

**CITY OF NEWTON HOUSING PROJECT REQUEST FOR CPA AND CDBG FUNDS
Myrtle Village LLC and 12 and 18-20 Curve Street, West Newton, MA 02465**

**ATTACHMENTS CHECKLIST
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Sections struck out are
posted separately on
Newton CPC website.

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5. EVIDENCE OF SITE CONTROL

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**JOSEPH ROSSI
ATTORNEY AT LAW
2120 COMMONWEALTH AVENUE
NEWTON, MA 02466**



Bk: 56762 Pg: 361 Doc: DEED
Page: 1 of 2 04/21/2011 03:01 PM

QUITCLAIM DEED

I, Elaine N. Thomas, of Newton, Middlesex County, Massachusetts, for consideration paid and in full consideration of Four Hundred Thousand (\$400,000.00) Dollars hereby convey all my right, title and interest to

The Myrtle Baptist Church of West Newton, of 21 Curve Street, Newton, Middlesex County, Massachusetts, with Quitclaim Covenants

The land with the buildings thereon situated on Curve Street in that part of Newton, Middlesex County, Massachusetts, called West Newton, being the lot marked "C" on a plan entitled "Plan of Land Owned by Catherine A. Nugent, West Newton, Mass.," dated Dec. 28, 1917, drawn by Wm. E. Leonard, C.E., recorded with Middlesex South District Deeds at the End of Book 4182, bounded and described as follows:

- NORTHWESTERLY by Curve Street as shown on said plan, sixty-eight and 57/100 (68.57) feet;
- NORTHEASTERLY by Lot B, as shown on said plan, eighty and 34/100 (80.34) feet;
- SOUTHEASTERLY by land now or formerly of Nugent, nineteen and 10/100 (19.10) feet; and
- SOUTHWESTERLY by land now or late of Barry, eighty-nine and 90/100 (89.90) feet.

Containing 3,566 square feet of land, according to said plan.

Said land is subject to the easements taken by the City of Newton for Sewer in said Curve Street as set forth in instrument recorded in Book 2705, Page 519, and for layout of said Curve Street, including the right to slope, as set forth in instrument recorded in Book 7973, Page 559.

Also a certain parcel of land in said Newton adjoining the above described land, being Lot 13B on plan recorded with said Deeds, Book 11212, Page 78, reference to which Book and Page being hereby made for a more particular description of said Lot 13B.

Being the same premises conveyed to me by deed of Samuel A. Turner dated February 3, 2000 and recorded in Book 31128, Page 063.

Property Address: 12 Curve Street, Newton, MA 02465

~~MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD #
Date: 04/21/2011 03:01 PM
C# 151969 10824 Doc# 00072362
Fee: \$1,824.00 Cons: \$400,000.00~~

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Witness my hand and seal this 20th day of April, 2011.

Elaine N. Thomas
Elaine N. Thomas

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 20 day of April, 2011, before me, the undersigned notary public, personally appeared Elaine N. Thomas proved to me through satisfactory evidence of identification, which were Mass Driver's License, 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.

Joseph Rossi
Notary Public - Joseph Rossi
My Commission Expires: 5/13/2016



JOSEPH ROSSI
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 13, 2016

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59-0

NOV 23-60 PM 02:50 256RE***9:00

We, David J. Barry and Attn E. P. Barry, husband and wife, as tenants by the entirety, both

of Newton, Middlesex County, Massachusetts,

have granted, for consideration paid, grant to Louis E. Ford, Chester B. Lomax and James C. Spikes, all of said Newton, Trustees, in trust for the benefit of Myrtle Baptist Church of West Newton, an unincorporated religious body,

of said Newton

with quitclaim covenants

have granted the following described property:

(Description and encumbrances, if any)

A certain parcel of land with the buildings thereon situate in that part of said Newton called West Newton, being now numbered 20 Curve Street and shown as Lot 13 on a plan by James W. Wight dated October 27, 1870, recorded with Middlesex South District Deeds in Book 1171, Page 281, bounded:

- WESTERLY: by Curve Street, One Hundred Thirty-four (134) feet;
- NORTHERLY: by Lot 12 on said plan, Ninety-three (93) feet Eight (8) inches;
- EASTERLY: by Lot 14 on said plan, One Hundred Six (106) feet Four (4) inches; and
- SOUTHERLY: by Lot 15 on said plan, One Hundred Twenty (120) feet Four (4) inches.

Containing 12,845 square feet, according to said plan.

Being the same premises conveyed to us by deed of Esther M. Barry, Executrix u/w/o Jessie N. Barry dated August 20, 1946, recorded with said Deeds in Book 7041, Page 273,

Subject to a Taking by the City of Newton for sewer purposes as set forth in Instrument recorded with said Deeds in Book 2705, Page 519.

Subject also to a Taking by the said City for the laying out of Curve Street as set forth in Instrument recorded with said Deeds in Book 7973, Page 559.

The above described property is to be held in trust by said trustees for the following uses and purposes:

- (1) To hold, manage, sell, mortgage, transfer and convey the above described property; no purchaser to look to the application of the purchase money.
- (2) The beneficiary of the trust herein shall pay all real estate taxes and other taxes, if any, assessed on the above described property, pay all expenses of repair and upkeep and pay all interest and principal charges on any real estate mortgage placed on the herein described property, and the said beneficiary shall occupy the property, if it so desires.
- (3) In the event there is no trustee in existence, any eight members of the unincorporated Myrtle Baptist Church of West Newton shall appoint one or more, but not more than three, trustees to act

Bk 9721 Pg 123



[Faint, mostly illegible text, possibly a title or header for the document.]

Witness.....our.....hand and seal this.....*20th*.....day of.....*November*.....19.....*60*

David J. Barry
 David J. Barry
Attn E. P. Barry
 Attn E. P. Barry

We, Louis E. Ford, Chester B. Lomax and James C. Spikes, the hereinbefore named trustees, hereby accept said trust.

Louis E. Ford
Chester B. Lomax
James C. Spikes

The Commonwealth of Massachusetts

Middlesex ss. *November 28,* 19 *60*

Then personally appeared the above named David J. Barry and Attn E. P. Barry

JAN 31 64 PM 12:25 170RE ***8.00

BK 10455 PG 494

28.00

We, Louis E. Ford, Chester B. Lomax and James C. Spikes, all of County, Massachusetts
~~EXECUTOR~~ ~~OF~~ ~~THE~~ ~~ESTATE~~ ~~OF~~ ~~GLADIAN~~ ~~—~~ ~~ADMINISTRATOR~~ ~~OF~~ ~~THE~~ ~~ESTATE~~ ~~OF~~ ~~GLADIAN~~ ~~—~~ ~~CONSERVATOR~~ ~~OF~~ ~~THE~~ ~~ESTATE~~ ~~OF~~
a Trust set forth in deed recorded with Middlesex South District page 122
by power conferred by said Trust and every other power and in term

~~for~~
~~will~~, grant to The Myrtle Baptist Church of West Newton, a religious corporation organized and chartered under the laws of the Commonwealth of Massachusetts, a certain parcel of land, with the buildings thereon, in West Newton, a certain parcel of land, with the buildings thereon, being now numbered 20 C as Lot 13 on a plan by James W. Wight dated October 27, 1870, recorded with Middlesex South District Deeds in Book 1171, page 281, bounded and

- WESTERLY: by Curve Street, One Hundred Thirty-four ()
- NORTHERLY: by Lot 12, as shown on said plan, Ninety-eight (8) inches;
- EASTERLY: by Lot 14, as shown on said plan, One Hundred feet Four (4) inches; and
- SOUTHERLY: by Lot 15, as shown on said plan, One Hundred feet Four (4) inches.

Containing 12,845 square feet according to said plan.

For title see deed of David J. Barry et ux, ^{to said Trust} dated November 28, 1964, recorded with said Deeds in Book 9721, page 122.

Subject to Takings and Easements of record.

Subject to a mortgage given by said Trustees to the West Newton Savings Bank in the original amount of \$9,000 dated November 28, 1964, recorded with said Deeds in Book 9721, page 124 which the grantee assumes.

Subject also to Taxes if any as assessed by the City of West Newton for the year 1964.