

THIS INDENTURE, Made the thirtieth day of January, in the year of our Lord one thousand eight hundred and twenty-one, between ERASTUS CLEVELAND and REBECCA CLEVELAND, his wife, of the one part, and SILAS LEWIS, DANIEL P. PARSONS, OLIVIA BIGELOW, DAVID WOODS, DAVID FURNESS, JOHN EDGARTON, LEVI WILDS, JUDSON W. LEWIS, ORRIS MELVIN, LEVI LOVE, WELLS CURTIS, WILLIAM LEWIS, VICTORY CURTIS, LEWIS CURTIS, GEORGE DALRYMPLE, JOHN E. BURTON, ELEAZER HOUSE, MOSES MAYNARD, LOCKART BERRY, JOSEPH TUCKER, JOHN WOODS, STILES CURTIS, DANIEL BARKER, NATHAN B. BROOKS, JOSEPH CURTIS, AMOS MAYNARD, ISAAC COE, RUTHERFORD BARKER, WILLIAM BERRY, JUNIOR TRUMAN, STAFFORD EDWARD ROGERS, WILLIAM EDGARTON, and ASA GILBERT, of the second part,

WITNESSETH that the said parties of the first part, for and in consideration of the sum of fifteen dollars to them in hand paid, by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold, remised, released, aliened and confirmed and by these presents do grant, bargain, sell, remise, release, alien and confirm unto the said parties of the second part, in their actual possession, now being and to their heirs and assigns, forever,

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Village of Madison, in Madison County and bounded as follows: that is to say, Beginning in the center of the road running from Madison Village to the center meeting house of the south line of the Village Plot; thence running north seventy three degrees east, one chain and twenty-three links; thence east one chain and twenty-two links; thence south two chains and twelve links; thence west two chains and thirty-four links to the center of the said road; thence north one chain and sixty-one links to the place of beginning.

TOGETHER with all and singular, the hereditaments and appurtenances thereunto belonging or in any wise

appertaining and the reversion and resersions, remainder and remainders, rents, issues, and profits thereof and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part either in law or equity of, in and to the above bargained premises with the said hereditaments and appurtenances.

To have and to hold the said tract or parcel of land and premises with the appurtenances unto the said parties of the second part, their heirs and assigns to the sole and only proper use, benefit and behoof of the said parties of second part, their heirs and assigns forever, and the said parties of the first part do for themselves, their heirs, executors and administrators, covenant and agree to and with the said parties of the second part, their heirs and assigns, that the said parties of the first part are the true and lawful owners of the said tract or parcel of land and premises with the appurtenances and have good right, full power and lawful authority to grant and convey the same in manner aforesaid.

Provided, however, that in case the above described premises should at any time cease to be used for a meeting house for the term of one year that then and in that case the said premises shall revert to the said parties of the first part, or to their heirs as their first or former estate anything hereinbefore contained to the contrary notwithstanding and it is hereby covenanted on the part of the parties of the second part that they will at all times keep and maintain a good and substantial fence between the above described premises and the land of the said parties of the first part, and that they, the said parties of the first part, and their heirs, the said parcel of land and premises unto the said parties of the second part, their heirs and assigns against all lawful claims and demands, whatsoever shall and will

"Warrant and by these presents forever Defend." In Witness Where-
of the said parties of the first part have hereunto set their
hands & seals the day and year first above written .

Erastus Cleveland L. S.

Signed, sealed and delivered in presence of

NB the word "Land" written on the margin before signed.

Aaron Parker

State of New York)
Madison County) ss.

Be it remembered that on the tenth day of
February, one thousand eight hundred and twenty-one came before
me Erastus Cleveland to me known who acknowledged the execution
of this deed for the uses & purposes within mentioned & expressed.
I have examined the same and find no material erasures or inter-
lineations I allow the same to recorded. Asa B. Sizer, Com'r.
Recorded on the 20th day of February, 1821 at 10. o'clock A. M.

J. N. M. Hurd, Clk.

Madison County Clerk's Office.

Liber R. of Deeds, page 22.

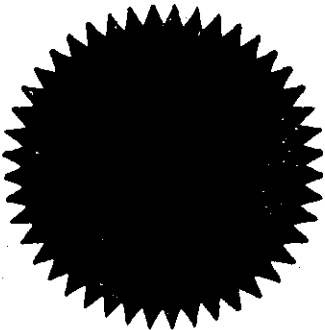
STATE OF NEW YORK, Madison County Clerk's Office, ss:

I, ALBERT F. DEVITT, Clerk of said County, and of the Supreme and County Courts therein, the same being Courts of

Record, Do Hereby Certify, That I have compared the annexed Copy of... Deed
Cleveland to Lewis et al with the record of the original,
as recorded in book... R. of... Deeds, page... 22 in this
office, and that the same is a correct transcript thereof and of the whole of such record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said
County and Courts, at the village of Wampsville, in said County, this... 6th
day of... December, 1826.

Albert F. Devitt Clerk.
By Erastus C. Parker Deputy Clerk



Erastus Cleveland

to

Silas Lewis, et al.

Deed

Certified Copy


1821

Madison County Clerk's Office
Wampsville, N. Y.
Albert F. Devitt, County Clerk

Whereas prior to July 7th.1896, the New York State Convention of Universalists owned the Universalist Church Lot and Church thereon, in Cazenovia, N.Y., and I owned the building attached to said Church and Whereas it was desired to sell said Lot, Church and building together and Whereas it was agreed that said New York State Convention of Universalists should sell the same together and take the proceeds of sale and pay to me out of same the sum of \$95.00 for said building and Whereas the same was sold on July 7th.1896, to John W. Howson for \$430.00 and Whereas the present occupants of said premises and building refuse to give up possession and claim that they own said Lot, Church and building and Whereas it is now understood that litigation will be required for said Howson to get possession thereof.

Now therefore in consideration of the sum of \$95.00 to me in hand paid by said New York State Convention of Universalists, I do here covenant and agree to and with said New York State Convention of Universalists, that in case said Howson his heirs or assigns, is not successful in said litigation and fails to get possession of and secure said Lot, Church and building attached, to repay to said New York State Convention of Universalists its successors or assigns said sum of Ninety Five Dollars.

Witness my hand and seal July 28th.1896.

Geo. W. Irish 

County of Madison, SS.

On this 28th day of July 1896, before me personally appeared George W. Irish, to me known to be the same person described in and who executed the foregoing instrument and duly acknowledged the execution thereof.

Antony Potany
Notary Public
in and for Madison County

LIBER 388 PAGE 226

This Indenture.

Made the 17th day of December Nineteen Hundred and Twenty-six(1926).

Between The First Universalist Society of Madison, Madison County, New York,

part y of the first part, and

New York State Convention of Universalists of Carthage, Jefferson County, New York,

part y of the second part.

Witnesseth, that the party of the first part, in consideration of One----- Dollar (\$1.00-----) lawful money of the United States,

paid by the party of the second part,

do es hereby remise, release, and quitclaim unto the part y of the second part, its successors, and assigns forever, all That certain piece or parcel of land situate lying and being in the Village of Madison in Madison County and bounded as follows that is to say Beginning in the center of the road running from Madison Village to the center meeting house at the south line of the Village plot thence running North seventy three degrees East one chain and twenty three links thence East one chain and twenty two links thence south two chains and twelve links thence West two chains and thirty four links to the center of the said road thence North one chain and Sixty one links to the place of beginning.

Being the same premises conveyed by Erastus Cleveland and Rebecca Cleveland, his wife, to Silas Lewis, et al by deed dated January 30th, 1821, recorded February 20th, 1821 in Liber R. at Page 22, in the office of the Clerk of Madison County, New York.

It being the intention to convey hereby the premises and property in possession of the party of the first part herein and occupied as a church property, and this deed is made pursuant to authorization

and direction of the party of the first part duly given by resolution of parish meeting on September 27th, 1926.

Together with the appurtenances and all the estate and rights of the part y of the first part in and to said premises,

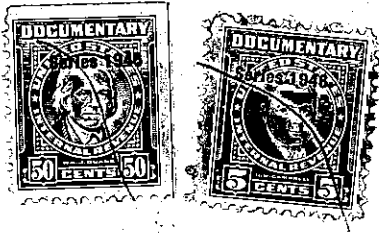
To have and to hold the premises herein granted unto the part y of the second part, its successors and assigns forever.

In Witness Whereof, the part y of the first part has hereunto set its hand and seal the day and year first above written.

In Presence of

The First Universalist Society of Madison, Madison County, New York

By Ernest L. Slate Clerk.



State of New York }
County of } SS.:

On this day of Nineteen Hundred and before me, the subscriber, personally appeared

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same

STATE OF NEW YORK,)
County of Madison.) SS.

I hereby certify that on this 23 day of December, 1926, before me came Ernest J. Slate to me known to be the Clerk of The First Universalist Society, of Madison, Madison County, New York, and known to me to be the person described in and who executed the foregoing deed and acknowledged that he executed the same as such clerk.

Ernest J. Slate
Notary Public.

*Donald Beebe Attorney
1529 Madison Street
Buffalo*

QUIT CLAIM

The First Universalist Society.

TO

New York State Convention of Universalists.

Dated, December 17th, 1926.

STATE OF NEW YORK

County of Madison 55.

RECORDED ON THE
25 day of July A.D. 1947
at 9 o'clock A.M.
in LIBER 388 of DEEDS
at PAGE 226 and examined

Roger P. Donnes

CLERK

INDEXED

JAMES J. BUTLER
LAWYER
CARTHAGE, N.Y.

130

AT a Special Term of the County Court for the County of Madison and State of New York, held in the Court House in the Village of Wampsville, Madison County, New York, on the 15th day of December, 1947.

PRESENT-

HON. CLARENCE E. CONLEY
County Judge of Madison County.

In the Matter of the Application
of the
NEW YORK STATE CONVENTION OF UNIVERSALISTS,
For Leave To Sell Certain Real Property.

Upon reading and filing the annexed petition of Roy F. Hayes, President of the New York State Convention of Universalists, duly verified the 6th day of December, 1947, and it appearing to this Court that no hearing is necessary and that the interest of said corporation will be promoted by a sale of the property hereinafter described to the Madison American Legion, Post 1556 of Madison, Madison County, New York, for the sum of \$1200.00;

NOW, ON MOTION, of Donald W. Beebe, Attorney for said Petitioner, it is

ORDERED, that the New York State Convention of Universalists, a corporation organized under Chapter 188 of the Laws of 1862 as amended, is hereby authorized to sell and convey to the Madison American Legion, Post 1556, of Madison, Madison County, New York, by a good and sufficient Deed, for the sum of \$1200.00, the real property hereinafter described, and the said corporation is hereby directed to apply the proceeds of such sale to the missionary, educational and charitable work of said corporation as provided by said Chapter 188 of the Laws of 1862, as amended.

The following is a description of the real property, the sale of which, including all improvements thereon, is hereby authorized:

ALL that certain piece or parcel of land situate, lying and being in the Village of Madison, County of Madison and State of New York, bounded and described as follows:

Beginning in the center of the highway leading from the village of Madison to Lake Moraine at the south west corner of a lot belonging to Mrs. James Cole; thence south 6 degrees 19' west 126.6 feet along the center of the road to the northwest corner of a lot belonging to Lucy Boyce; thence south 83 degrees 45' east (passing over an iron pipe set 25.5 feet from the center of the road on the east side of the side walk on the east side of the road) 153.5 feet to an iron pipe set in a corner of Madison village cemetery; thence north 7 degrees 30' east 130 feet along the above mentioned cemetery to an iron pipe; thence north 84 degrees 57' west (passing over an iron pipe set on the east side of the sidewalk 25.5 feet from the center of the road) 156.6 feet to the point or place of beginning containing .46 acre more or less.

The distance measured between the iron pipes on the east side of the side walk is 127 feet.

The property herein described is subject to the right of the Madison Village Cemetery to use the present driveways through said property as a right-of-way to the Cemetery.

It being intended to cover the same property as conveyed to Petitioner herein by the First Universalist Society of Madison by deed dated December 17, 1926 and recorded in the Office of the Clerk of Madison County, New York on July 25, 1947, in Liber 388 of Deeds at page 226, being also the same premises as conveyed to the Petitioner herein by said First Universalist Church or Society of Madison by deed dated June 30, 1947, and recorded in the Office of the Clerk of Madison County, New York, on July 25, 1947 in Liber 388 of Deeds at page 222.

ENTER

Adel Claremont Conley
County Judge.

COUNTY COURT, MADISON COUNTY, NEW YORK.

In the Matter of the Application

of the

NEW YORK STATE CONVENTION OF UNIVERSALISTS:
For Leave To Sell Certain Real Property.

To the Honorable, The County Court of Madison County, New York:

The petition of Roy F. Hayes, President of the New York State Convention of Universalists, respectfully shows to this Court:

1. The name of your Petitioner is the-

"NEW YORK STATE CONVENTION OF UNIVERSALISTS"

and it is a corporation incorporated by Chapter 188 of the Laws of 1862, as amended by Chapter 356 of the Laws of 1880, by Chapter 398 of the Laws of 1902, by Chapter 48 of the Laws of 1905, by Chapter 33 of the Laws of 1907 and by Chapter 231 of the Laws of 1918. The names of its Trustees and Officers of Petitioner with their places of residence are as follows:

Roy F. Hayes	President	1009 Myrtle Ave., Watertown, N.Y.
Rev. Howard B. Gilman	Vice-President	95 Gansevort St., Little Falls, N.Y.
Donald W. Beebe	Treasurer	373 Argonne Drive, Kenmore, N.Y.
Rev. Fred C. Leining, D.D.	Secretary	526 Cumberland Ave., Syracuse, N.Y.
Charles A. Phillips,	Trustee	Little Falls, N.Y.
Kenneth Downey	Trustee	72 Washington St., Hornell, N.Y.
George A. Friedrich	Trustee	82 Wall Street, New York, N.Y.
Rev. Benjamin B. Hersey, D.D.	"	4 West 76th St., New York, N.Y.
Rev. Ellsworth Reamon, D.D.	"	743 Allen St. Syracuse, N.Y.

Mrs. Victor H. Russell Trustee,

186 Alexander St.,
Rochester, N.Y.

2. The purpose of the incorporation of your petitioner is to act as the governing religious body of all Churches of the Universalist Denomination within the bounds of the State of New York, whether active, extinct or disbanded, within the meaning of the Religious Corporations Law, pursuant to Section 3 of Chapter 188 of the Laws of 1862 as last amended by Chapter 33 of the Laws of 1907.

3. Your petitioner desires to sell for Twelve Hundred (\$1200.00) Dollars certain real property described as follows:

ALL that certain piece or parcel of land situate, lying and being in the Village of Madison, County of Madison and State of New York, bounded and described as follows:

Beginning in the center of the highway leading from the village of Madison to Lake Moraine at the south west corner of a lot belonging to Mrs. James Cole; thence south 6 degrees 19' west 126.6 feet along the center of the road to the northwest corner of a lot belonging to Lucy Boyce; thence south 83 degrees 45' east (passing over an iron pipe set 25.5 feet from the center of the road on the east side of the side walk on the east side of the road) 153.5 feet to an iron pipe set in a corner of Madison village cemetery; thence north 7 degrees 30' east 130 feet along the above mentioned cemetery to an iron pipe; thence north 84 degrees 57' west (passing over an iron pipe set on the east side of the sidewalk 25.5 feet from the center of the road) 156.6 feet to the point or place of beginning containing .46 acre more or less.

The distance measured between the iron pipes on the east side of the side walk is 127 feet.

The property herein described is subject to the right of the Madison Village Cemetery to use the present driveways through said property as a right-of-way to the Cemetery.

It being intended to cover the same property as conveyed to Petitioner herein by the First Universalist Society of Madison by deed dated December 17, 1926 and recorded in the Office of the Clerk of Madison County, New York on July 25, 1947 in Liber 388 of Deeds at page 226, being also the same premises as conveyed to the Petitioner herein by said First Universalist Church or Society of Madison by deed dated June 30, 1947 and recorded in the Office of the Clerk of Madison County, New York, on July 25, 1947 in Liber 388 of Deeds at page 222.

The purchaser of this property is to be the MADISON AMERICAN LEGION, POST 1556, of MADISON, Madison County, New York.

4. The interests of your petitioner will be promoted by selling the said real property for the reason that the Universalist Church building of Madison is located thereupon, which Church has not held religious services for some years and the surviving Trustees and members thereof have heretofore conveyed said premises to petitioner and now have certified to your petitioner that they desire the property to be sold to said Madison American Legion, Post 1556, for the \$1200.00 which it has offered, petitioner therefore having no further need of or use for said real property, and for the further reason that said purchase price of \$1200.00 offered by the purchaser is the best offer that petitioner has been able to obtain for said property and petitioner believes it to be a fair price for the same.

5. That such sale of the said real property for \$1200.00 has been authorized by a vote of at least two-thirds of the members of the Executive Board of Petitioner at a meeting duly called and held at Syracuse, New York, on November 18th, 1947, and a certified copy of such resolution granting such authority is hereto annexed and marked Exhibit "A".

6. The fair market value of the other real and personal property of Petitioner is upwards of \$400,000.00, and petitioner's outstanding debts are under \$10,000.00.

7. The moneys realized from the sale of such real property are proposed to be used and held in trust for the missionary, educational and charitable work of petitioner in the State of New York, provided that said proceeds may hereafter be returned to the Madison Universalist Society if it is duly reorganized as a Universalist Society, all as provided by Section 8 of said Chapter 188 of the Laws of 1862 as last amended by Chapter 33 of the Laws of 1907.

8. This application is made without prejudice to any and all rights of petitioner to sell and convey the real property herein described or any other real property owned by petitioner without any previous application to any court or judge thereof as specifically provided in said Chapter 188 of the Laws of 1862, as amended.

WHEREFORE, your petitioner prays for an order of this Court authorizing it to sell and convey the real property hereinbefore described to the MADISON AMERICAN LEGION, POST 1556, of Madison, Madison County, New York, for the sum of \$1200.00, and to execute and deliver a good and sufficient Deed thereof to the said purchaser or its assigns upon receiving said purchase price, and for such other and further relief in the premises as may be just and equitable.

NEW YORK STATE CONVENTION OF UNIVERSALISTS

(SEAL)

By ROY F. HAYES
President.

(SEAL)

ATTEST:

Fred C. Leining
Secretary.

STATE OF NEW YORK,)
COUNTY OF JEFFERSON.) SS.:

ROY F. HAYES, being duly sworn, deposes and says that he is the president of the petitioner, New York State Convention of Universalists, above named; that he has read the foregoing petition and knows the contents thereof; and that the same is true of his own knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true; that the reason why this verification is made by the deponent and not by the petitioner is that the petitioner is a corporation.

County
Clerk's
Certificate
attached.

ROY F. HAYES

Sworn to before me this
6th day of December, 1947.

DORIS L. CLARK
Notary Public, in the State of New York
Residing in Jefferson County No. 56
Commission expires March 30, 1949.

EXHIBIT "A"

RESOLUTION OF THE EXECUTIVE BOARD OF THE NEW YORK STATE
CONVENTION OF UNIVERSALISTS ADOPTED AT A MEETING
HELD ON THE 19th DAY OF NOVEMBER, 1947, BY A
VOTE OF MORE THAN TWO-THIRDS OF THE MEMBERS
OF SAID EXECUTIVE BOARD.

WHEREAS, this Convention has received from Madison
American Legion, Post 1556, of Madison, New York, an offer of
\$1200.00 for the Church property in the Village of Madison, New
York, formerly owned and used by the First Universalist Society
of Madison, and which property is now owned by this Convention,
and

WHEREAS, it appears that the surviving members of
said Church in Madison have no further use for said property
and this Convention believes that it is to its best interest to
accept said offer and sell same for \$1200.00;

NOW, THEREFORE, it is

RESOLVED, that the President and the
Secretary be and they hereby are authorized to sell
and convey said Church property in Madison, New York,
to the Madison American Legion, Post 1556, for
\$1200.00 by giving a good and sufficient quit-claim or
Covenant against Grantor Deed, and to apply to a Court
of competent jurisdiction for leave to sell the same,
and in general to do all things necessary to con-
summate such sale.

STATE OF NEW YORK,)
)SS.:
COUNTY OF ONONDAGA,)

FRED C. LEINING, being duly sworn, deposes and says that he is secretary of the New York State Convention of Universalists and of the Executive Board of said corporation; that he was present at a meeting of the said Executive Board duly called and held at Syracuse, New York, on the 19th day of November, 1947; that the said Executive Board is composed of four Executive officers and six Trustees; that the foregoing resolution was at said meeting duly adopted by the votes of ten members of said Executive Board, constituting at least two-thirds of the said Executive Board.

Fred C. Leining

Subscribed and sworn to before me
this 20th day of November, 1947.

Florence S. Jones.

(SEAL)

Notarial seal attached)

Sir : Take notice of an.....

of which the within is a copy, duly granted
in the within entitled action, on the
..... day of
..... 19....., and duly
entered in the office of the Clerk of the
County of..... on the
..... day of..... 19.....

Dated....., N. Y.,
..... 19.....

DONALD W. BEEBE

Attorney for **Petitioner**

Office and Post Office Address
1529 MARINE TRUST BLDG.
BUFFALO, N. Y.

To.....

Attorney for.....

STATE OF NEW YORK

..... COUNTY..... COURT,

COUNTY OF **MADISON**,

In the Matter of the Appli-
cation

of the

NEW YORK STATE CONVENTION OF
UNIVERSALISTS For Leave To
Sell Certain Real Property.

Office Copy
COPY

PETITION and ORDER.

DONALD W. BEEBE

Attorney for **Petitioner.**

Office and Post Office Address
1529 MARINE TRUST BLDG.
BUFFALO, N. Y.

Due and personal service of the within

is admitted this..... day of..... 19.....

Attorney for.....

Copy

STATE OF NEW YORK,

COUNTY OF

OF

SS:

.....being duly sworn,

deposes and says that he is.....

.....in this action; that he has

.....read the foregoing.....and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and as to those matters he believes it to be true.

Sworn to before me, this.....

day.....19

.....
.....

**The Following
Image(s) are the
Best
Copies Available**

BIEL'S

At a special meeting of the ^{First Universalist Church of Madison} parish
held in *Madison* on the evening of *Sept 27th 1926*,
due notice thereof having been legally given stating that
the object of the meeting was to consider transferring all *real*
~~possessions~~ ^{*estate*} of the parish to the New York State Convention of
Universalists. The following resolution was made by

Mr. *John L. Phelps* seconded by Mrs. *J. L. Phelps*
RESOLVED, that the *First Universalist Church* of *Madison*
convey all its ~~possessions~~ ^{*real estate*}
~~to~~ to the New York State Convention of Universalists and
be it further

RESOLVED, that the clerk of the parish be and he is
hereby authorized and empowered to make, sign and execute all
deeds, ~~titles~~ or other necessary papers or conveyances
to effectuate and carry out the purposes of this resolution.

The vote on this resolution was yes 8 no X
The number of those present at the meeting was 8 .

John L. Phelps
F B Howard
Trustees