

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 **Kenneth J. Spera, dated March 13, 2015 and recorded with the Middlesex County (Southern District) Registry of Deeds in Book 65078, Page 590** to **County Mortgage, LLC**, of which Mortgage the undersigned is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing same, the mortgaged premises will be sold at **Public Auction at 11:00AM on the 17th day of October, 2018** on the mortgaged premises hereinafter described namely:

Phase II of Beacon Court Condominium
located at 292-294 Beacon Street, Somerville, MA 02143
as described in the Master Deed and Declaration of Trust,
both recorded on December 28, 2016 at the Middlesex County (Southern District)
Registry of Deeds in Book 68674, Pages 87 and 111, respectively.

TO WIT:

The land in Somerville, Massachusetts, with the buildings thereon situated in Somerville, Middlesex County, Massachusetts being part of Lot numbered 5 on a Plan of a Part of the Froill Estate, C. Tyler, Guardian, Somerville, W.A. Mason & Co., Surveyors, dated June 1859, recorded with Middlesex South District Deeds, Book of Plans 9, Plan 11, bounded and described as follows:

NORTHEASTERLY: by Beacon Street, fifty (50) feet;

SOUTHEASTERLY: by Lot numbered four (4) as shown on said plan, one hundred fifty-one (151) feet;

SOUTHWESTERLY: by land now or formerly of Saunders, fifty (50) feet;

NORTHWESTERLY: by the remaining part of said Lot numbered five (5) being land now or formerly of Strater, one hundred forty-nine (149) feet.

Containing 7500 square feet of land, more or less.

Property Address: 292-294 Beacon Street, Somerville, MA

For title reference, please see Deed granted by John J. Spera f/k/a John J. Spera, Jr. to Kenneth J. Spera, dated November 11, 2011 and recorded at the Middlesex County (South District) Registry of Deeds at Book 57869, Page 130.

Said premises are subject to zoning laws of the City of Somerville and are subject to and with the benefit of rights, restrictions, reservations, easements and agreements of record, if any, so far as are now in force and applicable.

Said premises are also subject to the terms, provisions and conditions of the Decisions of the City of Somerville Zoning Board of Appeals dated July 11, 2007, July 13, 2011, September 16, 2015 and any other relevant Decisions not hereto referred.

The above described premises are also subject to easements for utilities, including but not limited to electric, cable, and telephone services, granted to any public or private utility or telephone company by the Declarant, its successors, assigns, and nominees, whether granted heretofore or hereafter, to the extent that the same are now or hereafter in force and applicable. The Trustees of the Condominium Trust shall have the right to grant permits, licenses and easements over the common areas and facilities for utilities and other purposes reasonably necessary or useful for the proper maintenance or operation of the Condominium project.

This sale is specifically for the land and buildings thereon described as “Phase II” of the Beacon Court Condominium. “Phase I” of the Beacon Court Condominium, which has been completed and includes Unit #1, is excluded from and is not part of the mortgaged premises subject to this foreclosure sale and auction.

Please see the Master Deed of the Beacon Court Condominium and the Declaration of Trust of the Beacon Court Condominium, both recorded on December 28, 2016 at the Middlesex County (Southern District) Registry of Deeds in Book 68674, Pages 87 and 111, respectively, and the Subordination Agreement of County Mortgage, LLC dated February 16, 2017 and recorded at said Deeds in Book 68909, Page 349, for additional details and information pertaining to the Condominium, specifically “Phase II” of the Condominium project and property.

The Premises to be sold and conveyed subject to and with the benefit of all rights, rights of way, restrictions, easements, covenants, liens or claims in the nature of liens, improvements, public assessments, any and all unpaid taxes, tax titles, tax liens, water and sewer liens and any other municipal assessments or liens or existing encumbrances of record which are in force and are applicable, having priority over said mortgage, whether or not reference to such restrictions, easements, improvements, liens or encumbrances is made in the deed.

Terms of Sale: TEN THOUSAND DOLLARS (\$10,000.00) will be required to be paid by bank or certified check at the time and place of sale. The successful bidder shall be required to sign a Memorandum of Sale containing the above terms at the Auction Sale. The balance is to be paid by bank wire, to the Law Offices of Barr and Cole, 1172 Beacon Street, Suite 202, Newton, MA 02461 within 30 days from the date of sale. Deed will be provided to the purchaser for recording upon receipt in full of the purchase price.

Time is of the essence.

The Mortgagee reserves the right to bid at the sale, reject any and all bids, and to postpone the sale to a later time and/or date by public proclamation at the time and date appointed for the sale and to further postpone the sale at any adjourned sale date by public proclamation at the time and date appointed for the adjourned sale date.

Other terms and conditions to be announced at the time and place of sale and to be incorporated in the Memorandum of Sale signed at the sale.

In the event of an error in this publication, the description of the premises contained in the above-referenced Beacon Court Condominium Master Deed and Declaration of Trust, recorded at the Middlesex County (Southern District) Registry of Deeds in Book 68674, Pages 87 and 111, respectively, shall control.

County Mortgage, LLC
Present Holder of said Mortgage,
By Its Attorney,
Henry L. Barr, Esq.
Barr & Cole
1172 Beacon Street
Newton, MA 02461
617-969-1381