SMPR TITLE AGENCY, INC.

Albany/Troy 50 Chapel St, Albany, NY 12207 Hudson/Poughkeepsie One Hudson City Centre, Hudson, NY 12534 Saratoga/Schenectady 517 Broadway, Suite 204 Saratoga Springs, NY 12866

Ph 518-434-0127 / Fax 518-434-9997

Ph 518-828-4351 / Fax 518-828-7494 Ph 518-885-8700 / Fax 518-884-2564

e-mail - info@smprtitle.com - website - www.smprtitle.com

APPLICANT Title Number M-088516

Jonathon B. Tingley, Esq. Phone: (518) 238-3759

251 River Street, Suite 201 Fax:

Troy, New York 12180 Email: jtingley@gilchristtingley.com

Reference: Town of New Lebanon from Lebanon Valley Protective Association, Inc.

REPORTS HAVE BEEN SENT TO

Sellers Attorney

Christopher A.H. Steadman, Esq. E-Mail: cahsteadman@gmail.com

PROPERTY INFORMATION

523 US Route 20, New Lebanon, NY County: Columbia Town: New Lebanon Tax ID Sec. 19.2 Block 1 Lot 56

PARTIES

Owner(s): Lebanon Valley Protective Association, Inc.

Buyer(s): Town of New Lebanon

SERVICES

Financing Statement (UCC) Report - County, Patriot Search

TITLE POLICIES

Owners Policy: \$375,000.00 Fee Simple Fee Premium: \$1,593.00

Underwriter: Stewart Title Insurance Company

SMPR TITLE AGENCY, INC.

COMMERCIAL OWNER / SELLER AFFIDAVIT

Title Report issued by SMPR Title Agency, Inc., as agent

Stewart Title Insurance Company

Insurer:

SMPR Order No: Owner: Purchaser: Lender: Property:	M-088516 Lebanon Valley Protective Association Town of New Lebanon 523 US Route 20 , New Lebanon, , NY		
State of New York County of)) ss.		
	the undersigned (the	ne "Deponent"), being duly sworn	, deposes and says:
Report and as such	the Owner (or) is the or is fully familiar with the facts and circums by any other name, married or single, wi	tances set forth herein. The Owr	ner, if an individual,
knowledge, title to th	wned and occupied the Property, peacea ne Property has never been questioned o rson might claim any right, title or interes	r disputed, nor insurance thereof	refused. I know of no
as set forth in the Tit	es, assessments, water charges or sewer tle Report, there are no unsatisfied judgm nortgages filed against the Owner or the otcy proceeding.	ents, liens, federal tax liens, state	e tax warrants,
possession of any po (If Applicable). Such subordinated to all e	sed as Tortion of the Property except: In tenants are month-to-month or pursuant existing and future mortgages, for terms no separate agreement contains an option to	t to written leases, as tenants only ot in excess of month	y, unconditionally as without rights to
any easements there driveways running a	forth in the Title Report, the Owner has a ein, or to use any portion thereof for any p long or through the Property. The Owner of any breach or violation of any covenar	ourpose. There are no rights of ware not encroached on any adjo	vay or common pining premises. I
6. (If applicable) A s Property as it exists	urvey dated made by today. There have been no changes to t	he Property that are not shown o	shows the n the survey.
partnership / operati Franchise Tax Retui	no changes a) in the membership of the one of the one of the one of the order of th	wner corporation is in good stand nchise Taxes are paid. The person	ding, all its Corporate on(s) executing the
Owner's indebtedne record a discharge o	nce Company is forwarding payment to the ss, the Owner will pay any additional sum of such mortgage. The Title Insurance Cost necessary to obtain such discharge.	ns which may be required by such	n holder to obtain and
the Property which h	out to sell, lease or mortgage the Property nave not been set forth in this affidavit. The to insure the title free and clear of the af	he Deponent makes this affidavit	to induce the Title
Sworn to before me day of		the Deponent	
		print name	
Notary Publi	 C		

CERTIFICATE FOR TITLE INSURANCE

Stewart Title Insurance Company ("the Company") certifies to the proposed insured named in Schedule A that an examination of title to the premises described in Schedule A has been made in accordance with its usual procedure and agrees to issue its standard form of title insurance policy authorized by the Insurance Department of the State of New York, in the amount set forth herein, insuring the interest set forth herein, and the marketability thereof, in the premises described in Schedule A, after the closing of the transaction in conformance with the requirements and procedures approved by the Company and after the payment of the premium and fees associated herewith excepting (a) all loss or damage by reason of the estates, interests, defects, objections, liens, encumbrances and other matters set forth herein that are not disposed of to the satisfaction of the Company prior to such closing or issuance of the policy and (b) any question or objection coming to the attention of the Company before the date of closing, or if there be no closing, before the issuance of the policy.

This agreement to insure shall terminate (1) if the prospective insured, their attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to material inquiries by or on behalf of the Company; or (2) upon the issuance of title insurance in accordance herewith. In the event that this Certificate is endorsed and redated by an authorized representative of the Company after the closing of the transaction and payment of the premium and fees associated herewith, such "redated" Certificate shall serve as evidence of the title insurance issued until such time as a policy of title insurance is delivered to the insured. Any claim made under the redated Certificate shall be restricted to the conditions, stipulations and exclusions from coverage of the standard form of title insurance policy issued by the Company.

CONDITIONS AND STIPULATIONS

- 1. This Certificate shall be null and void:
 - A. if the fees therefore are not paid:
- B. if the prospective insured, their attorney or agent makes any untrue statement with respect to any material fact, or if any untrue answers are given to material inquiries by or on behalf of the Company;
 - C. when the policy shall issue provided that the failure to issue such policy is not the fault of the Company;
- D. until the amount of the policy or policies requested is inserted in Schedule A hereof by the Company, either at the time of the issuance of this Certificate or by subsequent endorsement.
- 2. If the title, interest or lien to be insured was acquired by the prospective insured prior to delivery hereof, the Company assumes no liability except under its policy when issued.
- 3. The liability of this Company under this Certificate shall not exceed the amount stated in Schedule A hereof and such liability is subject to the insuring provisions, the Exclusions from Coverage and the Conditions and Stipulations of the form of policy or policies shown in Schedule A hereof in favor of the proposed insured which are hereby incorporated by reference and are made a part of this Certificate except as expressly modified herein.

This certificate is intended for lawyers only. Such exceptions as may be set forth herein may affect marketability of title. Your lawyer should be consulted before taking any action based upon the contents of this certificate. The Company's representative at the closing hereunder may not act as legal advisor to any of the parties or draw legal instrument for them. Such representative is permitted to be of assistance only to an attorney. It is advisable to have your attorney present at the closing.

THIS REPORT IS NOT A TITLE INSURANCE POLICY!

PLEASE READ IT CAREFULLY. THE REPORT MAY SET FORTH EXCLUSIONS UNDER THE TITLE INSURANCE POLICY AND MAY NOT LIST ALL LIENS, DEFECTS, AND ENCUMBRANCES AFFECTING TITLE TO THE PROPERTY.

YOU SHOULD CONSIDER THIS INFORMATION CAREFULLY.

IN WITNESS WHEREOF, Stewart Title Insurance Company has caused its corporate name and seal to be hereunto affixed by Its duly authorized officers on the date shown in Schedule A.

Stewart Title Insurance Company By: SMPR Title Agency, Inc.	
By: Its Authorized Officer or Agent	Direct questions to: Nicholas Ihnatolya

SMPR Order No.: M-088516

SCHEDULE A

- 1. Effective Date: 9/11/2024 Redated:
- 2. Policy or Policies to be issued:
 - (a) ALTA Owners Policy 2006 if closed prior to October 1, 2024

(a) ALTA Owners Policy 2021 if closed on or after October 1, 2024

Proposed Insured:

Town of New Lebanon

\$375,000.00

- (b) ALTA Loan Policy 2006 if closed prior to October 1, 2024
- (b) ALTA Loan Policy 2021 if closed on or after October 1, 2024

Proposed Insured:

The following endorsements are a part of this policy: Standard New York Endorsement Owners TIRSA Policy Authentication Endorsement

3. Title to the Fee Simple estate or interest in the land described or referred to in this commitment is at the effective date hereof vested in:

Lebanon Valley Protective Association, Inc., acquired title by deed from Fred Z. Palmer and Lillian S. Palmer dated 12/5/1963 recorded in the Columbia County Clerk's Office 12/11/1963 in Deed Book Liber 400 page 315.

4. The land referred to in this Commitment is described as follows:

"SEE SCHEDULE A DESCRIPTION ATTACHED"

For Information Only:

Address: 523 US Route 20, New Lebanon, NY

Section 19.2 Block 1 Lot 56

Title Certification – Page 1 of 1 SMPR Order No.: M-088516

Stewart Title Insurance Company - SMPR Title Agency, Inc. Date: September 25, 2024



SCHEDULE A DESCRIPTION

All that certain piece or parcel of land, situate, lying and being in the Town of New Lebanon, County of Columbia, State of New York, more particularly bounded and described as follows:

BEGINNNG at a point designated by an iron pipe located at a point where the South boundary line of U.S. Route 20 (Albany-Pittsfield Road) meets and intersects the East boundary of a Town Highway leading Southerly to Mount Lebanon, commonly known as Shaker Road, said point being further referenced as 88.80 feet Southeasterly from the Southeast corner of Fisher's Grocery Store, and being 107.50 feet Southerly from the Southwest corner of the Lebanon Valley Fire House, and marking the Northwest corner of the parcel herein described; running thence Northeasterly along the South boundary line of U.S. Route 20 on a course North 53° 30' East, a distance of 138.50 feet to a point designated by an iron pipe (near a 36" maple tree) on the West boundary line of lands of Edward J. and Veronica M. Garrett, and marking the Northeast corner of the parcel herein described; running thence Southeasterly along the West boundary line of other lands of said Garrett on a course South 33° 5' 33" East, a distance of 242 feet to a point designated by an iron pipe, and marking the Southeast corner of the parcel herein described; running thence Southwesterly along the North boundary line of other lands of said Garrett on a course South 57° 3' 30" West, a distance of 153.50 feet to a point designated by an iron pipe on the East boundary line of the aforementioned Shaker Road, and marking the Southwest corner of the parcel herein described; and running thence Northwesterly along the East boundary line of said Shaker Road on a course North 29° 45' West, a distance of 243 feet to the point or place of beginning.

FOR INFORMATION ONLY, NOT INSURED: (containing 0.86 of an acre of land, be the same more or less.)

The within description is in accordance with survey made by Dwight R. Taylor, East Nassau, New York, June 13, 1961.

Schedule A – Legal Description – Page 1 of 1 SMPR Order No.: M-088516

Stewart Title Insurance Company – SMPR Title Agency, Inc. Date: September 24, 2024



SCHEDULE B – REQUIREMENTS

IDENTITY OF PARTIES.

Photo identification must be presented at closing for all parties (sellers, purchasers, borrowers) to the transaction to be insured herein.

SECTION 13 OF LIEN LAW

Deeds and mortgages must contain the covenant required by Section 13 of the Lien Law and such covenant must be absolute and not conditional. The covenant is not required in deeds from referees or other persons appointed by a court for the sole purpose of selling property.

III. ASSIGNMENT OF MORTGAGE OR OTHER LIENS

When the transaction is an assignment of a mortgage or other lien, an estoppel certificate executed by the owner of the fee and by the holders of all subsequent encumbrances must be obtained. When the transaction is a mortgage, the amount actually advanced should be reported to the Company.

IV. MATTERS AFTER EFFECTIVE DATE OF CERTIFICATE

Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by the Certificate.

V. CONTRACT

If this certificate requires a conveyance of the fee estate and the contract has not been submitted to the Company, it should be furnished for consideration prior to closing.

VI. PROOF OF NO OTHER NAME

Proof is required to show that the persons certified as owners herein have not been known by any other name in the 10 years last past. If they have been known by another name, all searches must be amended and run against such name and title is subject to returns, if any, on such amended searches.

VII. PERSONAL PROPERTY

Title to any personal property, whether the same be attached to or used in connection with the premises. (The policy to be issued will contain an exception as to this item without change or modification).

VIII. MARKET VALUE ENDORSEMENT - APPLIES TO RESIDENTIAL OWNERS POLICY ONLY

Section 6409(c) of the Insurance Law requires that title companies offer, at or prior to closing, an optional endorsement to cover the owner-occupant of real property used predominantly for residential purposes and consisting of not more than four dwelling units, for loss in excess of the purchase price (policy stated amount of liability) and up to the future market value of the property. If you do not wish this additional optional coverage, you must waive the same by signing below.

Purchaser

Schedule B - Requirements - Page 1 of 1 SMPR Order No.: M-088516

Stewart Title Insurance Company – SMPR Title Agency, Inc. Date: September 24, 2024



Stewart Title Insurance Company

Issued by

SMPR TITLE AGENCY, INC.

SCHEDULE B – SECTION 1 MATTERS TO BE DISPOSED OF:

Fee P Loan P The following are the requirements to be complied with:

- 1. Owner/Sellers Affidavit must be completed and submitted to this Company.
- 2. FOR INFORMATION ONLY: Uncertified checks over \$500.00 will not be accepted unless approved by the Company. No third party or seller's checks will be accepted in any amount.
- 3. Searches for Judgments and Federal Tax Liens have been made in the indexes on file in the County Clerk's office in which the property is located against the following:

Names: Lebanon Valley Protective Association, Inc.

Town of New Lebanon

Returns: ONE vs. Town of New Lebanon

Proposed disposition: a) provide at closing a judgment satisfaction, or provide at closing a judgment payoff letter with check to be cut from closing proceeds, or b) provide at closing an affidavit that the debtor named in the judgment is not the same person as is in the chain of title to the premises.

4. If the proposed sale, lease, exchange or other disposition to be insured is by a corporation governed by the Not-For-Profit Corporation Law, proof of compliance with §509 and §510(a)(1) or (2) of said Law will be required.

Said transaction must be authorized by the vote of a majority of directors of the board of said corporation or a majority of a committee authorized by said board, provided however, that if the proposed sale, lease, exchange or other disposition constitutes all or substantially all of the assets of said corporation, then the vote of two-thirds of the entire board shall be required, or, if there are twenty-one or more directors, the vote of a majority of the entire board shall be sufficient.

In addition, if the corporation is classified as a charitable corporation under §201 of the Not-For-Profit Corporation Law, a sale, lease, exchange or other disposition constituting all or substantially of the assets of said charitable corporation must be approved by a Court Order or by the Office of the Attorney General of the State of New York pursuant to §510(a)(3) of said Law.

The requirements for a Petition:

- a) to obtain a Court order can be found in NFP Law §511;
- b) to obtain Attorney General approval can be found in NFP Law §511-a.

Such approval must be obtained and delivered to the Company prior to closing. NOTE: Proof is required that said corporation is organized for not-for-profit purposes and is exempt under the laws of the United States and the State (and City) of New York for tax purposes.

Schedule B Section 1 – Matters To Be Disposed Of – Page 1 of 2 SMPR Order No.: M-088516

Stewart Title Insurance Company - SMPR Title Agency, Inc. Date: September 25, 2024

Stewart Title Insurance Company

Issued by

SMPR TITLE AGENCY, INC.

SCHEDULE B - SECTION 1 MATTERS TO BE DISPOSED OF:

Fee P Loan P The following are the requirements to be complied with:

> For Information: Certificate of Amendment in 20150002945. 5.

New York State Warrant

New York State Department of Labor Judgment Creditor against **Judgment Debtor** Last Known Address

1161

TOWN OF NEW LEBANON PO BOX 328 **NEW LEBANON** NY 12125-0328 In replying refer ER Number

04-60322 8

The People of the State of New York

TO Julie Brazie Greeting

Tax Compliance Manager 1

COLUMBIACounty,

WHEREAS, Contributions, Re-employment Service Fund, Interest Assessment Surcharge, interest and/or penalties have been found due under the Unemployment Insurance Law (Article 18 of the Labor Law) of the State of New York as follows

Period	Contributions	Re-Employment Service Fund	Interest Assessment Surcharge	Re-Employment Service Fund Interest	Interest on Contributions Previously Paid	Penalty
2024 2Q	10,614.00	* RE- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		y"		
550329 TOWN OF NE Holly C Tanner ,	O 1 S W LEBANON	0240006422 8/23/2024 04 21 59 PM Pages TATE TAX WARRANT				
Fotals	\$10,614,00		The Residence of the State of t		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
olus interest a	as required by law doah	ave uppaid contribution	• •			\$10,614.00
e-employment	t service fund accrueding	om due dates do	08/21/24 (************************************		- de la companya	74.30
	hamining			And the second	Total	\$10,688.30
	- -		CHEN CAME		G 3	

NOW , THEREFORE, WE COMMAND YOU to file a copy of this warrant within five (5) days after its receipt by you, as provided by Article 18 of the Labor Law, in the Office of the Clerk of the above County, which Clerk shall enter in the judgment docket the amount of this warrant against said debtor,

AND WE FURTHER COMMAND YOU that you satisfy the said claim of the said Commissioner of Labor for said contributions and Re-employment Service Fund and Interest Assessment Surcharge with interest and penalties to date of payment, and costs of executing this warrant out of the real and personal property of said judgment debtor, and the debts due said judgment debtor within said county, and return this warrant an pay the money collected within sixty (60) days after the receipt thereof, to the Department of Labor, Unemployment Insurance Division

TAKE NOTICE that only the property in which a named judgment debtor who is not deceased has an interest, or the debts owed to him, shall be levied upon or sold hereunder

Signed, sealed and issued at Albany, New York,

the

21ST day of

AUGUST, 2024

IA 182 (1/23)



For Commissioner of Labor by

Thomas Neumann Director of Unemployment Insurance **Employer Liability Services**

Stewart Title Insurance Company

Issued by

SMPR TITLE AGENCY, INC.

SCHEDULE B – SECTION 2 EXCEPTIONS:

The policy or policies to be issued will contain exceptions to the following Fee P Loan P (unless the same are disposed of to the satisfaction of this Company):

- 1. Rights of tenants or persons in possession, if any.
- 2. Water and Sewer Rents, if any. Municipal department charges, if any, not returned to county tax enforcing officer for collection.
- 3. Subject to any state of facts that an accurate survey would show.
- 4. Exact location, courses and distances of the premises described in Schedule "A" cannot be guaranteed without an accurate survey.
- 5. The premises herein are benefited by tax exemption and Policy excepts the lien which may attach by reason of any restoration of real property taxes after transfer of title by the owner entitled to the exemption.
- 6. Notice of Appropriation Liber 404 page 254 and Liber 406 page 590.
- 7. Rights and easements, if any, of public utility companies and municipalities to maintain and operate installations on the premises herein and streets adjacent thereto.
- 8. No title is insured to any land lying in the bed of any street, avenue, road or highway abutting, adjoining, passing through or crossing the premises herein.

SMPR TITLE AGENCY, INC., ("SMPR") requires that all payoffs be handled through SMPR's Mortgage Payoff & Discharge Service in order for SMPR to issue title insurance.

REQUIREMENTS UNDER SMPR MORTGAGE PAYOFF & DISCHARGE SERVICE

- 1. The payoff letter must be provided to SMPR <u>5 days prior</u> to closing;
- 2. The payoff check must include **5 additional days of interest**, plus weekends and holidays;
- 3. The payoff check must be in compliance with the payoff letter; and
- 4. The payoff amount must be verified by the SMPR closer or employee at or prior to closing;
- 5. The Discharge recording fee must be made payable to SMPR, <u>not</u> to the County Clerk, if the recording fee is not included in the payoff amount.

MORTGAGE SCHEDULE

NONE OF RECORD

Mortgage Schedule – Page 1 of 1 SMPR Order No.: M-088516





TAXES, ASSESSMENTS, WATER RATES, AND SEWER CHARGES WHICH ARE LIENS ON REAL PROPERTY

ASSESSED VALUATION: Land \$118,000 SCHOOL DISTRICT: New Lebanon

Total \$350,000

EXEMPTION: VOL FIRE **CODE**: 26400 **AMOUNT:** \$350,000 (C/T/S)

ASSESSED TO: Lebanon Valley Protective; Asso Assoc Inc

ASSESSED AS: 523 US Route 20, New Lebanon, NY

PROPERTY CODE & TYPE: 632 - Benevolent

ACRES OR DIMENSIONS: 0.86 Acres

COUNTY OF: Columbia MUNICIPALITY: Town of New Lebanon

SWIS CODE: 104800

SBL OR GRID NO.: Section 19.2 Block 1 Lot 56

RETURNS

(Some of the items returned hereon may have been paid but payment not officially posted. Receipts for such items should be produced at closing.)

2024/2025 School Tax (Period 7/1-6/30, Due 9/1)

Full Tax \$0.00 WHOLLY EXEMPT

2024 General Tax (Period 1/1-12/31, Due 1/1)

Full Tax \$0.00 WHOLLY EXEMPT

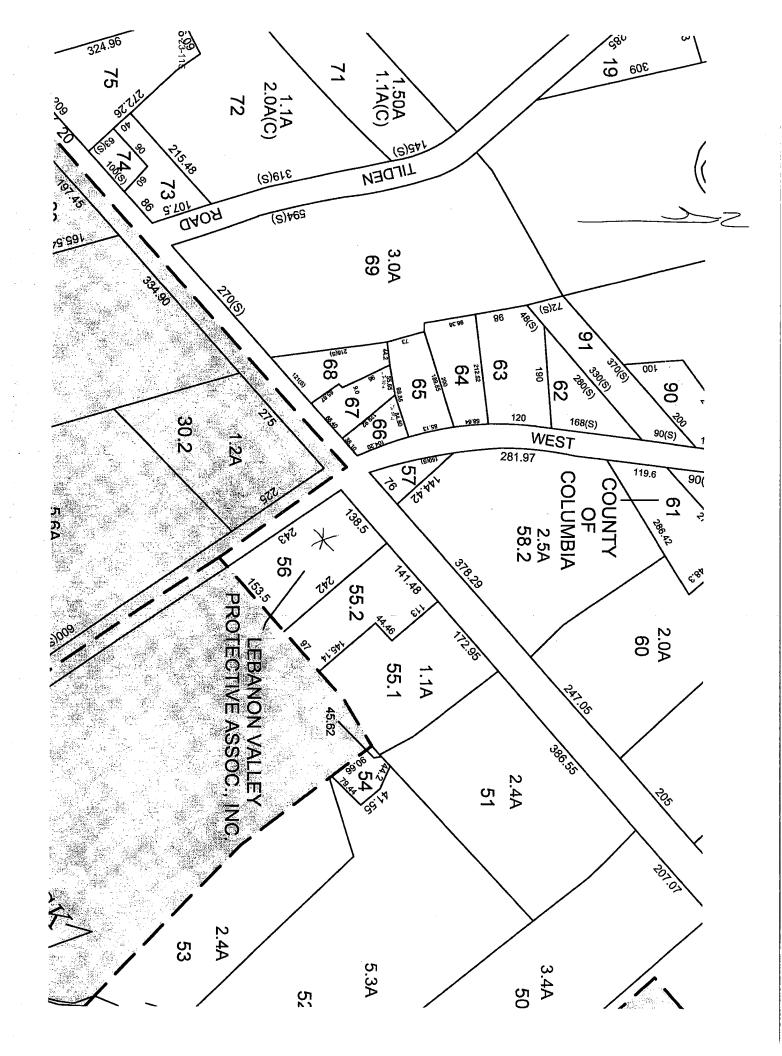
TAX SEARCH

Our policy does not insure against taxes, water rates, assessments, and other matters relating to taxes which have not become a lien up to the date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of the streets on which the premises to be insured abut.

Tax Search – Page 1of 1 SMPR Order No.: M-088516

Stewart Title Insurance Company - SMPR Title Agency, Inc. Date: September 24, 2024





MUNICIPAL DEPARTMENT SEARCHES AND STREET REPORT

Any searches or returns reported herein are furnished **FOR INFORMATION ONLY**. The searches will not be insured and the company assumes no liability for the accuracy thereof. The searches will not be continued to the date of closing.

Certificate of Occupancy: NOT ORDERED.

Housing and Building Violations: NOT ORDERED.

Street Report: U.S. Route 20 is a public roadway.

Fire Department: NOT AVAILABLE.

SMPR TITLE AGENCY, INC.

Albany/Troy 50 Chapel St, Albany, NY 12207

Hudson/Poughkeepsie

One Hudson City Centre, Hudson, NY 12534

Saratoga/Schenectady 517 Broadway, Suite 204 Saratoga Springs, NY 12866 Ph 518-885-8700 / Fax 518-884-2564

Ph 518-434-0127 / Fax 518-434-9997

Ph 518-828-4351 / Fax 518-828-7494

e-mail – info@smprtitle.com — **website** – www.smprtitle.com

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document which notifies you of the privacy policies and practices of SMPR Title Agency, Inc.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on a title order application or other forms.
- Information about you and / or any of your transactions we secure from our files or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal Information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

FORM 301 - WARRANTY DEED WITH LIEN COVENANT

Published by National Legal Sungly, Albany, N. Y.

This Indenture

Made the

day of



Nineteen Hundred and Sixty-three

Between FRED Z. FALMER and LILLIAN S. FALMER; his wife, both
residing in the Town of New Lebanon, County of Columbia, State of
New York (Post Office Address, Canaan, R.F.D., New York),

parties of the first part, and LEBANON VALLEY PROTECTIVE ASSOCIATION. INC., a domestic membership corporation organized and existing under the laws of the State of New York, having its principal place of business in the Town of New Lebanon, County of Columbia, State of New York (Post Office Address, New Lebanon, New York),

BEGINNING at a point designated by an iron pipe located at a point where the South boundary line of U.S. Route 20 (Albany-Pittsfield Road) meets and intersects the East boundary of a Town Highway leading Southerly to Mount Lebanon, commonly known as Shaker Road, said point being further referenced as 88.80 feet Southeasterly from the Southeast corner of Fisher's Grocery Store, and being 107.50 feet Southerly from the Southwest corner of the Lebanon Valley Fire House, and marking the Northwest corner of the parcel herein described; running thence Northeasterly along the South boundary line of U.S. Route 20 on a course North 53° 30' East, a distance of 138.50 feet to a point designated by an iron pipe (near a 36" maple tree) on the West boundary line of lands of Edward J. and Veronica M. Garrett, and marking the Northeast corner of the parcel herein described; running thence Southeasterly along the West boundary line of other lands of said Garrett on a course South 33° 5' 33" East, a distance of 242 feet to a point designated by an iron pipe, and marking the Southeast corner of the parcel herein described; running thence Southwesterly along the North boundary line of other lands of said Garrett on a course South 57° 3' 30" West, a distance of 153.50 feet to a point designated by an iron pipe on the East boundary line of the aforementioned Shaker Road, and marking the Southwest corner of the parcel herein described; and running thence Northwesterly along the East boundary line of said Shaker Road on a course North 290 45' West, a distance of 243 feet to the point or place of beginning, containing 0.86 of an acre of land, be the same more or less.

The within description is in accordance with survey made by Dwight R. Taylor, East Nassau, New York, June 13, 1961.

Being a portion of the same premises conveyed by George Milite and Teresa Milite, his wife, to Edward J. Garrett and Veronica M. Garrett, his wife, by deed dated October 16, 1952 and recorded in the Columbia County Clerk's Office on October 18, 1952 in Liber 308 of Deeds at Page 123.

Subject to any enforceable covenants and restrictions of record, if any, affecting said premises.

LIBER 400 PAGE 315

S,15/11/02

400-315

Being the same premises conveyed by Edward J. Garrett and Veronica M. Garrett, his wife, to Fred Z. Palmer and Lillian S. Palmer, his wife, the grantors herein, by deed dated June 29, 1961 and recorded in the Columbia County Clerk's Office on July 7, 1961 in Liber 375 of Deeds at Page 549.

Together with the appurtenances and all the estate and rights of the part ies 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, its successors and assigns forever.

And said FRED Z. PALMER and LILLIAN S. PALMER

 $as\ follows:$ First, That the part y of the second part shall quietly enjoy the said premises;

Second, That said FRED Z. PALMER and LILLIAN S. PALMER

will forever Warrant the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantor s 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

llian S.

State of New York County of Rensselaer

day of December Sixty-three

Palmer

Nineteen Hundred and before me, the subscriber, personally appeared

FRED Z. PALMER and LILLIAN S. PALMER

On this

to me personally known and known to me to be the same person s. described in and who executed the within Instrument, and they daly and acknowledged to my that the y executed the same.

FILED

CERTIFICATE OF AMENDMENT OF THE

CERTIFICATE OF INCORPORATION

OF

LEBANON VALLEY PROTECTIVE ASSOCIATION INC.

Under Section 803 of the Not-for-Profit Corporation Law

We, the undersigned, being the President and Secretary of the LEBANON VALLEY PROTECTIVE ASSOCIATION INC. (the "Corporation"), do hereby certify:

- The name of the corporation is: LEBANON VALLEY PROTECTIVE ASSOCIATION **(1)** INC.
- The certificate of incorporation of the Corporation was originally filed by the Department of **(2)** State on February 1, 1922. The Corporation was formed under the Membership Corporations Law of the State of New York.
- The Corporation is a corporation as defined in Section 102(a)(5) of the Not-for-Profit (3) Corporation Law; the Corporation is a charitable corporation under Sections 201 and 1402(b) of the Not-for-Profit Corporation Law. The Corporation shall hereafter be and continue to be a charitable corporation under Section 201 of the Not-for-Profit Corporation Law.
- · (4) The following changes are hereby made to the Certificate of Incorporation of LEBANON **VALLEY PROTECTIVE ASSOCIATION INC.:**
 - **(I)** The Certificate of Incorporation of LEBANON VALLEY PROTECTIVE ASSOCIATION INC. is hereby amended pursuant to Sections 801 and 803 of the Notfor-Profit Corporation Law to include the following new Paragraph SIXTH which relates to the Corporation's tax status and is not a statement of purposes and powers and this language neither expands nor alters the Corporation's existing purposes or powers, and reads as follows:
 - "SIXTH: (a) Notwithstanding any other provisions of these articles, the organization is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the Internal Revenue Code of 1986, and shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under IRC 501(c)(3) or corresponding provisions of any subsequent tax laws.

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- No part of the net earnings of the organization shall inure to the benefit of any (b): member, trustee, director, officer of the organization, or any private individual (except that reasonable compensation may be paid for services rendered to or for the organization) and no member, trustee, officer of the organization or any private individual shall be entitled to share in the distribution of any of the organization's assets on dissolution of the organization.
- No substantial part of the activities of the organization shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by IRC 501(h) or participating in, or intervening in (including the publication or distribution of statements) any political campaign on behalf of or in opposition to any candidates for public office.
- In the event of dissolution, all the remaining assets and property of the organization shall after payment of necessary expenses thereof be distributed to such organizations as shall qualify under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent Federal tax laws, or to the Federal government or State or local government for a public purpose, subject to the approval of a Justice of the Supreme Court of the State of New York.
- (e): In any taxable year in which the organization is a private foundation as described in IRC 509(a), the organization shall distribute its income for said period at such time and manner as not to subject it to tax under IRC 4942, and the organization shall not (a) engage in any act of self-dealing as defined in IRC 4941(d); (b) retain any excess business holdings as defined in IRC 4943(c); (c) make any investments in such a manner as to subject the organization to tax under IRC 4944; or (d) make any taxable expenditures as defined in IRC 4945 (d) or corresponding provisions of any subsequent Federal tax laws."
- The Certificate of Incorporation of LEBANON VALLEY PROTECTIVE ASSOCIATION INC. is hereby amended pursuant to Sections 801 and 803 of the Notfor-Profit Corporation Law to include the following new Paragraph SEVENTH which sets forth the address for service of process for the Secretary of State, which shall read in its entirety:
 - "SEVENTH: The Secretary of State is hereby designated as the agent of the Corporation upon whom process against the Corporation may be served. The post office address to which the Secretary of State shall mail a copy of any process against the Corporation served upon the Secretary of State is: President, c/o the Corporation, P. O. Box 162, New Lebanon, New York 12125."
- (5) These amendments to the Certificate of Incorporation of LEBANON VALLEY PROTECTIVE ASSOCIATION INC. were authorized by the affirmative vote of a majority of those members entitled to vote thereon at a duly called meeting of the membership of the Corporation held on December 1, 2014 pursuant to and consistent with Not-for-Profit Corporation Law Section 802(a).

(6) Pursuant to Not-for-profit Corporation Law Section 803(a)(6), the Secretary of State is hereby designated as the agent of the Corporation upon whom process against the Corporation may be served. The post office address to which the Secretary of State shall mail a copy of any process against the Corporation served upon the Secretary of State is: President, c/o the Corporation, P. O. Box 162, New Lebanon, New York 12125."

IN WITNESS WHEREOF, the undersigned have made, subscribed and acknowledged this Certificate this 1st day of December, 2014 and affirm the statements made herein as true under penalties of perjury.

Edward Godfroy, President

P.O. Box 162, New Lebanon, New York 12125

manda Humphreys, Secretary

P. O. Box 162, New Lebanon, New York 12125

APPROVAL OF AMENDMENT TO CERTIFICATE OF INCORPORATION OF THE LEBANON VALLEY PROTECTIVE ASSOCIATION INC.

The undersigned members of the Town Board of the Town of New Lebanon, Columbia County, New York following a public hearing duly held pursuant to the provisions of the Notfor-Profit Corporation Law of the State of New York hereby approve the Certificate of Amendment to the Certificate of Incorporation of the LEBANON VALLEY PROTECTIVE ASSOCIATION INC. (the "Corporation") amending the Certificate of Incorporation, and amending the purposes and powers of the Corporation to include the Corporation operating as a charitable tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code.

Dated: January 13, 2015

BANON TOWN BOARD

Matthew Larabee

TOWN CLERK

Colleen Teal

STATE OF NEW YORK COUNTY OF COLUMBIA \ss.:

AMMINITER **rown** SEAL MBIA COU

On the 13th day of January 2015 before me personally appeared Michael Benson, Bruce Baldwin, Daniel Evans, Charles Geraldi and Matthew Larabee, 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 capacity, and that by their signature on the instrument, the individuals or the persons upon behalf of which the individual acted, executed the foregoing instrument.

Notary Public

COLLEEN T. TEAL Notary Public, State of New York Qualified in Columbia County Commission No. 01TE5024862 My Commission Expires Mar. 21, 20/8



ERIC T. SCHNEIDERMAN ATTORNEY GENERAL DIVISION OF SOCIAL JUSTICE CHARITIES BUREAU

The Attorney General hereby approves pursuant to N-PCL § 804(a)(ii)(A) the proposed Certificate of Amendment of Lebanon Valley Protective Association, Inc. Said approval is conditioned on submission to the Department of State for filing within 60 days hereafter. A copy of the filed certificate shall be provided to the Attorney General.

March __6_, 2015

Donna Cole Paul Assistant Attorney General

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CERTIFICATE OF AMENDMENT

OF THE

CERTIFICATE OF INCORPORATION

OF

LEBANON VALLEY PROTECTIVE ASSOCIATION INC

J.	15
STATE OF N	EW VODE
	TAN IOW
DEPARTMENT	I OF STATE

Under Section 803 of the Not-for-Profit Corporation Law FILED MAR 2 4 2015 . TAX S_

THE LAW OFFICES OF MARK C. BUTLER, PLLC

Mark C. Butler, Esq. 5166 Main Street, Suite 302 Williamsville, New York 14221 716-839-5411 716-839-5422 (fax)

LCS

Customer Ref.

DRAWDOWN - #AL

STATE OF NEW YORK

DEPARTMENT OF STATE

I hereby certify that this copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original. WITNESS my hand and official seal of the Department of State at the City of Albany, on Tuesday, March 31, 2015.

Outing Sind



Anthony Giardina **Executive Deputy Secretary of State** NEW YORK STATE DEPARTMENT OF PUBLIC WORKS BUREAU OF RIGHTS OF WAY AND CLAIMS

APPROPRIATION OF PROPERTY BY THE PEOPLE OF THE STATE OF NEW YORK

PROJECT:

DESCRIPTIONS AND MAPS MAP MOS. 1964 JURARCET HOS

NEW LEBANON-BRAINARD S.H. 615 COLUMBIA COUNTY

107

COLUMBIA COUNTY CLERK'S OFFICE

NOTICE OF APPROPRIATION

TO: FRED Z. PALMER

TO: FRED Z. PALMER

LILLIAN S. PALMER, his wife

S. GAS CORPORATION

COLUMBIA & RENSSELAER

TELEPHONE CO

LEGITARY

TELEPHONE CO

LEGITARY

TELEPHONE CO

LEGITARY

TELEPHONE CO

LEGITARY

TO THE APPROPRIATION

R.F.D.

Canaan, New York

108 East Green Street

Ithaca, New York

19 Railroad Avenue

Chatham, New York

LEGITARY

TELEPHONE CO

LEGITARY

TO THE APPROPRIATION

R.F.D.

Canaan, New York

LOUGHBIA & RENSSELAER

TELEPHONE CO

LEGITARY

AND LEGITARY

TO THE APPROPRIATION

R.F.D.

Canaan, New York

LOUGHBIA & RENSSELAER

TELEPHONE CO

LEGITARY

AND LEGITARY

TO THE APPROPRIATION

R.F.D.

Canaan, New York

LOUGHBIA & RENSSELAER

TELEPHONE CO

Chatham, New York

LEGITARY

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NEW LEGANON

EBANON VAILED TO ASSOCIATION, LI TARE NOTICE that on the TABLE HOTICE that on the 3 day of March , 19 64, there was the office of the Department of State a certified copy of each of the above designed was filled in the office of the clork of the county, in which such property situated, a copy of each of such descriptions and maps. there was filed in abovo designated 1964

TAKE FURTHER MOTICE that title to the property, eguements, interests or rights described in said descriptions and maps vested in the People of the State of New York upon such filing in the office of said county clerk.

SUPERINTENDENT OF PUBLIC WORKS OF THE STATE OF NEW YORK

Dated: JUNE 9, 1960

and Claims

P.G. Baldwin

19prp.
R: 6/11/64
404-254

MSE MIL VI

is late of Iven Jark county Clerk's Office SS.

Recorded on the I day of Ive 1964 at 1979. M in Liber No.

at page and Alagarian Clerk

LIBER 404 PAGE 255

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neredy certify that this is an accurate description and map made from an accurate a

W W Stangers

I. Sinecori



DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY NEW YORK STATE DEPARTMENT OF PUBLIC WORKS

NEW LEBAHON - BEALMAED S.H. 615 - COLUMEIA COLNEY

Total Area To. 302 Acres

FRED Z. PALUEF & LILLIAN S. PALMER.

(Reputed Owners)

Description & map of property which the superintendent of which with deems necessary for purpose by appropriation in the name of the people of the state of New York in fee, 30, of the Highway Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of in or to said property.

and the original Pursuant to statute set forth above, and in accordance with the official order of the superintendent of prible works, the above description and map are hereby officially approved; and said description and the oritation of the map are hereby officially filed in the office of the department of public works.

2/ 19 64 Februsey

P. G. Paldwin Director, Bureau of Rights of Way and Claims

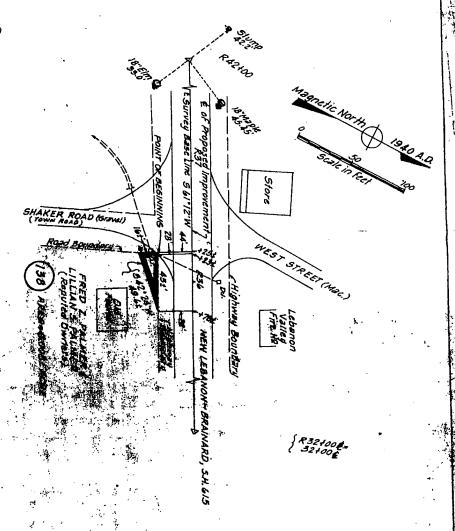
I have compared the foregoing copy of description and map with the original thereof, as filed in the office and the while works and I do hereby certify the same to be a true and correct copy of said original and of the whole thereof.

Director, Bureau of Rights of Way and Claims

MAP NO. PARCEL NO. OF 1 SHEETS COUNTYColumbia SHEET 1

r notice on file at New York te Department of Public Works District Office No. 8 located purplikeepsieNew York. TRN ...

375 P



rainafter designated as Percel No. 138, situate bits. State of New York, as shown on the accompanying

of said hase line; thence ginding being 0,000 aore

The post win of the survey base line for the resolu-tion in the survey base line for the resolu-tion in the survey base line for the resolu-tion of the survey base line for the s

MAP NO. PARCEL NO. OF 1 SHEETS COUNTYColumbia SHEET 1

fluryey notes on file at New York State Department of Public Works
District Office No. 8 located District Office No. 8 located
Pourhkeensie New York. 1 TRN 3. 375 P CC

AKER ROAD (GISVAI) WEST STREET od Boundary

Hologo or percel of property hereine ter designated as Percel No. 138, situate of New Labanon, Columbia, Ctate of New York, as shown on the accompanying

The Tabova mentioned as the second of the sense of the existing New Lebenon - Braine id the sense of the lebenon - Braine id the sense of the lebenon is the sense of the New Manna Braine is sense of the sense of t

The above mantioned survey base Tick is a postling of the survey base line for the resord struction of the New Lebeson - Brainful Right Highward 6.55 as shown on a may and plan on the the office of the Brainful Department of Public Works and described as follows:

Ale that blows or parcel of property harsina ter designated as Parcel No. 138, situate in the Town of New Lebanon, County of Columbia, State of New York, as shown on the accompanying map and described as follows:

Parent No. 138

Beginning at a point on the routhwasterly boundary of the existing New Lebenon - Brainard in the intersection of the said boundary with the northeasterly boundary of Shaker rout, and point being Pd. Intersection of the hereinefter described survey base line for the reconstruction of the New Island Brainard State Righesy Nagara, thence northeasterly along said southeasterly houndary of New Lebenon Brainard Righesy Nagara, thence northeasterly along said southeasterly houndary of New Lebenon Brainard Righesy 15 feet to a point 28 feet distant so the sterly measured at right angles, from Station R. 15 feet to its intersection. With the northeasterly boundary of said existing Shaker hoad, the last mentioned point being 44 feet distant southeasterly along the said boundary 16+ feet to the loint of beginning, being 0.008 acre nore or less.

The above mentioned survey base line is a portion of the survey base line for the resord struction of the New Lebanon - Brainard State Highward 0. 615 as shown on a may and plan on file in the office of the State Department of Public Works and described as follows:

Beginning at Station B. 32-20 Minne 561 12 W 1000.7 Year to Station F +2+00

All bearings referred to Magnetic North 1900 A.D.

I hereby certify that this is an accurate description and map made from an accurate survey prepared under my direction.

Date April 24, 19 63

M. Y. Sinecori

District Engineer, District No.

Total Area =0 .000+ Acres



NEW YORK STATE DEPARTMENT OF PUBLIC WORKS DESCRIPTION AND MAP FOR THE ACQUISITION OF PROPERTY

NEW LEBAHON - BRAINARD S.H. 615 COLIMBIA COUNTY

Map No. 107 Parcel No. 138

P.

FRED Z. PALMER & LILLIAN S. PALMER.

(Reputed Owners)

Description & map of property which the superintendent of while works deems necessary to be acquired by appropriation in the name of the people of the state of New York in fee, for nursoses connected with the highway system of the State of New York pursuant to Section 30, of the Highway Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to statute set forth above, and in accordance with the official order of the superintendent of public works, the above description and map are hereby officially approved; and said description and the original tracing of this map are hereby officially filed in the office of the department of public works.

Date February 21, 19 64

P. G. Paldwin

Director, Bureau of Rights of Way and Claims

I have compared the foregoing copy of description and map with the original thereof, as filed in the office of the department of public works and I do hereby certify the same to be a true and correct copy of said original and of the whole thereof.

Balda

Director, Bureau of Rights of Way and Claims

Form: ROW 91-R1 (Section A)

NEW YORK STATE DEPARTMENT OF PUBLIC WORKS BUREAU OF RIGHTS OF WAY AND CLAIMS

APPROPRIATION OF PROPERTY BY THE PECPLE OF THE STATE OF NEW YORK

APPROPRIATION OF PROPERTY BY T.	HE REOPHE OF THE STATE OF REW TORK			
PROJECT: NEW LEBANON - BRAINARD	DESCRIPTIONS AND MAPS MAP NOS. PARCEL NOS.			
S.H. 615 COUNTY OF COLUMBIA TOWN OF NEW LEBANON	107 138			
	man consist michi			
Pursuant to the statute set for	APPROPRIATION th in the above descriptions and maps			
TO: LEBANON VALLEY PROTECTIVE ASSOCIATION, INC.	New Lebanon New York			
TAKE NOTICE that on the 3 day of March , 1964, there was filed in the office of the Department of State a contified each of the above designated descriptions and maps of property; and that on the 11 day of June , 1964, there was filed in the office of the clork of the county, in which such property is situated, a copy of each of such descriptions and maps.				
TAKE FURTHER NOTICE that title to the property, easements, interests or rights described in said descriptions and maps vested in The People of the State of New York upon such filling in the office of said county clork.				
	SUPERINTENDENT OF PUBLIC WORKS OF THE STATE OF NEW YORK			
Dated: June 19, 1964	11/1/10/11			
	By: Director, Bureau of Rights of Way and Claims P.G. Baldwin			
COUNTY CLERK'S CERTIFICATE OF FILING OF DESCRIPTIONS AND MAPS				
State of New York County of	I hereby certify that on the day of 19, the Superintendent of Public Works caused a			
	Superintendent of Public Works caused a copy of each of the descriptions and maps, referred to in the above notice of appropriation, to be filed in this office.			
(SEAL) Dated:				
	County Clerk			
COUNTY CLERK'S CERTIFICATE OF FILING AND RECORDING OF NOTICE OF APPROPRIATION				
State of New York County of Solume A	I pereby certify that on the /// day of <u>EFTEM DEF</u> 19 60, the Superintendent of Public Works caused the above notice of appropriation to be filed			

Dated: SEPT. 14 1964

(16 Mgs)
PRPP op
R. 9/14/64
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EIBER 406 PAGE 591