

# **TABLE OF CONTENTS**

## **BIDDER'S INFORMATIONAL PACKAGE**

### **57 PLAIN STREET CLINTON, MASSACHUSETTS**

<b>DESCRIPTION</b>	<b>PAGE #</b>
<b>MORTGAGEE'S SALE OF REAL ESTATE .....</b>	<b>1-2</b>
<b>MUNICIPAL LIEN CERTIFICATE .....</b>	<b>3-4</b>

**THE FOLLOWING MATERIALS ARE FURNISHED SOLELY FOR INFORMATIONAL PURPOSES. NO WARRANTIES OR REPRESENTATIONS ARE MADE BY EITHER THE MORTGAGE HOLDER, OR THE AUCTION COMPANY AS TO THE ACCURACY, COMPLETENESS OR USEFULNESS OF THESE MATERIALS OR THE INFORMATION CONTAINED THEREIN. PROSPECTIVE PURCHASERS SHOULD MAKE THEIR OWN INVESTIGATIONS AND INSPECTIONS AND DRAW THEIR OWN INDEPENDENT CONCLUSIONS. THESE MATERIALS AND THE INFORMATION CONTAINED THEREIN ARE ALSO SUBJECT TO POSSIBLE CHANGE PRIOR TO OR AT THE TIME OF THE SCHEDULED FORECLOSURE SALE.**

## MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Eagle Realty Trust to Metro Funding Corp., dated March 31, 2009 filed in the Worcester Registry District of the Land Court as Document No. 95548 and noted on Certificate of Title No.11604 as assigned to MFC EAGLE REALTY, LLC by assignments dated, recorded/filed as follows: Assignment dated March 31, 2009: filed in Worcester Registry District of the Land Court as Document No. 95550 and noted on Certificate of Title No.11604; Assignment dated May 23, 2011: filed in Worcester Registry District of the Land Court as Document No. 99535 and noted on Certificate of Title No.11604; Assignment dated July 21, 2011: filed in Worcester Registry District of the Land Court as Document No. 101440 and noted on Certificate of Title No.11604, of which mortgage the undersigned, is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 11:00 A.M. on February 22, 2013, on the mortgaged premises in Worcester County, Massachusetts, all and singular the premises described in said mortgage, and having an address of 57 Plain Street, Clinton, Worcester County, Massachusetts;

TO WIT: The land in Clinton, Worcester County, Massachusetts, bounded and described as follows: SOUTHERLY by Plain Street, five hundred eighty-nine and 72/100 (589.72) feet; WESTERLY by Stone Street, two hundred sixteen and 18/100 (216.18) feet; NORTHERLY by land now or formerly of Eugene J. Cafarelli, three hundred thirty and 37/100 (330.37) feet; EASTERLY seventy-nine and 27/100 (79.27) feet, and NORTHERLY two hundred ninety-three and 14/100 (293.14) feet by land now or formerly of Nylon Products Corp.; EASTERLY ninety-nine (99) feet, and NORTHERLY nineteen and 77/100 (19.77) feet by land now or formerly of Justina Nieves; and EASTERLY by land now or formerly of Nordkapp, Inc., ninety-one and 54/100 (91.54) feet.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by Charles A. Perkins Co., Inc., Surveyors, dated January 1970, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which was filed with the original certificate of title. Plan 36989-A with Certificate 10483.

Terms of Sale: Said premises will be sold and conveyed subject to all unpaid taxes, tax titles, municipal liens and assessments, if any, which take precedence over the said mortgage above described. It shall be the bidder's sole responsibility to ascertain all items described in this paragraph and no representations are made concerning compliance with applicable zoning, building, sanitary or other state and/or municipal regulations.

To qualify as a bidder, an initial deposit of Fifteen Thousand (\$15,000.00) Dollars (the "Initial Deposit") of the purchase price must be paid in cash, certified check, bank treasurer's or cashier's check at the time and place of the sale. Within five (5) business days after the sale, the successful bidder shall pay an additional deposit sufficient to bring the aggregate deposit up to an amount equal to ten (10%) per cent of the auction price.

The deposit shall be paid by the successful bidder to Peskin, Courchesne & Allen, P.C., 101 State Street, Suite 401, Springfield, Massachusetts. ("Escrow Agent") as earnest money, by certified or bank cashier's check, unless otherwise announced at the sale. Said deposit shall be retained by the Escrow Agent as liquidated damages in the event that the successful bidder fails to perform and as a result does not consummate the sale. The successful bidder will be required to pay the balance of the purchase price plus a five (5%) percent buyer's premium payment, in addition to the bid price, within thirty (30) days from the date of sale. The deed will be delivered contemporaneously therewith. TIME WILL BE OF THE ESSENCE.

The successful bidder shall pay all recording fees and documentary stamps in connection with the transfer of the premises, and the transfer or issuance of any licenses, all real estate taxes, tax titles, and municipal charges due as of the date of sale and those due thereafter through the date of Closing, as well as all of its costs in connection with the transaction, including but not limited to title examinations and title premiums. No adjustments whatsoever will be made, whether for taxes, municipal charges, utilities or otherwise.

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

The 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 for the premises contained in said mortgage shall control in the event of a typographical error in this publication.

Other terms to be announced at the time and place of the sale.

The description for the premises contained in said mortgage shall control in the event of a typographical error in this publication.

MFC EAGLE REALTY, LLC, present holder of said mortgage, by its attorney,  
Nyles L. Courchesne, Esq.  
Peskin, Courchesne & Allen, P.C.  
101 State Street, Suite 401  
Springfield, MA 01103  
(413) 734-1002

The Commonwealth of Massachusetts  
Office of the Collector of Taxes  
Town of Clinton  
Municipal Lien Certificate

Number: 5299  
1/31/2013

PESKIN COURCHESNE ALLEN P.C.  
101 STATE STREET SUITE 401  
SPRINGFIELD, MA 01103

I Certify from available information that all taxes, assessments, and charges, now payable that constitute liens as of the date of this certificate on the parcel of real estate specified in your application received on 1/31/2013 are listed below:

DESCRIPTION OF PROPERTY

Parcel Identifier	19-2364	Assessed Owner	SCHMIDT ARIEL E
Account	3344	Additional Owner	EAGLE RLTY TRUST
Location of Property	57 PLAIN ST	Supposed Present Owner	
		Legal Reference	Book 12033
			Page 261
Acreage	1.58 Acres	Deed Date	4/12/1989

VALUATION

FY	Residential	Rate1 Open Space	Rate 2 Commercial	Rate 3 Industrial	Rate 4	Exempt
2013	0	15.59	0.00	29.18	1,244,400	29.18
		0	0			0

ASSESSMENT

	2013 1st Quarter	2013 2nd Quarter	2013 3rd Quarter	2013 4th Quarter	FY 2012	FY 2011
Preliminary Tax	\$9,605.34	\$9,605.33			\$20,516.54	\$15,895.09
Actual Tax			\$8,550.46	\$8,550.46	\$16,529.25	\$20,942.41
WS Lien					\$1,226.20	\$3,752.25
WS Int Lien					\$149.35	\$443.32
Charges and Fees					\$10.00	\$10.00
Interest To Date	\$674.22	\$335.27	\$0.00	\$0.00	\$0.00	\$0.00
Credits					\$38,431.34	\$41,043.07
Interest Credit					\$1,791.22	\$6,904.51
Per Diem	\$3.68	\$3.68	\$0.00	\$0.00	\$0.00	\$0.00
Balance Due	\$10,279.56	\$9,940.60	\$8,550.46	\$8,550.46	\$0.00	\$0.00

Property Tax Interest Per Diem \$7.36  
Committed Tax Balance \$37,321.08

Misc Receivable	Balance	Interest	Per Diem
Sewer	\$183.44	\$15.79	\$0.09
Water	\$244.86	\$21.07	\$0.09
Misc. Totals	\$428.30	\$36.86	\$0.18

WATER SEWER ACCOUNT 239600 AND 358300 PAST DUE.  
ISSUE DATE 11/30/12. DUE DATE 1/4/2013.. ALSO IF THIS IS A  
SALE CALL DPW @ 978-365-4110 FOR FINAL READ.

IF THIS PROPERTY IS NEW CONSTRUCTION OR RECENTLY  
SUBDIVIDED IT MAY BE SUBJECT TO SUPPLEMENTAL BILLING  
UNDER MGH CH 59 SEC 2D AT A LATER DATE.

Property has been placed in tax title for non-payment of prior year(s) taxes. Add current amount due plus tax title amount to determine total payment. Tax Title to be paid to the Treasurer by separate check. Tax Title Amount Due: \$0.00.

All of the amounts listed above are to be paid to the Collector. I have no knowledge of any other lien outstanding.  
INFORMATION ON THIS CERTIFICATE IS COMPLETE AS OF 1/31/2013

*Meghan M. Ball*  
KATHLEEN G. O'MALLEY ASST. Collector of Taxes

The Commonwealth of Massachusetts  
Office of the Collector of Taxes  
Town of Clinton  
Municipal Lien Certificate

Number: 5300  
1/31/2013

PESKIN COURCHESNE ALLEN P.C.  
101 STATE STREET SUITE 401  
SPRINGFIELD, MA 01103

I Certify from available information that all taxes, assessments, and charges, now payable that constitute liens as of the date of this certificate on the parcel of real estate specified in your application received on 1/31/2013 are listed below:

DESCRIPTION OF PROPERTY

Parcel Identifier	23-2366	Assessed Owner	SCHMIDT ARIEL E
Account	3345	Additional Owner	EAGLE RLTY TRUST
Location of Property	57 PLAIN ST	Supposed Present Owner	
		Legal Reference	Book 12033
			Page 261
			Deed Date 4/12/1989

Acreage 1.74 Acres

VALUATION

FY	Residential	Rate1	Open Space	Rate 2	Commercial	Rate 3	Industrial	Rate 4	Exempt
2013	0	15.59	0	0.00	143,700	29.18	0	29.18	0

ASSESSMENT

	2013 1st Quarter	2013 2nd Quarter	2013 3rd Quarter	2013 4th Quarter	FY 2012	FY 2011
Preliminary Tax	\$1,069.49	\$1,069.49			\$1,991.81	\$1,674.72
Actual Tax			\$1,027.10	\$1,027.09	\$2,286.14	\$2,308.90
Charges and Fees					\$10.00	\$10.00
Interest To Date	\$75.07	\$37.33	\$0.00	\$0.00	\$0.00	\$0.00
Credits					\$4,287.95	\$3,993.62
Interest Credit					\$184.63	\$679.53
Per Diem	\$0.41	\$0.41	\$0.00	\$0.00	\$0.00	\$0.00
Balance Due	\$1,144.56	\$1,106.82	\$1,027.10	\$1,027.09	\$0.00	\$0.00

Property Tax Interest Per Diem \$0.82  
Committed Tax Balance \$4,305.57

WATER SEWER ACCOUNT N/A. ISSUE DATE 11/30/12. DUE DATE 1/4/2013.. ALSO IF THIS IS A SALE CALL DPW @ 978-365-4110 FOR FINAL READ.

IF THIS PROPERTY IS NEW CONSTRUCTION OR RECENTLY SUBDIVIDED IT MAY BE SUBJECT TO SUPPLEMENTAL BILLING UNDER MGH CH 59 SEC 2D AT A LATER DATE.

NO WATER SEWER METER ON THIS PROPERTY.

All of the amounts listed above are to be paid to the Collector. I have no knowledge of any other lien outstanding.  
INFORMATION ON THIS CERTIFICATE IS COMPLETE AS OF 1/31/2013

*Kathleen G. O'Malley*  
KATHLEEN G. O'MALLEY ASST. Collector of Taxes