



Bk: 44899 Pg: 209
Page: 1 of 4 09/29/2009 02:29 PM WD

FORECLOSURE DEED

Sovereign Bank, having its usual place of business, 601 Penn Street, Reading, PA, 19601.

the present holder of a mortgage

from David Payne and Lindsay Payne a/k/a L. Payne
to Sovereign Bank
dated May 26, 2004

recorded with the Worcester County (Worcester District) Registry of Deeds at Book 33712, Page 216, by the power conferred by said mortgage and by every other power, for TWO HUNDRED TWENTY-FIVE THOUSAND SIX HUNDRED EIGHTY-TWO DOLLARS AND 97/100 (\$225,682.97) paid, grants to Federal Home Loan Mortgage Corporation, with a mailing address of, 8200 Jones Branch Drive, McLean, VA 22102-3110,

Handwritten mark resembling a stylized 'P' or '3'.

the premises conveyed by said mortgage.


This conveyance is exempt from the Massachusetts Deed Excise, M.G.L.C. 64D Section 1, pursuant to Massachusetts Department of Revenue Directive 91-2 (Sept. 19, 1991), and pursuant to 12 United States Code Sections 1452, 1723a, or 1835.
Executed as a sealed instrument this 30th day of June, 2009.

RE: 24 Washington Street, Mendon, MA 01756

See Power of Attorney recorded herewith.

Sovereign Bank
By Orlans Moran, PLLC
Its Attorney-in-fact

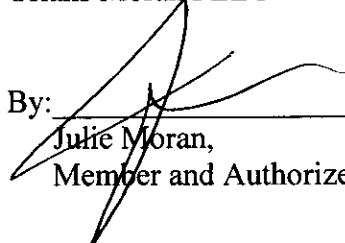
BK 44899 pg 204

By: 
Julie Moran,
Member and Authorized Signatory, Real Estate

Affidavit

Orlans Moran PLLC, under the pains and penalties of perjury on oath deposes and says that it does not have knowledge of revocation or termination of the Power of Attorney by the principal or by termination of the existence of the principal.

Orlans Moran PLLC

By: 
Julie Moran,
Member and Authorized Signatory, Real Estate

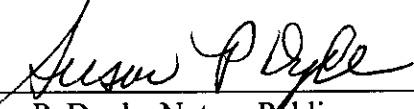
Handwritten mark resembling a stylized '9'.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

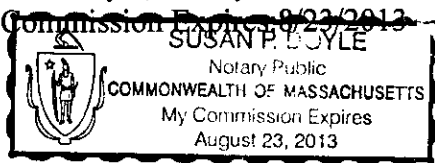
JUNE 30, 2009

On this 30th day of June, 2009, before me, the undersigned notary public, personally appeared Julie Moran, Member and Authorized Signatory, Real Estate, of Orleans Moran PLLC, as attorney-in-fact for Sovereign Bank, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.



Susan P. Doyle, Notary Public

My Commission Expires ~~8/23/2013~~



Return to:
Orlans Moran PLLC
P.O. Box 962169
Boston, MA 02196
File Number: 484.0146

Mortgagee's Affidavit

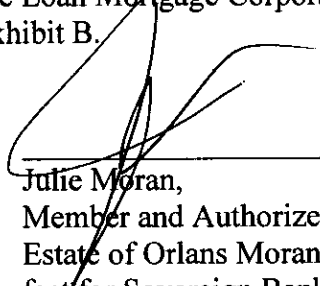
I, Julie Moran, Member and Authorized Signatory, Real Estate of Orlans Moran PLLC under Power of Attorney for Sovereign Bank ("Lender") named in the foregoing deed, make oath and say that the principal, interest and other obligations mentioned in mortgage from above referred to were not paid or tendered or performed when due or prior to the sale, and that I caused to be published on the 8th day of April, 2009, on the 15th day of April, 2009 and on the 22nd day of April, 2009, in the Milford Daily News a newspaper published or by its title page purporting to be published in Milford and circulated in Mendon, a notice, a true copy of which is attached hereto as Exhibit A.

I also have complied with Chapter 244, Section 14 of Massachusetts General Laws, as amended, by mailing the required notices by certified mail, return receipt requested, _____ (if checked) I also gave the Internal Revenue Service notice by mailing Notice of Sale pursuant to Section 7425(c) of the Internal Revenue Code.

Pursuant to said notice at the time and place therein appointed, the sale was postponed by public proclamation upon the mortgaged premises to May 29, 2009, and thereupon the sale was postponed by public proclamation upon the mortgaged premises to June 29, 2009, and thereupon

The Lender sold the mortgaged premises at public auction by Sandra F. Monroe, a licensed auctioneer to Sovereign Bank, for TWO HUNDRED TWENTY-FIVE THOUSAND SIX HUNDRED EIGHTY-TWO DOLLARS AND 97/100 (\$225,682.97), being the highest bid made therefore at said auction.

Said bid was then assigned to Federal Home Loan Mortgage Corporation as evidenced by Assignment of Bid recorded herewith as Exhibit B.



 Julie Moran,
 Member and Authorized Signatory, Real
 Estate of Orlans Moran, PLLC, attorney-in-
 fact for Sovereign Bank

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

JUNE 30, 2009

On this 30th day of June, 2009, before me, the undersigned notary public, personally appeared Julie Moran, Member and Authorized Signatory, Real Estate, of Orlans Moran PLLC, as attorney-in-fact for Sovereign Bank, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.


 Susan P. Doyle, Notary Public
 My Commission Expires: 8/23/2013

Return to:
 Orlans Moran PLLC
 P.O. Box 962169
 Boston, MA 02196
 File Number: 484.0146

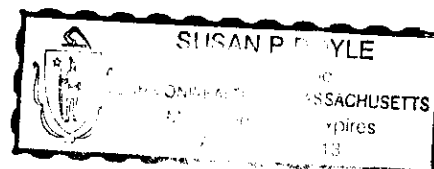


EXHIBIT "A"

ATTACHED TO AND FORMING A PART OF FORECLOSURE DEED AND
AFFIDAVIT IN LAND COURT CASE NO. 386752 FOR PROPERTY LOCATED AT
24 WASHINGTON STREET, MENDON, MA 01756

24 WASHINGTON ST.

LEGAL NOTICE
MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage given by David Payne and Lindsay Payne a/k/a L. Payne to Sovereign Bank, dated May 26, 2004 and recorded with the Worcester County (Worcester District) Registry of Deeds at Book 33712, Page 216 of which the Mortgage the undersigned is the present holder for breach of the conditions of said Mortgage and for the purpose of foreclosing same will be sold at Public Auction at 10:00 AM on April 30, 2009 at 24 Washington Street, Mendon, MA., all and singular the premises described in said Mortgage, to wit:

A certain parcel of land together with the buildings thereon located on Washington Street, Mendon, Massachusetts being the same and all the same premises described in deed of Joseph C. Cove, Conservator, dated June 23, 1999 and recorded in Worcester District Registry of Deeds in Book 21538, Page 244 as follows:

"A certain parcel of land situated in the Town of Mendon, Worcester County, Commonwealth of Massachusetts and located on the westerly side of Washington Street bounded and described as follows:

BEGINNING at a point on the westerly side of Washington Street at land now or being the southeasterly corner of the premises herein described;

THENCE N. 28° 00' W. 124.00 feet by the westerly side of Washington Street to an iron pipe at land now or formerly of Robbins;

THENCE S. 56° 55' W. 150.00 feet by said land now or formerly of Robbins, to an iron pipe at land now or formerly of Mabel A. Holbrook;

THENCE S. 22° 43' E. 78.00 feet by said land now or formerly of Mabel A. Holbrook to an iron pipe set in a wall for a corner;

THENCE S. 68° 58' W. 342.23 feet by said wall to land now or formerly of Lyman E. Wheeler;

THENCE S. 01° 30' W. 25.89 feet by said Wheeler land, now or formerly of Grantor;

THENCE N. 68° 47' e. 512.62 feet by said other land now or formerly of Grantor to the point of origin.

Containing 25,890 square feet, more or less.

Subject to a ten foot right of way the northerly side of said right of way being S. 28° 00' E. 100.00 feet from land now or formerly of Robbins on the westerly side of Washington Street said right of way running westerly by the southerly side of the wall between land of Mabel A. Holbrook, now or formerly, and land of Grantor's to land now or formerly of Lymann E. Wheeler.

For a more particular description see plan of land entitled "Town of Mendon, Mass. Land of Willard E. and Ruth Kinnecome" dated August 27, 1966 recorded in Worcester District Registry of Deeds Plan Book 303, Plan 111."

Return to:
Orlans Moran PLLC
P.O. Box 962169
Boston, MA 02196
File Number: 484.0146

Subject to Order of Conditions as recorded with Worcester Deed, Book 23601, Page 382.

Subject to a Variance by the Commonwealth of Massachusetts, Department of Environmental Protection as recorded in Book 23766, Page 222, which states that a garbage grinder is not permitted.

For our title see deed recorded herewith. Book 33712/214.

The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, rights of tenants and parties in possession.

TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS (\$5,000.00) in the form of a certified check or bank treasurer's check will be required to be delivered at or before the time the bid is offered. The successful bidder will be required to execute a Foreclosure Sale Agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney. The

description of the premises contained in said mortgage shall control in the event of an error in this publication. **TIME WILL BE OF THE ESSENCE.**

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

Sovereign Bank
Present Holder of said Mortgage,
By Its Attorneys,
Orlans Moran PLLC
P.O. Box 962169
Boston, MA 02196
Phone: (617) 502-4100

AD#11929653
MDN 4/8, 4/15, 4/22/09

ATTEST: WORC. Anthony J. Vigliotti, Register

RE: 24 Washington Street, Mendon, MA 01756