



2016 00088097

Bk: 55784 Pg: 233

Page: 1 of 3 08/11/2016 10:54 AM WD

FORECLOSURE DEED

The Bank of New York Melon F/K/A The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4, with an address of c/o Ocwen Loan Servicing, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409, the present holder of a mortgage from Donald B. Fallon and Brenda J. Fallon to Wilmington Finance, a division of AIG Federal Savings Bank dated May 20, 2004 recorded with the Worcester County (Worcester District) Registry of Deeds at Book 33687, Page 170, by the power conferred by said mortgage and by every other power, for TWO HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$227,500.00) paid, grants to The Bank of New York Melon f/k/a The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4, with an address of c/o Ocwen Loan Servicing, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409, the premises conveyed by said mortgage.

Executed as a sealed instrument this 19<sup>th</sup> day of July, 2016.

See Limited Power of Attorney recorded with the Worcester County (Worcester District) Registry of Deeds in Book 55105, Page 271.

The Bank of New York Melon f/k/a The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4  
By Ocwen Loan Servicing, LLC as attorney in fact

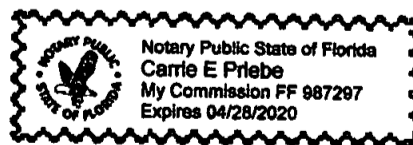
MASSACHUSETTS EXCISE TAX  
Worcester District ROD #20 001  
Date: 08/11/2016 10:54 AM  
Ctrl# 157927 21483 Doc# 00088097  
Fee: \$1,037.40 Cons: \$227,500.00

By: Mei-Ling Mitchell 7-19-16  
Name: Mei-Ling Mitchell  
Title: Contract Management Coordinator

STATE OF FLORIDA  
COUNTY OF PALM BEACH

On this 19<sup>th</sup> day of July, 2016, before me, the undersigned Notary Public, personally appeared, Mei-Ling Mitchell of Ocwen Loan Servicing, LLC, as attorney in fact for The Bank of New York Melon F/K/A The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4, who is either personally known to me, or proved to me through satisfactory evidence of identification, to be the person who signed the preceding or attached document, and acknowledged to me that he/she executed the same for its stated purpose as the free act and deed of The Bank of New York Melon F/K/A The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4.

Carrie E. Priebe  
Notary Public - State Of Florida **Carrie E. Priebe**  
My Commission Expires \_\_\_\_\_



Return to:

Orians Moran PLLC  
P.O. Box 5041  
Troy, MI 48007

File Number: 13-018737/189/FORD\_DR

47 CAPE RD, MELON

Affidavit of Sale

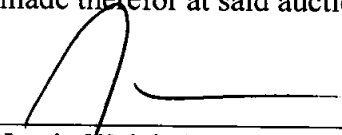
I, Jamie Welch, Esq., Employee, Authorized Signatory, Real Property of Orlans Moran PLLC, as attorney for The Bank of New York Melon f/k/a The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4, ("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 this office caused to be published on the 17th day of June, 2016, on the 24th day of June, 2016 and on the 1st day of July, 2016, in the Milford Daily News, a newspaper with general circulation in Mendon, a copy of which is attached hereto as Exhibit A.

This office has complied with Chapter 244, Section 14 of Massachusetts General Laws, as amended, by mailing the required notices by certified mail, return receipt requested.

This office has complied with Chapter 209, Section 18.21A of Code of Massachusetts Regulations, as amended, by mailing the required certification and supporting documentation by certified mail, return receipt requested.

Pursuant to said notice at the time and place therein appointed, the Lender sold the mortgaged premises at public auction by Patricia Kilcullen, a licensed auctioneer, of Towne Auction Company LLC, to the highest bidder The Bank of New York Melon f/k/a The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the benefit of the certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4, with an address of c/o Ocwen Loan Servicing, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409, for the sum of TWO HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$227,500.00) paid, being the highest bid made therefor at said auction.

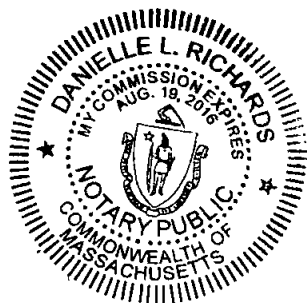
For signatory authority, see Delegation of Authority and Appointment registered with the Suffolk County District of the Land Court at Document Number 857827.

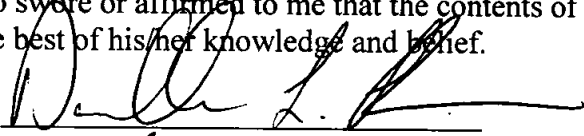
  
\_\_\_\_\_  
Jamie Welch, Esq., Employee, Authorized Signatory, Real Property of Orlans Moran PLLC

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

On this 3<sup>rd</sup> day of August, 2016, before me, the undersigned Notary Public, personally appeared, Jamie Welch, Esq., Employee, Authorized Signatory, Real Property of Orlans Moran PLLC, 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 who swore or affirmed to me that the contents of this document are truthful and accurate to the best of his/her knowledge and belief.



  
\_\_\_\_\_  
Danielle L. Richards, Notary Public  
My Commission Expires: 8/19/16

Return to:  
Orlans Moran PLLC  
P.O. Box 5041  
Troy, MI 48007  
File Number: 13-018737/189/FORD\_DR

RE: 47 Cape Rd, Mendon, MA 01756

## EXHIBIT "A"

ATTACHED TO AND FORMING A PART OF THE FORECLOSURE DEED  
FOR PROPERTY AT 47 CAPE RD, MENDON, MA 0175647 CAPE RD, MENDON  
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 Donald B. Fallon and Brenda J. Fallon to Wilmington Finance, a division of AIG Federal Savings Bank, dated May 20, 2004 and recorded with the Worcester County (Worcester District) Registry of Deeds at Book 33687, Page 170 subsequently assigned to Mortgage Electronic Registration Systems, Inc. by Wilmington Finance, a division of AIG Federal Savings Bank by assignment recorded in said Registry of Deeds at Book 35379, Page 291 subsequently assigned to The Bank of New York Mellon F/K/A The Bank of New York as Successor in interest to JPMorgan Chase Bank, N.A., as Trustee for the Benefit of the Certificateholders of Popular ABS, Inc. Mortgage Pass-Through Certificates Series 2004-4 by Mortgage Electronic Registration Systems, Inc. by assignment recorded in said Registry of Deeds at Book 48599, Page 194; of which 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 July 8, 2016 at 47 Cape Rd, Mendon, MA, all and singular the premises described in said Mortgage, to wit:

A certain parcel of land, together with the buildings thereon, situated on the westerly side of Massachusetts State Highway, Route 140, in said Mendon, being shown as Lot #8 on Plan of Lots in Mendon, Mass. owned by Samuel H. & Rose Perron, dated November 1947, filed with Worcester District of Deeds, Plan Book 154, Plan 11, bounded and described as follows: BEGINNING at a stake on the westerly side of said highway and at the south-easterly corner of the granted premises; THENCE S. 74 degrees 2' 10" W. along the northerly line of Lot #7 on said plan, 150 feet to a stake; THENCE N. 15 degrees 57' 50" W. along land now or formerly of said Perron, 100 feet to a stake; THENCE N. 74 degrees 02' 10" E. along the southerly line of Lot #9 on said plan, 150 feet to a stake; THENCE S. 15 degrees 57' 50" E. along the westerly line of said highway, 85 feet to a Massachusetts Highway Bound; THENCE along the same course, 15 feet to the point of beginning. Said premises are conveyed subject to the condition against the sale of liquor as recorded in Book 3250, Page 259. Title Ref: BK 20355 PG 145

The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, liens, attorney's fees and costs pursuant to M.G.L.Ch.183A, 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, bank treasurer's check or money order 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.

The Bank of New York Mellon  
F/K/A The Bank of New York as  
Successor in interest to JPMorgan  
Chase Bank, N.A., as Trustee for  
the Benefit of the  
Certificateholders of Popular ABS,  
Inc. Mortgage Pass-Through  
Certificates Series 2004-4

Present Holder of said Mortgage,  
By Its Attorneys,  
ORLANS MORAN PLLC  
PO Box 540540  
Waltham, MA 02454  
Phone: (781) 790-7800  
13-018737

AD#13442305  
MDN 6/17, 6/24, 7/1/16

RE: 47 Cape Rd, Mendon, MA 01756

Return to:  
Orlans Moran PLLC  
P.O. Box 5041  
Troy, MI 48007  
File Number: 13-018737/189/FORD\_DR

ATTEST: WORC. Anthony J. Vigliotti, Register