



**Schoharie County Clerk
284 Main Street
Schoharie, NY 12157**

Return to:

ROSS LAW OFFICES
338 MAIN ST PO BOX 990
MIDDLEBURGH, NY 12122

Instrument Deed

Document Number: 467235 **Book:** 831 **Page:** 287 **Town:** Middleburgh

Grantor

SMITH, EDWARD ADM
SMITH, EUGENE G ADM
SMITH EUGENIA GRACE ESTATE OF

Grantee

DUFEK, FRED J
DUFEK, ROBIN M

Number of Pages: 3

Amount \$16000.00

Filing Date/Time 03/12/2007 at 10:08 AM

Receipt Number 41145

Transfer Tax Receipt
Schoharie County Clerk Received:
Trans Tax # 1014
.....\$64.00

Note:

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316A(5)&
319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH.

M. Indica Jaycox
M Indica Jaycox, County Clerk

*This Indenture**made the 20th day of December, 2006*

Between EDWARD SMITH
PO Box 111
Middleburgh, NY 12122

EUGENE G. SMITH
52 Lincoln Ave.
Yaphank, NY 11980

as co-administrators of the Estate of Eugenia Grace Smith, late of Suffolk County, State of New York, who died intestate on the 10th day of April 2005,

Parties of the First Part,

and FRED J. DUFEK and ROBIN M. DUFEK, his wife
56 Carlton Ave.
Islip Terrace, NY 11752

As tenants by the entirety,
Parties of the Second Part,

WITNESSETH, that whereas letters of administration were issued to the parties of the first part by the Surrogate's Court, County of Suffolk New York on April 24, 2006 and by virtue of the power and authority given in and by virtue of the power and authority given in and by Article 11 of the Estates, Powers and Trusts Law, or any amendment thereof from time to time made, and in consideration of Sixteen Thousand Dollars (\$16,000.00) lawful money of the United States, paid by the party of the second part, the receipt whereof is hereby acknowledged, does hereby grant and release unto the party of the second part, their heirs and assigns forever,

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate, lying, and being in the Town of Middleburgh, County of Schoharie, and State of New York, bounded and described as follows:

COMMENCING at an iron pin at the intersection of the lands herein conveyed with lands now or formerly of Homer Bassler and Bassler Town Road; thence ease along the lands now or formerly of Homer Bassler a distance of 275 feet more or less to an iron pin and lands of Edward and Lynda Smith; thence in a southerly direction along a stone wall fence and lands of Edward and Lynda Smith a distance of 900 feet more or less to an iron pin and lands of Thomas, Victoria and Antonette Margiotta, thence in a southwesterly direction along the lands of Edward and Lynda Smith, Thomas Victoria and Antonette Margiotta a distance of 458 feet more or less to an iron pin and said Bassler Town Road; thence in a northerly direction along Bassler Town Road a distance of 1370 feet more or less to the point or place of beginning, containing ten (10) acres, more or less.

BEING the same premises described in a deed dated October 18, 1976 from Thomas Margiotta, Victoria Margiotta and Antonette Margiotta by Paul Margiotta, Attorney-in-Fact, to Eugenia Grace Smith and was recorded in the Schoharie County Clerk's Office on October 23, 1976 in Book 373 of Deeds at Page 1093. Eugenia Grace Smith died, intestate, a resident of Suffolk County on April 10, 2005, Letters of Administration having been granted to Edward Smith and Eugene G. Smith on April 24, 2006.

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 line thereof;

TOGETHER with the appurtenances, and also all the estate which the said Decedent had at the time of death, in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said Estate or statute or otherwise

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, their

IN WITNESS WHEREOF, the parties have hereunto set his/her/their hands and seals the day and year first above written.

In Presence of

Edward Smith L.S.
EDWARD SMITH
Eugene G. Smith L.S.
EUGENE G. SMITH

STATE OF NEW YORK)
COUNTY OF Suffolk)ss:

On the 20 day of December, 2006 before me, the undersigned, a Notary Public in and for said State, personally appeared, EUGENE G. SMITH, the co-administrators of the Estate of Eugenia Grace Smith, 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 as such Administrator in his/her/their capacity and that by his/her/their signature on the instrument, the individual(s) or the persons on behalf of which the individual(s) acted, executed the instrument.

Kenneth A. Auerbach
Notary Public

KENNETH A. AUERBACH
Notary Public, State of New York
No. 02AU5007003
Qualified in Suffolk County
Commission Expires Jan. 19, 2007

STATE OF NEW YORK)
COUNTY OF)ss:

On the 20th day of December, 2006 before me, the undersigned, a Notary Public in and for said State, personally appeared, EDWARD SMITH, the co-administrators of the Estate of Eugenia Grace Smith, 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 as such Administrator in his/her/their capacity and that by his/her/their signature on the instrument, the individual(s) or the persons on behalf of which the individual(s) acted, executed the instrument.

Sean Smith
Notary Public

SEAN SMITH
Notary Public, State of New York
No. 02CM6020753
Qualified in Schoharie County
Commission Expires March 8, 2007

R&R:

Ross Law Offices
PO Box 990
Middleburgh, NY 12122