



Attorneys At Law
A Limited Liability Partnership

Reply to: Pawtucket, RI office

September 19, 2018

Michael Harkins
Harkins Real Estate & Auctioneers

RE: Cheryl Ann Luft and John C. Marinelli
618 Canaan-Southfield Road, fka 76 Southfield-Canaan Road, New Marlborough,
MA
File No.: 5540753

To Whom it May Concern:

Enclosed is a copy of a Notice of Mortgagee's Sale of Real Estate relative to the above. Please plan to handle this foreclosure as auctioneer. We may need a witness to attend. This notice is scheduled to be published in the Berkshire Eagle on September 28, 2018, October 5, 2018 and October 12, 2018. The sale is scheduled for October 26, 2018 at 12:00 PM, at the location set forth in the ad.

Very truly yours,

Erika L. Vogel, Esq.

enclosure

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NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

Premises: 618 Canaan-Southfield Road, fka 76 Southfield-Canaan Road, New Marlborough, MA

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Cheryl Ann Luft and John C. Marinelli to First National Bank of The Berkshires and now held by **Massachusetts Housing Finance Agency** said mortgage dated January 10, 1994 and recorded with the Berkshire County (Southern District) Registry of Deeds in Book 883, Page 16, said mortgage was assigned from First National Bank of the Berkshires to Massachusetts Housing Finance Agency by assignment dated January 10, 1994 and recorded with said Registry of Deeds in Book 883, Page 25; for breach of the conditions in said mortgage and for the purpose of foreclosing the same will be sold at **Public Auction on** October 26, 2018 at 12:00 PM Local Time upon the premises, all and singular the premises described in said mortgage, to wit:

A certain tract of land with building thereon, in New Marlborough, Berkshire County, Massachusetts, bounded and described as follows:

Beginning at a point on the southerly side of the Southfield-Canaan Road, so called, said point being fifty rods west of the intersection of said Southfield-Canaan Road with the Rhoads Hill-Mill River Road, so called; thence southerly at approximately a right angle, sixteen rods; thence easterly at approximately a right angle with the last mentioned line, ten rods; thence northerly at approximately a right angle with the last- mentioned line sixteen rods to the southerly side of the Southfield-Canaan road ten rods to the point of beginning, containing one acre of land, more or less.

Being all and the same premises that were conveyed to Florence I. Ives and Victor Swanson by deed from Ruth McArdle dated September 29, 1954 in the Southern Berkshire District Registry of Deeds in Book 303, Page 100.

The said Florence I. Ives having deceased (See Berkshire County Probate Court Docket Number 93P0333-E1) all her right, title and interest to the herein conveyed real estate was bequeathed to Ingrid Ives.

Being all and the same premises that were conveyed to the grantors herein by deed from Victor Swanson and Ingrid Ives dated 17 December 1993 recorded in the South Berkshire District Registry of Deeds in Book 883, Page 14.

The description of the property contained in the mortgage shall control in the event of a typographical error in this publication. For a more accurate description, see Deed recorded at Said Registry in Book 306, Page 415.

For Mortgagor's Title see deed dated December 17, 1993 and recorded in the Berkshire County (Southern District) Registry of Deeds in Book 883, Page 14.

TERMS OF SALE: Said premises will be sold and conveyed subject to all liens, encumbrances, unpaid taxes, tax titles, municipal liens and assessments, if any, which take precedence over the said mortgage above described.

FIVE THOUSAND (\$5,000.00) Dollars of the purchase price must be paid in cash, certified check, bank treasurer's or cashier's check at the time and place of the sale by the purchaser. The balance of the purchase price shall be paid in cash, certified check, bank treasurer's or cashier's check within thirty (30) days after the date of sale.

Other terms to be announced at the sale.

Shechtman Halperin Savage, LLP
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Attorney for **Massachusetts Housing Finance
Agency**
Present Holder of the Mortgage
(401) 272-1400