

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, ss.

August 14, 2009

AUCTIONEER'S MEMORANDUM OF PUBLIC AUCTION

Property: 67 Ide Road, Williamstown, Massachusetts

Sold at public auction on August 14, 2009, to \_\_\_\_\_ of \_\_\_\_\_, the highest bidder, all the right, title and interest of B. Michael Shanley and Gretchen D. Shanley in and to the premises described in mortgage deed given by the said B. Michael Shanley and Gretchen D. Shanley to the Williamstown Savings Bank, dated January 20, 2006, and recorded in the Berkshire Northern District Registry of Deeds, Land Court Records at Document No. 11248, Certificate of Title No. 1734, and described in the notice of foreclosure sale attached hereto and made a part hereof, for the sum of \_\_\_\_\_ Dollars.

The sale is not complete until the successful bidder has made the required deposit, which shall be forfeited if he does not perform his part of the agreement. In case of forfeiture, the deposit shall become the property of the seller, except that legal costs and other expenses of foreclosure may be deducted therefrom, and shall not be applied on the mortgage debt, and such forfeiture shall not release the purchaser from his agreement.

The premises shall be conveyed subject to the occupancy of B. Michael Shanley or Gretchen D. Shanley, or both of them, if either or both are in occupancy, and also to anyone else in occupancy, if there are any others.

The premises shall be conveyed by the usual mortgagee's deed under the statutory power of sale, subject as aforesaid, and the balance of the consideration paid within 30 days after the foreclosure sale, unless the mortgage holder otherwise agrees, time being of the essence.

Said Mortgagee's Sale of Real Estate and "Other Terms of Sale" were read at the sale, and the sale was conducted in accordance therewith. This memorandum was made by me immediately following said sale and a copy thereof was given to said purchaser.

WITNESS:

\_\_\_\_\_  
Auctioneer

The undersigned has this 14<sup>th</sup> day of August, 2009, purchased at public auction of \_\_\_\_\_, auctioneer, the real estate described in said foreclosure notice and agrees to comply with the terms of the sale as stated by the auctioneer, and as set forth in the Other Terms of Sale and Mortgagee's Sale of Real Estate notice. I acknowledge receipt of a copy of this memorandum with the attached Mortgagee's Sale of Real Estate and Other Terms of Sale referred to herein.

WITNESS:

\_\_\_\_\_  
Purchaser

JDL:smg