

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF MIDDDLFIELD  
OFFICE OF THE CUSTODIAN**

Notice is hereby given that on Wednesday, the 24th of October 2018 at 11 AM at the Middlefield Town Hall located at 188 Skyline Trail, acting on behalf of the Town of Middlefield and in accordance with the provisions of Massachusetts General Laws, Chapter 60 §77B, **I SHALL OFFER FOR SALE AT PUBLIC AUCTION** the hereinafter described properties acquired by said town by foreclosure of the tax titles thereon.

**1. Property Address: SKYLINE TRAIL**

A parcel of land containing 77 acres more or less with any buildings thereon, situated on Skyline Trail and described in a deed recorded in Book 3045, Page 155 at the Hampshire County Registry of Deeds and in Assessors' Map 411.0, Lot 54.

**2. Property Address: RYAN ROAD**

A parcel of land containing 23 acres more or less with any buildings thereon, situated on Ryan Road and described in a deed recorded in Book 5073, Page 253 at the Hampshire County Registry of Deeds and described in Assessors' Map 403, Lot 18.

The Tax Taking is recorded in Hampshire County Registry of Deeds in Book 11824, Page 67 with the Final Judgment in Tax Lien Case No. 15 TL 001468 recorded in Book 12266, Page 33.

**3. Property Address: TOWN HILL ROAD**

A parcel of land containing 19.6 acres more or less with any buildings thereon, situated ON Town Hill Road and described in a deed recorded in Book 9196, Page 222 at the Hampshire County Registry of Deeds and in Assessors' Map 406, Lot 96.

The Tax Taking is recorded in Hampshire County Registry of Deeds in Book 9943, Page 343 with the Final Judgment in Tax Lien Case No. 14 TL 149820 recorded in Book 12008, Page 148.

**4. Property Address: CHIPMAN ROAD**

A parcel of land containing 14.8 acres more or less with any buildings thereon, situated on Chipman Road and described in a deed recorded in Book 7018, Page 221 at the Hampshire County Registry of Deeds and in Assessors' Map 408. Lot 12.

The Tax Taking is recorded in Hampshire County Registry of Deeds in Book 8799, Page 323 with the Final Judgment in Tax Lien Case No. 12 TL 144119 recorded in Book 11936, Page 117.

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

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Mary Ann Pease, Custodian of Tax Possessions

**TOWN OF MIDDLEFIELD  
SALE OF TAX POSSESSIONS  
TERMS AND CONDITIONS**

1. All properties will be sold "as is". The Town of Middlefield, its Custodian, employees, representatives and/or agents make NO REPRESENTATIONS AS TO THE CONDITION OF ANY STRUCTURES OR THE INSURABILITY OR MARKETABILITY OF THE TITLE OTHER THAN THE TITLE VESTS IN THE TOWN OF MIDDLEFIELD.

2. Prospective purchasers are responsible for investigating the suitability of the parcel(s) for their intended purpose prior to the auction.

3. All properties will be sold subject to any existing environmental conditions, if any, including but not limited to hazardous waste conditions, which may or may not be in compliance with any applicable laws, policies or regulations.

4. Any error, misstatement or omission in the description of the property will not annul the sale, or be grounds for any abatement or compensation.

5. The following person(s) shall not be qualified to be the successful bidder; (1) the prior owner of the property or his/her agent, representative, assign or straw; (2) any person currently delinquent in paying his/her own property taxes or other charges to the Town of Middlefield; and (3) any person who was or is currently a party to a tax title foreclosure by the Town of Middlefield.

6. Upon receipt of full payment, the Town Treasurer will execute, deliver, and record on behalf of the Town of Middlefield a deed transferring title of said parcel to the successful buyer.

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 a crime involving the aiding, counseling or procuring of a willful and malicious setting of a fire, or of a crime involving the fraudulent filing of a claim for fire insurance; or is delinquent in the payment of real estate taxes to the Town of Middlefield or if delinquent, that a pending application for abatement of such tax, or a pending petition before the appellate tax board or the county commissioners has been filed in good faith.

In order to qualify as a bidder and bid at auction one must be present with a deposit check of \$1,500.00. The deposit must be in the form of certified check, money order or bank check or attorney IOLTA check. NO PERSONAL CHECKS WILL BE ACCEPTED. The remainder of the purchase price must be paid within by certified check, money order, bank check or attorney IOLTA check by November 22, 2018. Failure to pay the remainder of the purchase price by November 22, 2018 will result in the forfeiture of the deposit to the Town of Middlefield and the sale will be made to the second highest bidder.

8. Pro forma taxes will be calculated and must be paid pursuant to M.G.L. c. 44, §63A.

9. The balance of the contract sale amount, the buyer's premium of \$500, special assessment of \$350 for closing costs, pro forma taxes, and the deed recording fee of \$125.00 must be paid November 22, 2018. Failure to pay the remainder of the balance by November 22, 2018 will result in the forfeiture of the deposit to the Town of Middlefield and the sale will be made to the second highest bidder.

10. All parcels will be sold as is. If the premises are serviced by a septic/disposal system, Buyer will be solely responsible for inspecting and/or upgrading the system in accordance with DEP Title 5 310 CMR, Section 15.301(f) after the recording of the Treasurer's Deed.

11. The Custodian reserves the right to reject any bid at the auction or any adjournment thereof which, in his/her opinion, does not meet the minimum bid or approximate the fair market value of the property.