

WARRANTY DEED
(with lien covenant)

THIS INDENTURE, made the 17th day of January, 2024.

BETWEEN

EQUITY TRUST COMPANY FBO TIM VERBORGH EVANS, IRA, residing at 1 Equity Way, Westlake, Ohio 44145, party of the first part, and

BRIAN TYMANN, residing at 107 Potunk Lane, Westhampton Beach, New York 11978, party of the second part,

WITNESSETH:

THAT the party 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 party of the second part, does hereby grant and release unto the party of the second part, his heirs and assigns forever,

Legal Description attached hereto and made a part hereof as Schedule "A"

TOGETHER WITH AND SUBJECT TO any easements, covenants, restrictions and rights of way of record.

BEING the same premises conveyed by Yanko A. Diaz to Equity Trust Company FBO Tim Verborgh Evans, IRA by warranty deed dated July 8, 2020 and recorded in the Herkimer County Clerk's Office on July 24, 2020 in Instrument No. 2020-2975.

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, his heirs and assigns forever.

AND said party of the first part covenants as follows:

FIRST, that the party of the second part shall quietly enjoy the said premises;

SECOND, that said party of the first part will forever WARRANT the title to said premises;
and

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 party of the first part has hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF

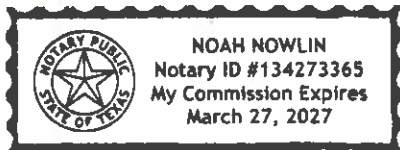


Tim Verborgh Evans

STATE OF TEXAS)

COUNTY OF Montgomery) ss.:

On the 17th day of January, in the year 2024, before me, the undersigned, personally appeared Tim Verborgh Evans, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.





Notary Public

SCHEDULE A

All that piece or parcel of land situate, lying and being in the Town of Herkimer, County of Herkimer and State of New York, known and designated as Lot #11 on a map and survey prepared by Robert J. Lawson, Licensed Land Surveyor #050086 dated January 17, 2005 and revised April 13, 2006, entitled "Final Plat Twin Ponds at Mohawk Highlands Being Part of Premises of New York Land & Lakes, Inc. L 936 P 594 being part of Great Lot 14 and 15 of the Hassencklever Patent Town of Herkimer and Newport, County of Herkimer State of New York", and filed in the Herkimer County Clerk's Office on April 20, 2006 as Map #311.

EXCEPTING AND RESERVING to the grantor herein the right to grant a standard easement for utility purposes not to exceed 50 feet in width.

Subject to all covenants, conditions, restrictions, notes, setbacks, agreements, easements and rights-of-way of record and/or as shown on abovementioned filed subdivision map.