

## MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage (the "Mortgage") given by J & J Holdings, LLC to Westfield Bank dated April 22, 2009 and recorded with the Hampden County Registry of Deeds in Book 17752, Page 119, of which Mortgage the undersigned (the "Mortgage Holder") is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing the same will be sold at Public Auction starting at 10:00 a.m. on December 9, 2009 (the "Auction Date"), at 27 Heywood Avenue, in West Springfield, Massachusetts (the "West Springfield Auction Site"), being a portion of the mortgaged premises described below, and thereafter at the locations and times provided below, all and singular the premises described in said Mortgage (the "Premises"), to wit:

### "Parcel I - 1131 Boston Road, Springfield, MA

The land in Springfield, Hampden County, Massachusetts, being known and designated as Lots No. two (2) and Lot No. four (4), both as shown on a plan of lots dated November 28, 1922 and recorded in the Hampden County Registry of Deeds in Book of Plans N, Page 30, and being more particularly bounded and described in two lots as follows:

#### Parcel I, Lot No. 2

Beginning at the intersection of the southerly line of Boston Road with the westerly line of Health Avenue, and running thence SOUTHERLY along said westerly line of Health Avenue, one hundred fifteen and 76/100 (115.76) feet; thence running WESTERLY at right angles to the last described line along the northerly line of Lot No. four (4) as shown on said plan eighty-three and 09/100 (83.09) feet; thence NORTHERLY along land of owner unknown, one hundred (100) feet to an iron pin in the southerly line of Boston Road at a point eighty-three and 34/100 (83.34) feet from the point of beginning; and thence EASTERLY along said southerly line of Boston Road, eighty-three and 34/100 (83.34) feet to the point of beginning.

#### Parcel I, Lot No. 4

EASTERLY by Health Street (formerly known as Health Avenue), one hundred (100) feet; NORTHERLY by Lot No. two (2) on said plan, eighty-three and 09/100 (83.09) feet; WESTERLY by land of owner unknown, one hundred and 01/100 (100.01) feet; and SOUTHERLY by Lot No. six (6) on said plan, eighty-four and 36/100 (84.36) feet.

### Parcel II - 33 Heywood Avenue and 41-43 Exposition Avenue, West Springfield, MA

The land in West Springfield, Hampden County, Massachusetts, being known and designated as Lots No. Forty (40) and Twenty-six (26) as shown on a plan of Columbus Park, recorded in the Hampden County Registry of Deeds in Book of Plans F, Page 18, said real estate being more particularly bounded and described as follows:

NORTHEASTERLY by Exposition Avenue, Fifty and 00/100 (50.00) feet;

SOUTHEASTERLY by Lots No. Thirty-nine (39) and Twenty-seven (27) as shown on said plan, One Hundred Forty-three and 76/100 (143.76) feet;

SOUTHWESTERLY by Heywood Avenue, Fifty and 00/100 (50.00) feet; and

NORTHWESTERLY by Lots No. Twenty-five (25) and Forty-one (41) as shown on said plan One Hundred Forty-nine and 44/100 (149.44) feet.

The plan referred to herein recorded in the Hampden County Registry of Deeds in Book of Plans F, Page 18 is entitled "Plan of Columbus Park, West Springfield, Mass. Scale 1" = 40' Dec., 1916 Merrill and Sears Civil Eng'rs. Springfield, Mass."

**Parcel III - 27 Heywood Avenue, West Springfield, MA**

The land in West Springfield, Hampden County, Massachusetts, on the easterly side of Heywood Avenue, being more particularly bounded and described as follows:

**BEGINNING** at a point in the easterly line of Heywood Avenue, one hundred eighty-three and 45/100 (183.45) feet northerly from the intersection of the northerly line of Memorial Avenue with the easterly line of Heywood Avenue; thence

**N. 43° 28'W.:** by the easterly line of Heywood Avenue, one hundred eighteen (118) feet to land of one Rossetti, being Lot 26 (twenty-six) on the plan hereinafter described; thence

**N. 46°32'E.:** Seventy-one and 88/100 (71.88) feet by Lot 26 (twenty-six) on the plan hereinafter described; thence

**N. 53° 02' E.:** Seventy-one and 88 (71.88) feet to the westerly line of Exposition Avenue, by Lot 40 (forty) on the plan hereinafter referred to, the last two courses being by land of Rossetti; thence

**S. 36°58'E.:** by the westerly line of Exposition Avenue, one hundred eighteen and 50/100 (118.50) feet to other land now or formerly of Clinton B. Goodwin, et ux; and thence

**S. 50° 00' 15" W.:** by said other land now or formerly of Clinton B. Goodwin, et ux, one hundred thirty and 11/100 (130.11) feet to the point of beginning.

Containing 16,445 square feet of land.

Being Lots 27 (twenty-seven), 28 (twenty-eight), 38 (thirty-eight), and 39 (thirty-nine) and the northerly portion of Lots 29 (twenty-nine) and 37 (thirty-seven), all as shown on a plan of lots recorded in Hampden County Registry of Deeds, Book of Plans F, Pages 18 and 19. Together

with the grantor title to the fee of Heywood Avenue and Exposition Avenue adjoining the above described premises to the center lines thereof.”

That portion of the Premises described above as “Parcel I - 1131 Boston Road, Springfield, MA” is hereinafter referred to as the “Boston Road Parcel.” That portion of the Premises described above as “Parcel II - 33 Heywood Avenue and 41-43 Exposition Avenue, West Springfield, MA” is hereinafter referred to as the “Heywood & Exposition Avenue Mixed Use Parcel.” That portion of the Premises described above as “Parcel III - 27 Heywood Avenue, West Springfield, MA” is hereinafter referred to as the “Heywood Avenue Parcel.” The Heywood Avenue Parcel and the Heywood & Exposition Avenue Mixed Use Parcel are collectively hereinafter referred to as the “West Springfield Parcels.”

The Premises will be sold subject to and with the benefit of all rights, rights of way, restrictions, easements, covenants, liens or claims in the nature of liens, improvements, outstanding tax titles, rights of tenants and parties in possession, unpaid taxes, municipal liens and other public taxes, assessments or liens and existing encumbrances having priority over the Mortgage, if any.

The Premises will be offered for sale in the manner and order, and at the times and locations, set forth below:

1. The West Springfield Parcels, consisting of the Heywood Avenue Parcel and the Heywood & Exposition Avenue Mixed Use Parcel, collectively, will be offered for sale as one single sale at Public Auction at the West Springfield Auction Site at 10:00 a.m. on the Auction Date.

2. Immediately thereafter, the Heywood Avenue Parcel, as a separate sale, will then be offered for sale at Public Auction at the West Springfield Auction Site on the Auction Date.

3. Immediately thereafter, the Heywood & Exposition Avenue Mixed Use Parcel, as a separate sale, will then be offered for sale at Public Auction at the West Springfield Auction Site on the Auction Date.

4. Thereafter, at 2:00 p.m., the Boston Road Parcel, as a separate sale, will then be offered for sale at Public Auction at 1131 Boston Road, Springfield, Massachusetts (the “Boston Road Auction Site”) on the Auction Date.

With respect to the sale of the West Springfield Parcels, if the highest bid for the West Springfield Parcels on the aforesaid single sale shall exceed the cumulative total of the highest bids at which the West Springfield Parcels were sold separately at the later sales, then the separate sales of the West Springfield Parcels shall be voided and any and all deposits paid therefor shall be returned to the high bidders having made such deposits and the West Springfield Parcels shall instead be sold to the highest bidder for the West Springfield Parcels as a single sale. If the highest bid for the West Springfield Parcels on said single sale shall not exceed the cumulative total of the highest bids for the West Springfield Parcels as separate sales, then the single sale of the West Springfield Parcels shall be voided and any deposit paid therefor

shall be returned to the high bidder having made such deposit and the West Springfield Parcels shall instead be sold to the highest bidders at the aforesaid separate sales.

**TERMS OF SALE:** The successful bidder in any sale will be required to make a deposit at the sale as follows: as to the sale of the West Springfield Parcels, collectively, as a single sale, a deposit of \$35,000 will be required; as to the sale of the Heywood Avenue Parcel as a separate sale, a deposit of \$20,000 will be required; as to the sale of the Heywood & Exposition Avenue Mixed Use Parcel as a separate sale, a deposit of \$15,000 will be required; and as to the sale of the Boston Road Parcel as a separate sale, a deposit of \$15,000 will be required. Each deposit is to be paid in cash or by certified or bank check by the successful bidder at the time and place of the sale. An additional deposit amount will be required to be paid by certified or bank check by the successful bidder within five (5) business days from the date of the sale in an amount that increases the total deposit to not less than ten percent (10%) of the successful bid amount. The balance of the successful bid amount on any sale will be required to be paid by certified or bank check within thirty (30) days from the date of the sale, and a deed shall be delivered contemporaneously with such payment.

The Mortgage Holder reserves the right to postpone or adjourn this sale to a later time or date by public proclamation at the time and date appointed for the sale and to further postpone or adjourn any postponed or adjourned sale by public proclamation at the time and date appointed for the postponed or adjourned sale.

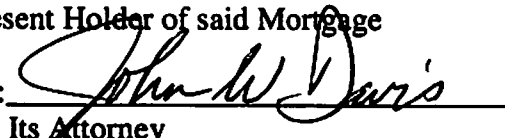
The successful bidder at the sale will be required to sign a Memorandum of Sale containing the above terms, and other announced terms, at the sale.

The description for the Premises contained in the Mortgage shall control in the event of a typographical error in this notice.

Other terms to be announced at the sale.

WESTFIELD BANK  
Present Holder of said Mortgage

By: \_\_\_\_\_



Its Attorney  
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