange of such real property.
2. Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section three hundred thirty-three of the real property law.



Town of Charlton
Application for Subdivision - List of Neighboring Property Owners

In order for a Preliminary Application for a subdivision to be considered complete, a list is required that details all owners of property that are contiguous, adjacent to, or across an established road from the proposed boundaries of the subdivision. Tax Map Numbers, Names, and Addresses are required. Include all active farms within 1,500 feet for a minor subdivision or within 2,500 feet for a major subdivision. Property Class numbers in the 100 series indicate farms and crop land.

Owner James C. Holbrook Applicant Same

Tax Map # (s) on request for subdivision

Tax Map #	Property Class	Name (s)	Address
225.-1-9	Rural Vac	James C. Holbrook	4296 Jockey Street Charlton Ny 12019
225.-1-8.1	Dairy Farm	Richard W. Smith	4561 Jockey Street Ballston Spa, NY 12020
225.-1-34.3	Res Vac	Jason Kelsey	1004 Cheltingham Court Ballston Spa, NY 12020
225.-1-35	Rural Res	Garry Heflin	2158 Cook Road Ballston Lake, NY 12019
225.-1-36.1	Rural Vac	Garry Heflin	2158 Cook Road Ballston Lake, NY 12019
225.-1-83	Rural Res	Patrick McGrath	2108 Cook Road Ballston Lake, NY 12019
225.-1-84	Rural Vac	William Whipple	42 Maplewood Drive Charlton, NY 12019
225.-1-76	1 Family Res	Judith Curtiss	4289 Jockey Street Ballston Lake, NY 12019

Signature of
Preparer



date

3/2/23

Town of Charlton
Application for Subdivision - List of Neighboring Property Owners

In order for a Preliminary Application for a subdivision to be considered complete, a list is required that details all owners of property that are contiguous, adjacent to, or across an established road from the proposed boundaries of the subdivision. Tax Map Numbers, Names, and Addresses are required. Include all active farms within 1,500 feet for a minor subdivision or within 2,500 feet for a major subdivision. Property Class numbers in the 100 series indicate farms and crop land.

Owner _____ Applicant _____

Tax Map # (s) on request for subdivision

Tax Map #	Property Class	Name (s)	Address
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225.-1-11	Dairy Farm	James C. Holbrook	4296 Jockey Street Charlton NY, 12019
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225.-1-10	1 Family Res	Daniel Holbrook	2094 Route 67 Ballston Spa, NY 12020
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225.-1-6.12	Vac Farmland	Cynthia Leschen	370 County Line Road Schenectady, NY 12306
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Signature of
Preparer



date

3/2/23

AFFIDAVIT TO BE COMPLETED BY OWNER

STATE OF NEW YORK)

)ss:

COUNTY OF Saratoga)

James C. Holbrook, being duly sworn, deposes and says that he/she is the owner and/or developer of the real property subdivision known as Holbrook Farm, which subdivision is herewith submitted to the Town Planning Board of the Town of Charlton, New York, for its approval, pursuant to the Town Law of the State of New York and other statutes and ordinances in such cases made and provided.

That deponent has authorized Kevin Weed, to appear on his/her behalf in order to make application for subdivision approval and to obtain all approvals relating thereto.

Deponent states that, from his/her actual knowledge, the map or plan as submitted herewith is true and correct in every detail and correctly sets forth the owners of adjoining lands.

That this affidavit is made as an inducement to the Town of Charlton Planning Board for approval of the aforesaid subdivision plat.

Signed

James C. Holbrook

Sworn to before me this

27th day of January, 2023 (B)

Brenda L. Mills

Notary Public

BRENDA L. MILLS
Notary Public, State of New York
No. 01M6216258
Qualified in Saratoga County
Commission Expires January 11, 2023

BETWEEN

SAFARI CLUB COMPANY
CLERK'S OFFICE
BALISTON SPA, NY

התאחדות

JAMES C. HOLBROOK and MARY E. HOLBROOK, husband and wife, as tenants by the entirety, residing at 2107 Route 67, Ballston Lake, New York 12019

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

---ONE-----(\$1.00) dollars,

lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

BEGINNING in the center of the highway leading north from the west end of the Village of Charlton to Galway in said County, at the northeast corner of a piece of land formerly belonging to Henry Mead (now Perry Mead); thence north along the center of said highway thirty-three (33) chains and fifty (50) links to the southeast corner of a piece of land formerly belonging to Potter Hadden (now Guy Smith); thence west in the center of the old highway running west from Jockey Street to Scotch Church along the south line of lands of Guy Smith thirty (30) chains and seventy (70) links to lands formerly belonging to R. V. Mynders; thence south along said Mynders east line and land formerly belonging to James Stephens thirty-three (33) chains and fifty (50) links to the northwest corner of said Mead's land, and thence east along said Mead's north line thirty (30) chains and seventy (70) links to the place of beginning, containing one hundred acres of land, be the same more or less.

EXCEPTING all that parcel of land heretofore conveyed to Holbrook from the northeast corner, bounded and described as set forth in Book 603, Page 502.

ALSO EXCEPTING AND RESERVING therefrom the following described two parcels of land which are to be conveyed to B. Curtiss and Judith A. Curtiss by deed of even date herewith and intended to be recorded simultaneously herewith, more particularly described, as follows:

PARCEL ONE

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of
Charlton, County of Saratoga and State of New York,
bounded and described as follows:

BEGINNING at the northeasterly corner of lands heretofore conveyed by Holbrook to Curtiss by deed dated and recorded May 26, 1976 in the Saratoga County Clerk's Office in Book 959 of Deeds at Page 277, and running thence northerly along the westerly bounds of Jockey Street one hundred eighty (180) feet to a point; thence

DOC: 1253 PAGE: 645

1893 1959
westerly one hundred sixty-five (165) feet on a line parallel with the northerly line of lands heretofore conveyed by Holbrook to Curtiss as aforesaid; thence southerly one hundred eighty (180) feet to a point; thence easterly one hundred sixty-five (165) feet along the northerly line of Curtiss to the point and place of beginning.

PARCEL TWO

ALSO, ALL THAT OTHER TRACT OR PARCEL OF LAND, situate, lying and being in the Town of Charlton, County of Saratoga and State of New York, bounded and described as follows:

BEGINNING at the southeasterly corner of lands heretofore conveyed by Holbrook to Curtiss by deed dated and recorded May 26, 1976 in the Saratoga County Clerk's Office in Book 959 of Deeds at Page 277, and running thence southerly along the westerly bounds of Jockey Street to the common division line between this parcel on the north and lands reputedly of Catuccio on the south; thence westerly one hundred sixty-five (165) feet on a line parallel with the southerly line of lands heretofore conveyed by Holbrook to Curtiss as aforesaid; thence northerly and parallel to the westerly line of Jockey Street to the southwesterly corner of lands heretofore conveyed by Holbrook to Curtiss as aforesaid; thence easterly along the southerly line of Curtiss to the point and place of beginning.

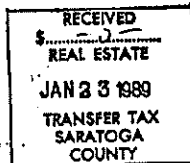
THE SECOND ABOVE DESCRIBED PARCEL IS SUBJECT TO AN EASEMENT, PERSONAL TO JAMES C. HOLBROOK AND MARY E. HOLBROOK, FOR ACCESS TO AND MAINTENANCE OF DRAINS LOCATED SOUTH OF THE POND ON THE SAID SECOND PARCEL.

Being a portion of the premises described in a deed from James L. Bunyan to Frank M. Holbrook and Barbara C. Holbrook, his wife, dated November 7, 1959, and recorded in Saratoga County Clerk's Office November 18, 1959, in Book 683 of Deeds at Page 74.

Barbara C. Holbrook died November 3, 1987 leaving Frank M. Holbrook as surviving tenant by the entirety.

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.

8 4106



AND the party of the first part, in compliance with Section 13 of the Lien Law, hereby 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:

Frank M. Holbrook L.S.
FRANK M. HOLBROOK

SGN 1253 647

STATE OF NEW YORK, COUNTY OF

On the 4th day of JANUARY 1989, before me personally came FRANK M. HOLBROOK

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

Robert L. Wolff Jr.

Robert L. Wolff Jr.
Notary Public State of New York
Qualified in Washington County
Commission Expires March 30th, 1992
Reg. #47270230

STATE OF NEW YORK, COUNTY OF

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 his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the _____ day of _____ 1989, before me personally came _____

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

STATE OF NEW YORK, COUNTY OF

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 his name as witness thereto.

Quitclaim Deed

Title No. _____

FRANK M. HOLBROOK

TO

JAMES C. HOLBROOK and MARY E. HOLBROOK, husband and wife, as tenants by the entirety,

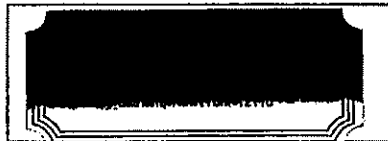
SECTION

BLOCK

LOT

COUNTY OR TOWN

RECORD AND RETURN BY MAIL TO:



RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

392

STATE OF NEW YORK
COUNTY CLERK
RECEIVED
JAN 10 1989
BY _____
COUNTY CLERK

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