

# **Ownership Abstract for the Lands of the “Reformed German Church at Canajoharie Cemetery” Now known as the Village of Fort Plain’s “Old Burial Ground on Sand Hill”**

In Royden Vosburgh's typescript of the Records of the Reformed German Church of Canajoharie, is direct evidence of the original intent of one of the Bleeker Family members to have a church built on a site within the bounds his patent. On September 9, 1761, is the mention of a request by the Reverend John Caspar Lappius, Minister, William Seeber, and Adam Young of the congregation of the German Reformed Church of Canajoharie, for a license to collect money to build a church.<sup>1</sup> Also on that same date a brief was filed with the New York Council to collect money for building a church at Canajoharie granted upon the petition of John Caspar Lappius, minister of the German Congregation there; William Seeber; and Adam Young. Messrs. Bleeker giving them the land for the building thereof.<sup>2</sup> Record, 1916. ts. This land grant appears to be documented on Item #12 of the Rutger Bleeker Papers which is a manuscript map of the boundaries of Expense Lot A, which shows a rectangular parcel 12.6 chains long by eight chains wide as being reserved for a church.<sup>3</sup>

The loss of this parcel of land by the congregation of the German Reformed Church of Canajoharie is documented in Montgomery County, New York Sheriff's Certificate of Sale #313:

*John R. Dygert & John Roth vs the Trustees of the Reformed Church of Canajoharie. Certificate to John J. Wack, filed March 23, 1829.*  
... I, Charles Easton, late Sheriff of said County . . . did on the Sixteenth day of March in the year one thousand eight hundred and Twenty nine, sell . . . to John J. Wack . . . all the right, title, & interest of the said Defendants or trustees aforesaid, to All that certain piece or parcel of land, situate in the town of Minden in said county, bounded as follows, Westerly by the lands of John A. Lipe, easterly by the lands of Jacob Abeel and southerly by the lands of David Lipe, commonly called the church lot . . .

Montgomery County, New York Sheriff's Certificate of Sale, #424 [Montgomery County, New York Deed 31:420], dated April 6<sup>th</sup>, 1831, to Peter Harder.

*Execution for \$808.95 and costs. levy made on [the] lands of which debtor was seized on May 7, 1830, being: All that certain tract or piece of land, situate in the town of Minden in said county, called the Fort Plain church lot Bounded as follows westerly by the lands of John A. Lipe, easterly by the lands of Jacob Abeel and southerly by the lands of David Lipe, . . . with all the buildings and appurtenances there unto belonging. . . .*

[See Montgomery County Deed 23:369 for the abutting acreage of Mary (Abeel) Dygert, widow of Nicholas Dygert].

Montgomery County, New York Deeds 32:261. An indenture dated May 1<sup>st</sup>, 1833, between Peter Harder of Minden, Montgomery County, New York of the first part and *Jacob A Beel Jr* of the same aforesaid place of the second part for \$900.00:

*. . . all that certain tract of land or piece of land situate in the town county and State aforesaid commonly known as the called the Fort Plain Church lot bounded as follows. Westerly by lands of John A Lipe Easterly by the lands of Jacob A Beel and Southerly by the lands of David Lipe, containing about fifty acres [sic] of land be the same more or less Excepting and reserving however out of the said premises or land above described the meeting house with the land under & about the same which lies now out side of the fence, the burying ground on said lands with a right of passage for a team or on foot at all times hereafter, from the said meeting house to and from the said burying ground when & as the same has heretofore been used, together with one acre of land on the opposite side of the road from the said Meeting house, to be taken in a square out of the lands whereon the School house now stands & including the said school house . . .*

Refers back to Montgomery County, New York Sheriff's Certificate of Sale, #424 and Montgomery County Deed .

Montgomery County Deed 39:91. An indenture dated May 9<sup>th</sup>, 1834, between Peter Harder of Minden, Montgomery County, New York of the first part and John J. Lipe of the same aforesaid place of the second part for \$200.00:

*. . . All that certain piece or parcel of Land lying situate & being in the town aforesaid being a square acre of land & being the same that was excepted in and by a deed of conveyance given & granted about two years ago since by the party of the first part to Jacob Abeel Jr. reference being held to said deed, the same and its contents, will now fully & at large appear said square acre is located on Sand Hill (so called) near the old Fort Plain Church & includes the e school house there being & is more particularly situate at the intersection of the road heading up the hill past the church & a private road leading from the road aforesaid to said party of the second part, said square acre on two sides to be located as may be on & along the fence as it was and stood before the same was repaired by said Jacob Abeel. Also a parcel of land on which the Church aforesaid stands, containing three quarters of an acre more or less, butted and bounded as follows viz easterly by the land of said Jacob, being as the fence was and stood when the conveyance aforesaid was made and granted, northerly by the line of said Jacob being the board fence as it was when he purchased the said lands, westerly by lands of John A Lipe and southerly by the public highway, a road aforesaid excepting & reserving from said last grant said Church & the stone wall on which it stands. And said party of the first part, reserves to himself, or to David Diefendorf & his assigns the right of removing said Church & wall untill the first day of February eighteen hundred and thirty six Also excepting & preserving for the benefit of the public at large whom it may concern a right of passage over & upon this last above granted parcel to and from the Burial ground, belonging*

to said Church, only for purposes connected with human interment in said grounds . . .

Refers to Montgomery County Deed 32:261.

Montgomery County Deed 42:515. An indenture dated February 12, 1838, between Peter Harder of Morristown & Saint Lawrence County, New York of the first part and the Trustees of Fort Plain Village in the County of Montgomery, New York of the second part for \$10.00, transfers:

. . . All that certain piece or parcel of Land situate in Minden and County last aforesaid about one mile North westerly of the village aforesaid and is known as the Fort Plain Burial Ground in Former Times is situated at or near and was connected with the old Fort plain Church for many years before it was pulled down, the parcel now conveyed containing about three or four acres, also granted a Road or communication to and from it from at or near the site of said old church which said Road and parcel of Land were reserved in deeds of this grantor to Jacob Abeel Ju' and John J. Lipe and this grant is made Explicitly to said Corporation and their assigns as a cemetery or burial ground . . .

Refers back to Montgomery County Deed 39:91, recorded. February 15<sup>th</sup>, 1838.

Montgomery County Deed 43:398. Indenture between John J. Lipe and Maria Lipe his wife to Jacob Abeel Junior on 26 April 1838 for \$300.00 transferring title to a square acre of land:

. . . Located on Sand hill (so called) near the Old Fort Plain Church used to stand and including the school house there being and is more particularly situate at the intersection of the road leading up the hill passing the old church place and a private road leading from the road aforesaid to said party of the first part. Also . . . a parcel of land on which the fort plain Church used to stand containing three quarters of an acre more or less butted and bounded as follows viz Easterly by the Line of the said Jacob Northerly by the Lands of the said Jacob the party of the second part Westerly by the Lands of John A. Lipe southerly by the public highway or road aforesaid Excepting and reserving for the benefit of the public at large whom it may concern a right of passage over and upon the last above granted parcel to and from the burial ground formerly belonging to the said Church of Fort Plain for purposes Connected with human interments in said burial ground . . .

Refers back to Montgomery County Deed 42:515.

Village Of Fort Plain Meeting Minutes of August 21<sup>st</sup>, 1851.

*Resolved that Urilus Birge Superintend & have the Old Burying ground lot of the Village of Fort Plain Surveyed & Staked, out, which was conveyed to said Village by Peter Harder on the 12<sup>th</sup> of February 1838 the Same being that portion of ground connected with the old Fort Plain Church containing about 3 or 4 acres & a right of Way Unto the same having been deeded for burial ground purposes.*

Village Of Fort Plain Meeting Minutes of October 2<sup>nd</sup>, 1851.

*Resolved that Nathan Davis furnish & set stones of Nine feet in length at the angles of the old burial ground on Sand Hill, And that the same be set 2 feet in the ground,*

Refers back to Montgomery County Deed 42:515.

Montgomery County Deed 85:196. October 27, 1869. Jacob and Sally Abeel of Minden to Cyrus K. Eigabradt of Minden for \$24,000.00; lands bounded northerly the lands of Christian P. Bellinger & Isaac Sparks; easterly by the Mohawk River; southerly by the lands of David W. Lipe & Seeber Lipe; and westerly by the lands of John Lipe, and Barent Getman. The deeded lands include all of Abeel's Island nearly opposite the northern end of the larger tract excepting the lot owned by the widow of Nicholas Waggoner & an one acre lot in the larger tract set which was set aside to Conrad Beck. Also excepted from the larger tract is “the burial ground lot belonging to Fort Plain Village & the right-of-way to & from said burial ground lot”. Also excepted are lands being occupied by the State of New York for building the Erie Canal. Refers back to Montgomery County Deed 43:398.

Montgomery County Deed 85:343. January 10, 1870, Cyrus K. and Mary Eigabradt of Minden to Adam Lipe of Minden for \$20,500.00; lands bounded northerly by the lands of Christian P. Bellinger & the lands of Isaac Sparks; easterly by the Mohawk River; southerly by the lands of David W. Lipe & Seeber Lipe; and westerly by the lands of John Lipe, Barent Getman, and Christian P. Bellinger. All of Abeel's Island excepting that part of Abeel's Island owned by the widow of Nicholas Waggoner & one acre of the larger tract which is owned by Conrad Beck. **Also excepts the burial grounds and the right-of-way running to and from it** and the lands owned by the State of New York for the Erie Canal. Also conveyed were all of the personal farm property the Eigabradts purchased from Jacob Abeel except for a buggy wagon & cutter. [All of the aforesaid property was transferred to the Eigabradts by the Abeels in Montgomery County Deed 85:196]. The property is said to be the subject of multiple encumbrances granted by the Abeels to: The Schenectady Savings Bank for \$8,000.00, dated August 20<sup>th</sup>, 1862 and due on January 1<sup>st</sup>, 1870; a judgement against Jacob and Sally Abeel in favor of Jacob P. Fox for \$1881.00 which is due with interest from March 2<sup>nd</sup>, 1865; a judgement against Jacob and Sally Abeels in favor of Cyrus K. and Mary Eigabradt the title to which has been transferred to John E. Ehle upon which is due \$300.00 plus interest from August 9<sup>th</sup>, 1866; a judgement against Jacob and Sally Abeel in favor of John E. Ehle for \$1511.41 with interest from December 11<sup>th</sup>, 1866; a judgement against Jacob and Sally Abeel in favor of John E. Ehle for \$926.79 with interest from December 03<sup>rd</sup>, 1867; and, a judgement against Jacob and Sally Abeel in favor of John E. Ehle for \$945.00 with interest from January 28<sup>th</sup>, 1869 which have all been defaulted upon and which amounts were deducted from the monies paid Cyrus K. and Mary Eigabradt of Minden to the said Jacob and Sally Abeel. Refers back to Montgomery County Deed 85:196.

Montgomery County Deed 97:90. An indenture dated February 24<sup>th</sup>, 1877 from Esquire George Yost of Fort Plain Referee of the first part to David W. Lipe and John E. Ehle of the Town of Minden of the second part “At a Special Term of the Supreme Court of New York State held in Justice Landon's Chambers in Schenectady on January 9<sup>th</sup>, 1877” with David W. Lipe and John

E. Ehle as plaintiffs and Adam and Martha Lipe as defendants: conveys to David W. Lipe and John E. Ehle the properties described in Montgomery County Mortgage 69:194 executed by Adam and Martha Lipe to Charles M. Snell, Orville Snell, and Joseph Smith. The property conveyed consists of two parcels:

Parcel One: Is bounded northerly by the lands of Christian P. Bellinger & Isaac Sparks; easterly by the Mohawk River; southerly by the lands of David W. Lipe, Seeber Lipe; and westerly by the lands of John Lipe, Barent Getman, and Christian P. Bellinger containing about 100 acres of land more or less.

Parcel Two: Is bounded northerly by the lands of Christian P. Bellinger; easterly by the lands of David W. Lipe, William Lipe, and Alfred J. Wagner; southerly by the lands of Patrick Ward & George Schandling, John Plank, Henry Flagg, Henry Crouse, and Daniel Van Slyck; and westerly the lands of David W. Lipe, Seeber Lipe, and Henry J. Wiles containing about 150 acres more or less along with a right of way between to the aforesaid lots. Refers back to Montgomery County Deed 85:343.

Montgomery County Deed 100:21. An indenture between John E. and Martha Ehle of Minden Township, Montgomery County, New York of the first part and Seeber Lipe of Minden Township, Montgomery County, New York of the second part for \$13,000.00 on May 2<sup>nd</sup>, 1877 conveys two parcels:

Parcel One: Is bounded northerly by the lands of Christian P. Bellinger & Isaac Sparks; easterly by the Mohawk River; southerly by the lands of David W. Lipe, Seeber Lipe; and westerly by the lands of John Lipe, Barent Getman, and Christian P. Bellinger containing about 100 acres of land more or less..

Parcel Two: Is bounded northerly by the lands of Christian P. Bellinger; easterly by the lands of David W. Lipe, William Lipe, and Alfred J. Wagner; southerly by the lands of Patrick Ward & George Schandling, John Plank, Henry Flagg, Henry Crouse, and Daniel Van Slyck; and westerly the lands of David W. Lipe, Seeber Lipe, and Henry J. Wiles containing about 150 acres more or less along with a right of way between to the aforesaid lots.

The above said tracts are possessed by the parties of the first part and David W. Lipe as *tenants in common* or *joint tenants prior to the conveyance*. The said parties of the first gained title to the two tracts by the foreclosure of a Mortgage executed by Adam Lipe et al. Refers back to Montgomery County Deed 97:90.

Montgomery County Will 15:333. Will of David W. Lipe, deceased. Nieces: Augusta Lipe wife of Robert G. Bauder; Celia Lipe wife of William Cummings; Alice Lipe; Grand Nieces: Jennie Lipe; and Lena Lipe, daughter of nephew J. Nellis Lipe. Nephews: Irwin Lipe, Malan Lipe, and William Lipe, sons of William Lipe; J. Nellis Lipe [son of John J. Lipe]; and, Samuel Walrath and Garret L. Walrath [?! Nephew]) sons of \_\_\_\_ Walrath. Sister: Almira Lipe wife of \_\_\_\_ Kougher. Brothers: William Lipe and Seeber Lipe (executor along with John Grant). A "Joseph Scoutlin" is also named in the will as a heir to receive \$70.00 per year for life, his relationship to David W. Lipe is unclear. One half of the lands David W. Lipe purchased in conjunction with John E. Ehle on February 21<sup>st</sup>, 1877 from a judgement against Adam Lipe along with 50 acres of land sold to David W. Lipe by William Lipe on May 4<sup>th</sup>, 1877 are to go to the benefit of J. Nellis Lipe and are to be otherwise deeded unto him. See Montgomery County Deed 100:21. [J. Nellis Lipe, son of John J. Lipe & Magdalena Nellis died on February 8<sup>th</sup>, 1905 in Minden Township. He married Caroline M. Dillenbach who was a daughter of John and Catharine (Covenhoven)

Dillenbach. Caroline M. (Dillenbach) Lipe who was born October 8<sup>th</sup>, 1842, died in Minden Township on December 1<sup>st</sup>, 1924 ] J. Nellis also had a son named Robert Lipe [who was born circa 1869] who married in Minden Township on March 18<sup>th</sup>, 1895, Gertrude March].

Montgomery County Deed 130:44. An indenture between Seeber Lipe and John P. Garnt of Fort Plain, Montgomery County, New York, Executors of the Last Will and Testament of David W. Lipe of the first part and J[ohn] Nellis Lipe, of Minden Township, Montgomery County, New York of the second part dated Marc 24<sup>th</sup>, 1894 conveying the following tracts of land:

*Parcel No. 1: — . . . Bounded Northerly by lands now or formerly of Christian P. Bellinger and of Isaac Sparks; Easterly by the Mohawk River; Southerly by lands known as the “homestead farm” of David W. Lipe and Seeber Lipe; Westerly by said lands of David W. Lipe and Seeber Lipe; and the lot now or formerly known as the Barent Getman lot; and lands now or formerly of Christian P. Bellinger including the island in the Mohawk River known as the Abeel Island containing in all about one hundred acres: —*

*Parcel No. 2: — . . . Bounded Northerly by lands now or formerly of Christian P. Bellinger; Easterly by lands known as the “homestead farm” of David W. Lipe and Seeber Lipe, lands formerly this parcel and above described of William Lipe, and lands formerly of Alfred J. Wagner, — Southerly by lands now or formerly of Patrick Ward, George Schnaulehy, John Plank, Henry Flagg, Henry S. Crouse and Daniel Van Slyck respectively, Westerly by said lands of David W. Lipe and Seeber Lipe, and lands now or formerly of Henry J Wiles containing one hundred and fifty acres of land, together with the right of way between parcel and above described parcel No. 1.*

*Being the undivided one half part of whereof the party of the first part was seized at the time of the death of the late David W, Lipe of said Ton of Minden of the same two parcels of land conveyed to David W. Lipe and John Ehle by George Yost referee deed dated February twenty fourth 1877 and recorded in Liber 97 of Deeds at page 90:—*

*Subject to a Mortgage to Lena M. Lipe to secure the payment of Three Thousand nine hundred and ninety four dollars and fifty six cents for this conveyance . . .*

Refers back to Montgomery County Deed 100:21.

Montgomery County Deed 130:46. An indenture between Seeber Lipe of Fort Plain, Montgomery County, New York of the first part and J[ohn] Nellis Lipe, of Minden Township, Montgomery County, New York of the second part dated Marc 24<sup>th</sup>, 1894 conveying the following tracts of land:

*All the undivided one half of which the said David W. Lipe died seized, of the two parcels of land next hereinafter described to wit:—*

*Parcel No. 1: — . . . Bounded Northerly by lands now or formerly of Christian P. Bellinger and of Isaac Sparks; Easterly by the Mohawk River; Southerly by lands known as the “homestead farm” of David W. Lipe and Seeber Lipe; Westerly by said lands of David W. Lipe and Seeber Lipe; and the lot now or formerly known as the Barent Getman lot; and lands now or formerly of Christian P. Bellinger including the island in the Mohawk River known as the Abeel Island containing in all about one hundred acres: —*

*Parcel No. 2: — . . . Bounded Northerly by lands now or formerly of Christian P.*

*Bellinger; Easterly by by lands known as the “homestead farm” of David W. Lipe and Seeber Lipe, lands formerly this parcel and above described of William Lipe, and lands formerly of Alfred J. Wagner, — Southerly by lands now or formerly of Patrick Ward, George Schnaulehy, John Plank, Henry Flagg, Henry S. Crouse and Daniel Van Slyck respectively, Westerly by said lands of David W. Lipe and Seeber Lipe, and lands now or formerly of Henry J Wiles containing one hundred and fifty acres of land, together with the right of way between parcel and above described parcel No. 1.*

*Being the undivided one half part of whereof the party of the first part was seized at the time of the death of the late David W, Lipe of said Ton of Minden of the same two parcels of land conveyed to David W. Lipe and John Ehle by George Yost referee deed dated February twenty fourth 1877 and recorded in Liber 97 of Deeds at page 90:—*

*Also all that certain piece or parcel of land situate lying and being in the Town of Minden County of Montgomery and State of New York bounded and describd as follows:—*

*Bounded on the easterly side by a lane or private road; southerly by lands formerly owned by by Adam Lipe, Westerly by lands now or formerly of Christian P. Bellinger; and Northerly by lands formerly Adam Lipe’s farm being the same premises conveyed to said David W. Lipe by William Lipe by deed dated May fourth one thousand eight hundred and seventy seven, and recorded in the office of the Clerk of said C ounty May 29<sup>th</sup> 1878 in Book No 100 of Deeds at page 20:*

Montgomery County Deed 137:197. An indenture between J[ohn] Nellis Lipe, of Minden Township, Montgomery County, New York of the first part and Carolyn M. Lipe of Minden Township, Montgomery County, New York of the second part for \$1.00 on August 11<sup>th</sup>, 1897 conveying all rights and title to 74 acres of land more or less, with 24 acres being on Abeel Island. The said property is described as follows:

*. . . Beginning at the intersection of the division line between the lands known as the homestead farm of David W. Lipe an[d] Seeber Lipe and lands of the party of the first part with the Mohawk River running thence up along said river as far as the lands of said party of the first part extend, including the residence of house lot thence along lands now or formerly of Christian P. Bellinger and Isaac Sparks and lands of Barent Getman to the public highway known as the Dutchtown Road thence down along the center of said road to a point in line with the Easterly line of the School house lot, thence in a straight line to a large double willow tree standing in the division line between said homestead farm farm of David W Lipe and Seeber Lipe and lands of the party of the first part, this boundary passing in the rear of the brick dwelling house [which still stands on the west side of NYS Route 5S at the base of Sand Hill] and of the fence behind the same on the land hereby conveyed; and thence along said division line between said homestead farm farm of David W Lipe and Seeber Lipe and said lands of the party of the first part to the Mohawk River at the place of beginning . . .*

Refers back to Montgomery County Will 15:333, Montgomery County Deed 130:44, and Montgomery County Deed 130:46.

Montgomery County Will 35:74 and Montgomery County Probate File #588. The will of

Carolyn M. Lipe, wife of J[ohn] Nellis Lipe, of Minden Township, Montgomery County, New York probated on July 22<sup>nd</sup>, 1925, and signed on [ ] leaving all of her real estate to daughters Jennie A. Lipe and Lena L. (Lipe) Nellis [later Sponable] provided they allow thier father J.[ohn] Nellis Lipe the use of the lands and dwelling house until his, their father's, death. Grandchildren Howard R. Lipe and Mable G. Lipe [later Diefendorf] are also named as heirs of the estate. [See Montgomery County Deed 100:21, Montgomery County Deed 137:197, and Montgomery County Will 35:74, and Montgomery County Probate File #588 for an explanation of how this real estate came into the possession of Carolyn M. Lipe].

Montgomery County Deed 260:352. An indenture dated November 1<sup>st</sup>, 1945 between Lena L. Sponable, Howard R. Lipe and Lelah Lipe (his wife), and Mabel L. Diefendorf of the first part and Keith J. and Evelyn C. Bauder of the second part quitclaim the title to all:

*THAT PIECE OR PARCEL OF LAND situate, lying and being in the Town of Minden, County of Montgomery and State of New York, being a parcel of land bounded on the south by New York State Highway Route 5-S; on the west by the first parcel of land described in warranty deed of even date herewith from the parties of the first part hereto to the parties of the second part hereto; on the north by the lands of Irvin Klock; and, on the east by the lands of [the] Otsquago Fish and Game Club and by the second parcel of land described in said warranty deed of even date herewith from the parties of the first part hereto to the parties of the second part hereto.*

*The consideration for this conveyance is less than one hundred dollars (\$100.00).*

Refers back to Montgomery County Deed 261:248.

Montgomery County Deed 261:248. An indenture dated November 1<sup>st</sup>, 1945 between Lena L. Sponable, Howard R. Lipe and Lelah Lipe (his wife), and Mabel L. Diefendorf of the first part and Keith J. and Evelyn C. Bauder of the second part conveying:

*[Parcel #1] . . . bounded and described as follows, viz beginning at a fence corner in the northerly line of N.Y. State Highway, Route 5-S and being the SE corner of property of Elgie Saltsman, and running thence N.5°-20' E. along a fence line as it bears slightly to the east, and along property of Elgie Saltsman and of Irvin Klock for a distance of 862 feet to a fence corner; thence N.87°-32' E. along a fence line and property of Irvin Klock for a distance 310 feet to a fence corner; thence S.2-14' W. along a fence line and property of the Otsquago Fish and Game Club and the Old Cemetery for a distance of 70 feet to a fence corner; thence S.23°- 52' W. along a fence line and a lane used as a right of way to the old cemetery for 270 feet to the northerly line of Highway, Route 5-S; thence N.64°-28' W. along the northerly line of said Highway for a distance of 230 feet to the place of beginning, containing seven acres of land. . . . more or less.*

*[Parcel #2] . . . beginning at a point in the northerly line of New York State Route 5S and at the southeast corner of the lane or entrance to the leading to the Old Cemetery [and] lands of the Otsquago Fish and Game Club, said point being also 243 feet easterly from the place of beginning of the above first described parcel,*

*and running from thence N.24°-17' E. along a fence and a lane used as a right of way to the old cemetery for a distance of 260 feet to a fence corner; thence S.89°-38' E. along a fence and property of the Otsquago Fish and Game Club and the old cemetery for a distance of 650 feet to a fence corner; thence easterly along a fence not in a straight line and containing a four foot off-set at a gate, and along [the] property of the the Otsquago Fish and Game Club, of Prescott Hudson, and of the West Shore Railroad Co., for a distance of 300 about feet to a fence corner; thence S. 22°-53' E. along a fence and property of the West Shore Railroad Co. for a distance of 144 feet to a fence corner; thence N. 87°-20' E. along a fence and property of the West Shore Railroad Co. for a distance of 16 feet to a fence corner; thence southerly along a fence line as it runs not in a straight line, and along the property of the Highway known as the "River Road", and property of Raymond Luft for a distance of about 742 feet to a fence corner; thence S.30°-36' E. along a fence and property of Raymond Luft for a distance of 66 feet to a fence corner; thence S. 10°-12' W. along a fence and property of Edward Schrell for a distance of 125 feet to a fence corner; thence S. 78°-28' W. along a fence and property of Edward Schrell for a distance of 220 feet to a fence corner; thence N. 49°-14' W. along a fence and property of N.Y. State Highway, Route 5-S for a distance of 434 feet to a fence corner; thence N. 64°-28' W. along the northerly line of Highway, Route 5-S for a distance of 127 feet to the place of beginning, and containing 11.8 acres of land.*

*And both of the above parcels being a part of the same premises as conveyed to John Nellis Lipe by Seeber Lipe by Warranty Deed dated March 24<sup>th</sup>, 1894, and recorded May 18, 1894, in Vol. 130 at Page 44, and part of the same premises as conveyed to J. Nellis Lipe by Seeber Lipe and John P. Grant as executors, etc., of David W. Lipe, deceased, by Executor's Deed dated March 24<sup>th</sup>, 1894 and recorded May 18, 1894 in Vol. 130 at Page 46.*

Refers back to Montgomery County Deed 137:197 and Montgomery County Will 35:74, Montgomery County Probate File #588, and Montgomery County Deed 260:352.

Montgomery County Deed 291:40. An indenture dated June 1<sup>st</sup>, 1953 Keith J. and Evelyn C. Bauder of the Village of Fort Plain the first part to Harry O. Harman of the Town of Minden of the second part conveying a tract described as follows:.

*. . . beginning at a point in the northerly line of N.Y. State Highway No. 5-S distant 243 feet easterly from the southeast corner of lands formerly of Elgie Saltsman but presently of Stephen J. Wilson, and running from thence N.24°-17' E. along a driveway leading northerly to the Old Cemetery for a distance of 260 feet to a fence corner; thence S.89°-38' E. along the said driveway and lands of the Old Cemetery for a distance of 160 feet to a fence corner; thence N.17°-46' E. along the lands of the Old Cemetery for a distance of 498 feet to a point where the easterly line of the Old Cemetery is intersected by the westerly line of the lands of the lands appropriated for the New York State Thruway; thence S.24°-11' E. (Thruway map bearing) along the lands appropriated for the Thruway for a*

*distance of 525' to a point ; thence S.19°-22' W. (Thruway map bearing) along the lands appropriated for the Thruway for a distance of 502' to a point in the northerly line of lands of Dorothy M. Schrell , reputed owner; thence S.78°-28' W. along lands of Dorothy M. Schrell for a distance of 129' to a point in the northerly line N.Y. State Highway, Route No. 5-S; thence N.49°-14'W. along the said highway for a distance of 434 ft. to a point; thence N.64°-28'W. along the said highway for a distance of 127 feet to a place of beginning containing about 6.384 acres of land . . . Refers back to Montgomery County Deed 261:248. . . . The said parcel 2, as conveyed to the parties of he first part, herein by the last mentioned deed, consisted of 11.8 acres. The parties of the first are about to deed to the State of New York 5.416 acres of Land to the State of New York for Thruway purpose and the above described premises constitute the remaining portion of the said second parcel.*

Montgomery County Deed 291:42. An indenture dated June 1<sup>st</sup>, 1953 Keith J. and Evelyn C. Bauder of the Village of Fort Plain the first part to Harry O. Harman of the Town of Minden of the second part conveying a tract described as follows:.

*. . . bounded and described as follows, viz beginning at a fence corner in the northerly line of N.Y. State Highway, Route 5-S and being the SE corner of property of Elgie Saltsman, and running thence N.5°-20' E. along a fence line as it bears slightly to the east, and along property of Elgie Saltsman and of Irvin Klock for a distance of 862 feet to a fence corner; thence N.87°-32' E. along a fence line and property of Irvin Klock for a distance 310 feet to a fence corner; thence S.2-14' W. along a fence line and property of the Otsquago Fish and Game Club and the Old Cemetery for a distance of 70 feet to a fence corner; thence S.23°- 52' W. along a fence line and a lane used as a right of way to the old cemetery for 270 feet to the northerly line of Highway, Route 5-S; thence N.64°-28' W. along the northerly line of said Highway for a distance of 230 feet to the place of beginning, containing seven acres of land. . . . more or less.*

Refers back to Montgomery County Deed 261:248.

Montgomery County Deed 291:371. An indenture dated July 29<sup>th</sup>, 1953 between Harry O. Harmon of the Town of Minden, Montgomery County, New York of the first part and Raymond L. and Clara Luft of the Town of Minden of the second part, quitclaim all their right and title to:

*THAT PIECE OR PARCEL OF LAND situate, lying and being in the Town of Minden, County of Montgomery and State of New York, being a parcel of land bounded on the South by New York State Highway Route 5-S; on the West by the first parcel of land described in warranty deed of even date herewith from the parties of the first part hereto to the parties of the second part hereto; on the North by the lands of Irvin Klock; and, on the East by the lands of [the] Otsquago Fish and Game Club and by the second parcel of land described in said warranty deed of even date herewith from the party of the first part hereto to the parties of the second part hereto, being the same premises conveyed to Keith J. Bauder and Evelyn J. Bauder, his wife, by Lena L. Sponable and others by quitclaim deed*

*dated November 3, 1945 in Book 260 of Deeds at page 352.*

*The parties of the second part mutually covenant and agree with the party of the first part that no soil, gravel, sand or fill shall be removed from the said premises or any part thereof, and that the said premises shall not be graded or their contour changed. This restriction shall be binding upon the parties of the second part, their heirs, executors, administrators and assigns forever.*

Refers back to Montgomery County Deed 261:248.

Montgomery County Deed 292:379. An indenture dated June 1<sup>st</sup>, 1953 Harry O. Harman of the first part and Raymond and Clara Luft of the second part:

*[Parcel #1] . . . bounded and described as follows, viz beginning at a fence corner in the northerly line of N.Y. State Highway, Route 5-S and being the SE corner of property of Elgie Saltsman, and running thence N.5°-20' E. along a fence line as it bears slightly to the east, and along property of Elgie Saltsman and of Irvin Klock for a distance of 862 feet to a fence corner; thence N.87°-32' E. along a fence line and property of Irvin Klock for a distance 310 feet to a fence corner; thence S.2-14' W. along a fence line and property of the Otsquago Fish and Game Club and the Old Cemetery for a distance of 70 feet to a fence corner; thence S.23°- 52' W. along a fence line and a lane used as a right of way to the old cemetery for 270 feet to the northerly line of Highway, Route 5-S; thence N.64°- 28' W. along the northerly line of said Highway for a distance of 230 feet to the place of beginning, containing seven acres of land. . . . more or less.*

*[Parcel #2] beginning at a point in the northerly line of New York State Route 5S and at the southeast corner of the lane or entrance to the leading to the Old Cemetery [and] lands of the Otsquago Fish and Game Club, said point being also 243 feet easterly from the place of beginning of the above first described parcel, and running from thence N.24°-17' E. along a fence and a lane used as a right of way to the old cemetery for a distance of 260 feet to a fence corner; thence S.89°- 38' E. along a fence and property of the Otsquago Fish ad Game Club and the old cemetery for a distance of 650 feet to a fence corner; thence easterly along a fence not in a straight line and containing a four foot off-set at a gate, and along [the] property of the the Otsquago Fish and Game Club, of Prescott Hudson, and of the West Shore Railroad Co., for a distance of 300 about feet to a fence corner; thence S. 22°-53' E. along a fence and property of the West Shore Railroad Co. for a distance of 144 feet to a fence corner; thence N . 87°-20' E. along a fence and property of the West Shore Railroad Co. for a distance of 16 feet to a fence corner; thence southerly along a fence line as it runs not in a straight line, and along the property of the Highway known as the "River Road", and property of Raymond Luft for a distance of about 742 feet to a fence corner; thence S . 30°- 36' E. along a fence and property of Raymond Luft for a distance of 66 feet to a fence corner; thence S . 30°-36' E. . . . containing 11.8 acres.*

Refers back to Montgomery County Deed 261:248 and Montgomery County Deed 291:40 are

referred to respectively, but one should also see Montgomery County Deed 291:42.

Montgomery County Deed 292:379. An indenture dated June 1<sup>st</sup>, 1953 Harry O. Harman of the first part and Raymond and Clara Luft of the second part:

Montgomery County Deed 558:119. An indenture dated November 2, 1992 between Raymond and Clara Luft of the first part and James R. Luft, Janet A. Roof, RONALD E. Luft of the second part two parcels of land described as follows:

PARCEL 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Minden, County of Montgomery and State of New York, bounded and described as follows, viz: Beginning at a fence corner in the northerly line of N.Y. State Highway, Route 5-S and being the southeast corner of property of Elgie Saltsman, and running thence N 5' -20' E along a fence line as it bears slightly to the east, and along property of Elgie Saltsman and of Irvin Klock for a distance of 862 feet to a fence corner; thence N 8T -32' E along a fence line and property of Irvin Klock for a distance of about 310 feet to a fence corner, thence S 2' -14' W along a fence line and property of the Otsquago Fish and Game Club and the old cemetery for a distance of 720 feet to a fence corner; thence S 88' -49' W. along a fence and a lane used as a right of way to the old cemetery for a distance of 70 feet to a fence corner; thence S 23' -52'W along a fence line and a lane used as a right of way to the old cemetery for a distance of 270 feet to the northerly line of Highway, Route 5-S; thence N 64' -28'W along the northerly line of said Highway for a distance of 230 feet to the place of beginning and containing 7 acres of land.

PARCEL 2

ALSO, ALL THAT PIECE OR PARCEL OF LAND, situate lying and being in the Town of Minden, Montgomery County, State of New York, bounded and described as follows: Beginning at a fence corner in the northerly line of N.Y. State Highway No. 5-S distant 243 feet easterly from the southeast corner of lands formerly of Elgie Saltman but presently of Stephen J. Wilson, and running thence N 24' -17' E along a driveway leading northerly to the Old Cemetery for a distance of 260 feet to a fence corner; thence S 89' -38'E along the said driveway and lands of the Old Cemetery for a distance of 160 feet to a fence corner; thence N 17°-46' E along lands of the Old Cemetery for a distance of 498' ± to a point where the easterly line of the Old Cemetery is intersected by the westerly line of the lands appropriated for the New York State Thruway; thence S 24' -11' h (Thruway map bearing) along lands appropriated for the Thruway for a distance of 525' ± to a point; thence S 19 -22'W (Thruway map bearing) along lands appropriated for the Thruway for a distance of 502' ± to a point in the northerly line of lands of Dorothy M. Schrell, reputed owner, thence S 78° -28'W along lands of Dorothy M. Schrell for a distance of 129' ± to a point in the northerly line of New York State Highway, Route No. 5-S; thence N 49 -14'W along the said highway for a distance of 434 ft. to a point; thence N 64' -28'W along the said highway for a distance of 127 feet to the place of beginning, and containing about 6.384 acres of land.

EXCEPTING therefrom premises as conveyed by Raymond L. and Clara Luft to Niagara Mohawk Power Corporation by Warranty Deed dated April 26, 1965 and recorded in the Montgomery County Clerk's Office on April 30, 1965 in Book 360 of Deeds at Page 30.

ALSO subject to a R.O.W. easement from Raymond L. Luft and Clam Luft to General Telephone Company of Upstate New York, Inc. dated May 13, 1970 and recorded in the Montgomery County Deed 385:105.

Montgomery County Deed 1340:301.

**This Indenture**, Made the 14<sup>th</sup> day of **November**, TWO THOUSAND FIVE *Between* **JAMES R. LUFT**, residing at 15 Ridge Road, Canajoharie, New York 13317, **JANET A. ROOF**, residing at 365 St. Highway 80, Fort Plain, New York 13339 and **RONALD E. LUFT**, residing at 15 Abbott Street, Fort Plain, New York 13339, as fee owners holding title as tenants in common, and **CLARA LUFT**, residing at 15 Abbott Street, Fort Plain, New York 13339, as life tenant parties of the first part, and **DEBORAH LEE**, residing at 295 Southbury Road, Roxbury, Connecticut 06783 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/her/their heirs and assigns forever,

PARCEL 1

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Minden, County of Montgomery and State of New York, bounded and described as follows, viz: Beginning at a fence corner in the northerly line of N.Y. State Highway, Route 5-S and being the southeast corner of property of Elgie Saltsman, and running thence N 5' -20' E along a fence line as it bears slightly to the east, and along property of Elgie Saltsman and of Irvin Klock for a distance of 862 feet to a fence corner; thence N 8T -32' E along a fence line and property of Irvin Klock for a distance of about 310 feet to a fence corner, thence S 2' -14' W along a fence line and property of the Otsquago Fish and Game Club and the old cemetery for a distance of 720 feet to a fence corner; thence S 88' -49' W. along a fence and a lane used as a right of way to the old cemetery for a distance of 70 feet to a fence corner; thence S 23' -52'W along a fence line and a lane used as a right of way to the old cemetery for a distance of 270 feet to the northerly line of Highway, Route 5-S; thence N 64' -28'W along the northerly line of said Highway for a distance of 230 feet to the place of beginning and containing 7 acres of land.

PARCEL 2

ALSO, ALL THAT PIECE OR PARCEL OF LAND, situate lying and being in the Town of Minden, Montgomery County, State of New York, bounded and described as follows: Beginning at a fence corner in the northerly line of N.Y. State Highway No. 5-S distant 243 feet easterly from the southeast corner of lands formerly of Elgie Saltman but presently of Stephen J. Wilson, and running thence N 24' -17' E along a driveway leading northerly to the Old Cemetery for a distance of 260 feet to a fence corner; thence S 89' -38'E along the said driveway and lands of the Old Cemetery for a distance of 160 feet to a fence corner; thence N 17°-46' E along lands of the Old Cemetery for a distance of 498' ± to a point where the easterly line of the Old Cemetery is intersected by the westerly line of the lands appropriated for the New York State Thruway; thence S 24' -11' h (Thruway map bearing) along lands appropriated for the Thruway for a distance of 525' ± to a point; thence S 19 -22'W (Thruway map bearing) along lands appropriated for the Thruway for a distance of 502' ± to a point in the northerly line of lands of Dorothy M. Schrell, reputed owner, thence S 78° -28'W along lands of Dorothy M. Schrell for a distance of 129' ± to a point in the northerly line of New York State Highway, Route No. 5-S; thence N 49 -14'W along the said highway for a distance of 434 ft. to a point; thence N 64' -28'W along the said highway for a distance of 127 feet to the place of beginning, and containing about 6.384 acres of land.

EXCEPTING therefrom premises as conveyed by Raymond L. and Clara Luft to Niagara Mohawk Power Corporation by Warranty Deed dated April 26, 1965 and recorded in the Montgomery County Clerk's Office on April 30, 1965 in Book 360 of Deeds at Page 30.

ALSO subject to a R.O.W. easement from Raymond L. Luft and Clara Luft to General Telephone Company of Upstate New York, Inc. dated May 13, 1970 and recorded in the Montgomery County Clerk's Office on September 29, 1970 in Book 385 of Deeds at Page 105.

SUBJECT to all enforceable covenants, easements, conditions and restrictions of record, if any, affecting said premises.

BEING the same premises conveyed by Raymond L. Luft and Clara Luft, his wife, to James R. Luft, Janet A. Roof and Ronald E. Luft, by Warranty Deed dated November 2, 1992 and recorded in the Montgomery County Clerk's Office on November 10, 1992 in Book 558 of Deeds at Page 119.

There was reserved in said deed a life estate for the benefit of Raymond L. Luft and Clara Luft, for and during the term of their natural lives. The said Raymond L. Luft died on May 9, 2005, and Clara Luft has joined in this deed to extinguish her life estate in the premises.

**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/her/their 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 the said premises.

**Third**, That, in Compliance with Sec. 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 Witnesseth Whereof**, the party of the first part has hereunto set his/her/their hand and seal the day and year first above written.

**In Presence of**

JAMES R. LUFT LS

JANET A. ROOF LS

RONALD E. LUFT LS

CLARA LUFT LS

Montgomery County Deed 1784:59. **This Indenture**, Made the day of 6th day of October, TWO THOUSAND NINE Between **DEBORAH LEE n/k/a DEBORAH WALSH** residing at 66 Otsego Street, Canajoharie, New York 13317 parties of the first part, and **JILL N. CLAYBURN and WESLEY L. COOK**, whose address is PO Box 163, Fonda, New York 12068, as joint tenants with right of survivorship, parties 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 parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Minden, County of Montgomery and State of New York, bounded and described as follows, viz: Beginning at a fence corner in the northerly line of N.Y. State Highway, Route 5-S and being the southeast corner of property of Elgie Saltsman, and running thence N 5' -20' E along a fence line as it bears slightly to the east, and along property of Elgie Saltsman and of Irvin Klock for a distance of 862 feet to a fence corner; thence N 87' -32' E along a fence line and property of Irvin Klock for a

distance of about 310 feet to a fence corner; thence S 2' -14' W along a fence line and property of the Otsquago Fish and Game Club and the old cemetery for a distance of 720 feet to a fence corner; thence S 88° -49' W. along a fence and a lane used as a right of way to the old cemetery for a distance of 70 feet to a fence corner; thence S 23' -52' W along a fence line and a lane used as a right of way to the old cemetery for a distance of 270 feet to the northerly line of Highway, Route 5-S; thence N 64° -28'W along the northerly line of said Highway for a distance of 230 feet to the place of beginning and containing 7 acres of land.

EXCEPTING there from premises as conveyed by Raymond L. and Clara Luft to Niagara Mohawk Power Corporation by Warranty Deed dated April 26, 1965 and recorded in the Montgomery County Clerk's Office on April 30, 1965 in Book 360 of Deeds at Page 30.

ALSO subject to a R.O.W. easement from Raymond L. Luft and Clara Luft to General Telephone Company of Upstate New York, Inc. dated May 13, 1970 and recorded in the Montgomery County Clerk's Office on September 29, 1970 in Book 385 of Deeds at Page 105.

BEING a portion of the premises conveyed by James R. Luft, Janet A. Roof and Ronald E. Luft, as fee owners holding title as tenants in common and Clara Luft, as life tenant, by Warranty Deed dated November 14, 2005 and recorded in the Montgomery County Clerk's Office on November 23, 2005 in Book 1340 at Page 301. Said premises were designated as Parcel I on said deed.

The said Deborah Lee is now known as Deborah Walsh. Deborah Lee and Deborah Walsh are one and the same person.

Montgomery Deed 1784:62 . This Indenture Made the 6<sup>th</sup> day of October TWO THOUSAND NINE Between **DEBORAH LEE n/k/a DEBORAH WALSH**, residing at 66 Otsego Street, Canajoharie, New York 13317 parties of the first part, and **JILL N. CLAYBURN and WESLEY L. COOK**, whose address is PO Box 163, Fonda, New York 12068, as joint tenants with right of survivorship, parties 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 parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever, ALL THAT PIECE OR PARCEL OF LAND, situate lying and being in the Town of Minden, Montgomery County, State of New York, bounded and described as follows: Beginning at a fence corner in the northerly line of N.Y. State Highway No. 5-S distant 243 feet easterly from the southeast corner of lands formerly of Elgie Saltman but presently of Stephen J. Wilson, and running thence N 24' -17'E along a driveway leading northerly to the Old Cemetery for a distance of 260 feet to a fence corner; thence S 89' -38' E along the said driveway and lands of the Old Cemetery for a distance of 160 feet to a fence corner; thence N 17' -46' E along lands of the Old Cemetery for a distance of 498' ± to a point where the easterly line of the Old Cemetery is intersected by the westerly line of the lands appropriated for the New York State Thruway; thence S 24' -11' E (Thruway map bearing) along lands appropriated for the Thruway for a distance of 525' ± to a point; thence S 19' -22' W (Thruway map bearing) along lands appropriated for the Thruway for a distance of 502± to a point in the northerly line of lands of Dorothy M. Schrell, reputed owner, thence S 78' -28'W along lands of Dorothy M. Schrell for a distance of 129' ± to a point in the northerly line of New York State Highway, Route No. 5-S; thence N 49' -14'W along the said highway for a distance of 434 ft. to a point; thence N 64' - 28'W along the said highway for a distance of 127 feet to the place of beginning, and containing about 6.384 acres of land.

EXCEPTING therefrom premises as conveyed by Raymond L. and Clara Luft to Niagara

Mohawk Power Corporation by Warranty Deed dated April 26, 1965 and recorded in the Montgomery County Clerk's Office on April 30, 1965 in Book 360 of Deeds at Page 30.

ALSO subject to a R.O.W. easement from Raymond L. Luft and Clara Luft to General Telephone Company of Upstate New York, Inc. dated May 13, 1970 and recorded in the Montgomery County Clerk's Office on September 29, 1970 in Book 385 of Deeds at Page 105.

BEING a portion of the premises conveyed by James R. Luft, Janet A. Roof and Ronald E. Luft, as fee owners holding title as tenants in common and Clara Luft, as life tenant, by Warranty Deed dated November 14, 2005 and recorded in the Montgomery County Clerk's Office on November 23, 2005 in Book 1340 at Page 301. Said premises were designated as Parcel 2 on said deed.

The said Deborah Lee is now known as Deborah Walsh. Deborah Lee and Deborah Walsh are one and the same person.

### **OTHER REFERENCES TO THE CHURCH'S REAL ESTATE**

Montgomery County Deeds 17:60. An indenture dated May 2<sup>th</sup>, 1820, between Jacob Mathise of Minden of the first part and John J. Wack of Minden of the second part for \$421.00 part of Lot Three of the Bleeker Patent Beginning on the Public Highway running from the Fort Plain Meeting House to the Indian Castle in the division line between Lots Three and Four thence N75°E 17.0 chains to the northeast corner of the said Lot Three thence N5°E 8.85 chains thence S75°W 25.18 chains to the Public Highway thence southeast to the place of beginning containing 18 acres, 2 roods, and 18 perches of land.

Montgomery County, New York Deeds 23:369. An Indenture made on October 16<sup>th</sup>, 1826, Mary Dygert, the widow of Nicholas Dygert, Dec'd of Minden to John A. Lipe of Minden for \$2100.00. The easterly half of Upper Woodland Lot 4 of the Rutger Bleeker Patent *bounded as follows: On the north easterly by the lands Owned by the Reformed Dutch Church Congregation On the South east by lands owned by lands by the party of the second part, and by the heirs of John M. Charlesworth Deceased On the Southwest by lands Owned by John Mathice On the northwest by the Westerly One half of Said lot Number four Owned by the party of the Second Part, Containing One Hundred and five Acres.*

Montgomery County Deed 230:561. An Indenture made on March 18<sup>th</sup>, 1935, between Jennie A/ Lipe and Lena Lipe Sponable of the Town of Minden, Montgomery County, New York of the first part to the Otsquago Fish and Game Club, Inc. with principle offices in the Village of Fort Plain, Montgomery County, New York for \$1.00 a tract of 0.64 acres of land bounded as follows:

*. . . on the north by property of Irvin Klock; on the east by L. P. Hudson; on the south by Jennie and Lena Lipe and the Village of Fort Plain; and on the west by property of J. and L. Lipe.*

Montgomery County Will 1:330. The Last Will and Testament of [Captain] Adam Lipe [son of Casper Lipe] of the Town of Minden dated February 27<sup>th</sup>, 1804. Wife Elisabeth \_\_\_\_ Lipe. Son John Lipe to have the farm on which he, John Lipe lives. Son Adam Lipe to have the farm on which he, Adam Lipe [Junior] resides. Son Daniel Lipe to have the farm on which the testator

now lives [Homestead Lot Three, Lowland Lot Three, and KDJ's Sub Lot Four of Expense Lot B of the Rutger Bleeker Patent]. Sons Daniel Lipe and Adam Lipe to reimburse son John Lipe if the title to John Lipe's Farm should be proven defective. Son Daniel to have one half of Lot 12 of the Rutger Bleeker Patent, which adjoins the farm of John J. Diefendorf, Esquire. The remaining one half of Lot 12 of the Rutger Bleeker Patent, which adjoins the farm of John J. Diefendorf, Esquire is to be sold. Daughters: Ann Lipe; Maria Lipe; Caty Lipe; Margaret Lipe; and Marselis Lipe to each receive \$150.00. Daughter Elisabeth Lipe to receive \$110.00. Brother Johannes Lipe, Senior; Abraham Arndt; and Robert McFarlan named as executors. The Will is witnessed by Peter Young, John Roth, and George Krause. Probated November 1<sup>st</sup>, 1805. Montgomery County Will 2:419. The Last Will and Testament of Johannes Lipe, [Senior], [on of Casper Lipe] of the Town of Minden dated November 25<sup>th</sup>, 1806 and probated on January 20<sup>th</sup>, 1855. Wife Elisabeth Lipe. To son Casper Lipe the farm in the Town of Minden which Johannes purchased from Jacob G. Fonda and on which Casper currently resides. To his son David Lipe the farm he, Johannes Lipe, now lives upon together with two lots of Woodland in the Rutger Bleeker Patent; one containing 74 acres and the other 21 acres [KDJ's Sub Lot Three of Expense Lot B], but excepting one half of the Mill Seat to his Casper and the other half to remain in David's possession. Sons David Lipe and Casper Lipe, along with Johannes' grandson, Johan Adam Lipe (a heir of Johannes Lipe's deceased son, John Lipe, to share Lot 14 of the Philip Livingston Patent. His son David is to provide for the care of Frederick Senft. Daughters: Catharine Lipe wife of \_\_\_\_ Horning; Anna Lipe wife of John Knauts; Elisabeth Lipe wife of Cornelius Blank; Margaret Lipe wife of John M.[iles] Charlesworth; and Mary Lipe wife of George Waggoner. Sons David Lipe and Casper Lipe along with son-in-law John M. Charlesworth to be the executors of his will. Witnesses were: Gerrit G. VanDenburgh; Eve Seeber; and John J. Wack. The will was probated on December 19<sup>th</sup>, 1814.

Montgomery County Will 9:335/Probate File Number 10. [Included here because it explains the small graveyard in the far north-easternmost section of the Fort Plain Cemetery Association Cemetery [deed to them by George Duffy] and which was mistaken in the 1905 Atlas of The Village of Fort Plain to represent the grave yard of the "Old Fort Plain Church" or Sand Hill Church]. The Last Will and Testament of David Lipe [son of Johannes Lipe, Senior] dated [edit in date] and probated on January 20<sup>th</sup>, 1855. To his wife Elisabeth, a room in the dwelling house located upon the homestead farm and all expenses to borne upon sons David W. and Seeber Lipe. Son William Lipe to have the David Lipe Farm of 50 acres bounded northwesterly by the lands of the testator; southwesterly by the lands of John J. Lipe; southeasterly by the lands of William Lipe, William Clark, and Salo Smith; and northeasterly by the Mohawk River with the exception of the Family Burial Grounds and the spring Sons David W. and Seeber Lipe to have however much land is needed to make the spring beneficial to them. Sons David W. and Seeber Lipe to divide all of the remaining real estate along with a tract of land in Freysbush the testator received from William Hackney as follows: Son Seeber Lipe to have 10 acres of land taken from the Homestead Farm in the southeastern portion of Lot 15 of the Rutger Bleeker Patent as well as seven acres of the land lands in Lot 15. Son David W. Lipe to have the remainder pf Lot 15 of the Rutger Bleeker Patent and the tract of land in the Freysbush Patent. Sons David W. and Seeber Lipe to have all rights and title to any and all lands possessed by the testator in patents located within Schoharie and Herkimer Counties. Daughter Harriet Lipe wife of Nathan Lipe \$200,00. Daughter Harriet Lipe wife of Nathan Lipe \$200,00. Almira Lipe wife of William Caugher \$600.00. To Grandson John N.[ellis] Lipe son of John Y. Lipe, deceased \$200.00. To

Granddaughter Augusta Lipe daughter of John Y. Lipe, deceased \$200.00. To Grandsons Garret L. Walrath and David Walrath sons of daughter Betsy Lipe, wife of Charles Walrath, deceased \$200.00 each. Sons David W. Lipe, Seeber Lipe, and G. Genter to be executors of the estate. Witnesses were Charles Charlesworth and Adam Lipe.

Montgomery County Will 15:333. The Last Will and Testament of David W. Lipe, [son of David Lipe] of the Town of Minden dated \_\_\_\_\_<sup>th</sup>, 18\_\_ and probated on \_\_\_\_\_<sup>th</sup>, 18\_\_. To niece Augusta Lipe wife of Robert G. Bauder \$3000.00. To niece Celia Lipe wife of William Cummings \$2000.00. To niece Alice Lipe \$2000.00. To nephew Samuel L. Walrath \$2500.00. To Jennie [A.] Lipe daughter of nephew J.[ohn] Nelles [& Caroline Dillenbach] Lipe born 26 Jan 1870, d. 16 Nov 1927 per Minden Township Death Records] \$3000.00. To sister Almira Lipe wife of William Kougher \$500.00. One of the lands that David W. Lipe purchased in conjunction with John E. Ehle on February 21<sup>st</sup>, 1877 from a judgement against Adam Lipe and along with the fifty acres he purchased from William Lipe on May 4<sup>th</sup>, 1877 to go to the benefit of nephew J. Nelles Lipe and the said lands are to be deeded to him if so desired. In the event David W. Lipe was proceeded in death by nephew J. Nelles Lipe, then the effects left to J. Nelles Lipe are to be divided equally amongst his children. Joseph Scoutlin is to receive a stipend of \$70.00 per year for life. His brother Seeber Lipe and John Grant are to be the executors of his will. In a Codicil to his Will dated \_\_\_\_\_<sup>th</sup>, 18\_\_ To nieces: Celia Cummings and Alice Lipe \$1000.00 each. To nephew Garret L. Walrath \$3000.00. To brother Seeber Lipe \$700.00. To niece Lena Lipe daughter of nephew J. Nelles Lipe \$2000.00. To nephews Irwin Lipe, Malan Lipe, and William Lipe sons of his brother William Lipe \$500.00 each.

There are between the years of 1788 and 1821, 341 burials recorded in the Records of the German Reformed Church of Canajoharie. One should note however that there are no burial records for the years 1797 through 1804, and in 1813, the Minister states that he was unable to attend to 17 burials. From the beginning of the burial records through the year

1. Vosburg, Royden. Records of the German Reformed Church of Canajoharie. Page v. New York Genealogical and Biographical Record, 1916. ts.
2. Vosburg, Royden. Records of the German Reformed Church of Canajoharie. Page v. New York Genealogical and Biographical.
3. Rutger Bleeker Papers, Item 12.