

**Mortgage Sale of Real Estate**

# AUCTION

**Monday, December 14th @ 11 am**  
**171 Lions Mouth Rd ~ Amesbury, MA**

*1,267 +/- sq ft of space*

*Commercial ~ Business Opportunity*

Formerly a Neighborhood Variety Store  
Currently known as "Terry's Flower Shop"

## PROPERTY INFORMATION PACKET



[mcinnisauctions.com](http://mcinnisauctions.com)

**JOHN MCINNIS AUCTIONEERS**

76 Main Street - Amesbury, Ma 01913

800-822-1417 - MA LIC# 770

Open Houses: Mon. Dec. 7th 2-3 pm Auction Day: 1 hr prior to sale

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# Auctioneer's Disclaimer

## IMPORTANT INFORMATION FOR PROSPECTIVE BIDDERS

THE INFORMATION SET FORTH IN THIS PACKET IS BELIEVED TO BE CORRECT. HOWEVER, THE MORTGAGEE'S OF THIS PROPERTY AND JOHN MCINNIS AUCTIONEERS MAKE NO WARRANTIES OR GUARANTEES AS TO THE ACCURACY OF THIS INFORMATION.

BUYERS SHALL RELY ENTIRELY ON THEIR OWN INFORMATION, JUDGEMENT AND INSPECTION OF THE PROPERTY AND RECORDS. THIS PROPERTY IS TO BE SOLD ON AN AS IS, WHERE IS BASIS, WITH ALL FAULTS

*THE AUCTIONEER HEREBY DISCLOSES HE/SHE IS ACTING SOLELY AS AN AGENT FOR THE MORTGAGEE'S IN THE MARKETING, NEGOTIATIONS AND SALE OF THIS PROPERTY. THE PURCHASER(S) AGREE THAT THE MORTGAGEE AND AUCTIONEER MAKE NO WARRANTIES OF ANY KIND REGARDING THE USE, CONDITION OR VALUE OF THE PROPERTY.*

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# *JOHN MCINNIS AUCTIONEERS*

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*Estates ♦ Auctions ♦ Real Estate ♦ Appraisals*

*76 Main Street – Amesbury, Massachusetts 01913  
Phone 978.388.0400 - - Fax 978.388.8863*

*Dear Prospective Bidder,*

*Thank you for your inquiry on our upcoming Mortgagee's Sale of Real Estate Foreclosure Auction to be held on Monday, December 14th at 11:00 AM. John McInnis Auctioneers has been hired by the The Provident Bank to offer this 1,267 +/- square foot building, currently known as "Terry's Flower Shop" at public foreclosure auction.*

*To be eligible to bid, at the time of registration you must present a \$10,000.00 deposit in a bank or certified check.*

*This property information packet has been assembled for your convenience.*

*Please attend the scheduled "open house" preview, as it will allow you to view the property and answer any questions you may have. Open House for this auction has been scheduled for **Monday, December 7 th from 2-3 p.m.***

*Our staff is readily available to assist you with any questions you may have regarding the property or the auction process.*

*Thank you again for your interest in this property and we look forward to seeing you on the day of the auction. Registration will take place one hour prior to the auction.*

*Additional terms to be announced at the time of sale.*

*Sincerely,*

*John*

*John P. McInnis  
John McInnis Auctioneers*

# BUYER BENEFITS

Built in 1910

1,267 +/- sq ft of space

Formerly a Neighborhood Variety Store

Currently known as “ Terry’s Flower Shop”

One Bathroom

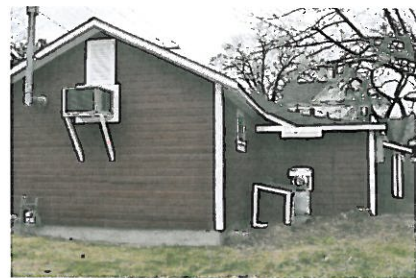
Gas Heat

Close to Major Highways

Walking Distance to Downtown Amesbury

Heavily Traveled Road

Across the street from Town Park and High School



**NOTICE OF MORTGAGEE'S SALE**

For breach of the conditions set forth in a certain mortgage deed given by Michael J. Cerasuolo, as Trustee of Lions Mouth Realty Trust under Declaration of Trust dated October 29, 2002, to The Provident Bank, dated October 30, 2002, and recorded in the Essex South District Registry of Deeds at Book 19517, Page 461, the original of which is located at The Provident Bank, 5 Market Street, Amesbury, Massachusetts 01913, and may be examined there during normal business hours, by virtue and in execution of Power of Sale contained in said mortgage, The Provident Bank, holder of the mortgage, for the purpose of foreclosing said mortgage, default having been made in the conditions thereof, will sell the premises which are situate at 171 Lions Mouth Road, Amesbury, in Essex County, Massachusetts, and described in said mortgage, at PUBLIC AUCTION on the 14th day of December, 2009, at 11 o'clock in the forenoon on the premises described in said mortgage.

The mortgaged premises being described as follows:

The land in Amesbury, Essex County, Massachusetts, with the buildings thereon, bounded and described as follows:

Beginning at the Southeasterly corner thereof at the corner of Friend Street and Lindbergh Avenue; thence running

NORTHEASTERLY            by said Lindbergh Avenue, fifty (50) feet, to land now or formerly of Vedrani; thence running

NORTHWESTERLY           by said land now or formerly of Vedrani to land now or formerly of Jackson; thence running

SOUTHWESTERLY           by said land now or formerly of Jackson, eighty-seven (87) feet, to said Friend Street; thence running

SOUTHEASTERLY           by said Friend Street, eighty-three and five tenths (83.5) feet, to said Lindbergh Avenue and the point of beginning.

Subject to an easement for the maintenance and repair of a water line dated September 6, 1984, recorded in Essex South District Registry of Deeds, Book 7515, Page 372.

Being the same premises conveyed to the Mortgagor by deed of Marc Whitehouse and Virginia Whitehouse dated October 28, 2002, and recorded with the Essex South District Registry of Deeds in Book 19517, Page 459.

TERMS OF SALE: \$10,000.00, cash, bank draft or other form acceptable to said mortgagee is to be deposited with the auctioneer prior to the commencement of bidding to qualify to bid. Said deposit will be returned to the unsuccessful bidders following the auction sale.

The successful bidder's deposit shall be delivered to the attorney for the mortgagee and held under the terms of a Memorandum of Sale which will be made available at or before the sale and which shall be signed by the successful bidder immediately after the public sale is completed by the auctioneer.

Said Memorandum will require that the balance of the purchase price will be paid by certified or bank check at the law office of Robert J. Deshaies, Esquire, Healey, Deshaies, Gagliardi & Woelfel, PC, 24 Market Street, Amesbury, Massachusetts 01913, within thirty (30) days from the date of sale. The deed will be provided to purchaser upon receipt in full of the purchase price.

In the event of an error in this publication, the description of the premises contained in said mortgage shall control.

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.

Said premises will be sold and conveyed subject to and with the benefit of all rights, rights of way, restrictions, easements, covenants, improvements, outstanding tax titles, mortgages, liens, rights of tenants and parties in possession, unpaid taxes, municipal liens and other public taxes, assessments or liens, having priority over the mortgage described herein, if any.

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, Healey, Deshaies, Gagliardi & Woelfel, PC, 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 said second highest bidder within twenty (20) days of said written notice.

Other terms, if any, to be announced at sale.

Dated at Amesbury, Massachusetts, this 16th day of November, 2009.

The Provident Bank  
By Its Attorney

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Robert J. Deshaies, Esquire  
Healey, Deshaies, Gagliardi & Woelfel, PC  
24 Market Street  
Amesbury, MA 01913



General Laws, Chapter 60, Section 23 as Amended.  
Municipal Lien Certificate  
Town of Amesbury  
The Commonwealth of Massachusetts

November 12, 2009

Certificate # 3319

ATTY: HEALEY, DESHAIES, GAGLIARDI & WOELFEL  
24 MARKET St  
AMESBURY, MA 01913

I certify from available information that all taxes, assessments and charges now payable that constitute liens as of the date of this certificate on the parcel of real estate specified in your application received on November 6, 2009 are listed below.

Name of person assessed: **CERASUOLO MICHAEL J TRE**

Location of property:	171 LIONS MOUTH Rd	Land Value:	\$93,900
Class Code:	3220-COMMERC.	Improv./Building Value:	\$57,400
Land Area:	6,050.00 Square Feet	Exemption:	
Map/Lot:	0051-0015      Book 19517      Page 459	Assessed Value:	\$151,300

Tax Period	2010	2009	2008
Tax Rate	Rate Not Set	\$16.53/\$1,000.00	\$17.20/\$1,000.00
Tax			
1st quarter	\$625.25	\$658.76	\$447.09
2nd quarter	\$625.25	\$658.76	\$447.08
3rd quarter		\$591.74	\$870.44
4th quarter		\$591.73	\$870.43
Betterment/Asses.			
Utility Liens			
<b>Total Billed</b>	<b>\$1,250.50</b>	<b>\$2,500.99</b>	<b>\$2,635.04</b>
Payments		\$1,317.52	\$2,635.04
Abate./Exempt.		\$1,183.47	
Charges & Fees			
Interest due to 11/12/09	\$26.62		
Adjustments	\$0.00	\$0.00	\$0.00
<b>Balance Due</b>	<b>\$1,277.12</b>	<b>\$0.00</b>	<b>\$0.00</b>
Int. Per Diem	\$0.48	\$0.00	\$0.00

Note\* The Town of Amesbury is on a quarterly billing system for real estate taxes. New owner information may not appear on the FY2010 REAL ESTATE BILLS. Please advise the new owner to contact the Tax Collector BEFORE EACH DATE to obtain a copy of the real estate bill. PRELIMINARY TAXES generally represent no more than 50% of prior year's tax.

Apportioned betterments not yet due: \$0.00

**I have no knowledge of any other lien outstanding.**

Utility accounts are subject to final readings. Please call (978) 388-8119 if you have any questions.

Utility Charges: **\$504.05 Outstanding (#C02429), Per Diem \$0.08** Water and Sewer rates and services charges to: 11/12/09

Tax Title Amount: \$1,546.52, Int. \$27.80 Total \$1,574.32 2009-2009, Per Diem \$0.68.

Deferred Taxes: \$0.00

*Deborah L. Ventura*

Collector of Taxes for the Town of Amesbury



# TOWN OF AMESBURY

Water Billing Department

9 School Street  
Amesbury, MA 01913-2812  
(978) 388-8119

Billing Information  
(978) 388-8119

OFFICE HOURS  
Monday - Friday 8:30am-3:00pm

ACCOUNT	BILLING DATE
C02429	11/12/2009
CYCLE	DUE DATE
500D	12/14/09
SERVICE ADDRESS	
171 LIONS MOUTH Rd	

PLEASE PAY	ON OR BEFORE	12/14/09	\$506.32
	AMOUNT PAID		

RETAIN THIS PORTION FOR YOUR RECORDS

LIONS MOUTH REALTY TRUST  
C/O PROVIDENT BANK  
KATHLEEN DONOVAN  
5 MARKET St  
AMESBURY, MA 01913

MOVING? PLEASE CALL (978) 388-8119 IN ADVANCE

TRANSACTION THIS PERIOD	AMOUNT
PREVIOUS BALANCE	\$214.87
PAYMENTS THROUGH 11/12/2009	\$0.00
ADJUSTMENTS THROUGH 11/12/2009	\$0.00
INTEREST AS OF: 12/14/2009	\$8.81
BALANCE FORWARD	\$223.68

SERIAL #	READINGS	CONSUMPTION	NB of Days
<b>Current</b>			
99317516	21,543 Final Bill	11/12/2009	0 113
<b>Previous Readings</b>			
99317516	21,543 Actual	07/22/2009	0 89
99317516	21,543 Actual	04/24/2005	447 162
99317516	21,096 Actual	11/13/2008	1,296 191

Current Bill Detail	Usage/Unit	AMOUNT
Water Commercial		\$38.94
Sewer Commercial		\$43.70
Closing/Transfer Water		\$100.00
Closing/Transfer Sewer		\$100.00
	Sub-Total	\$282.64
	Total	<b>\$506.32</b>

### MESSAGE

RATES: 0 - 750 cubic feet: Water: \$33.75 Sewer: \$37.87  
Over 750 cubic feet: Water: \$4.50 / 100 c.f. Sewer: \$5.05 / 100 c.f.



# TOWN OF AMESBURY

Water Billing Department

62 Friend Street  
Amesbury, MA 01913-2882  
(978) 388-8119

Billing Information  
(978) 388-8119

PLEASE RETURN THIS PORTION WITH PAYMENTS

MAKE CHECKS PAYABLE TO  
TOWN OF AMESBURY

ANY AMOUNT WHICH IS  
NOT PAID BY DUE DATE  
WILL BE SUBJECT TO  
INTEREST CHARGES OF  
14 % PER YEAR

FAILURE TO PAY A PAST  
DUE BALANCE MAY RESULT  
IN A PROPERTY TAX LIEN

SERVICE ADDRESS	ACCOUNT NUMBER
171 LIONS MOUTH Rd	C02429



PLEASE PAY	ON OR BEFORE	12/14/09	\$506.32
	AMOUNT PAID		

LIONS MOUTH REALTY TRUST  
C/O PROVIDENT BANK  
KATHLEEN DONOVAN  
5 MARKET St  
AMESBURY, MA 01913

050512024290000000050632071710200912143



Map/Lot/Unit : 51 / 15 / /  
 Location: 171 LIONS MOUTH RD  
 Owner Name: CERASUOLO MICHAEL J TRE  
 Account Number:

**Parcel Value**

Item	Current Assessed Value	FY 2008 Assessed Value
Improvements	57,400	57,400
Land	93,900	95,800
<b>Total:</b>	<b>151,300</b>	<b>153,200</b>

**Owner of Record**

CERASUOLO MICHAEL J TRE  
 LIONS MOUTH REALTY TRUST

**Ownership History**

Owner Name	Book/Page	Sale Date	Sale Price
CERASUOLO MICHAEL J TRE	19517/ 459	10/31/2002	110,000
WHITEHOUSE MARK	18850/ 80	6/24/2002	1
WHITEHOUSE MARK	18850/ 79	6/24/2002	85,000
O'NEIL DIANE T	16650/ 316	10/30/2000	121,000
NIHAN DAVID A	15724/ 186	6/7/1999	99,900

**Land Use**

Land Use Code	Land Use Description
3220	STORE/SHOP MDL-94

**Land Line Valuation**

Size	Frontage	Zone	Neighborhood	Assessed Value
0.14 AC	80	R8		93,900

**Construction Detail**

<b>Building # 1</b>	<b>STYLE</b> Commercial	<b>MODEL</b> Commercial	<b>Grade</b> Below Average
<b>Stories:</b> 1	<b>Exterior Wall 2</b> Wood Shingle	<b>Occupancy</b> 1	<b>Exterior Wall 1</b> Clapboard
<b>Interior Wall 1</b> Wall Brd/Wood	<b>Roof Structure</b> Gable/Hip	<b>Roof Cover</b> Asph/F Gls/Cmp	<b>Heating Fuel</b> Gas
<b>Heating Type</b> Hot Air-no Duc	<b>Interior Floor 1</b> Vinyl/Asphalt	<b>Bldg Use</b> STORE/SHOP MDL-94	<b>1st Floor Use:</b> 322C
<b>Total Bedrms</b> 00	<b>AC Type</b> Unit/AC	<b>Baths/Plumbing</b> LIGHT	<b>Wall Height</b> 9
<b>Heat/AC</b> NONE	<b>Total Baths</b> 1		
<b>Ceiling/Wall</b> SUS-CEIL & WL	<b>Frame Type</b> WOOD FRAME		
<b>% Comn Wall</b> 0	<b>Rooms/Prtns</b> LIGHT		

**Building Valuation**

<b>Living Area:</b> 1,267 square feet	<b>Replacement Cost:</b> 97,176	<b>Year Built:</b> 1910
<b>Depreciation:</b> 42%	<b>Building Value:</b> 56,400	

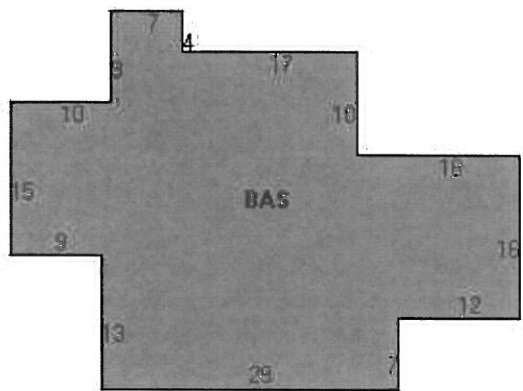
**Extra Features**

Code	Description	Units
CLR1	COOLER	32 S.F.

**Outbuildings**

Code	Description	Units
SGN3	W/INT LIGHTS	16 S.F.&HGT
SHD1	SHED FRAME	64 S.F.

**Building Sketch**



**Subarea Summary**

Code	Description	Gross Area	Living Area
BAS	First Floor	1267	1267