

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF AGAWAM - OFFICE OF THE CUSTODIAN
TAX FORECLOSURE AUCTION**

Notice is hereby given that on **Wednesday, September 5, 2018 at 12:00pm** at the Agawam Public Library Community Room, 750 Cooper Street, Agawam, Massachusetts, in accordance with the provisions of Massachusetts General Laws, Chapter 60 §77B, **I SHALL OFFER FOR SALE AT PUBLIC AUCTION**, the following parcels of land acquired by said Town by foreclosure of the tax titles thereon:

**PARCELS WILL BE BUNDLED TOGETHER AND SOLD
AS ONE PARCEL
MINIMUM BID OF \$25,000.00 FOR THE BUNDLE
\$5,000.00 DEPOSIT TO REGISTER TO BID**

1. Property Address: 11 WILSON STREET

PROPERTY: Land and any building(s) thereon

CONTAINING: 0.230 AC (more or less)

ASSESSORS REFERENCE: H14-13-0001

REGISTRY: Hampden County Registry of Deeds Book 4982 Page 390

For title, the Instrument of Taking is recorded at the Hampden County Registry of Deeds in Book 20368 Page 482. The Judgment in Tax Lien Case No. 16 TL 000230 is recorded in Book 22281 Page 260.

2. Property Address: TAFT STREET

PROPERTY: Land and any building(s) thereon

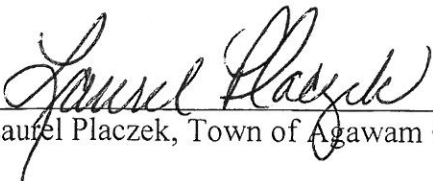
CONTAINING: 0.230 AC (more or less)

ASSESSORS REFERENCE: H14-13-0017

REGISTRY: Hampden Registry of Deeds Book 4982 Page 390

For title, the Instrument of Taking is recorded at the Hampden County Registry of Deeds in Book 20534 Page 427. The Judgment in Tax Lien Case No. 16 TL 000230 is recorded in Book 22281 Page 260.

The attached terms and conditions apply to the sale of all parcels herein advertised.



Laurel Placzek, Town of Agawam Custodian of Tax Possessions

2018 AUG -5 PM 4:07

AGAWAM, MA

TOWN OF AGAWAM
TAX POSSESSION AUCTION
11 WILSON STREET AND TAFT STREET
TERMS AND CONDITIONS

1. The Town of AGAWAM, its Custodian, employees, representatives and/or agents make NO REPRESENTATIONS AS TO THE INSURABILITY OR MARKETABILITY OF THE TITLE OTHER THAN THE TITLE VESTS IN THE TOWN OF AGAWAM BY LAND COURT DECREE OF FORECLOSURE.
2. These parcels are sold "AS IS." The Town of AGAWAM, its Custodian, employees, representatives and/or agents make NO REPRESENTATIONS AS TO WHETHER OR NOT THE PARCELS ARE SUITABLE FOR YOUR INTENDED USE AND MAKE NO REPRESENTATIONS AS TO THE CONDITION AND/OR HABITABILITY OF ANY STRUCTURE(S) AND/OR BUILDING(S) THAT CURRENTLY EXIST ON THE PREMISES. Prospective purchasers are responsible for investigating the suitability of the parcel(s) for its intended use prior to the auction.
3. All properties are sold subject to any existing environmental or hazardous waste conditions, if any, including but not limited to lead paint, asbestos, underground oil tanks and/or mold, whether in or at the property, which may or may not be in compliance with any applicable laws, policies or regulations.
4. All parcels are sold subject to any applicable septic/disposal system inspection/upgrade requirements as set forth in the Department of Environmental Protection's Title 5 310 CMR, Section 15.301(f).
5. Any error, misstatement or omission in the description of the property will not annul the sale, or be grounds for any abatement or compensation.
6. The following person(s) will not qualify to be the successful bidder: (1) the prior owner of the property and/or his or her agent or straw; (2) any person or entity that was party to the foreclosure action pertaining to the property; and (3) any person currently delinquent in paying his/her own property taxes and/or other taxes or charges owed to the Town of AGAWAM.
7. The successful buyer will be required to: 1) sign and file a disclosure statement pursuant to M.G.L. c. 7, § 40J giving the names and addresses of all persons who will have a beneficial interest in the property with the Commissioner of Capital Asset Management and Maintenance; and 2) sign under the penalties of perjury an affidavit indicating that no one who would gain equity in the property has been convicted of a crime involving the willful and malicious setting of a fire, or of aiding, counseling or procuring the willful and malicious setting of a fire, or of a crime involving the fraudulent filing of a claim for fire insurance.
8. The balance of the contract sales price, pro forma taxes (to be calculated pursuant to M.G.L. c. 44, §63A), a processing fee of \$500.00 and the deed recording fee of \$125.00 must be paid by **certified funds** within thirty (30) days of the auction. Failure to pay the remainder of the balance within thirty (30) days will result in the forfeiture of the deposit to the Town of AGAWAM and the sale will be made to the second highest bidder.
9. The Custodian reserves the right to reject any bid at the auction or any adjournment thereof which, in her opinion, does not meet the minimum bid or approximate the fair market value of the property.
10. A deposit in the amount of \$5,000.00 is required in order to register to bid at the auction. The minimum bid is \$25,000.00. The successful bidder's deposit will be held by the Town as a non-refundable deposit on the sale which shall be forfeited to the Town as liquidated damages in the event the high bidder fails to comply with the terms and conditions of the sale and/or is in default thereof.

11. A protective restriction will be placed on the deed requiring that:
 - a. all excess trash, brush, rubbish and debris shall be cleared from the property within (3) three months from the recording of the Treasurer's Deed, and
 - b. any and all structures shall be demolished on the property within (6) six months from the recording of the Treasurer's Deed, and in compliance of the Town of Agawam Code Sections 78, 82, and 103 inclusive.

12. At closing, the prospective buyer will be required to execute a Reverter Deed to the Town of Agawam which shall be held in escrow by the Town pending satisfaction of this protective restriction. If the Reverter Deed has not been recorded within one (1) year from the date of the recording of the Treasurer's Deed, the Town of Agawam's right of Reverter shall be deemed to have lapsed.