

KNOW ALL MEN BY THESE PRESENTS
That FLEET BANK OF MASSACHUSETTS, NA, successor in interest to HERITAGE.NIS BANK FOR SAVINGS, formerly known as HERITAGE BANK FOR SAVINGS AND FLEET/HERITAGE BANK

a corporation duly established under the laws of the United States of America

and having its usual place of business at 109 Main Street, Northampton, Hampshire County, Massachusetts

holder of a mortgage

from Rajiv Lochan

to HERITAGE.NIS BANK FOR SAVINGS

dated November 19, 1986 recorded with Hampshire County Registry of Deeds

book 2851 , page 155 , by the power conferred by said mortgage and every other power, for SIXTY SEVEN THOUSAND AND 00/100 (\$67,000.00) dollars

paid, grants to Marie Elaine Desch of P.O. Box 9614, North Amherst, MA 01059

the premises conveyed by said mortgage.

(See Schedule A description sheet attached hereto and made a part hereof)

13 Nutting Avenue, Amherst, MA

MASSACHUSETTS
REGISTERED
HAMPSHIRE
COUNTY
11/19/86
TAX 305.52
EXCISE TAX 10.53
814216 PG0121
CANCELLED

BK4216PG0122

Witness the execution and the corporate seal of said corporation this
day of May 12 19 93

¹²¹⁴
FLEET BANK OF MASSACHUSETTS, NA, successor
in interest to HERITAGE.NIS BANK FOR SAVINGS
f/k/a HERITAGE BANK FOR SAVINGS AND FLEET/
HERITAGE BANK

BY *Maryellen M. Bergonzi, Asset Manager*
Maryellen M. Bergonzi - Asset Manager

The Commonwealth of Massachusetts

Hampshire ss. May 12 19 93

Then personally appeared the above named Maryellen M. Bergonzi

and acknowledged the foregoing instrument to be the free act and deed of Fleet Bank of Massachusetts, NA, successor in interest to Heritage.NIS Bank for Savings, f/k/a Heritage Bank for Savings and Fleet/Heritage Bank before me,

R. A. Wasaszek
Roger A. Wasaszek, Esq. Notary Public -- ~~XXXXXXXXXXXX~~

My commission expires September 16 1994

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Affidavit

Maryellen M. Bergonzi, Asset Manager of Fleet Bank of Massachusetts, NA, successor in interest to Heritage NIS Bank for Savings named in the foregoing deed, make

oath and say that the principal and interest obligations mentioned in the mortgage above referred to were not paid or rendered or performed when due or prior to the sale, and that I published on the

9th, 16th and 23rd day of April 19 93 in the Daily Hampshire Gazette

a newspaper published or by its title page purporting to be published in Northampton, Hampshire County, MA and having a circulation therein, a notice of which the following is a true copy

there being no newspaper published in Amherst, Massachusetts, and the Daily Hampshire Gazette having a general circulation in said Amherst

(INSERT ADVERTISEMENT)

See Schedule B attached hereto and made a part hereof

I also complied with Chapter 244, Section 14, the Massachusetts General Laws, as amended, by mailing the required notices by certified mail, return receipt requested.

Pursuant to said notice at the time and place therein appointed, I

sold the mortgaged premises at public auction by

David A. Mendel an auctioneer, to Marie Elaine Desch

above named, for SIXTY SEVEN THOUSAND AND 00/100 (\$67,000.00) dollars

bid by Marie Elaine Desch

, being the highest bid made therefor at said auction.

Maryellen M. Bergonzi, Asset Manager
Maryellen M. Bergonzi

Signed and sworn to by the said Maryellen M. Bergonzi

May 12, 1993, before me,

Roger A. Wlaszek
Roger A. Wlaszek, Es. Notary Public - XXXXXXXXXXXX

My commission expires September 16, 1994

BK4216PG0124

Beginning at a point on Nutting Avenue, it being the northwest corner of land now or formerly of Daniel W. Dickinson and the Southwest corner of tract conveyed; thence running NORTHERLY on Nutting Avenue sixty-nine feet three inches (69' 3") to a point indicated by an iron pin driven into the ground; thence running EASTERLY on land now or formerly of Stanley A. Phillips, one hundred and twenty (120) feet to a point indicated by an iron pin driven into the ground; thence running SOUTHERLY on land now or formerly of Robert J. Knightly, sixty-nine feet three inches (69' 3") to land now or formerly of Charles H. Sanderson; thence running WESTERLY on land of Charles H. Sanderson and land of Daniel W. Dickinson, one hundred twenty (120) feet to the point of beginning.

Being Lot No. 18 on Plan of Lots recorded with Hampshire County Registry of Deeds, Book 484, Page 31.

Also a right of way, bounded and described in deed of Edwin C. Martin to Phyllis S. Hastings, dated December 22, 1953, recorded in said Registry of Deeds, Book 1158, Page 148, as follows: "A right of way for all ordinary purposes of travel over the land in said Amherst located on the easterly side of Nutting Avenue, it being the shaded area shown on a Plan of Land dated October 1953, drawn by K. E. Clark, showing the land of the said Phyllis S. Hastings and the land of the said Edwin C. Martin, recorded in Hampshire County Registry of Deeds. The land over which said right of way is given is more particularly bounded and described as follows: "Beginning at a stone bound set in the Easterly line of said Nutting Avenue, it being the northwest corner of the tract herein described and the southwest corner of land now or formerly of this grantee; thence N. 83° 25' E. fifty-five (55) feet along the southerly line of said land of this grantee to an iron pin; thence S. 73° 42' W. fifty-five and fifty-five hundredths (55.55) feet along other land of this Grantor to an iron pin set in the Easterly line of said Nutting Avenue, thence N. 8° 15' W. ten (10) feet along the Easterly line of said Nutting Avenue back to the stone bound marking the point of beginning.

SUBJECT TO such rights, if any, as Fred L. Hill, his heirs and assigns, may have to use and maintain the existing sewer line across the rear of the land herein described.

Being all the same premises described in deed of Marisa Bowers of Rajiv Lochan, dated October 14, 1983 and recorded with the Hampshire County Registry of Deeds in Book 2420, Page 108.

SCHEDULE A

SCHEDULE B

MORTGAGEE'S SALE OF REAL ESTATE
Premises: 13 Nutting Avenue, Amherst, MA

By virtue and in execution of the Power of Sale contained in a certain Mortgage given by Rajiv Lochan to Heritage, NIS Bank for Savings, C/A Heritage Bank for Savings and Fleet/Heritage Bank, N/A's Fleet Bank of Massachusetts, NA, said Mortgage being dated November 19, 1988 and recorded with the Hampshire County Registry of Deeds in Book 2451, Page 155, of which Mortgage the undersigned is the present holder, for breach of the condition in said Mortgage contained and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 a.m. o'clock on Tuesday, May 4, 1993, upon the mortgaged premises at 13 Nutting Avenue, Amherst, Massachusetts, all and singular the premises described in said Mortgage, to wit:

Beginning at a point on Nutting Avenue, it being the northwest corner of land now or formerly of Daniel W. Dickinson and the Southwest corner of tract conveyed, thence running NORTHWESTLY on Nutting Avenue sixty-nine feet three inches (69'3") to a point indicated by an iron pin driven into the ground; thence running EASTERLY on land now or formerly of Stanley A. Phillips, one hundred and twenty (120) feet to a point indicated by an iron pin driven into the ground, thence running SOUTHERLY on land now or formerly of Robert J. Knightly, sixty-nine feet three inches (69'3") to land now or formerly of Charles H. Sanderson, thence running WESTERLY on land of Charles H. Sanderson and land of Daniel W. Dickinson, one hundred twenty (120) feet to the point of beginning.

Being Lot No. 18 on Plan of Lots recorded with Hampshire County Registry of Deeds, Book 484, Page 31.

Also a right of way, bounded and described in deed of Edwin C. Martin to Phyllis S. Hastings, dated December 22, 1953, recorded in said Registry of Deeds, Book 1158, Page 144 as follows: "A right of way for all ordinary purposes of travel over the land in said Amherst located on the easterly side of Nutting Avenue, it being the shaded area shown on a Plan of Land dated October 1953, drawn by K.C. Clark, showing the land of the said Phyllis S. Hastings and the land of the said Edwin C. Martin, recorded in Hampshire County Registry of Deeds. The land over which said right of way is given is more particularly bounded and described as follows: "Beginning at a stone bound set in the Easterly line of said Nutting Avenue, it being the northeast corner of the tract herein described and the southwest corner of land now or formerly of this grantee, thence N 83° 25' E, fifty-five (55) feet along the southerly line of said land of this grantee to an iron pin; thence S 73° 42' W, fifty-five and fifty-five hundredths (55.55) feet along other land of this Grantor to an iron pin set in the Easterly line of said Nutting Avenue, thence N 8° 15' W, 100 feet along the Easterly line of said Nutting Avenue back to the stone bound marking the point of beginning.

SUBJECT TO such rights, if any, as Fred L. Hill, his heirs and assigns, may have to use and maintain the existing sewer line across the rear of the land herein described.

Being all the same premises described in deed of Maria Bowers of Rajiv Lochan, dated

October 14, 1983 and recorded with the Hampshire County Registry of Deeds in Book 2420, Page 108.

Said premises will be sold and conveyed subject to all unpaid taxes, tax liens, water and sewer assessments, municipal liens and assessments, if any, which take precedence over the mortgage above described. Said premises will also be sold and conveyed subject to prior liens or other enforceable encumbrances of record entitled to priority over this Mortgage, and subject to and with the benefit of all easements, restrictions, reservations and conditions of record, if any there be, insofar as such are in force and applicable. Said premises will also be sold subject to all leases and tenancies of occupation by persons on the premises now and at the time of said auction sale, which tenancies or occupation are subject to said Mortgage and to all rights or claims in personal property installed by tenants or former tenants now located on the premises, belonging to said tenants or occupants, and also subject to all laws and ordinances, including but not limited to, all building and zoning laws and ordinances. It shall be the bidder's sole responsibility to ascertain all items described in this Notice and no representations are made concerning compliance with any applicable zoning, building, sanitary or other state and/or municipal regulations, laws or ordinances.

TERMS OF SALE: Five Thousand Dollars (\$5,000.00) will be required to be paid in cash or by certified or bank cashier's check by the purchaser at the time and place of sale. The balance of the purchase price shall be paid in cash or by certified or bank cashier's check, and the deed shall be delivered at the closing, which shall be held at the offices of Grife & Walaszek, Attorneys at Law, 78 Gothic Street, Northampton, Massachusetts, within thirty (30) days after the foreclosure sale, unless the Mortgage Holder otherwise agrees, time being of the essence. The purchaser shall be responsible for all closing costs, Massachusetts deed excise stamps, and all recording fees.

This sale may be postponed or adjourned from time to time, if necessary, by the attorney for the Mortgagee at the scheduled time and place of sale. The description of the premises contained in said Mortgage shall control in the event of a typographical error in this publication.

The successful bidder shall be required to sign a Memorandum of Sale containing the above terms at the auction sale.

Other terms, if any, will be announced at the sale.

FLEET BANK OF MASSACHUSETTS, NA
C/A FLEET/HERITAGE BANK, HERITAGE
BANK FOR SAVINGS and HERITAGE/NIS
BANK FOR SAVINGS

Present Holder of said Mortgage
By: Marjellen M. Bergoni
Its Asset Manager

FROM THE OFFICE OF:
Roger A. Walaszek, Esq.

Grife & Walaszek
78 Gothic Street
Northampton, MA 01060
Attorney for the Mortgage Holder
Dated: April 7, 1993

21-April 9, 1993

Date June 1, 1993 at 11 o'clock and 58 minutes A.M. Rec'd ent'd and exam'd!