

LEGAL NOTICE

NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the power of sale contained in a certain mortgage given by James A. Ficociello, Trustee of 500 Main Street Realty Trust to Northmark Bank, dated December 23, 2003 and recorded with Middlesex North District Registry of Deeds Document # 190766, as noted on Certificate No. 23595 at Book 120, Page 389, for breach of the conditions contained in said mortgage, namely, default in the mortgage payments, and for the purposes of foreclosing the same, there shall be sold at public auction at 11:00 a.m. on August 8, 2019, on the premises located at 500 Main Street, Wilmington, Massachusetts, where a flag shall be erected on the day of such sale, all and singular the premises described in said mortgage, to wit:

The land with the buildings thereon, situated in Wilmington, Middlesex County, Massachusetts, with the buildings thereon, bounded and described as follows:

SOUTHEASTERLY: By Dublin Ave., one hundred twenty-one and 62/100 (121.62) feet;

SOUTHWESTERLY: By Lots 401, 402, 403, 404, 405 and 406, one hundred twenty and 09/100 (120.09) feet;

NORTHWESTERLY: By Lot 415, eighty-seven and 01/100 (87.01) feet; and

NORTHEASTERLY: By Lot 397, one hundred fourteen and 99/100 (114.99) feet.

All of said boundaries are determined by the Land Court to be located as shown on subdivision plan 6462-E, drawn by Dana F. Perkins and Sons, Inc., Surveyors, dated December 3, 1953, as approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title 9112, and said land is shown as Lot four hundred sixteen (416) on said plan.

Also another certain parcel of land situate in said Wilmington, bounded and described as follows:

SOUTHWESTERLY: By Main Street, fifty and 03/100 (50.03) feet;

NORTHWESTERLY: By Lot 402, one hundred (100.00) feet;

NORTHEASTERLY: By Lot 400, twenty and 09/100 (20.09) feet; and

SOUTHEASTERLY: By Dublin Ave., one hundred three and 77/100 (103.77) feet.

Said land is shown as Lot four hundred two (402) on said plan.

Also another certain parcel of land situate in said Wilmington, bounded and described as follows:

SOUTHWESTERLY: By Main Street, twenty-five (25) feet;

NORTHWESTERLY: By Lot 404, one hundred (100) feet;

NORTHEASTERLY: By Lot 400, twenty-five (25) feet; and

SOUTHEASTERLY: By Lot 402, one hundred (100) feet.

Said land is shown as Lot four hundred four (404) on said plan.

Also another certain parcel of land situate in said Wilmington, bounded and described as follows:

SOUTHWESTERLY: By Main Street, twenty-five (25) feet;

NORTHWESTERLY: By Lot 406, one hundred (100) feet;

NORTHEASTERLY: By Lot 400, twenty-five (25) feet; and

SOUTHEASTERLY: By Lot 404, one hundred (100) feet.

Said land is shown as Lot four hundred five (405) on said plan.

All of said boundaries are determined by the Land Court to be located as shown on subdivision plan 6462-B, Sheet three (3), drawn by Dana F. Perkins, Surveyors, dated Nov. 1921, as approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title No. 1818.

For authorization to foreclose, see judgment of the Middlesex County Superior Court in Northmark Bank vs. James A. Ficociello, Trustee of 500 Main Street Realty Trust dated July 1, 2019, in Case No. 2019-1357.

TERMS OF SALE:
Cash, cashier's or certified check drawn upon any bank or trust company doing business within the Commonwealth of Massachusetts in the sum of Ten Thousand (\$10,000.00) Dollars must be presented at the time and place of the sale in order to qualify as a bidder and shall be tendered by the purchaser at the time and place of sale; the minimal acceptable bid amount may be announced at the time for sale; the high bidder shall execute a written Memorandum of Foreclosure Sale upon acceptance of his/her bid; the balance of the bid price shall be paid in cash, cashier's or certified check drawn upon any bank or trust company doing business within the Commonwealth of Massachusetts in or within thirty (30) days after the date of sale. The Deed for the mortgaged premises shall be delivered upon receipt of the balance of the purchase price.

The mortgagee reserves the right to postpone the sale to a later date by public proclamation at the time and date appointed for the sale and to further postpone at any adjourned sale date by public proclamation at the time and date appointed for the adjourned sale date.

In the event that the successful bidder at the foreclosure sale shall default in purchasing the within described property according to the terms of this Notice of Sale and/or the terms of the Memorandum of Sale executed at the time of the foreclosure, the Mortgagee reserves the right to sell the property by Foreclosure Deed to the second highest bidder provided that the second highest bidder shall deposit with Mortgagee's attorneys, Feinman Law Offices, the amount of the required deposit as set forth herein within three (3) business days after written notice of default of the previous highest bidder, and title shall be conveyed to the second highest bidder within fifteen days of said written notice.

The description for the premises contained in said mortgage shall control in the event of a typographical error in this publication.

Other terms and conditions of sale are to be announced at the sale.

NORTHMARK BANK
By its Attorney

Michael B. Feinman, Esq.
BBO#545935
Feinman Law Offices
69 Park Street
Andover, MA 01810
(978) 475-0080

Dated: July 10, 2019
190924 7/17,24,31/19