

MONROE COUNTY CLERK'S OFFICE

THIS IS NOT A BILL. THIS IS YOUR RECEIPT.

Receipt # 3730689

Book Page CIVIL

No. Pages: 7

Instrument: EXHIBIT(S)

Control #: 202402051148

Index #: E2024000703

Date: 02/05/2024

Time: 2:32:24 PM

Return To:
DONALD JAMES CHENEY
336 North Main Street
Canandaigua, NY 14424

Caputo, James R

Holt, Nathan
Billet, Owen
Premium Mortgage Corporation
Houle, Robert T
Houle Sales Consulting Inc

Total Fees Paid: \$0.00

Employee:

State of New York

MONROE COUNTY CLERK'S OFFICE
WARNING – THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

JAMIE ROMEO

MONROE COUNTY CLERK



28. REFEREE'S DEED

MICHAEL PATTISON, ESQ.
TO
HOULE SALES CONSULTING INC.

Instrument Date: 8-25-2020
Acknowledged Date: 8-25-2020
Record Date: 10-29-2020
Instrument Location: Liber 12414 of Deeds; Page 470

Recites Judgment in Action recorded in Liber 1357 of Lis Pendens, Page 309 and sale thereunder unto party of the second part.

Consideration: \$127,900.00

29. MORTGAGE

HOULE SALES CONSULTING INC.
TO
JOSEPH E. KENNEDY

Instrument Date: 10-28-2020
Acknowledged Date: 10-28-2020
Record Date: 12-29-2020
Instrument Location: Liber 28822 of Mortgages; Page 490
Amount: \$150,000.00
Reference: DL018499

Covers Subject Premises.

***** END OF PAGE *****

GNA
11-12-2021

Open
5-16-2022

30. DBA

IN THE MATTER
OF
HOULE SALES CONSULTING, INC.

Record Date: 1-22-2015
Instrument Location: Case# Z2015000034

The purpose for which said corporation is formed is, among other things, to buy, sell, lease, mortgage, etc. real property.

31. NOTE

NOTE: This certificate includes a search for records in the County Clerk's Office which would have expired on or subsequent to March 7, 2020 and which may have been extended under the provisions of Executive Order No. 202 - Declaring a Disaster Emergency in the State of New York and any subsequent continuations, extensions, modifications and/or amendments thereof.

***** END OF PAGE *****

32. MORTGAGE

HOULE SALES CONSULTING INC.
 TO
 GP CAPITAL 1 LLC

Open
 5-16-2022

Instrument Date: 3-15-2021
Acknowledged Date: 3-15-2021
Record Date: 3-17-2021 *Time:* 4:51
Instrument Location: Liber 29095 of Mortgages; Page 639
Amount: \$75,000.00
Reference: MDL031574

Covers Subject Premises.

Contains 'Lien Fund' clause.

33. ASSIGNMENT OF RENTS AND LEASES

HOULE SALES CONSULTING INC.
 TO
 GP CAPITAL 1 LLC

Instrument Date: 3-15-2021
Acknowledged Date: 3-15-2021
Record Date: 3-17-2021 *Time:* 4:51
Instrument Location: Liber 12475 of Deeds; Page 286

Recites Mortgage (at No. 32) recorded in Liber 29095 of Mortgages, Page 639. The assignor does hereby sell, assign, transfer and set over unto the assignee all rents, issues, and profits of the mortgaged premises by virtue of all leases, oral or written or otherwise, and any extensions or renewals thereof, subject to certain terms and conditions set forth at length herein.

34. STATE TAX WARRANT

COMMISSIONER OF TAXATION AND FINANCE
 VS
 HOULE SALES CONSULTING INC.
 4 Chambord Drive, Mendon, NY 14506

Open
 5-16-2022

Perfected Date: 11-2-2021
Record Date: 11-12-2021 *Time:* 2:47
Instrument Location: Case# B2021010090
Court: MONROE - OTHER
Amount: \$2,266.10

35. NOTE

NOTE: This certificate includes a search for records in the County Clerk's Office which would have expired on or subsequent to March 7, 2020 and which may have been extended under the provisions of Executive Order No. 202 - Declaring a Disaster Emergency in the State of

(continued)

35 (continued)

New York and any subsequent continuations, extensions, modifications and/or amendments thereof.

END OF PAGE

36. NOTE

Stewart Title Insurance Company also certifies against the name: Robert T. Houle from and including the date 8-25-2020.

37. TRANSCRIPT OF JUDGMENT

TODD OF ALL TRADES INC
2194 COUNT ROAD 35 BLOOMFIELD NY 14469
VS
BOB HOULE
1108 CHEESE FACTORY ROAD HONEOYE FALLS NY 14472

Perfected Date: 03-MAY-13
Record Date: 10-15-2013 Time: 11:26:00
Instrument Location: Case# B13/025687
Court: MONROE - ROCHESTER CITY
Amount: \$120.27

38. STATE TAX WARRANT

COMMISSIONER OF TAXATION AND FINANCE
VS
ROBERT T. HOULE
1108 CHEESE FACTORY ROAD HONEOYE FALLS NY 14472--972

Perfected Date: 18-APR-18
Record Date: 5-18-2018 Time: 10:10:36
Instrument Location: Case# B18/008566
Court: ART 22 - TAX LAW
Amount: \$10,816.47

Vated 1-16-2019

39. JUDGMENTS

STATE OF NEW YORK
VS
ROBERT T. HOULE
1108 Cheese Factory Rd, Honeoye Falls, NY 14472

Record Date: 9-28-2021 Time: 4:56 PM
Instrument Location: Case# B2021/8188
Amount: \$56,569.69

40. MECHANICS LIEN

JAMES R. CAPUTO DBA
HOUSE SURGEON RENOVATIONS (PREVIOUSLY HOUSE
SURGEON HOME SERVICE)
VS
ROBERT T. HOULE

40 (continued)

Perfected Date: 5-1-2021
Record Date: 1-21-2022 *Time:* 3:35 PM
Instrument Location: Case# B2022/1571
Amount: \$25,000.00

41. MORTGAGE

ROBERT HOULE
TO
LYNN WALSH DATES

Instrument Date: 4-__-2022
Acknowledged Date: 4-11-2022
Record Date: 4-15-2022 *Time:* 11:17 AM
Instrument Location: Liber 29836 of Mortgages; Page 172
Amount: \$7,000.00
Reference: MDN001130

Covers Subject Premises.

Contains 'Lien Fund' clause.

42. NOTE

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***** END OF PAGE *****

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Receipt # 3730690

Book Page CIVIL

No. Pages: 2

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Control #: 202402051149

Index #: E2024000703

Date: 02/05/2024

Time: 2:32:28 PM

Return To:
DONALD JAMES CHENEY
336 North Main Street
Canandaigua, NY 14424

Caputo, James R

Holt, Nathan
Billet, Owen
Premium Mortgage Corporation
Houle, Robert T
Houle Sales Consulting Inc

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JAMIE ROMEO

MONROE COUNTY CLERK



Subject: Re: 4 Chambord Drive

Date: Thursday, June 2, 2022 at 2:51:14 PM Eastern Daylight Time

From: Donald J. Cheney, Esq.

To: James Caputo

Mr. Caputo,

Thank you for the email. Given that I was not involved in any personal dealings with yourself and Mr. Houle, I can't respond to much of what is detailed below. There is a clear disagreement, to say the least. My goal is to try and find a settlement to resolve the lien. My client is not interested in bonding over the lien with cash. He can get a surety bond that costs between 2%-4% of the lien amount (\$500-\$1000) to bond over this lien.

What I really need is to have this lien put in the name of the property owner who is Houle Sales Consulting, Inc. This corporation owns the property and not Robert Houle individually. If you are willing to amend the lien I am happy to draft the paperwork.

If this lien gets bonded over you will have to bring an action to foreclose the lien and collect your money. This has to be done within 2 years from the date the lien was originally filed. At this point you will be able to submit your proof and Mr. Houle can submit his proof and a judge will decide whether the lien is proper and the amount of the lien. Litigation can take 6 months to a year or more, not including any appeals. If \$16,000 is off the table, is there an amount between \$16,000 and \$25,000 that you will accept? A settlement will guarantee you payment in about 30 days or less. With litigation, there is a bond that guarantees payment if you are successful, but that payment will come much later down the road. You may have a great case, but having been an attorney for 20+ years, there is never a guarantee when you are in front of a judge. Judges are human just like everybody else and they make mistakes, make bad decisions etc.

I need 2 items from you. Amend the lien so you have the correct property owner. And if there is a number you will settle for, let me know so I can present it to Mr. Houle. All funds from closing will come to my account so there will be no delay in payment to you once I receive funds. Don

Donald J. Cheney
Cheney Law Firm, PLLC
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Fax: (585) 919-6209
Mobile: (607) 275-6516