

# Worcester South District Registry of Deeds Electronically Recorded Document

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## Recording Information

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MASSACHUSETTS EXCISE TAX  
Worcester District ROD #20 001  
Date: 10/13/2017 12:49 PM  
Ctrl# 174633 16813 Doc# 00113737  
Fee: \$661.20 Cons: \$145,000.00

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Worcester South District Registry of Deeds  
Anthony J. Vigliotti, Register  
90 Front St  
Worcester, MA 01608  
(508) 798-7717

*This space reserved for Recorder's use only*

### **TRUSTEE'S DEED**

WHEREAS, ALLEN P. TATRO (the "Debtor") on December 8, 2015 filed a Voluntary Petition for Relief under Chapter 7 of the United States Bankruptcy Code in Case Number 15-42390-CJP in the United States Bankruptcy Court for the District of Massachusetts, Central Division;

WHEREAS, on December 9, 2015, the undersigned was duly appointed as the Trustee in Bankruptcy (the "Trustee" or the "Grantor") of the Debtor's bankruptcy estate and qualified as such and is serving as such; and

WHEREAS, pursuant to the Trustee's Motion for Entry of an Order Authorizing and Approving Private Short Sale of Certain Estate Property Free and Clear of all Liens, Claims, Interests, and Encumbrances (Re: 30 Miscoe Road, Mendon, Massachusetts 01756) (the "Sale Motion"), which Sale Motion was approved by an order of the United States Bankruptcy Court dated October 5, 2017 (the "Sale Order"), a **certified copy of which is recorded herewith**, the undersigned was authorized to complete the sale of the Debtor's interest in certain realty;

NOW, THEREFORE, the undersigned as Trustee in Bankruptcy of the Debtor's bankruptcy estate, by the powers vested in him by the United States Bankruptcy Code (11 U.S.C. §§ 101-1532) and by the Sale Order, for good and valuable consideration of the payment of ONE HUNDRED FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$145,000.00) (inclusive of \$20,000.00 Buyer paid premium), does hereby GRANT without representations, warranties or covenants, express or implied, of any kind or nature (and the Trustee expressly disclaims the same), to John Morais, with a mailing address of 355 Quaker Street, Northbridge, Massachusetts 01534 (the "Grantee"), the Debtor's interest in the following property located at 30 Miscoe Road, Mendon, Worcester County, Massachusetts (the "Property"):

See **Exhibit A** attached

Pursuant to Sections 363(b) and (f) of the Bankruptcy Code and the Sale Order, the sale shall be and is free and clear of any and all liens, claims (as that term is defined in the Bankruptcy Code), mortgages, guarantees, security agreements, pledges, charges, taxes, obligations, rights, restrictions, interests (including any retaining, future or possessory liens or interests) and


Property address: 30 Miscoe Road, Mendon, Worcester County, Massachusetts

encumbrances as set forth in the Sale Motion, whether arising prior to or subsequent to the filing of the Debtor's petition in bankruptcy, and whether imposed by agreement, understanding, law, equity or otherwise. Further, as set forth in the Sale Motion, the sale shall be and hereby is made "as is" and "where is" and with no representations or warranties by the Trustee, including, without limitation, the extent, validity and nature of the Debtor's interest in, or title to, the Property.

Grantee herein is prohibited from conveying captioned property for any sales price for a period of 30 days from the date of this short sale closing. After this 30 day period, Grantee is further prohibited from conveying the property for a sales price greater than \$150,000.00 (120% of short sale price) until 90 days from the date of this short sale closing. These restrictions shall run with the land and are not personal to the Grantee.

THE GRANTEE, BY HIS ACCEPTANCE OF THIS DEED, DOES HEREBY FOREVER RELEASE GRANTOR OF AND FROM ANY AND ALL LIABILITIES, CLAIMS, CAUSES OF ACTION, LIABILITY FOR CONTRIBUTION, AND ALL OTHER LIABILITIES ARISING OUT OF THE PROPERTY INCLUDING, WITHOUT LIMITATION, THOSE ARISING OUT OF (A) THE EXISTENCE ON THE PROPERTY, NOW OR IN THE PAST, OF ANY UNDERGROUND OIL STORAGE FACILITIES OR OUT OF THE EXISTENCE, NOW OR IN THE PAST, OF ANY ABOVEGROUND OIL STORAGE FACILITIES WITH UNDERGROUND PIPING; AND (B) THE EXISTENCE, NOW OR IN THE PAST, OF ANY SUBSURFACE WASTEWATER DISPOSAL SYSTEMS LOCATED ON THE PROPERTY, INCLUDING ANY MALFUNCTIONS WITH RESPECT THERETO.

IN WITNESS WHEREOF, I have hereunto set my hand and seal as of this 12<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
Joseph H. Baldiga/as Trustee for the  
Bankruptcy Estate of Allen P. Tatro  
Chapter 7, Case No. 15-42390-CJP

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

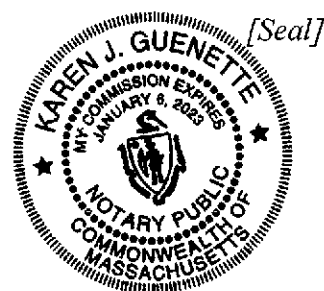
On October 12, 2017, Joseph H. Baldiga, Trustee in Bankruptcy (the "Principal") of Allen P. Tatro, personally appeared before me and acknowledged to me that the Principal signed the preceding or attached document voluntarily for its stated purpose. The Principal proved to me through satisfactory evidence of identification that the Principal is the person whose name is signed on the preceding or attached document. The satisfactory evidence of identification provided to me was:

- ☐ A current document issued by a federal or state government agency bearing the photographic image of the Principal's face and signature; or
- ☐ On the oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the Principal; or
- ☒ Identification of the Principal based on the notary public's personal knowledge of the identity of the Principal; or
- ☐ The following evidence of identification: \_\_\_\_\_

Karen J. Guenette  
Notary Public

Printed Name: Karen J. Guenette

My Commission Expires: 1/06/2023



**EXHIBIT A**

A certain parcel of land with the building thereon in Mendon, Worcester County, Massachusetts commencing at a drill hole set at Miscoe Road at land of Nelson, said drill hole being 2100 feet from North Avenue; thence S. 27° 07' 30" W. along said Nelson land a distance of 64.58 feet to a drill hole; thence S. 09° 11' 00" W. 197.67 feet to a drill hole; thence N. 87° 50' 59" W. along land of Davenport a distance of 136.67 feet to a stake; thence along land of said grantor due north a distance of 466.00 feet to a stake; thence N. 40° 11' 19" E. 98.42 feet to a drill hole at said Miscoe Road; thence southeasterly along said Miscoe Road 250.48 feet to the point of beginning.

Said parcel containing an area of 88,942 square feet, more or less, as shown on a plan entitled "Plan of Land in Mendon, Mass. Property of Loretta D. Byrne Scale: 1" = 40' July Park Street, Framingham, Mass. 121 E. Main Street, Milford, Mass. Revised July 26, 1965" recorded with the Worcester Registry of Deeds in Plan Book 293 Page 25.

Said parcel being described as an exception from a conveyance by Loretta D. Byrne to Milton W. McCrum and Linda L. McCrum in a deed recorded in the Worcester Registry of Deeds, Book 4599, Page 393.

Being the same premises conveyed to Allen P. Tatro by Deed of Allen P. Tatro and Kathleen Tatro dated December 20, 2003 and recorded with the Worcester District Registry of Deeds at Book 32563, Page 18.

ATTEST: WORC Anthony J. Vigliotti, Register