

WARRANTY DEED
WITH LIEN COVENANT

THIS INDENTURE made this 30th day of August, 2013,

Between: **JOSHUA A. BOCHNIAK and KRISTYN S. BOCHNIAK**, both of 1561 Slaterville Road, Ithaca, New York, 14850,

parties of the first part

and **DWAYNE HANDWERK and MARGUERITE HANDWERK**, husband and wife as tenants by the entirety, both of 519 Stablers Church Road, Parkton, MD 21120,

parties of the second part,

WITNESSETH, that the parties 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 parties of the second part, do hereby grant and release unto the parties of the second part, their heirs, executors, successors, distributees and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND situate in Town of Ithaca, County of Tompkins, State of New York, and being more particularly described on Schedule "A" annexed hereto and made a part hereof.

TOGETHER with the appurtenances and all the estate and rights of the parties 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, executors, successors, distributees and assigns forever.

AND said parties of the first part covenant as follows:

FIRST: That the parties of the second part shall quietly enjoy the said premises.

SECOND: That said parties of the first part will forever warrant the title to said premises.

THIRD: That, in Compliance with Section 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 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 parties of the first part have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF:



JOSHUA A. BOCHNIAK



KRISTYN S. BOCHNIAK

STATE OF Wisconsin)
COUNTY OF Brown) ss.:

On the 30th day of August, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared **JOSHUA A. BOCHNIAK and KRISTYN S. BOCHNIAK**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.



Notary Public

Karen Mazzoleni
Notary Public, State of Wisconsin

Property Address: 1561 Slaterville Road, Ithaca, New York 14850
Tax Parcel Number: 56.-2-6

SCHEDULE A

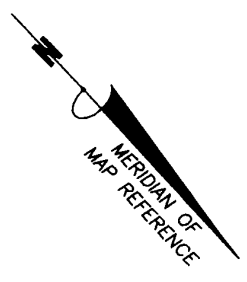
ALL THAT TRACT OR PARCEL OF LAND, together with the buildings and improvements thereon erected, situate, lying and being in the Town of Ithaca, County of Tompkins, State of New York, bounded and described as follows:

BEGINNING at a point in the centerline of New York State Route 79 - Slaterville Road, which point is 564.00 feet, more or less, from the intersection of the centerline of New York State Route 79 - Slaterville Road with the centerline of Park Lane; thence along the centerline of New York State Route 79 - Slaterville Road South $49^{\circ} 16' 49''$ East a total distance of 100.00 feet to a point; thence South $42^{\circ} 52' 16''$ West, along the northerly line of premises now or formerly owned by Lucas (539742-001), passing through an iron pipe at 32.35 feet, a total distance of 296.59 feet to a point marked by a found iron pipe; thence North $48^{\circ} 55' 00''$ West, along the easterly line of premises now or formerly owned by Six Mile Creek Farm, LLC (532303-001) a total distance of 100.00 feet to a point marked by a found iron pipe; thence North $42^{\circ} 52' 16''$ East, along the southerly line of premises now or formerly owned by Fortenberry (537995-001), passing through an iron pipe at 273.39 feet, a total distance of 295.95 feet to a point in the centerline of New York State Route 79 - Slaterville Road, being the point or place of beginning, CONTAINING 0.603 acre of land, more or less as delineated on a survey map entitled "Survey Map No. 1561 Slaterville Road, Town of Ithaca, Tompkins County, New York" made by T.G. Miller, P.C., Engineers and Surveyors, dated June 22, 2009 and revised August 26, 2013, a copy of which is attached hereto and which is incorporated herein by reference.

SUBJECT TO the following insofar as they may affect the above described premises:

1. Rights of the public in and to that portion of the above-described premises lying within the bounds of New York State Route 79 - Slaterville Road.
2. A Right-of-Way granted to the Town of Ithaca by deed of Sam J. Armisto and Agata Armisto dated September 19, 1977 and recorded December 1, 1977 in the Tompkins County Clerk's Office in Liber 561 of Deeds, Page 820.
3. An easement granted to New York State Electric and Gas Corporation by deed of Jean M. Sherf dated November 18, 1954 and recorded February 5, 1955 in the Tompkins County Clerk's Office in Liber 375 of Deeds at Page 265.
4. A Right-of-Way granted to New York State Electric and Gas Corporation by deed of Florence Hart dated March 15, 1948 and recorded in Liber 312 of Deeds at Page 28.

Being the same premises conveyed by Scott E. Gabriel and Kirsten K. Gabriel to Joshua A. Bochniak and Kristyn S. Bochniak by deed dated July 15, 2009 and recorded July 16, 2009 in the Tompkins County Clerk's Office as Instrument #545203-001.



SIX MILE CREEK FARM, LLC (R.O.)
532303-001

FORTENBERRY (R.O.)
537995-001

PIPE FOUND
N 48°55'00" W 100.00'

JOSHUA A. BOCHNIAK
KRISTYN S. BOCHNIAK
INST. NO. 545203-001
TAX MAP PARCEL No. 56-2-6
AREA=0.603 ACRES NET TO ROAD R/W

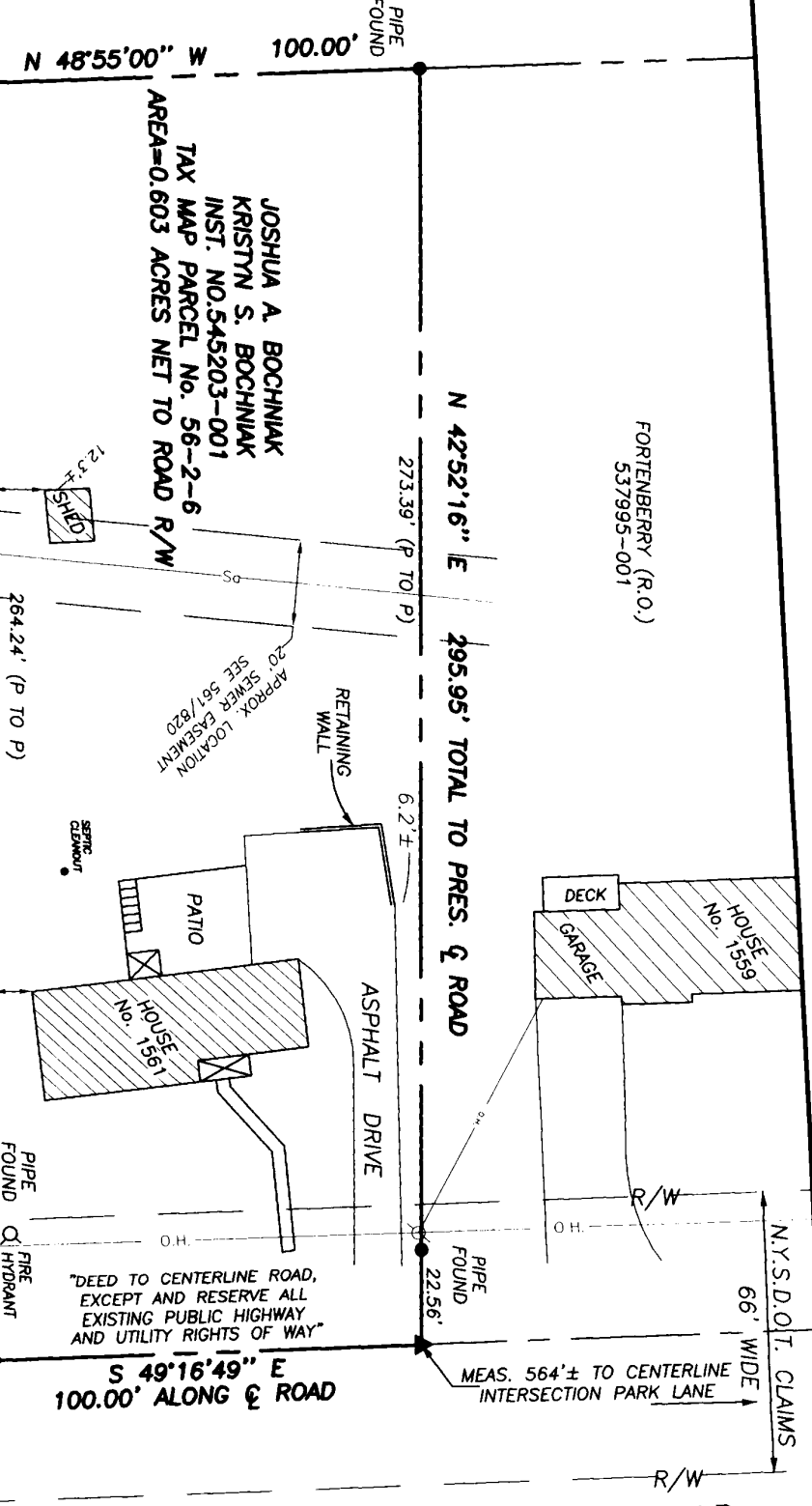
LUCAS (R.O.)
539742-001

REFERENCE IS MADE TO A SURVEY MAP ENTITLED "MAP OF FLORENCE HART LOTS ON SLATERVILLE ROAD..." DATED JUNE 5, 1950 BY CARL GRANDALL, C.E. SAID MAP IS ON FILE AT THE TOMPKINS COUNTY CLERKS OFFICE.

S 42°52'16" W 296.59' TOTAL FROM PRES. & ROAD

N 42°52'16" E 295.95' TOTAL TO PRES. & ROAD

S 49°16'49" E 100.00' ALONG & ROAD



"DEED TO CENTERLINE ROAD, EXCEPT AND RESERVE ALL EXISTING PUBLIC HIGHWAY AND UTILITY RIGHTS OF WAY"

N.Y.S.D.O.T. CLAIMS
66' WIDE

MEAS. 564'± TO CENTERLINE INTERSECTION PARK LANE

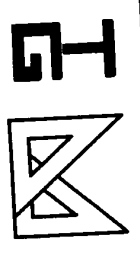
N.Y.S. ROUTE 79 - SLATERVILLE ROAD

CERTIFICATION

I hereby certify to that I am a licensed land surveyor, New York State License No. 050823, and that this map correctly delineates on actual survey on the ground no visible encroachments either way across property lines except as shown hereon.

Elmira Savings Bank, its successors and/or assigns
Stewart Title Insurance Company
Dwayne Handwerk, Marguerite Handwerk
Sharon M. Sulimowicz, Esq., Marcus & Orkin, LLP
Barney, Grossman, Dubow, Marcus & Orkin, LLP
Joshua A. Bochniak and Kristyn S. Bochniak

SIGNED: *Joshua A. Bochniak* DATED: 8/29/2013



T. G. MILLER P.C.
ENGINEERS AND SURVEYORS
203 NORTH AURORA STREET
P.O. BOX 777
ITHACA, NEW YORK 14851

TITLE:

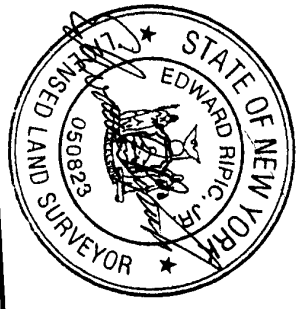
SURVEY MAP
No. 1561 SLATERVILLE ROAD

TOWN OF ITHACA, TOMPKINS COUNTY, NEW YORK

DATE: *5/19/2005

505329

SCALE: 1" = 40'



WARNING: THIS MAP NOT A SUBSTITUTE FOR A PROFESSIONAL SURVEYOR'S SERVICE. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON.