

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF PHILLIPSTON**

Notice is Hereby Given that on Tuesday, June 6, 2023 at 12:00 p.m. (noon) at the Phillipston Town Hall, 50 The Commons, Phillipston, Massachusetts, the Town's Tax Title Custodian acting on behalf of the Town of Phillipston and in accordance with the provisions of Massachusetts General Laws Chapter 60, Section 77B, SHALL OFFER FOR SALE AT PUBLIC AUCTION the hereinafter described property acquired by the Town through Tax Title Foreclosure. Bidder registration will commence at 11:30 a.m.

A certain parcel of land located at 30 Barre Road in Phillipston, Massachusetts, containing 0.81 acres of land, more or less, shown on Assessor's Map 24, Parcel 51, and being the premises described in the Worcester South District Registry of Deeds, Book 56640, Page 70. A Five Thousand Dollar (\$5,000.00) deposit will be required to pre-qualify for auction participation.

A certain parcel of land located at State Road in Phillipston, Massachusetts, containing 0.50 acres of land, more or less, shown on Assessor's Map 34, Parcel 41, and being the premises described in the Worcester South District Registry of Deeds, Book 56640, Page 71. A Five Thousand Dollar (\$5,000.00) deposit will be required to pre-qualify for auction participation.

A certain parcel of land with at Secret Lake Road in Phillipston, Massachusetts, containing 0.78 acres of land, more or less, shown on Assessor's Map 36, Parcel 15, and being the premises described in the Worcester South District Registry of Deeds, Book 43892, Page 315. A Five Thousand Dollar (\$5,000.00) deposit will be required to pre-qualify for auction participation.

A certain parcel of land located at Secret Lake Road in Phillipston, Massachusetts, containing 0.56 acres of land, more or less, shown on Assessor's Map 36, Parcel 47, and being the premises described in the Worcester South District Registry of Deeds, Book 44062, Page 298. A Five Thousand Dollar (\$5,000.00) deposit will be required to pre-qualify for auction participation.

A certain parcel of land located at Spa Road in Phillipston, Massachusetts, containing 0.15 acres of land, more or less, shown on Assessor's Map 52, Parcel 20, and being the premises described in the Worcester South District Registry of Deeds, Book 42169, Page 315. A Five Thousand Dollar (\$5,000.00) deposit will be required to pre-qualify for auction participation.

**TERMS AND CONDITIONS**

1. A \$5,000.00 deposit will be required to pre-qualify for auction participation for each parcel as specified above. Deposits shall be in the form of money order or certified or bank check to the "Town of Phillipston or [Your Name]". Cash will not be accepted.

2. The parcel is sold to the highest bidder "AS IS" with no guarantees as to the condition of the improvements, if any, and/or for further construction and/or improvements to the parcel and/or environmental conditions thereon and/or the insurability or marketability of title other than that the title has been foreclosed upon by the Land Court.

3. The following persons 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 personal taxes or other charges to the Town of Phillipston; (3) any person who was the subject of a tax title foreclosure by the Town; and (4) any person who has ever 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.

4. The successful bidder shall sign a Memorandum of Sale and shall have 21 days to pay the balance due. Failure to close within 21 days will result in the loss of the deposit. Any and all bids may be rejected if it is deemed by the Custodian to be in the best interest of the Town. The successful bidder will be required to pay pro forma real estate taxes, a deed recording fee of \$155.00, and the legal fees (\$400.00) associated with the sale. An 7% buyer's premium will be charged to the successful bidder.

5. Pro forma taxes will be calculated from the date the successful bidder delivers the balance of the purchase price to the Town through Fiscal Year 2024, that is, through June 30, 2024, pursuant to the requirements of G.L. c. 44, §63A.

6. The successful bidder will be required to pay legal fees of \$400.00 per parcel for legal services provided to the Town by K.P. Law, P.C. in conjunction with the auction.

7. The successful bidder will be required to execute a Disclosure Statement as required by G.L. c. 7C, §38 and a Certificate of Compliance pursuant to G.L. c. 60, §77B.

8. Any and all bids at such sale or any adjournment thereof may be rejected if in the Custodian's opinion no bid is made which approximates the fair value of the property.

9. Any materials or documents concerning this auction prepared or furnished by the Town or its employees or agents are solely for informational purposes. No warranty or representation is made as to the accuracy or completeness of the information. Prospective purchasers should make their own investigations and draw their own conclusions.