

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Legislative and Legal Affairs Committee

Date: November 7, 2016

Time: 5:15 PM

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Agenda Items to be addressed:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 NOV -1 A 9:26

10-17-2016 – **Order No. 16-1006700**: That pursuant to Section 77C of Chapter 60 of the General Laws of Massachusetts, the City does hereby accept title, by deed in lieu of foreclosure, from Antoinette Dufault, also known as Sister Mary Francis, of the Sisters of the Benedictine Center, 254 Still River Road, Still River MA, to a certain parcel of land described herein as follows:

That certain parcel known and numbered on the Assessors' Map of the City of Marlborough as Map 55 Parcel 210B, being approximately 43,966 S.F., and located on Russell Street.

-REFER TO LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 17, 2016

ORDERED:

That pursuant to Section 77C of Chapter 60 of the General Laws of Massachusetts, the City does hereby accept title, by deed in lieu of foreclosure, from Antoinette Dufault, also known as Sister Mary Francis, of the Sisters of the Benedictine Center, 254 Still River Road, Still River MA, to a certain parcel of land described herein as follows:

That certain parcel known and numbered on the Assessors' Map of the City of Marlborough as Map 55 Parcel 210B, being approximately 43,966 S.F., and located on Russell Street, be and is herewith refer to **LEGISLATIVE AN LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 16-1006700



City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

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2016 OCT 12 P 4: 12

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Arthur G. Vigeant
MAYOR
Nicholas J. Milano
EXECUTIVE AIDE
Patricia Bernard
EXECUTIVE SECRETARY

October 13, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

**Re: Order of Acceptance of Deed-In-Lieu of Foreclosure
Russell Street/Assessors Map 55, Parcel 210B**

Honorable President Clancy and Councilors:

Please find enclosed a proposed Order of Acceptance of a Deed-In-Lieu of Foreclosure concerning Assessors Map 55, Parcel 210B located on Russell Street. This parcel, which is largely comprised of wetlands and is therefore unbuildable, is in tax title. Its owner, Antoinette Dufault, who is also known as Sister Mary Francis, has offered the parcel to the City in exchange for forgiveness of the tax debt.

This proposal is requested on behalf of the Comptroller, Brian Doheny, and the Commissioner of Public Works, John Ghiloni. As the attached letter from Commissioner Ghiloni indicates, accepting the deed will enable the City to maintain a culvert on the property which is part of the street drainage system.

The Comptroller, Commissioner, and Legal Department will be available to answer any specific questions relative to the parcel. In the meantime, if you have any question, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

Cc: Brian Doheny, Comptroller
John Ghiloni, Commissioner of Public Works
Harald Scheid, Assessor

Cynthia Panagore Griffin, Assistant City Solicitor

ORDERED:

That pursuant to Section 77C of Chapter 60 of the General Laws of Massachusetts, the City does hereby accept title, by deed in lieu of foreclosure, from Antoinette Dufault, also known as Sister Mary Francis, of the Sisters of the Benedictine Center, 254 Still River Road, Still River MA, to a certain parcel of land described herein as follows:

That certain parcel known and numbered on the Assessors' Map of the City of Marlborough as Map 55 Parcel 210B, being approximately 43,966 S.F., and located on Russell Street.

ADOPTED

In City Council
Order No. 16-
Adopted

Approved By Mayor
Arthur G. Vigeant Date:

A TRUE COPY

ATTEST:



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752

(508) 624-6910 Ext. 33200
Facsimile (508) 624-7699 * TDD (508) 460-3610

October 7, 2016

Mayor Arthur G. Vigeant
City Hall
140 Main Street
City of Marlborough

RE: Order Of Acceptance of Deed-in-Lieu of Foreclosure
Russell Street/Assessors Map 55, Parcel 210B

Dear Mayor Vigeant:

I request that you send the attached Order of Acceptance of Deed-In-Lieu of Foreclosure, concerning an approximately 43,966 S.F. portion of land on Russell Street, to the City Council for its action.

The majority of the property is comprised of wetlands. Acceptance by the City Council of the Deed-In-Lieu of Foreclosure will allow the Department of Public Works to maintain the culvert, which is part of the street drainage system, located on the property.

The City Engineer Tom DiPersio, is available to answer any specific questions relative to the project.

Sincerely,

John L. Ghiloni
Commissioner

Enclosures

cc: Tom DiPersio, City Engineer
Timothy Collins, Assistant City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor



City of Marlborough
Office of the Comptroller

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3731 Facsimile (508) 481-5180

October 13, 2016

Arthur G. Vigeant
Mayor
City of Marlborough

RE: Order Of Acceptance of Deed-In-Lieu of Foreclosure
Russell Street/Assessors Map 55, Parcel 210B

Dear Mayor Vigeant:

I request that you send the attached Order of Acceptance of Deed-In-Lieu of Foreclosure, which concerns an approximately 43,966 S.F. portion of land on Russell Street, to the City Council for its action. The parcel is currently in tax title, and because it is largely comprised of wetlands, it is unbuildable. Under section 77 C of M.G.L. c. 60, the City, acting through the City Council, may accept the deed. Upon acceptance, the real estate taxes will be treated as if having been paid. I have included a tax statement as of September 29, 2016 in order to show the liability and the assessed value as of that date.

I am available to answer any questions you may have relative to the tax title.

Sincerely,

Brian Doheny
Comptroller

Enclosures

Cc: John Ghiloni, Commissioner
Tom DiPersio, City Engineer
Timothy Collins, Assistant City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor



09/29/2016 12:08
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CITY OF MARLBOROUGH
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 0055-210B

LOCATION: RUSSELL ST

CURRENT OWNER:
DFAULT ANTOINETTE C
C/O SISTERS OF ST BENEDICT CENTER
ATTN SISTER MARY FRANCIS
254 STILL RIVER RD
STILL RIVER MA 01467

CURRENT STATUS:
ACRES: 1.010
LAND VALUATION: 6,100
BUILDING VALUATION: 0
EXEMPTIONS: 0
TAXABLE VALUATION: 6,100

LEGAL DESCRIPTION:

DEED DATE:		BOOK/PAGE:	INTEREST DATE: 09/29/2016			
YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2017	RE-R	3735				
	1	RES RE TAX	23.98	23.98	.54	24.52
	2	RES RE TAX	23.97	23.97	.00	23.97
			47.95	47.95	.54	48.49
2016	LIEN	28				
	1	BAL DUE	93.57	93.57	4.35	97.92
		DEMAND FEE	15.00	15.00	.70	15.70
		INTEREST B	6.98	6.98	.32	7.30
			115.55	115.55	5.37	120.92
			115.55	115.55	5.37	120.92
2015	LIEN	34				
	1	BAL DUE	105.59	105.59	22.08	127.67
		DEMAND FEE	15.00	15.00	3.14	18.14
		INTEREST B	7.03	7.03	1.47	8.50
			127.62	127.62	26.69	154.31
			127.62	127.62	26.69	154.31
2014	LIEN	23				
	1	BAL DUE	101.49	101.49	37.64	139.13
		DEMAND FEE	5.00	5.00	1.85	6.85
		INTEREST B	6.78	6.78	2.51	9.29
			113.27	113.27	42.00	155.27
			113.27	113.27	42.00	155.27



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CITY OF MARLBOROUGH
Real Estate Tax Statement

P 2
txtaxstm

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2013	LIEN	55				
	1	BAL DUE	102.00	102.00	54.10	156.10
		DEMAND FEE	5.00	5.00	2.65	7.65
		INTEREST B	6.71	6.71	3.56	10.27
			113.71	113.71	60.31	174.02
			113.71	113.71	60.31	174.02
2012	LIEN	20120054				
	1	BAL DUE	100.64	100.64	68.69	169.33
		DEMAND FEE	5.00	5.00	3.41	8.41
		INTEREST B	7.18	7.18	4.90	12.08
			112.82	112.82	77.00	189.82
			112.82	112.82	77.00	189.82
2011	LIEN	73				
	1	BAL DUE	94.79	94.79	79.82	174.61
		DEMAND FEE	5.00	5.00	4.21	9.21
		INTEREST B	7.05	7.05	5.94	12.99
			106.84	106.84	89.97	196.81
			106.84	106.84	89.97	196.81
2010	LIEN	84				
	1	BAL DUE	96.55	96.55	96.96	193.51
		DEMAND FEE	5.00	5.00	5.02	10.02
		INTEREST B	7.14	7.14	7.17	14.31
			108.69	108.69	109.15	217.84
			108.69	108.69	109.15	217.84
2009	LIEN	55				
	1	BAL DUE	103.36	103.36	120.20	223.56
		DEMAND FEE	5.00	5.00	5.81	10.81
		INTEREST B	5.34	5.34	6.21	11.55
			113.70	113.70	132.22	245.92
			113.70	113.70	132.22	245.92



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CITY OF MARLBOROUGH
Real Estate Tax Statement

P 3
txtaxstm

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2008	LIEN	225				
	1	BAL DUE	39.43	39.43	49.19	88.62
		DEMAND FEE	5.00	5.00	6.24	11.24
		ADFEETT	7.04	7.04	8.78	15.82
		PREPARE	10.00	10.00	12.48	22.48
		POST TAKIN	5.00	5.00	.00	5.00
		PREP TK	10.00	10.00	12.48	22.48
		RECORDING	75.00	75.00	.00	75.00
		INS TAK	75.00	75.00	93.57	168.57
		INTEREST B	5.51	5.51	6.87	12.38
			231.98	231.98	189.61	421.59
			231.98	231.98	189.61	421.59
GRAND TOTALS			1,192.13	1,192.13	732.86	1,924.99

DEED IN LIEU OF FORECLOSURE

I, **Antoinette C. Dufault**, of 254 Still River Road, Still River, MA 01467

for consideration paid and in full forgiveness of the present outstanding tax liability on the herein conveyed property

hereby grants, transfers and delivers unto the City of Marlborough, a municipal corporation having a principal address of City Hall, 140 Main Street, Marlborough, MA, ("Grantee") with Quitclaim covenants

all of my right, title and interest in and to the fee in that certain lot located on the southerly side of Russell Street, shown as all of Lot No. 3 and one-half of Lot No. 4 on a plan of land entitled "Plan of Land in Marlboro, Mass, owned by William A. Amato, Scale 1" = 40 ft., June 1953, George D. White, Marlboro, Mass., Surveyor" recorded in the Middlesex South Registry of Deeds as Plan 1048 of 1953 in Book 8089, Page 263, the area of said certain lot being 43,966 S.F. acres, more or less, also known and numbered on the Assessors Map of the City of Marlborough as Map 55, Parcel 210B.

Being the same premises conveyed to Richard A. Dufault and Antoinette C. Dufault, as tenants by the entirety by deed of Karl Siniawski dated November 24, 1971 and recorded in the Middlesex South Registry of Deeds in Book 12117, Page 55. For probate of Richard A. Dufault, see Massachusetts Probate Court, Middlesex Division, Docket Number 85D-4060.

WITNESS my hand and seal this ____ day of _____, _____.

By: _____
Antoinette C. Dufault

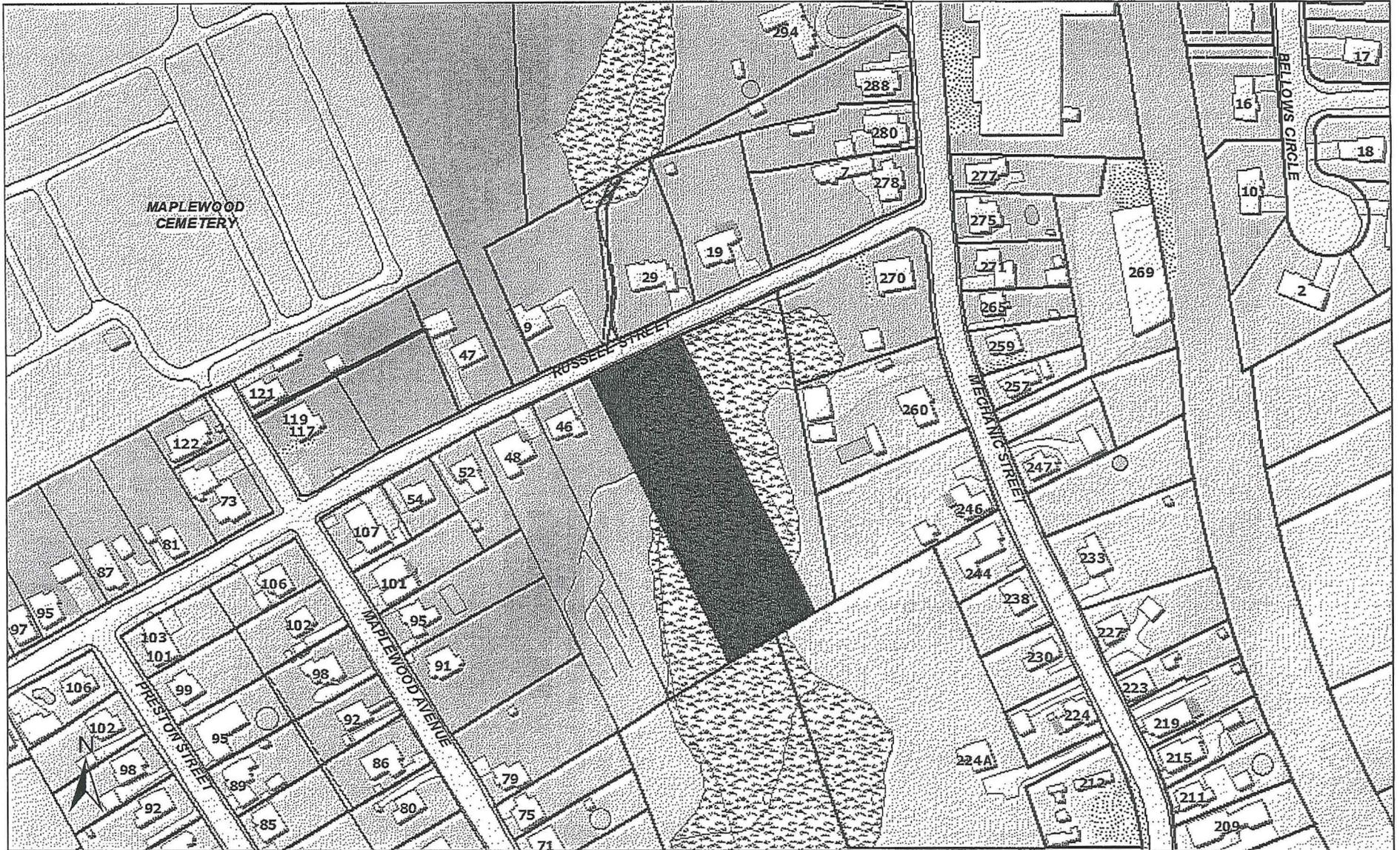
COMMONWEALTH OF MASSACHUSETTS

_____, ss.

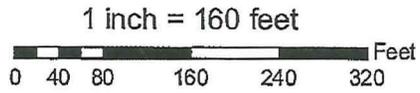
On this ____ day of _____, _____, before me, the undersigned notary public, personally appeared Antoinette C. Dufault, proved to me through satisfactory evidence of identification, being _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires:

Map 55 Parcel 210B on Russell Street



- Easements
- Driveways
- Type
- Paved
- Unpaved
- Unpaved
- DEP WETLAND
- Paved
- Unpaved
- DEP WETLAND
- Paved
- Unpaved
- DEP WETLAND



October 4, 2016

City of Marlborough



All Marlborough GIS data is to be considered a generalized spatial representation that is subject to revisions. This information is provided as a visual representation only and is not to be used as a legal or official representation of legal boundaries. This web site is not intended to be used as the exclusive basis for decision-making.