

of the Clerk of Otsego County as Map No. 2692, more particularly described as follows:

BEGINNING at a point in the northerly boundary of Sunset Ridge Road at its intersection with the easterly boundary of Lot No. 9 and running thence N 00° 00' 00" E along the easterly boundary of said Lot No. 9 and other lands of the Grantors a total of 997.09 feet to an iron pin; thence along the southerly boundary of Lot No. 11 N 84° 37' 57" E 375.91 feet and S 66° 01' 24" E 203.94 feet to a point in the centerline of Huff Road; thence southerly along the centerline of said Huff Road as it winds and turns 1,494.58 feet to a point which marks the northerly boundary of said Sunset Ridge Road; thence along the northerly boundary of said Sunset Ridge Road as it winds and turns 516.99 feet to the point or place of BEGINNING, containing 13.21 acres be the same more or less.

TOGETHER with a drainage easement from the northerly corner of these premises to access an existing drainage pipe which runs under Huff Road and is located in the southeasterly corner of Lot 11, together with the right to repair and do such maintenance as may be necessary from time to time.

This conveyance is made and accepted subject to the following covenants and restrictions which shall attach to and run with the land and be binding upon the heirs, executors and assigns of the Grantees:

- a. No mobile, modular or sectional homes or trailers or recreational vehicles shall be permitted or maintained upon these premises.
- b. No junk yards, land fills, dumps, waste disposal sites of any sort shall be permitted or maintained on these premises, nor shall any unregistered vehicles be permitted to remain on these premises unless the same are properly garaged or housed overnight.
- c. No commercial activity other than agriculture shall be permitted or maintained upon these premises, except for permissible "home occupation".
- d. No non-agricultural structures, other than single-family residential dwellings and incidental out-buildings, shall be permitted or maintained upon these premises.
- e. No billboards or advertising signs of any sort shall be permitted or maintained upon these premises, except for permissible "home occupation".
- f. No single-family residential structure shall be constructed with floor space of less than 2,500 square feet, exclusive of basement and attic space.

- g. No portion of the foundation on the southerly and easterly exposures of any residential structure or incidental out-buildings to be constructed on these premises shall protrude more than two feet above grade level, unless the same is covered by siding material compatible with that covering the remainder of the structure or out-buildings.
- h. No residential structure or out-buildings to be constructed on these premises shall be painted any color other than white or non-glossy earth tones, or barn red.

Grantors agree to include the above restrictions "a" through "h" in all deeds of conveyance for all remaining parcels in the Sunset Ridge Subdivision (Map No. 2692).

BEING a portion of the premises conveyed from E. Lawrence Kellow and June B. Kellow to Fred Dykstra and Fernande Dykstra by deed dated 15 March 1977 and recorded 21 March 1977 in the Office of the Otsego County Clerk in Liber 653 of Deeds at Page 1191.

**TOGETHER** with the appurtenances and all the estate and rights of the grantor in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto grantee, grantee's heirs or successors and assigns forever.

**AND** said grantor covenants as follows:

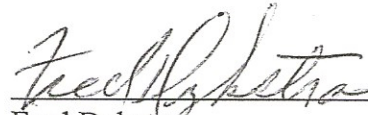
**FIRST**, That the grantee shall quietly enjoy the said premises;

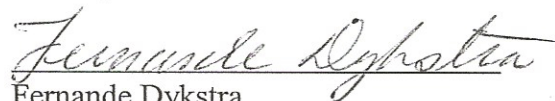
**SECOND**, That the grantor will forever WARRANT the title to said premises.

**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 grantor has hereunto set grantor's hand and seal the day and year first above written.

In Presence of:

  
Fred Dykstra

  
Fernande Dykstra

STATE OF NEW YORK     )  
                                      )SS.:  
COUNTY OF OTSEGO     )

On the 22d day of October, in the year Two Thousand Three, before me, the undersigned, personally appeared **Fred Dykstra and Fernande Dykstra**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are