

General Information

What authority does the Board of Appeals have?

The Board of Appeals obtains its authority under the Massachusetts General Laws Chapter 40A §14 and the Town of Littleton's Zoning By-law 173-6 to hear and decide *appeals*, to hear and decide applications for *Chapter 40A special permits*, and to hear and decide petitions for *variances*. The Board of Appeals also hears and decides applications for *special permits for low and moderate income housing* under Massachusetts General Laws Chapter 40B Sections 20, 21, 22, and 23.

What is an Appeal?

Pursuant to Massachusetts General Laws Chapter 40A §8 and Littleton Zoning By-law 173-6 B(3) and 173-6 B(5) the Board of Appeals hears and decides appeals by any person aggrieved by any written order or decision of the Zoning Enforcement Officer or other administrative official in violation of any provision of Massachusetts General Laws Chapter 40A or the Littleton Zoning By-laws. Building permits withheld by the Building Commissioner acting under MGL C. 41, §81Y as a means of enforcing the Subdivision Control Law may also be issued by the Board of Appeals. Action taken by the Building Commissioner acting under the Code of Littleton Chapter 152 will also be heard by the Board of Appeals. *If the Zoning Enforcing Officer or other administrative official does not issue a written order or decision, the Board of Appeals will not hear the appeal.* Appeals from the written decisions of the Zoning Enforcement Officer or other administrative official must be filed with the Office of the Town Clerk pursuant to Massachusetts General Laws Chapter 40A Section 15 within thirty (30) days from the date of the written order or decision which is being appealed. Failure to file a timely appeal is fatal.

What is a Chapter 40A Special Permit?

Certain uses of property are permitted as a matter of right. However, the Littleton Zoning By-laws provide that other uses are not allowed in certain zoning districts, and that specific types of uses shall only be permitted in specified zoning districts upon the issuance of a Special Permit from the Board of Appeals pursuant to Massachusetts General Laws Chapter 40A § 9, 9A, and 9B. Special Permits may be issued only for uses which are in harmony with the general purpose and intent of the By-law, and may be subject to general or specific provisions set forth therein, and such permits may also impose conditions, safeguards and limitations on time or use. A Special Permit, unlike a Variance, may be conditioned by limiting its duration to the term of ownership or use by the Applicant. When a Special Permit application is accompanied by plans or specifications detailing the work to be undertaken, the plans and specifications become conditions of the issuance of the permit. Therefore, once a Special Permit is granted, modification of the plans or specifications require as a prerequisite, modification of the Special Permit through the filing of a successive Special Permit application. No building permit may be issued by the Building Commissioner for a use or structure that requires a Special Permit until 1) a Special Permit has been granted by the Board of Appeals, 2) the expiration of the twenty (20) day appeal period pursuant to Massachusetts General Laws Chapter 40A Section 11, and 3) the Special Permit has been recorded at the Middlesex South District Registry of Deeds. The Building Commissioner shall require proof of recording at the Registry of Deeds from the Town Clerk prior to issuance of a building permit. No party is entitled "as a matter of right" to a Special Permit. The Board of Appeals, in the proper exercise of its discretion, is free to deny a Special Permit even if the facts show that such a permit could be lawfully granted. Special Permits 40A shall lapse 24 months following the granting unless substantial use or construction has commenced.

What is a Chapter 40B Special Permit?

Chapter 40B is a state statute, which enables local Boards of Appeals to approve affordable housing developments under flexible rules if at least 25% of the units have long-term affordability restrictions. Also known as the Comprehensive Permit Law, Chapter 40B was enacted in 1969 to help address the shortage of affordable housing statewide by reducing unnecessary barriers created by local approval processes, local zoning, and other restrictions. Its goal is to encourage the production of affordable housing in all communities throughout the Commonwealth. Special Permits 40B shall lapse 3 years from the date the permit becomes final unless construction authorized by a comprehensive permit has begun, or unless specifically noted otherwise in the permit by the Board of Appeals.

What is a Variance?

A Variance is a waiver of the zoning rules adopted by the Citizens of Littleton at Town Meeting. A Variance may be granted pursuant to the Littleton Zoning By-laws and Massachusetts General Laws Chapter 40A Section 10. Accordingly, it is only in rare instances and under exceptional circumstances that relaxation of the general restrictions established by the Zoning By-laws are permitted. A Variance is distinguished from a Special Permit. The Variance is used to authorize an otherwise prohibited use or to loosen dimensional requirements otherwise applicable to a structure. No person has a right to a Variance. *Variance of "use" is almost never granted by the Board of Appeals. Variance of "dimensional" requirements is granted in rare occasions.* The Board of Appeals has no discretion to grant a Variance unless the petitioner provides evidence, and that the Board of Appeals determines that, owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law. Even if the Board of Appeals find that such hardship exists, it may exercise its discretion and not grant a Variance. No building permit may be issued by the Building Commissioner for a use or structure that requires a Variance until 1) a Variance has been granted by the Board of Appeals, 2) the expiration of the twenty (20) day appeal period pursuant to Massachusetts General Laws Chapter 40A Section 11, and 3) the Variance has been recorded at the Middlesex South District Registry of Deeds. The Building Commissioner shall require proof of recording at the Registry of Deeds from the Town Clerk prior to issuance of a building permit. Rights authorized by a Variance must be exercised within 1 year of granting, or said variance shall lapse.

March 19th
for April 16th

ZBA Case No. _____

Address _____

**TOWN OF LITTLETON
BOARD OF APPEALS**

37 Shattuck Street
P.O. Box 1305
Littleton, MA 01460
Tel: 978-540-2420



APPLICATION FOR PUBLIC HEARING
Pursuant to MGL Chapter 40A, 40B and 41 and the Littleton Zoning By-laws

TOWN USE ONLY
Received by the Town Clerk Office

received
3/07/2020 11:30 AM
Please Sign

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 175 Check # #116
#115

Pursuant to the provisions of Chapter 40, §57 of the Massachusetts General Laws as adopted by Town Meeting 2003, this document must be signed by the Tax Collector verifying payment of taxes.

Signature of Tax Collector

The undersigned hereby submits this petition for the following action (check all that apply):

Appeal of Decision of Building Inspector or other administrative official(see page 2)
 Special Permit (40A)(see page 2)
 Variance (see page 3)
 Comprehensive Permit (40B) Complete additional application (see page 2)

PETITIONER: Signature Solange Tomaz

Date: 3-18-20

Print Name Solange Tomaz

Phone # 508-371-6190

Address 116 Boston Post Rd APT 201

Email Address SolangePainting@hotmail.com

Town, State, Zip Marlboro MA 01752

Deed Reference: Bk 5417 Page 262

PROPERTY OWNER: include authorization of Owner for Petitioner to represent Owner, if unsigned

Signature Eric Shaw Date 978-314-3591

Print Name (if different from petitioner) Eric Shaw

Phone #

Address (if different from petitioner) 5 Elm St Maynard MA 01754

Email e.shaw444@icloud.com

ASSESSOR MAP & PARCEL NUMBER U29-6

ZONING DISTRICT: R VC B IA IB (Circle all that apply)

Check box if AQUIFER DISTRICT applicable

WATER RESOURCE DISTRICT

FEES
 Residential Property \$200 filing fee + additional fees = \$375.00 to Town of Littleton.
 Commercial Property \$350 filing fee + additional fees = \$475.00 to Town of Littleton.
 Comprehensive Permit \$1000 + \$100/unit over 10 units
ADDITIONAL FEES: ALL APPLICATIONS:
 \$75 recording fee, \$25 abutter list, \$75 Legal Notice publication fee

Appeal

Under MGL c. 40A §. 8

The undersigned hereby appeals a written order or decision of the Building Commissioner / Zoning Officer or other administrative official alleged to be in violation of the provisions of MGL c. 40A or the Zoning By-laws to the Board of Appeals for the Town of Littleton.

1. From what Town Official or Board is the appeal being sought?

Mandatory: Attach copies of written order or decision under appeal

Administrative Official _____ Date of order / decision _____

2. Which statute or Zoning Bylaw do you rely for your appeal?

MGL c.40A § _____ Zoning Bylaw § _____ Code of Littleton § _____
You may also consider whether you qualify for relief under any other authority of the Board to grant a Special Permit or Variance.

3. I hereby certify that I have read the Board of Appeals Instructions for Appellants and that the statements within my appeal and attachments are true and accurate to the best of my knowledge and belief.

Signature _____

Print name _____

Special Permit 40A

Under MGL c. 40A §. 9

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to grant a Special Permit for the reasons hereinafter set forth and in accordance with the applicable provisions of the Zoning By-law.

1. Special Permits are expressly permitted in the Zoning Bylaws. Which Zoning Bylaw section do you rely for your appeal?

Zoning Bylaw § _____

2. Why are you applying for a Special Permit? Attach a written statement that specifically describes existing conditions and your objectives, along with necessary exhibits as listed in the filing instructions. *You may also consider whether you qualify for relief under any other authority of the Board to grant a variance.*

3. I hereby certify that I have read the Board of Appeals Instructions for petitioners and that the statements within my petition and attachments are true and accurate to the best of my knowledge and belief.

Signature _____ Print Name _____

See supplemental instructions: Littleton Zoning Board of Appeals Rules for the Issuance of a Comprehensive Permit under

Special Permit 40B

Under MGL c. 40B

M.G.L.c40B

Page 2

Variance

Under MGL c. 40A §. 10

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to vary, in the manner and for the reasons hereinafter set forth, the applicable provisions of the Zoning By-law.

1. Specifically, from what Zoning bylaw section are you seeking relief? 173-10 B (2)

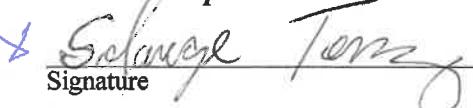
2. Why are you seeking relief from a literal enforcement of this Zoning Bylaw?

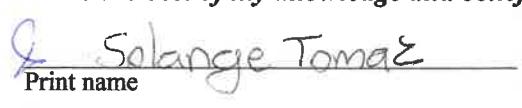
Attach a written statement that specifically describes existing conditions and your objectives, along with plans, specifications, certified plot plan and any documentation necessary to support your request.

3. Show evidence that you meet the minimum requirements of a variance under section 173-6 B (2) of the Littleton Zoning Bylaws.

Attach a written statement which specifically includes why, owing to conditions (soil, shape, or topography) especially affecting the premises, but not affecting generally the zoning district in which it is located, a literal enforcement of the Zoning By-law would result in a substantial hardship to you. Applicant must clearly demonstrate the lack of alternative remedies.

4. I hereby certify that I have read the Board of Appeals Instructions for petitioners and that the statements within my petition and attachments are true and accurate to the best of my knowledge and belief.

 Signature _____

 Print name _____

Filing Instructions

1. IMPORTANT: SEE THE BUILDING COMMISSIONER/ZONING ENFORCEMENT OFFICER BEFORE YOU FILL OUT THIS APPLICATION. He will assist you with the proper zoning sections and application request(s). His review may save time by preventing delays in the hearing process.

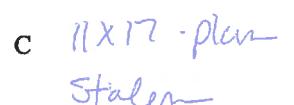
2. Apply for a certified abutters list with the Assessors office (request for certified list of abutters form enclosed)
3. Bring the completed application packet to the Administrative Assistant to the Building Commissioner who will assist you in filing with the Town Clerk.

Necessary Exhibits— provide 3 hard copies and an electronic copy of the following with the completed application:

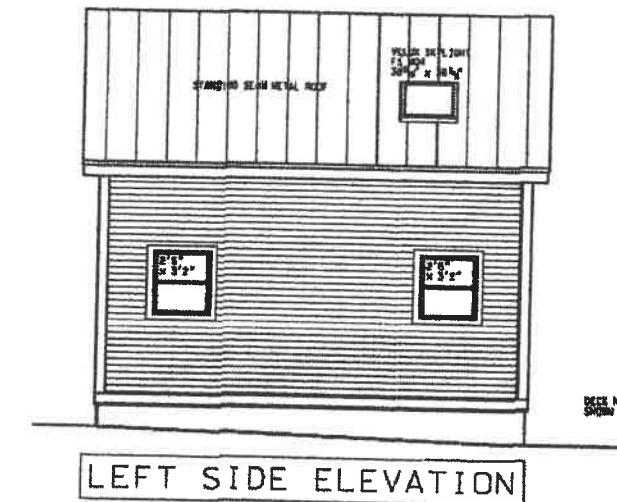
1. A copy of the most recently recorded plan of land or where no such plan exists, a copy of a plot plan endorsed by a registered engineer or land surveyor. The plan should show:
 - A) metes and bounds of the subject land
 - B) adjacent streets and other names and readily identifiable landmarks and fixed objects
 - C) dimensional layout of all buildings
 - D) distances and setbacks from the various boundaries
 - E) exact dimensions, setbacks and specifications of any new construction, alterations, additions or installations
 - F) direction of North
 - G) the name of each abutting property owner
2. Copy of the latest recorded deed
3. A written statement which details the basis for your petition
4. Pictures, plans, maps, drawings and models are always helpful in explaining the problem
5. In cases pertaining to signs, a scale print of the sign lettering and colors
6. In cases pertaining to subdivisions of land, prints should show the proposed subdivision endorsed by a registered engineer or land surveyor
7. In cases pertaining to Accessory dwellings evidence that the Board of Health has approved the septic system
8. The date of the building construction and the history of ownership are useful in finding facts about the case

Completed applications filed with the Town Clerk by the third Thursday of the month will be considered at the next regularly scheduled Zoning Board of Appeals meeting, held on the third Thursday of the following month.

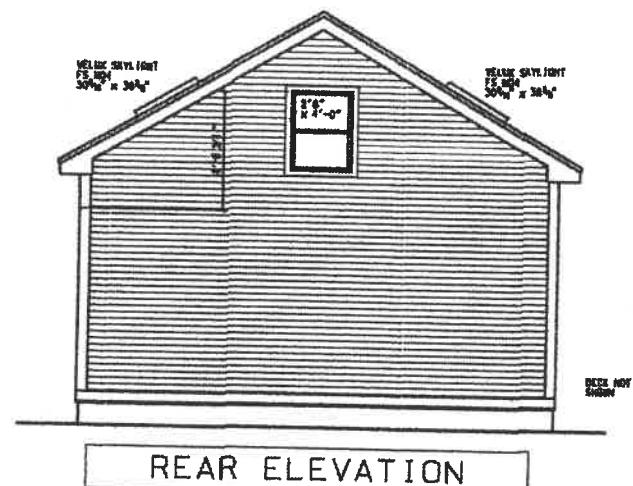
The Board in its discretion may dismiss an application or petition for failure to comply with any of the foregoing rules

 C 11x17 - plan
Staler

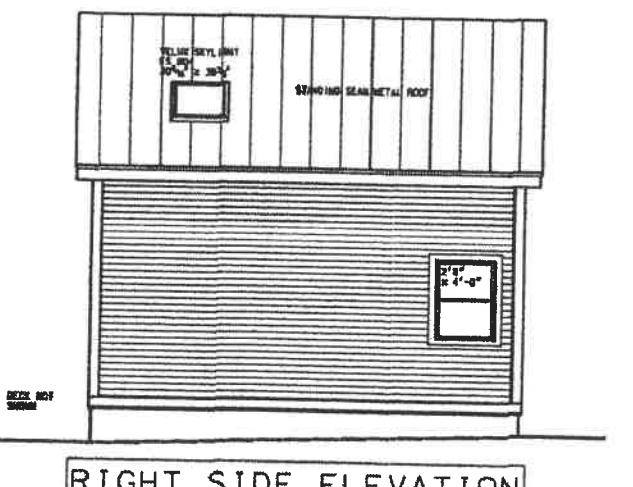
This structure has no water or sewage and is an unconditioned space



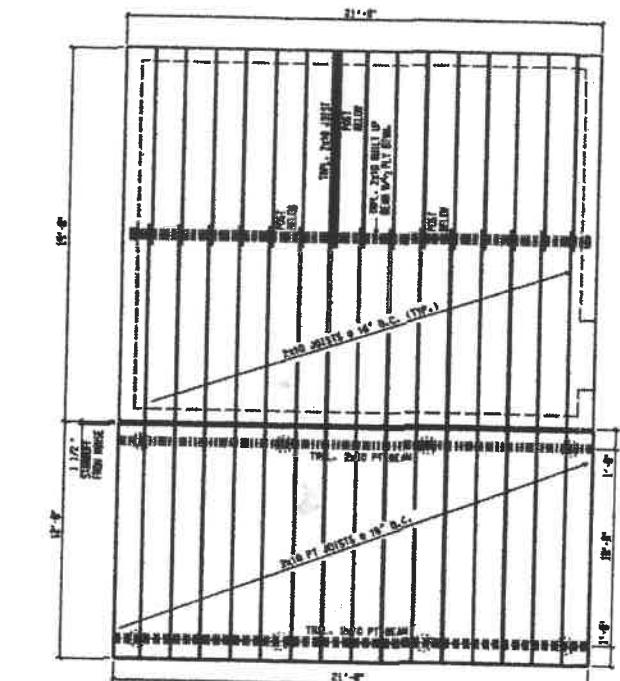
LEFT SIDE ELEVATION



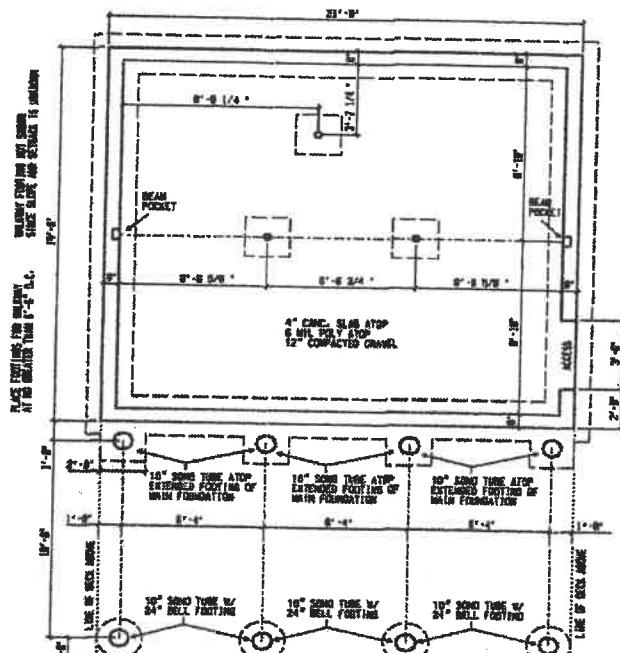
REAR ELEVATION



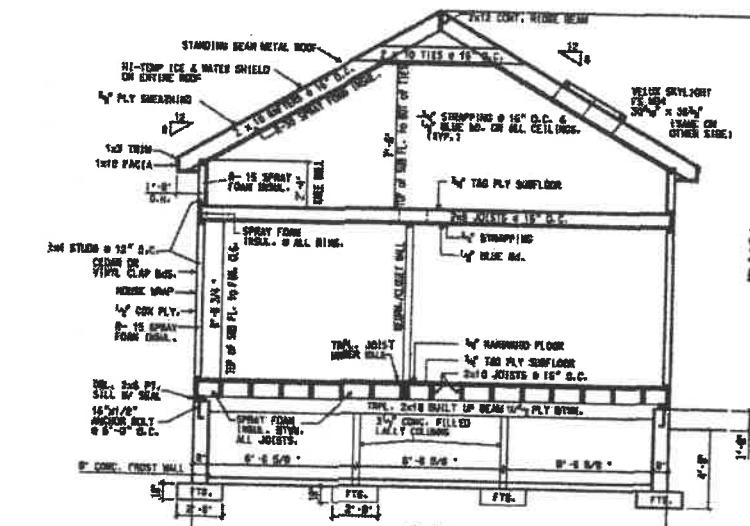
RIGHT SIDE ELEVATION



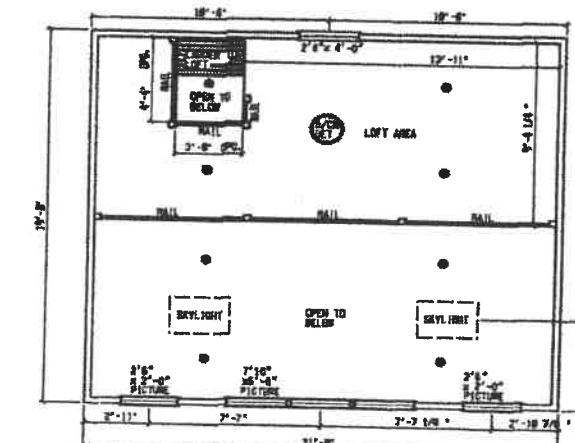
1ST FLOOR FRAMING



FOUNDATION PLAN



CROSS SECTION VIEW



LOFT PLAN VIEW

—GENERAL NOTES—

- ALL DIMENSIONS ARE FROM ROUGH FRAMING
- ALL DIMENSIONS MUST BE FIELD VERIFIED

GENERAL LIGHTING LEGEND

- — 8" IC IS RECOMMENDED
- — C.G. EXHAUST FAN BALANCE
- ✗ — CEILING MOUNTED FIXTURE
- ✗ — CEILING FAN
- ✗ — SCONCE
- — EXT. WALL SOURCE
- — SMOKE/CHIMNEY MONITORING/DETECTION COMBINATIONS

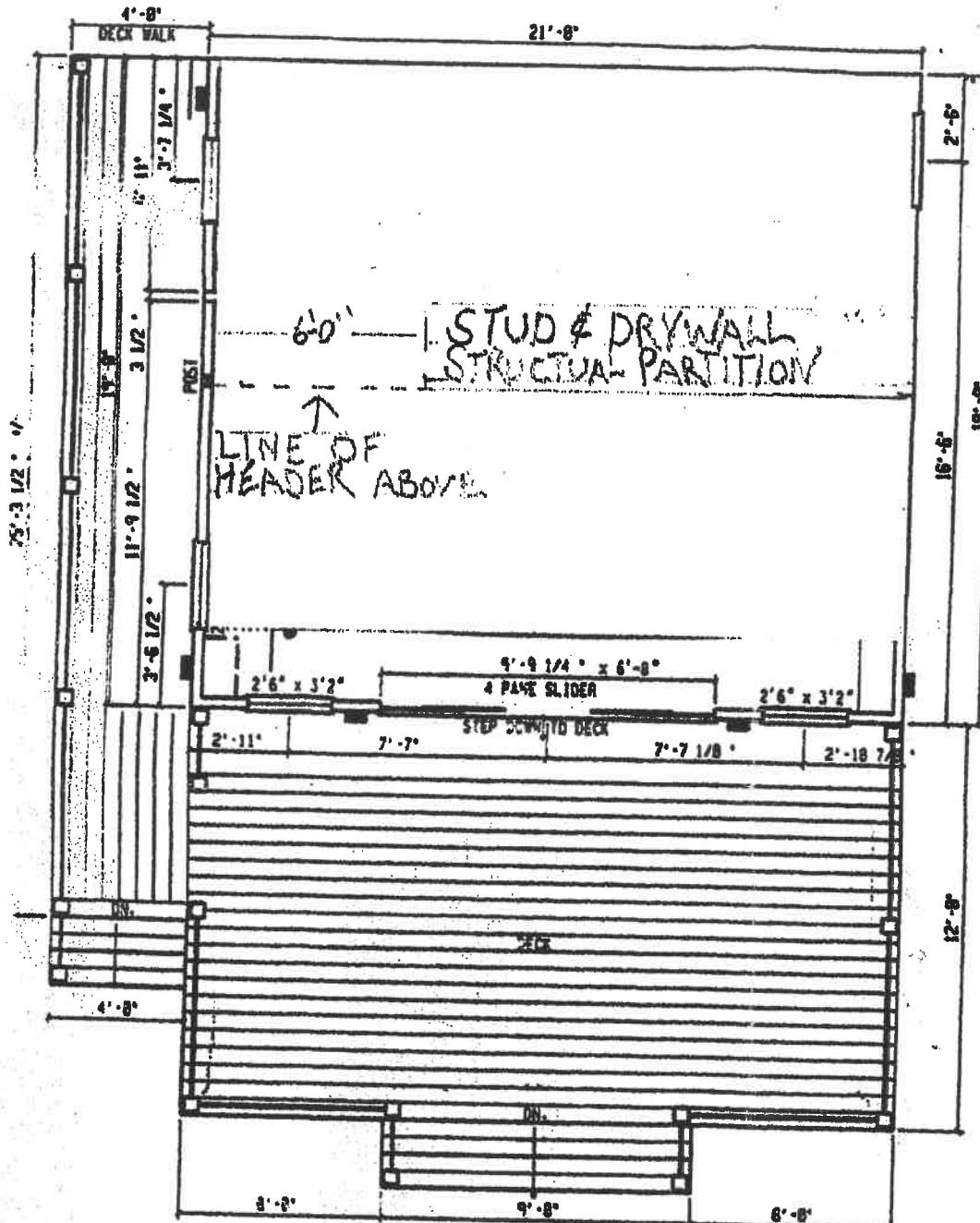
Solange Tomaz
PROPOSED CAM

10 Laleva Rd.
Littleton, Ma 01460

SCALE: $\frac{1}{4}'' = 1' = 0''$

Drawn By: Scott Robichaud

1/12/2019



SCALE @ 1/4"=1'

DATE: NOV. 2019

DRAWN BY: GIL

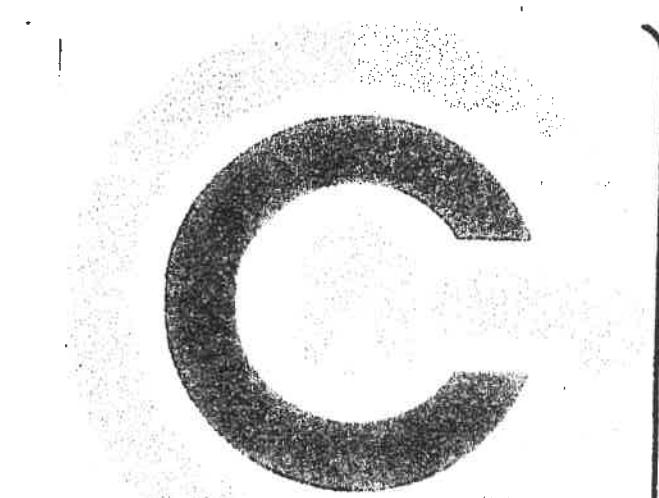
CLIENT: SOLANGE TOMAZ

10 KALEVA RD

LITTETON, MA 01460

FRAMING

2X10 RIDGE ROOF
 2X10 RAFTERS @16 O.C.
 1/2"ZIP ROOFING
 ARCHITECTURAL ROOF SHINGLES
 HURRICANE CLIPS @16 O.C.
 1X3 STRAPPING- SHEET ROCK/PLASTERED
 3/4 T&G ADVENTECH FLOORING
 FINISH FLOOR TDB
 2X6 EXTERIOR WALLS@16 O.C.
 2X4 INTERIOR WALLS@16 O.C.
 7/16 ZIP WALL EXTERIOR WALL SHEATING
 VINYL SIDING GUTTER/DOWNSPOUT



housetech@gmail.com
 774-3001928

Dear town of Littleton ZBA, I'm seeking a variance from bylaw 173-10 B 2 in order to replace a dilapidated cottage located on the Kaleva Civic Association property with a new structure in the same footprint of the original, in addition to the new structure I would like to install additional deck area. When my representative went to the building department to inquire about the permitting process he spoke with former building inspector Roland Bernier, at which time he informed Mr Bernier of the condition of the existing structure which consists of a crumbling fieldstone foundation, rotted floors, walls that are bowing, a roof with many holes, and that the entire structure had been infested with rodents and their waste which has permeated throughout the structure. During the questioning about the permitting process Mr Bernier informed my representative that we would be able to take the structure down and as long as we stayed in the original footprint we would be able to construct a new cottage on a new foundation. So based on this information I had a set of plans drawn up, the plans along with a building permit application were submitted to the building department, I was subsequently informed that the permit had been rejected for a nonconforming lot and also informed of Mr Bernier's retirement. So I seek this variance for this new cottage believing that a new one will be a better built, safer structure while not increasing on the size of the original.

Thank you for your time considering this matter

Solange Tomaz









5417-262 not for
deed for Kulenee

8k 8700 Pg 169
APR 11-56 AM 09:26 03CRE ***6.00

5-
6-

KNOW ALL MEN BY THESE PRESENTS

Kalevalaset Civic Association

a corporation duly established under the laws of Massachusetts

and having its usual place of business at Maynard

Middlesex

County, Massachusetts, for consideration paid,

grant to Mary R. Karner

of Littleton, in said County, with quitclaim covenants

the land in

(Description and encumbrances, if any)

496

SEE PLAN IN RECORD BOOK PAGE

A certain parcel of land situated on the Easterly side of Newtowne Road in Littleton and being shown as Lot A on a plan entitled "Plan Of Land In Littleton, Massachusetts" belonging to Kalevalaset Civic Association, dated October 1955, Oiva E. Hintsa Associates Engineers, to be recorded herewith, bounded and described as follows:

Commencing at the Northwesterly corner of the granted premises at the intersection of the Easterly line of Newtowne Road and the center line of Fort Pond Brook; thence running SOUTH $0^{\circ} 24'$ EAST by said Newtowne Road, ninety (90) feet to other land of the grantor; thence turning and running NORTH $77^{\circ} 42'$ EAST two hundred sixteen and 78/100 (216.78) feet; thence turning and running NORTH $57^{\circ} 15'$ EAST two hundred ninety-six (296) feet; thence turning and running SOUTH $79^{\circ} 55'$ EAST one hundred fifty (150) feet; thence turning and running SOUTH $76^{\circ} 55'$ EAST one hundred fifty (150) feet; thence turning and running SOUTH $88^{\circ} 15'$ EAST one hundred seventy-five and 60/100 (175.60) feet; thence turning and running SOUTH $57^{\circ} 45'$ EAST one hundred five (105) feet; the last six courses being by other land of the grantor; thence turning and running Northeasterly by Fort Pond seventy (70) feet, more or less, to the center line of Fort Pond Brook; thence turning and running Northwesterly, Westerly and Southwesterly by the center line of the Brook to the place of beginning.

Containing according to said plan 2.415 acres, more or less.

For title see deed of Edward Hintsa et als to Kalevalaset Civic Association of Maynard, dated April 8, 1933 and recorded with Middlesex South District Deeds, Book 5714, Page 282.

The consideration for the within deed is less than One Hundred Dollars.

In witness whereof, the said KALEVAISET CIVIC ASSOCIATION
has caused its corporate seal to be hereunto affixed and these presents to be signed, acknowledged and
delivered in its name and behalf by Matti Nelson, Martha Weckstrom, Weeti Taival,
Emil Rauman, Teuvo Grelula and Lillian Wick,
its Trustees hereunto duly authorized, this eighth
day of February in the year one thousand nine hundred and fifty-six.

Signed and sealed in presence of

KALEVAISET CIVIC ASSOCIATION

by Matti Nelson
Emil Rauman.
Wet. Taival.
Lillian Wick
Teuvo Grelula
Marta Weckstrom
Jessie Grelula Trustees

The Commonwealth of Massachusetts

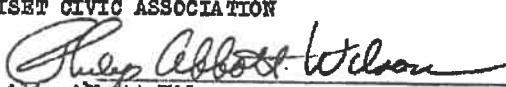
Middlesex,

ss.

February 8, 1956

Then personally appeared the above named Matti Nelson, Martha Weckstrom,
Weeti Taival, Emil Rauman,
Teuvo Grelula and Lillian Wick, Trustees
and acknowledged the foregoing instrument to be the free act and deed of the
KALEVAISET CIVIC ASSOCIATION

before me


Philip Abbott Wilson Notary Public - Commonwealth of Massachusetts

My commission expires November 25, 1959

At a meeting of the members of the
KALEVAISET CIVIC ASSOCIATION
duly called and held on February 4, 1956 at the Kaleva Hall,
4 River Street, Maynard, Massachusetts, more than two-thirds
of the members being present, it was

VOTED:

That Matti Nelson, Martha Weckstrom,
Weeti Taival, Emil Rauman, Teuvo Grekula
and Lillian Wick, Trustees of the Association,
be and hereby are authorized to execute,
acknowledge and deliver on behalf of the
Association, a deed to a parcel of land
situated in Littleton on the Easterly side
of Newtowne Road, and being shown as Lot A on
a plan entitled "Plan Of Land In Littleton,
Massachusetts Belonging to Kalevalaset Civic
Association" dated October, 1955 and drawn by
Oiva E. Hintsala Associates, Engineers, and
consisting of 2.415 acres of land, to
Mary R. Karner, of said Littleton, in exchange
for a deed from her releasing to the Association
any and all rights of way and easements which she
or her heirs and assigns may have upon or over
the property of the Association from said
Newtowne Road to Fort Pond.

I, Martha Weckstrom, Secretary of the

KALEVAISET CIVIC ASSOCIATION
further attest that the above named Matti Nelson, Martha Weckstrom,
Weeti Taival, Emil Rauman, Teuvo Grekula and Lillian Wick, were
duly elected Trustees of the said Association at the meeting duly
called and held on February 27, 1955.

Secretary

Martha K. Weckstrom

A True Copy, Attest:

Martha K. Weckstrom
Clerk

ranges, gas and electric fixtures, screens, screen doors, window shades, storm windows and storm doors and all other fixtures of whatever kind and nature now or hereafter installed in the buildings on the premises agreeing that such fixtures are to be considered as annexed to and forming part of the real estate. The mortgagor or mortgagors, for himself or themselves, and his or their heirs, executors, administrators, successors and assigns, further covenant with the mortgagee or mortgagees and his or their heirs, executors, administrators, successors and assigns that all insurance against fire on the buildings now or hereafter standing on said land shall be made payable in case of loss to the holder or holders of this mortgage; that in case of a foreclosure sale the holder or holders shall be entitled to retain one per cent (1%) of the purchase money in addition to the principal and interest, costs, charges and expenses allowed under the statutory power of sale; and that in case proceedings to foreclose shall be begun, and the mortgagor or mortgagors or his or their heirs, successors or assigns shall before foreclosure sale make good the default upon which the proceedings were founded, he or they will at the same time pay to the holder or holders of the mortgage all expenses incurred therein including counsel fees. This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the statutory power of sale. I, Wallace S. Penney, husband of said grantor release to said grantee all rights of CURTESY and other interests therein. WITNESS our hands and seals this 14th day of November 1929. Rose A. Penney (seal) Wallace S. Penney (seal) COMMONWEALTH OF MASSACHUSETTS. Middlesex ss. November 14, 1929. Then personally appeared the above named Rose A. Penney and acknowledged the foregoing instrument to be her free act and deed, before me, Robert Johnson, Justice of the Peace. My commission expires Sept. 30, 1934. - - - - -

Middlesex ss. Nov. 15, 1929. 10h. 44m.A.M. Rec'd & Recorded.

KRUPSKI
et al
to
WOBURN
FIVE CENTS
SAVS. BK.

KNOW ALL MEN BY THESE PRESENTS that we, Adam Krupski and Amelia Krupski, his wife in her right, both of Woburn, Middlesex County, Massachusetts, for consideration paid, grant to the Woburn Five Cents Savings Bank, a Corporation duly established under the laws of the Commonwealth of Massachusetts, and having its usual place of business at Woburn, Middlesex County, Massachusetts with MORTGAGE COVENANTS to secure the payment of nine hundred dollars in one year with six per centum interest per annum payable semi-annually as provided in one note of even date, FIRST the land in said WOBURN, with the buildings thereon situ-

See Certificate of Poss'n., H6274P-54
See Deed & Att. of Sale, B6281P-274-275

ated on the southerly side of Mishawum Road, containing 16,806 square feet, more or less, bounded and described as follows, namely: Northerly by said Mishawum Road, there measuring one hundred thirty-seven and 4/10 (137.4) feet; Easterly by land now or late of Wolfe, there measuring about one hundred and sixty (160) feet; Southerly by land now or late of Davis, there measuring about one hundred and five (105) feet; Westerly by land now or late of Cronin, there measuring about one hundred twenty-three and 1/10 (123.1) feet; SECOND. A parcel of land situated on Middle Street, in said WOBURN, bounded and described as follows: Beginning at the North-easterly corner of the granted premises on said Middle Street and at land now or late of Thomas Wolf, from thence the line runs in a southerly and Southwesterly direction on and by said Middle Street, three hundred six and 3/10 (306.3) feet to land formerly of John B. Davis; thence turning the line runs in a Northerly direction on and by land last named, two hundred three and 7/10 (203.7) feet to land now or late of Joseph T. Davis; thence turning the line runs in a northeasterly direction on and by said land now or late of Joseph T. Davis and by land now or late of Thomas Wolf, two hundred forty-five and 3/10 (245.3) feet to the point of beginning. Being the same premises described in a deed to Amelia Krupski from John E. Ellery and Florence M. Ellery, dated February 17th, 1919, recorded with Middlesex South District Deeds, Book 4241, Page 455. Including all furnaces, heaters, ranges, gas and electric fixtures, screens, screen doors, window shades, storm windows and storm doors and all other fixtures of whatever kind and nature now or hereafter installed in the buildings on the premises, agreeing that such fixtures are to be considered as annexed to and forming part of the real estate. The mortgagor or mortgagors for himself or themselves and his or their heirs, executors, administrators, successors and assigns further covenant with the mortgagee or mortgagees and his or their heirs, executors, administrators, successors and assigns that all insurance against fire on the buildings now or hereafter standing on said land shall be made payable in case of loss to the holder or holders of this mortgage; that in case of a foreclosure sale the holder or holders shall be entitled to retain one per cent (1%) of the purchase money in addition to the principal and interest, costs, charges and expenses allowed under the statutory power of sale; and in case proceedings to foreclose shall be begun, and the mortgagor or mortgagors or his or their heirs, successors or assigns shall before foreclosure sale make good the default upon which the proceedings were founded, he or they will at the same time pay to the holder or holders of the mortgage all expenses

1264

incurred therein including counsel fees. This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the statutory power of sale. WITNESS our hands and seals this 12th day of November 1929. - - - - -

Witness to both marks Adem (his x mark) Krupski (seal)
Victoria B. Krupski Amelia (her x mark) Krupski (seal)
Robert Johnson

COMMONWEALTH OF MASSACHUSETTS. Middlesex ss. November 12th, 1929. Then personally appeared the above named Amelia Krupski and acknowledged the foregoing instrument to be her free act and deed, before me, Robert Johnson, Justice of the Peace: My commission expires Sept. 30. 1934. - - - -

Middlesex ss. Nov. 15, 1929. 10h.44m.A.M. Rec'd & Recorded.

Newton Trust Company of Newton, Massachusetts, holder of a mortgage from Peter B. O'Neill to George B. Cameron dated November 24, 1920 recorded with Middlesex South District Registry of Deeds, Book 4403, Page 409, acknowledges satisfaction of the same. IN WITNESS WHEREOF the said Newton Trust Company has caused its corporate seal to be hereto affixed and these presents to be signed, in its name and behalf by William M. Cahill its Treasurer this 12th day of November A.D. 1929. Newton Trust Company by William M. Cahill Treasurer (Corporate seal) COMMONWEALTH OF MASSACHUSETTS. Middlesex ss. November 12, 1929. Then personally appeared the above named William M. Cahill and acknowledged the foregoing instrument to be the free act and deed of the said Newton Trust Company before me, Raymond F. Heislein, Notary Public. My commission expires Feb. 11, 1932. See vote recorded with Mds. So. Dist. Deeds, Book 5319, Page 572.

Middlesex ss. Nov. 15, 1929. 10h.50m.A.M. Rec'd & Recorded.

KNOW ALL MEN that I, Harry Forsell, of Everett, Middlesex County, Massachusetts, being unmarried, for consideration paid, hereby grant unto the Everett National Bank, a corporation duly established under the laws of the United States of America, with MORTGAGE COVENANTS to secure payment of two thousand dollars (\$2000.00) in one year with interest thereon at the rate of six (6) per centum per annum, payable quarterly as provided in my certain note of even date, and also to secure the performance of all agreements herein contained, a certain parcel of land with the buildings thereon situated on High Street in said EVERETT, the buildings being numbered 106 and 108 on said High Street and the land bounded and described as follows, viz: Southwesterly by High Street,

FORT POINT

PORT

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280

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