

REAL ESTATE AUCTION

BY ORDER OF THE CITY OF
NORTH ADAMS, MASSACHUSETTS



32

City Of North Adams, MA Tax Foreclosed Properties

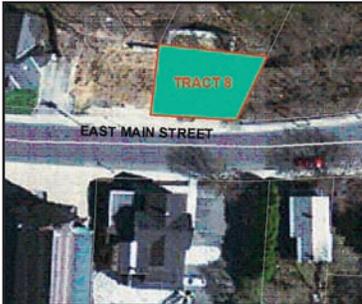
WEDNESDAY, AUGUST 21, 2013
7:00 PM • REGISTRATION: 5:30 PM

AUCTION SITE:
CITY HALL, 10 MAIN STREET, NORTH ADAMS, MA 01247

**Tract #8
EAST MAIN ST**

VACANT LAND

Property ID: 125 0 66
Lot Size: 0.071 +- Acres
Land Use Code: 936
Assessor's 2013 Assessment: \$5,400
Estimated Annual Taxes: \$82.62 +-
Deed: 1366-70
Inspection: Drive By Anytime



**Tract #16
HOUGHTON ST**

VACANT LAND

Property ID: 80 0 33
Lot Size: 0.134 +- Acres
Land Use Code: 936
Assessor's 2013 Assessment: \$2,200
Estimated Annual Taxes: \$33.66 +-
Deed: 1323-552
Inspection: Drive By Anytime



**Tract #24
NORTH HOLDEN ST**

VACANT LAND

Property ID: 80 0 74
Lot Size: 0.11 +- Acres
Land Use Code: 936
Assessor's 2013 Assessment: \$21,800
Estimated Annual Taxes: \$333.54 +-
Deed: 1037-16
Inspection: Drive By Anytime



**Tract #43
WALNUT ST, a/k/a E.
SIDE OF WALNUT ST**

VACANT LAND

Property ID: 197 0 3
Lot Size: 0.376 +- Acres
Land Use Code: 936
Assessor's 2013 Assessment: \$1,600
Estimated Annual Taxes: \$24.48 +-
Deed: 513-86
Inspection: Drive By Anytime



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Tract #1
ASHTON AVE
VACANT LAND

Property ID: 90 0 15 & 15A
 Lot Size: 1.92 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$18,800
 Estimated Annual Taxes: \$287.64 +-
 Deed: 1333-810
 Inspection: Drive By Anytime



Tract #2
OFF BARLOW AVE,
a/k/a EAST SIDE OF
RICHVIEW AVE
UNDEVELOPED VACANT LAND

Property ID: 148 0 36
 Lot Size: 1.02 +- Acres
 Land Use Code: 132
 Assessor's 2013 Assessment: \$1,900
 Estimated Annual Taxes: \$29.07 +-
 Inspection: LANDLOCKED



Tract #3
BRACEWELL AVE
VACANT LAND

Property ID: 80 0 67
 Lot Size: 0.122 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$21,800
 Estimated Annual Taxes: \$333.54 +-
 Deed: 1068-975
 Inspection: Drive By Anytime



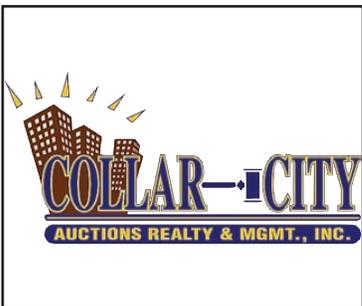
Tract #4
BROOK TERRACE
VACANT LAND

Property ID: 80 0 57
 Lot Size: 0.106 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$21,700
 Estimated Annual Taxes: \$332.01 +-
 Deed: 1092-148
 Inspection: Drive By Anytime



Tract #6
CHURCH ST, a/k/a WEST
SIDE OF BRADFORD
VACANT LAND

Property ID: 216 0 34
 Lot Size: 1.651 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$2,500
 Estimated Annual Taxes: \$38.25 +-
 Inspection: LANDLOCKED



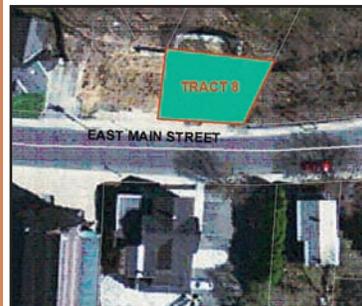
Tract #7
CLIFF ST, a/k/a EAST
SIDE OF GLEN AVE
VACANT LAND

Property ID: 77 0 31
 Lot Size: 3.47 +- Acres
 Land Use Code: 930
 Assessor's 2013 Assessment: \$4,100
 Estimated Annual Taxes: \$62.73 +-
 Deed: 671-77
 Inspection: Drive By Anytime



Tract #8
EAST MAIN ST
VACANT LAND

Property ID: 125 0 66
 Lot Size: 0.071 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$5,400
 Estimated Annual Taxes: \$82.62 +-
 Deed: 1366-70
 Inspection: Drive By Anytime



Tract #9
EAST MAIN ST, a/k/a
E. SIDE OF MINER ST
VACANT LAND

Property ID: 124 0 102
 Lot Size: 0.895 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$1,800
 Estimated Annual Taxes: \$27.54 +-
 Deed: 537-130
 Inspection: Drive By Anytime



Tract #10
FAIRVIEW ST, a/k/a NO.
SIDE OF CHARLES ST

VACANT LAND

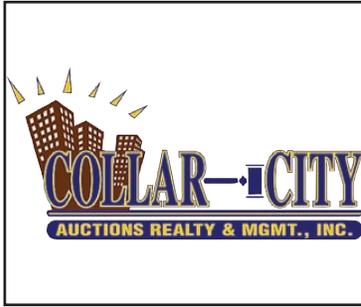
Property ID: 129 0 36
 Lot Size: 0.053 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$3,600
 Estimated Annual Taxes: \$55.08 +-
 Deed: 481-149
 Inspection: PAPER STREET



Tract #11
FAIRVIEW ST, a/k/a
408 W. MAIN ST REAR

VACANT LAND

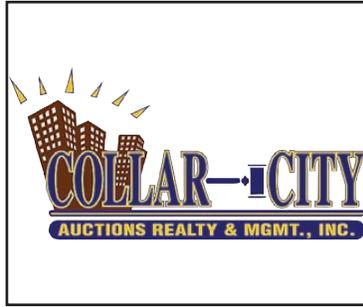
Property ID: 129 0 35
 Lot Size: 0.044 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$3,600
 Estimated Annual Taxes: \$55.08 +-
 Deed: 425-68
 Inspection: PAPER STREET



Tract #12
FAIRVIEW ST, a/k/a NO.
SIDE OF CHARLES ST

VACANT LAND

Property ID: 129 0 37
 Lot Size: 0.053 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$3,600
 Estimated Annual Taxes: \$55.08 +-
 Deed: 481-145
 Inspection: PAPER STREET



Tract #13
FOREST ST, a/k/a EAST
SIDE OF FOREST ST

VACANT LAND

Property ID: 150 0 22
 Lot Size: 0.201 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$1,500
 Estimated Annual Taxes: \$22.95 +-
 Deed: 522-3
 Inspection: PAPER STREET



Tract #15
HARDING AVE, a/k/a
SO. SIDE OF STATE RD

VACANT LAND

Property ID: 146 0 121
 Lot Size: 0.07 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$1,400
 Estimated Annual Taxes: \$21.42 +-
 Inspection: Drive By Anytime



Tract #16
HOUGHTON ST

VACANT LAND

Property ID: 80 0 33
 Lot Size: 0.134 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$2,200
 Estimated Annual Taxes: \$33.66 +-
 Deed: 1323-552
 Inspection: Drive By Anytime



Tract #18
LEONARD ST, a/k/a W.
SIDE OF LEONARD ST

VACANT LAND

Property ID: 49 0 14
 Lot Size: 0.176 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$200
 Estimated Annual Taxes: \$3.06 +-
 Deed: 500-211
 Inspection: Drive By Anytime



Tract #19
MASSACHUSETTS AVE

VACANT LAND

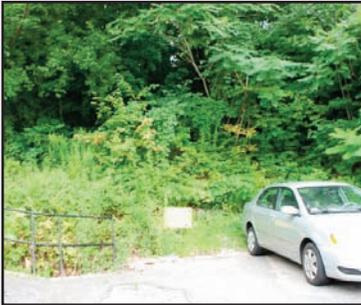
Property ID: 91 0 1 & 1A
 Lot Size: 1.58 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$2,400
 Estimated Annual Taxes: \$36.72 +-
 Deed: 1327-248
 Inspection: Drive By Anytime



Tract #39
ROCK ST-GRANITE ST,
a/k/a WEST SIDE OF
ROCK ST

VACANT LAND

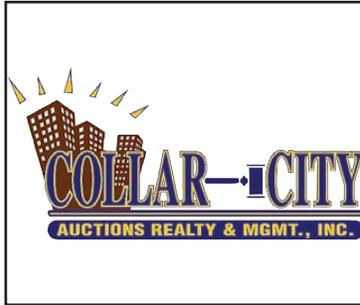
Property ID: 127 0 49
 Lot Size: 0.114 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$100
 Estimated Annual Taxes: \$1.53 +-
 Deed: 532-2
 Inspection: Drive By Anytime



Tract #40
RUSSELL ST, a/k/a SO.
SIDE OF RUSSELL ST

VACANT LAND

Property ID: 98 0 37
 Lot Size: 0.059 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$1,200
 Estimated Annual Taxes: \$18.36 +-
 Deed: 481-141
 Inspection: PAPER STREET



Tract #41
STATE RD, a/k/a
NO. SIDE OF STATE RD

VACANT LAND

Property ID: 133 0 25 & 25B
 Lot Size: 0.448 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$2,100
 Estimated Annual Taxes: \$32.13 +-
 Deed: 673-1136
 Inspection: LANDLOCKED



Tract #42
STATE RD, a/k/a
NO. SIDE OF STATE RD

VACANT LAND

Property ID: 133 0 29
 Lot Size: 1.3 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$2,100
 Estimated Annual Taxes: \$32.13 +-
 Deed: 673-1136
 Inspection: LANDLOCKED



Tract #43
WALNUT ST, a/k/a E.
SIDE OF WALNUT ST

VACANT LAND

Property ID: 197 0 3
 Lot Size: 0.376 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$1,600
 Estimated Annual Taxes: \$24.48 +-
 Deed: 513-86
 Inspection: Drive By Anytime



Tract #44
OFF WEST MAIN ST,
a/k/a SOUTH SIDE OFF
WEST MAIN ST

VACANT LAND

Property ID: 129 0 27
 Lot Size: 1.085 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$1,600
 Estimated Annual Taxes: \$24.48 +-
 Deed: 522-18
 Inspection: LANDLOCKED



Tract #45
WEST MAIN ST, a/k/a
NORTH SIDE OF
WEST MAIN ST

VACANT LAND

Property ID: 127 0 97
 Lot Size: 0.157 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$1,500
 Estimated Annual Taxes: \$22.95 +-
 Deed: 648-583
 Inspection: Drive By Anytime



Tract #47
YALE ST REAR, a/k/a E.
SIDE OF YALE ST REAR

VACANT LAND

Property ID: 153 0 137
 Lot Size: 0.259 +- Acres
 Land Use Code: 936
 Assessor's 2013 Assessment: \$7,700
 Estimated Annual Taxes: \$117.81 +-
 Inspection: LANDLOCKED



TERMS AND CONDITIONS OF SALE

1. City of North Adams, Massachusetts acquired title to these properties and is selling them through all known rights under said provisions of Massachusetts law.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of a deed by the City of North Adams, signed by the Treasurer of North Adams to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive. The premises will be conveyed subject to conditions affecting said premises, and to such state of facts as would be disclosed by a survey and inspection. The City of North Adams and Auction Company makes no warranty or representation as to the boundary lines, condition or physical existence of the property described hereinabove; or to the marketability of its title, including the regularity of any tax or other proceeding affecting the sale.
4. No personal property is included in the sale of any of the parcels owned by City of North Adams, Massachusetts, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
5. All informational tools, such as tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, etc., are for identification purposes only and are neither a guarantee nor a warranty as to location, dimensions, accessibility, parcel use and/or size, or anything else. **THE CITY, THE AUCTIONEER MAKE NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH THIS SALE.**
6. All bidders are required to register and provide suitable personal identification prior to the auction. Auctioneer reserves the right to decline registration if identification is not sufficient. Individuals acting on behalf of others, not in attendance at the auction, must produce a "Power of Attorney" duly executed and notarized. Incorporated entities (Inc., Corp., LLC., etc.) are required to provide a corporate resolution authorizing the purchase of real property prior to the transfer of title.
7. All bidders are required to use the bidder number issued to them for all purposes associated with the auction. A bidder may not bid on behalf of a party who is on the prohibited bidder list.
8. The former owner of the property, or his agent, shall not be permitted to bid on the property or purchase same at the public auction. In addition any person or legal entity who owes any real estate taxes or other amounts that would constitute a lien to the City of North Adams covering any property shall not be permitted to bid on the property or purchase same at the public auction.
9. Purchaser shall provide information necessary to complete, and shall execute, the necessary forms and documents required for recording the deed in the Berkshire North District registry of Deeds. No third party bidding will be accepted, unless the bidder identifies that he is bidding as an agent for a disclosed principal.
10. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the proceeding bid.
11. **The Purchaser shall be responsible for the payment of a ten percent (10%) buyer's premium or \$350.00 Flat Fee, (Whichever is Greater) (Per Property) in addition to the accepted purchase price, closing fees/costs, and apportioned, current year's taxes.**
12. The high bidder on each property purchased at the auction shall immediately sign a bidder acknowledgment form on the floor at the auction and deliver to the auctioneer's personnel the required down payment of 10% of the bid price or \$1,000.00, whichever is higher, in CASH, CASHIER'S OR CERTIFIED FUNDS ONLY made payable to the "BIDDER AS PURCHASER" (**This Means Payable To Yourself**) and shall be paid as a down payment on the day of the auction and applied to the purchase price. The down payment will be deposited and held by the City of North Adams, MA. In addition to the down payment , the "BIDDER AS PURCHASER" shall be required to pay a 10% buyer's premium, (10% add-on to the bid price) , or \$350.00, whichever is higher in CASH, CASHIER'S OR CERTIFIED FUNDS, made payable to "BIDDER AS PURCHASER" AT "KNOCKDOWN" (TIME OF SALE AT THE AUCTION) (US FUNDS ONLY). **ADDITIONALLY, BID PRICES OF \$1,000.00 OR LESS MUST BE PAID IN FULL AT TIME OF AUCTION, PLUS THE 10% BUYER'S PREMIUM.** All funds must be drawn on banks insured by the Federal Deposit Insurance Corporation (FDIC). No Exceptions. Minimum starting bids will be determined by and at the discretion of the Auctioneer. **The total of the above referenced amounts paid at the auction shall constitute the nonrefundable deposit referred to in Paragraph 15.**
13. Purchaser shall be responsible for all closing and recording fees associated with the purchase.
 1. 10% Down payment - Due on Auction night
 2. 10% Buyer's Premium or \$350.00 Flat Fee (Whichever is Greater) - Due on Auction night
 3. \$850.00 Legal fee - Due at Closing
 4. \$125.00 Recording fee - Due at Closing
 5. Pro - Forma Tax
(This tax is for FY 14 and is based on the sale price at the night of the auction.
After the first year the tax will be based on the properties current assessed value.)
14. All parcels for which you are the successful bidder for must be paid in full. No selective closings subsequent to the auction. Failure to remit full payment on all parcels for which you are the successful bidder will result in a default of all down payments tendered, not as a penalty, but as liquidated damages, and you will not be permitted to close on any other parcels for which you are the successful bidder.

TERMS AND CONDITIONS OF SALE

15. The entire balance of the purchase price and all closing costs/fees must be paid by cash or guaranteed funds to the City of North Adams, Massachusetts on or before September 23, 2013, Time Being of Essence. **The City is not required to send notice of acceptance to a purchaser. If the purchaser fails to pay the balance of the purchase price as herein provided, the deposit shall be forfeited as liquidated damages.** The City reserves the right, to bring an action for specific performance. **"Time is of the essence."**
16. In the event that a sale is cancelled by Court Order or judgment or by resolution of the City of North Adams, Massachusetts, the successful bidder shall be entitled only to a refund of the purchase monies placed down or paid. Purchaser shall not be entitled to special or consequential damages, nor attorney fees, nor reimbursement for any expenses incurred as a result of ownership or improvements of the property nor for taxes paid during the period of ownership.
17. All sales shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall City of North Adams, Massachusetts and/or Collar City Auctions Realty & Management, Inc. be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against City of North Adams, Massachusetts and/or Collar City Auctions Realty & Management, Inc. arising from this sale.
18. Conveyance shall be by a deed from the City of North Adams, signed by the Treasurer of North Adams only, in a form approved by the City of North Adams, Massachusetts Attorney, containing a description of the property as it appeared on the tax roll for the earliest year for which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price and closing fees/costs. **POSSESSION OF PROPERTY IS FORBIDDEN UNTIL THE DEED IS RECORDED WITH THE CITY OF NORTH ADAMS, MASSACHUSETTS CONVEYING TITLE TO THE PURCHASER. TITLE VESTS AT THE RECORDING OF THE DEED.** It is agreed between the City and the purchaser that delivery and acceptance of the deed occurs upon recording of the deed.
19. A deed issued as a result of the auction shall contain the following provisions: (a) "Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein"; (b) "Excepting and reserving all the right, title and interest of the City of North Adams in and to any portion or interest of the lands herein conveyed, which interest was heretofore acquired other than pursuant to the provisions of MASS. GEN. LAWS c.60;
20. The successful purchaser on each auction parcel must remove the auction sign within seven (7) days after the recording of the deed.
21. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of North Adams, Massachusetts foreclosed and has no intent to defraud City of North Adams, Massachusetts of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of North Adams, Massachusetts foreclosed or any person or legal entity who owes any real estate taxes or other amounts that would constitute a lien at the time of the auction to the City of North Adams within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of North Adams, Massachusetts as related to the foreclosure on the property and consents to immediate judgment by City of North Adams, Massachusetts for said amounts.
22. **Notice To Real Estate Brokers/Agents:** The Auction Company is NOT offering any cooperating brokerage fee to any outside brokerage company for producing a bidder or purchaser at this auction. It is recommended that Brokers and/or Agents structure some type of compensation from the buyer they are representing in the capacity of a "Buyer Broker".
23. Prospective Purchasers are strongly urged to thoroughly inspect all properties prior to bidding and to verify all property information contained herein. All information is supplied as a guide and is not guaranteed in any manner.
24. The Auction Company, City and its Agents, Servants, Employee's or Agents shall, upon signing by the Bidder as Purchaser, forever be immune from any claim that may arise now or in the future from any personal injury or any type of claim whatsoever by any attendee at any property inspection, during or while at any property for any reason, including the auction site or any property owned or in the control of the City of North Adams, MA.
25. Purchaser agrees to be bound by all additional terms of sale contained in the Memorandum of Purchase.
26. All properties are subject to the opening bids established by the City and announced auction night by the Auctioneer.

I/We Agree And Unconditionally Acknowledge The Following: I/We Clearly, Read, Write and Understand The English Language, Have Thoroughly Read, Understand The Terms & Conditions Herein And Further Agree To Abide And Be Bound By All Terms & Conditions, Contracts And Addendums.

By: _____ August 21, 2013
Bidder as Purchaser

By: _____ August 21, 2013
Ross A. Vivori, City of North Adams Tax Title Custodian



*Licensed & Bonded Auctioneers/Liquidators
/Realtors/Certified Appraisers & Consultants*
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**“PLEASE RUSH”
TIME DATED MATERIAL**

REAL ESTATE AUCTION

32

City Of North Adams, MA
Tax Foreclosed Properties

REAL ESTATE AUCTION

32

*BY ORDER OF THE CITY OF
NORTH ADAMS, MASSACHUSETTS*



**City Of North Adams, MA
Tax Foreclosed Properties**

WEDNESDAY, AUGUST 21, 2013

7:00 PM • REGISTRATION: 5:30 PM

AUCTION SITE:

CITY HALL, 10 MAIN STREET, NORTH ADAMS, MA 01247

The following properties were withdrawn from the auction after assignment of Tract numbers, but prior to production of this brochure.

Tract #5

Tract #27

Tract #31

Tract #34

Tract #37

Tract #14

Tract #29

Tract #32

Tract #35

Tract #38

Tract #17

Tract #30

Tract #33

Tract #36

Tract #46