

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

DISTRICT COURT DEPARTMENT
WRENTHAM DIVISION
CIVIL ACTION NO. 1657-CV-198

_____)
 ATTORNEY GENERAL for the)
 COMMONWEALTH OF MASSACHUSETTS,)
 And the TOWN OF FRANKLIN,)
 Petitioners,)
)
 v.)
)
 WELLS FARGO BANK, N.A.² as owner of record)
 Of the property located at 29.5 Queen Street a/k/a)
 29 Rear Queen Street, Franklin, Massachusetts,)
 Respondents.)
 _____)

Allowed
11/15/16
[Signature]

MOTION FOR AUTHORITY TO SELL
29.5 QUEEN STREET, A/K/A 29 REAR QUEEN STREET, FRANKLIN, MA
BY PUBLIC AUCTION
FOR THE PURPOSE OF SATISFYING THE RECEIVER'S LIEN

The Receiver, Scott D. Wolf, hereby moves this Court for the authority to sell 29.5 Queen Street, a/k/a 29 Rear Queen Street, Franklin, MA by a public auction sale. In support of this Motion, the Receiver states the following facts in this case:

1. The Receiver, Scott D. Wolf was first appointed by the Court as Receiver on June 9, 2016. The Receivership took effect on July 8, 2016.
2. By the said Order, the Receiver was given the authority to take possession of the property located at 29.5 Queen Street a/k/a 29 Rear Queen Street, Franklin, MA, and to promptly repair the property and maintain it in a safe condition, amongst other things.
3. 29.5 Queen Street, a/k/a 29 Rear Queen Street, Franklin, MA, contains an unoccupied

² As Trustee under Pooling and Servicing Agreement Dated as of October 1, 2006 Securitized Asset Backed Receivables LLC Trust 2006-WM2 Mortgage Pass-Through Certificates, Series 2006-WM2

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single-family dwelling that contained numerous State Sanitary Code violations, including exposure of the interior to the elements, rodent infestation, accumulation of rubbish, and other conditions that posed a serious risk to the health, safety and well-being of abutters and residents of the community.

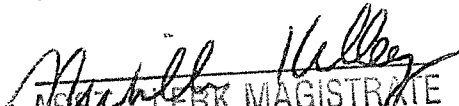
4. The Receiver believes it has completed the work required under the Receivership Orders.
5. The Receiver has incurred fees, costs and expenses in this Receivership for removing rubbish from and securing the premises in the current amount of \$12,350.00, as per the Receiver's budget, a copy of which is attached as Exhibit "A".

WHEREFORE, the Receiver, Scott D. Wolf, prays that this Court:

- a. Accept the work done on the property per the attached report of same;
- b. Order that the Receiver has a lien for all of the work it has done on the property, and all other costs and expenses of the receivership per the provisions of M.G.L. ch. 111, §127I;
- c. Grant the Receiver the authority to foreclose its Receiver's Lien on 29.5 Queen Street, a/k/a 29 Rear Queen Street, Franklin, MA, by public auction, giving notice as follows:

1. Receiver's Notice of Sale shall be published in a newspaper of general circulation for three consecutive weeks, with the first publication being at least 21 days prior to the sale date;
2. Receiver's Notice of Sale to be served on the record owners of the property, and every junior lienholder, whose lien is of record 30 days prior to the auction sale date, by mailing each a copy by certified mail, RRR: and/or

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d. Grant any other remedy of the Court which is just and equitable.

Respectfully submitted,

Receiver, by its attorneys,



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781-356-4200

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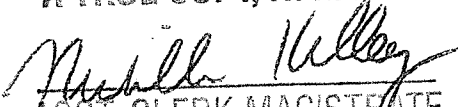
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Budget 29.5 Queen Street

Income:		
Rent:	\$0.00	
Total Income	\$0.00	
Expenses:		
Taxes:	\$0.00	Have filed for MLC and have not yet received. Will have to update once it arrives.
Legal:	\$6,000.00	Legal fees, including third party costs of auction sale/notice/publication (not including auctioneer)
Lock change/Access	\$250.00	Remove and change all locks
Receiver	\$4,000.00	Estimating 20 hours of work at \$200.00 per hour
Misc Fees	\$200.00	Travel, copies, mailings, permits, etc. All receipts and back up to be provided for charges as incurred.
Potential Insurance	\$1,900.00	
	\$12,350.00	

The plan is to just auction the property off as is where is. We have investigated the cost of demo and removal and it is to extensive for a receivership to succeed. Best alternative is to get the property in the hands of a contractor that will rehabilitate or build new.

TIME TO COMPLETE RECEIVERSHIP: Approximately 2 weeks from approval of budget.

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