

Ulster County  
Albert Spada  
County Clerk



60 2003 00034734

Instrument Number: 2003- 00034734

Recorded On: November 08, 2003

As  
D01 - Deed

Parties: MAZZELLA JOSEPHINE BY EXEC  
To  
OTAEGUI JOSEPHINE

Recorded By: RUSK, WADLIN, HEPPNER & MARTUSCELLO

Billable Pages: 3

Num Of Pages: 3

Comment: MARLBORO

**\*\* Examined and Charged as Follows: \*\***

01 - Deed	34.00	RP5217	50.00	Tax Affidavit TP 584	5.00
Recording Charge:	89.00				
	Amount	Consideration Amount	RS# CS#		
ix-Transfer	0.00	0.00	2207 Basic	0.00	
			Additional	Special Additional 0.00 Transfer	0.00 0.00
Tax Charge:	0.00				

**\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\***

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Ulster County,

**File Information:**

Document Number: 2003- 00034734

Receipt Number: 93675

Recorded Date/Time: November 08, 2003 12:00P

Book-Vol/Pg: Bk-D VI-3767 Pg-110

**Record and Return To:**

RUSK, WADLIN, HEPPNER & MARTUSCELLO

PO BOX 727

MARLBORO NY 12542



*Albert Spada*

Deed-Executor's

THIS INDENTURE, made the 25<sup>th</sup> day of September, Two Thousand Three

**BETWEEN** Theresa Birdsall Niebuhr, residing at 447 Neeleytown Road,  
Montgomery, New York 12549

as Executrix of the Last Will and Testament of Josephine Mazzella a/k/a Giuseppine Mazzella,  
late of the Town of Marlboro, Ulster County, New York, deceased,

party of the first part, and

Jorge and Josephine Otaegui, residing at Dock Road, PO Box 534, Marlboro, New  
York 12542, as husband and wife

party of the second part:

**WITNESSETH**, That the party of the first part, by virtue of the power and authority to her  
given in and by the said Last Will and Testament, and in partial satisfaction of devise under  
Paragraph THIRD of the Last Will and Testament of Josephine Mazzella,

does hereby grant and release unto the party of the second part, her heirs, distributees and assigns  
forever,

**SEE ATTACHED SCHEDULE A**

**TOGETHER** with the appurtenances, and also all the estate which the said Testatrix had  
at the time of her decease, in said premises, and also the estate therein, which the party of the first  
part has or had power to convey or dispose of, whether individually, or by virtue of said Will or  
otherwise.

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part,  
her heirs, distributees and assigns forever.

**AND** the party of the first part covenants that she has not done or suffered anything whereby  
the said premises have been encumbered in any way whatever.

That, in compliance with Sec. 13 of the Lien Law, the grantor will receive 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 party of the first part has hereunto set her hand and seal the  
day and year first above written.

IN PRESENCE OF

*Theresa Birdsall Niebuhr*  
Theresa Birdsall Niebuhr

COUNTY OF ULSTER )

On Sept 25, 2003 before me, the undersigned, a Notary Public in and for said State, personally appeared **Theresa Birdsall Niebuhr**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Angela Freeborn  
Notary Public

R & R to:

✓ Rusk, Wadlin, Heppner & Martuscello  
P.O. Box 727  
Marlboro, NY 12542

ANGELA FREEBORN  
NOTARY PUBLIC, State of New York  
Qualified in Ulster County  
Commission Expires Sept. 30, 2006



Mazzella Estate to Josephine Otaegui

SCHEDULE A

ALL THAT PARCEL OF LAND SITUATE in the Town of Marlborough, County of Ulster, and State of New York being designated as Lot #1 on a map entitled "Final Map of Subdivision of Lands of The Estate of Josephine Mazzella" filed with the office of the Ulster County Clerk on September 05, 2003 as map #03-1410, said parcel being more particularly bounded and described as follows:

BEGINNING at a rebar set on the northerly assumed highway bounds of Dock Road at the southwest corner of the herein described parcel of land, said point being on the division line with lands conveyed to Mark D. Thom as recorded in Deed Liber 1876 at page 215, and running thence along the division line with said lands of Thom, North 50°51'35" East 26.75 feet and North 79°31'46" East 30.67 feet to a rebar set on the division line with Lot 32 as shown on said filed map 303-1410, thence along the division line between the herein described Lot 31 and said Lot #2, North 57°47'17" East 73.34 feet to a set rebar, South 51°00'10" East 167.78 feet to a set rebar and South 40°35'06" West 150.05 feet to a rebar set on the northerly bounds of aforementioned Dock Road, thence along Dock Road, North 39°17'30" West 74.90 feet and North 44°30'15" West 140.24 feet to the place of beginning.

Containing 0.58 acres

Subject to all provisions as noted on map #03-1410 on file with the office of the Ulster County Clerk.

Parcel being a portion of the premises conveyed to Josephine Mazzella as recorded in Deed Liber 1456 at page 601.

TOGETHER with a right-of-way for ingress and egress from Route 9W to the above-described Lot #1, said right-of-way being approximately 14-20 feet in width, running from Route 9W with a centerline bearing being South 51° 3' 8" East 158.29 feet to a point and thence continuing on the centerline South 51° 3' 8" East to a point on the Westerly boundary line of Lot #1, on filed map #03-1410 in the Ulster County Clerk's Office.