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# Appendix

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Deed Documents for  
German Brothers Marina Property

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LEP 687 MAX 432

The People of the State of New York, by the Grace of God,  
Free and Independent,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

know ye, That, pursuant to subdivision 7 of Section 75 of the Public Lands Law and Findings of the Deputy Commissioner of General Services dated October 23<sup>rd</sup>, 1967 and in consideration of the sum of Three Thousand Nine Hundred Forty-one Dollars (\$3,941.00), Lawful money of the United States of America, paid by The Stephan Marine Yard, Inc., a corporation organized and existing under and by virtue of the Laws of the State of New York, with its principal office and place of business at 1085 Boughton Hill Road, Town of Victor, County of Ontario, State of New York and upon the conditions hereinafter expressed, we have given and granted and by these presents do give and grant unto the said THE STEPHAN MARINE YARD, INC., the owners of the land adjacent to the land hereinafter described, its grantees, or successors in interest, the following described land now or formerly under water, to wit:

All that parcel of land, formerly under the waters of Canandaigua Lake situated in the Town of Canandaigua, County of Ontario, State of New York bounded and described as follows:

Beginning at a point in the former shoreline of Canandaigua Lake at its intersection with the division line between the lands of The Stephan Marine Yard, Inc. and the lands of Clarence H. Crahan and Mary Ruth Crahan, said point being South eighty-one degrees, forty-six minutes East, two hundred eighty-two and sixty-three hundredths feet as measured along the said division line from an iron stake in the north-west corner of lands of The Stephan Marine Yard, Inc.

Thence along the former shoreline South twenty-five degrees, nine minutes, ten seconds West, two hundred one and ninety-eight hundredths

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feet; South fourteen degrees, sixteen minutes, ten seconds West, one hundred seventy-eight and fifty-one hundredths feet; and South fifteen degrees, sixteen minutes, ten seconds West, two hundred twelve and seventy-nine hundredths feet to its intersection with the division line between the lands of The Stephan Marine Yard, Inc. and the lands of Milton B. Morey and Patty P. Morey;

Thence into the waters of Canandaigua Lake along the extension of the last mentioned division line South eighty-one degrees, forty six minutes East, thirteen and eighty-five hundredths feet.

Thence continuing through the waters of said lake the following courses and distances: North fourteen degrees, thirty-four minutes, twenty seconds East, two hundred fourteen and seventy-seven hundredths feet; North forty-two degrees, zero minutes, twenty seconds East, twenty-three and one hundredths feet, North eighty-five degrees, zero minutes, forty seconds East, twenty-seven and sixty hundredths feet; North twenty-six degrees, forty-nine minutes, thirty seconds East, nineteen and seventy-two hundredths feet; North seventeen degrees, twenty-two minutes, twenty seconds East, eighteen and seventy-six hundredths feet; South seventy-five degrees, twenty-six minutes, twenty seconds East, fifteen and ninety-one hundredths feet; North seventeen degrees, twenty-five minutes East, ten and sixty-nine hundredths feet; South seventy-five degrees, forty-four minutes, ten seconds East, twelve and eighteen hundredths feet; North fourteen degrees, zero minutes, thirty seconds East, one hundred four and ninety-two hundredths feet; South seventy-four degrees, fifty-nine minutes East, four and twenty-four hundredths feet; North thirteen degrees, fifty-six minutes, ten seconds East, twenty-seven and forty-one hundredths feet; North seventy-four degrees, forty minutes, twenty seconds West, thirty-four and forty two hundredths feet, North eighteen degrees, fifty minutes East, one hundred thirteen and thirty-seven hundredths feet; North

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sixty-nine degrees, forty minutes, forty seconds West, fourteen and forty hundredths feet; North twenty-one degrees, eight minutes, fifty seconds East, forty-five and forty-six hundredths feet and North sixty-three degrees, forty-seven minutes, fifty seconds West, thirteen and forty-three hundredths feet to the point of beginning, containing twenty-one thousand, eight hundred eighty-two square feet, more or less. All bearings refer to the Magnetic Meridian as the needle pointed in May, 1953.

All lands filled in above mean low water, except eight hundred eighty seven square feet ± which are below mean low water.

These letters patent are issued however, and this grant is made and accepted:

1. Subject to public and private rights in and to the waters of the stream, and the continued flow of such waters, which runs to and through the culvert under the road and into the area hereby granted. Said culvert is situate approximately 20 feet southeasterly from the point of beginning hereinbefore set forth in the description hereof.
2. Subject to the covenant that a substantial bulkhead shall continue to be maintained on all offshore lines of the fill.

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Deputy  
IN WITNESS WHEREOF, our Commissioner of General Services has executed  
these letters patent in our name this 23<sup>rd</sup> day of October, 1967

THE PEOPLE OF THE STATE OF NEW YORK  
By Benjamin Frank  
Benjamin Frank

DEPUTY COMMISSIONER OF GENERAL SERVICES  
STATE OF NEW YORK } ss.:  
DEPARTMENT OF STATE }



I hereby certify that the Great Seal of the State of New York was hereto affixed on the twenty-third day of October, 1967

John J. Chavez  
Executive Deputy Secretary of State

Approved as to form this 27<sup>th</sup> day of October, 1967

LOUIS J. LEFKOWITZ  
Attorney General  
By Edward H. Amend  
Assistant Attorney General

9.28.67

Approved this 25<sup>th</sup> day of October, 1967.

ARTHUR LEVITT  
State Comptroller  
By [Signature]

John

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ONTARIO COUNTY, S. S.  
recorded on the 27<sup>th</sup> day of Nov. 1967  
at 12:30 o'clock P. M., in Book 687  
of ... at page 432 and  
examined by Byron C. Ring, Clerk  
by Donald H. Stalwitz, Dep. Clerk

1410

A 258-Statutory Form AA. Warranty Deed with Full Covenants.  
Corporation.

JULIUS B. LINDBERG, INC., LAW BLANK PUBLISHERS  
80 ELIZABETH PLACE AT BROADWAY, NEW YORK

# This Indenture,

Made the 5<sup>th</sup> day of MARCH nineteen hundred  
and Seventy-Seven,  
**Between**

**WEST LAKE MARINE, INC.**, with offices located at 3907 West  
Lake Road, Canandaigua, New York,

a corporation organized under the laws of the State of New York

party of the first part,

and

**GERMAN BROS. MARINA, INC.**, a New York Corporation, 3907 WEST  
LAKE RD., CANANDAIGUA, NEW YORK

part y of the second part,

**Witnesseth**, that the party of the first part, in consideration of

One and More (\$1.00 and More)----- Dollars, lawful money of the United States,

paid by the party of the second part, does hereby grant and release unto the part y of the  
second part, its distributans and assigns forever.

**All** that tract or parcel of land situated in the Town of  
Canandaigua, County of Ontario, and State of New York, and being a part  
of Town Lot Number 79 in said Town of Canandaigua, and being more  
particularly bounded and described as follows:

Commencing at an iron stake at the north west corner of pre-  
mises to be conveyed herein, which said iron stake is located 153 feet  
more or less southerly from and at approximately right angles to the  
northerly line of premises conveyed by Stella G. Strassenburgh to Helen  
Ruth Strassenburgh by Deed recorded in Ontario County Clerk's Office in  
Liber 436 of Deeds, page 51; thence south 20° 50' 20" west a distance  
of 596.31 feet along the easterly line of lands conveyed by Stella G.  
Strassenburgh to Helen Ruth Strassenburgh by Deed recorded in the Ontario  
County Clerk's Office in Liber 436, page 51 to an iron stake at the  
northwest corner of lands conveyed by Decker to Morey by Deed recorded  
in Ontario County Clerk's Office in Liber 653 of Deeds page 78; thence  
S 81° 46' 00" east, 322.99 feet along the northerly line of lands now  
owned by Morey to a point in the waters of Canandaigua Lake, which  
said point is also the south east corner of lands conveyed to the  
Grantor herein by certain Letters Patent from the State of New York  
which said Letters Patent were recorded in the Office of the Ontario  
County Clerk, in Liber 687 of Deeds, page 432; thence along the westerly  
line of Canandaigua Lake, which said line is also the easterly line of  
the lands conveyed to the Grantor herein by said Letters Patent re-  
corded in the Ontario County Clerk's Office in Liber 687 of Deeds, page  
432, the following sixteen courses and distances through the waters of  
Canandaigua Lake:

- (1) N 14° 34' 20" E, 214.77 feet;
- (2) N 42° 00' 20" E, 23.01 feet;
- (3) N 85° 00' 40" E, 27.60 feet;
- (4) N 26° 49' 30" E, 19.72 feet;
- (5) N 17° 22' 20" E, 18.76 feet;

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- (6) S 75° 26' 20" E, 15.91 feet;
- (7) N 17° 25' 00" E, 10.69 feet;
- (8) S 75° 44' 10" E, 12.18 feet;
- (9) N 14° 00' 30" E, 104.92 feet;
- (10) S 74° 59' 00" E, 4.24 feet;
- (11) N 13° 56' 10" E, 27.41 feet;
- (12) N 74° 40' 20" W, 34.42 feet;
- (13) N 18° 50' 00" E, 113.37 feet;
- (14) N 69° 40' 40" W, 14.40 feet;
- (15) N 21° 08' 50" E, 45.46 feet;
- (16) N 63° 47' 50" W, 13.43 feet;

to a point in the present westerly shore line of Canandaigua Lake; thence N 81° 46' 00" W, 282.63 feet, along the southerly line of lands conveyed to Clarence Crahan and Mary Ruth Crahan by Deed recorded in Ontario County Clerk's Office in Liber 596 of Deeds, page 526, a distance of 282.63 feet to the point and place of beginning, containing 4.3001 acres of land.

Excepting and reserving therefrom lands conveyed by John R. Strassenburgh and Margaret B. Strassenburgh to the County of Ontario by Warranty Deed recorded in the Ontario County Clerk's Office in Liber 367 of Deeds, page 513.

Further excepting the lands lying within the boundaries of the West Lake Road and subject to the covenants set forth in the aforesaid Letters Patent.

Being the same premises conveyed by The Stephan Marine Yard, Inc., to West Lake Marine, Inc., by warranty deed dated May 1, 1970, and recorded in the Ontario County Clerk's Office in Liber 703 of Deeds at page 614.

*RWD* All boundaries of the above-described premises are hereby conveyed in accordance with a certain survey map made by Anderson and Robartes, Surveyors, and dated the 4th day of May, 1970, and redated the 7th day of April, 1975, and which survey map is to be filed in the Ontario County Clerk's Office concurrently herewith.

This conveyance is made and accepted subject to an indebtedness secured by a mortgage upon said premises held by <sup>WJ</sup> THE CANANDAIGUA NATIONAL BANK AND TRUST COMPANY which mortgage was recorded in Ontario County Clerk's Office on the 30 day of MAY 1975 in Book 462 of Mortgages, at page 601 on which there is an unpaid principal of SIXTY THOUSAND DOLLARS (\$60,000.00), with interest from FEBRUARY 1 1977, at the rate of 8 1/2 per cent per annum, which said mortgage debt the party of the second part hereby assumes and agrees to pay as part of the purchase price of the above described premises, and the party of the second part hereby executes and acknowledges this Instrument for the purpose of complying with the provisions of Chapter 502 of the Laws of 1938.

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, its distributees and assigns forever.

And the party of the first part covenants as follows:

First.—That the party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

Second.—That the party of the second part shall quietly enjoy the said premises;

Third.—That the said premises are free from incumbrances;

Fourth.—That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth.—That the party of the first part will forever warrant the title to said premises;

Sixth.—The grantor, in compliance with Section 13 of the Lien Law, covenants that 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 that the grantor 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.

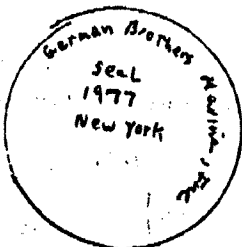
This conveyance is made and accepted subject to an indebtedness secured by a mortgage upon said premises held by CHANDLER K. SOUTHGATE and ALICE C. SOUTHGATE which mortgage was recorded in Ontario County Clerk's Office on the 50 day of MAY 1975, in Book 434 of Mortgages, at page 89 on which there is an unpaid principal of SEVENTY THOUSAND AND HUNDRED SEVEN and 70/100 Dollars (\$70,507.70), with interest from MARCH 1, 1977 at the rate of 8 1/2 per cent per annum, which said mortgage debt the party of the second part hereby assumes and agrees to pay as part of the purchase price of the above described premises, and the party of the second part hereby executes and acknowledges this Instrument for the purpose of complying with the provisions of Chapter 502 of the Laws of 1938.

In Witness Whereof, the party of the first part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer the day and year first above written.

In presence of:

WEST LAKE MARINE, INC.

By *John J. Sig*  
John J. Sig, President



German Brothers Marine, Inc.  
by *Fred Gernant*  
Fred Gernant, President

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State of NEW YORK  
County of MONROE

On the 25<sup>th</sup> day of MARCH 19 77 before me came  
JOHN WIIG

to me known, who, being by me duly sworn, did depose and say that he resides in  
Canandaigua, New York  
that he is the President of West Lake Marine, Inc.

the corporation described in, and which executed, the foregoing instrument; that he knows the seal of  
said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by  
order of the board of directors of said corporation; and that he signed his  
name thereto by like order.

*Timothy Maloney*

TIMOTHY MALONEY, Notary Public  
State of New York, Wayne County  
Commission Expires March 26, 1980

STATE OF NEW YORK  
COUNTY OF MONROE ) s.s.:

On the 25<sup>th</sup> day of March, 1977, before me came FRED A. GERMAN, JR.  
to me known, who, being by me duly sworn, did depose and say that he  
resides in Canandaigua, New York, that he is the President  
of German Brothers Marina, Inc., the corporation described in, and  
which executed, the foregoing instrument; that he knows the seal of  
said corporation; that the seal affixed to said instrument is such  
corporate seal; that it was so affixed by order of the board of  
directors of said corporation; and that he signed his name thereto by  
like order.

Richard Callen  
Notary Public, State of New York  
My Commission Expires March 30, 1979

*Richard Callen*

20424  
WEST LAKE MARINE, INC.,  
8267  
GERMAN BROS. MARINA, INC.

DEED  
WARRANTY

Dated, \_\_\_\_\_ 19 \_\_\_\_  
The land affected by the within instru-  
ment lies in

RECORD AND RETURN TO  
RICHARD CALLEN, ESQ.  
228 So. PLYMOUTH AVENUE  
ROCHESTER, NEW YORK  
14608

Reserve this space for use of Recording Office.

ONTARIO COUNTY, N.Y.  
Recorded on the 27 day of March, 1977  
of 263, which is in Book 263  
of DEEDS, at page 1094.

2559  
RECEIVED  
REAL ESTATE  
MAR 29 1977  
TRANSFER TAX  
ONTARIO  
COUNTY