

NOTICE OF SALE
MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Water's Edge Limited Partnership, a Massachusetts limited partnership, to M&T Bank, a New York banking corporation, said mortgage dated May 23, 2018, recorded with the Suffolk County Registry of Deeds (the "Registry") in Book 59625, Page 127, and filed with the Suffolk County Registry District of the Land Court (the "Land Court") as Document Number 883029, on Certificate of Title Nos. 98598 and 101316, as assigned by M&T Bank to DIV OA LENDER, LLC by Assignment of Mortgage, dated September 27, 2024, recorded with the Registry in Book 70661, Page 233, and filed with the Land Court as Document No. 955611, on Certificate of Title Nos. 98598 and 101316, of which mortgage the undersigned 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 on the terms and conditions hereinafter set forth at Eleven o'clock, a. m. on December 5, 2024, upon the portion of the mortgaged premises located at 364 Ocean Avenue, Revere, Suffolk County, Massachusetts, all and singular the premises described in said mortgage, to wit:

Three parcels of land situated in Revere, Suffolk County, Commonwealth of Massachusetts and being shown as Parcels R1, R2 and 5C on a plan entitled "Plan of Land in Revere, Mass., Scale: 1" = 60', July 14, 1987, Norwood Engineering Co., Inc., Civil Engineers, Land Surveyors, 1410 Providence Pike, Norwood, Mass.", which plan is recorded with the Suffolk County Registry of Deeds in Book 14128, Page 316, and which parcels are more particularly described as follows:

Parcel R1:

Beginning at a point at the northeasterly corner of said Parcel R1 and running

S 09° 28' 46" W by the westerly side line of Ocean Avenue as shown on said plan, three hundred twenty-four and 06/100 (324.06') feet; thence turning and running

N 80° 31' 10" W by land now or formerly of Schena as shown on said plan, sixty-five (65') feet; thence turning and running

S 09° 28' 47" W by land now or formerly of Schena as shown on said plan, one hundred twenty-two and 59/100 (122.59) feet; thence turning and running

N 84° 19' 40" W by the northerly side line of Beach Street as shown on said plan, eighty-two and 06/100 (82.06') feet; thence turning and running

N 06° 28' 37" W by land now or formerly of the Commonwealth of Massachusetts, Massachusetts Bay Transportation Authority as shown on said plan, fifty-three and 62/100 (53.62') feet; thence continuing

in a general northerly direction along the arc of a curve to the right with a radius of three thousand two hundred forty-eight and 67/100 (3,248.67') feet by land now or formerly of the

Commonwealth of Massachusetts, Massachusetts Bay Transportation Authority as shown on said plan, one hundred seventy-five and $86/100$ (175.86') feet to a point; thence continuing

in a general northerly direction along the arc of a curve to the right with a radius of two thousand nine hundred sixty-eight and $70/100$ (2,968.70') feet by land now or formerly of the Commonwealth of Massachusetts, Massachusetts Bay Transportation Authority as shown on said plan, two hundred fifty-six and $51/100$ (256.51') feet; thence turning and running

S $75^{\circ} 31' 14''$ E by Parcel R2 as shown on said plan, two hundred fifty-two and $52/100$ (252.52') feet to the point of beginning.

Containing 86,128 square feet according to said plan.

Parcel R1 is comprised of Parcel A and Parcel B as shown on said plan. Parcel A is the Registered Land shown as LC Case No. 40442 on said plan and is shown on a plan dated February 15, 1980, filed as Land Court Plan 40442-A*, and being more fully described in Transfer Certificate of Title No. 98598 in Registration Book 488, Page 198.

*plan filed w/ctf 95617 Lots 1 + 2.

Parcel R2:

Beginning at a point at the northeasterly corner of said Parcel R2 and running

S $12^{\circ} 52' 16''$ W by the westerly side line of Ocean Avenue as shown on said plan, one hundred fifty-four and $19/100$ (154.19') to a point; thence running

S $09^{\circ} 28' 46''$ W by the westerly side line of Ocean Avenue as shown on said plan, seventy-six and $67/100$ (76.67') feet; thence turning and running

N $75^{\circ} 31' 14''$ W by Parcel R1 as shown on said plan, two hundred fifty-two and $52/100$ (252.52') feet; thence turning and running

in a general northerly direction along the arc of a curve to the right with a radius of two thousand nine hundred sixty-eight and $70/100$ (2,968.70') feet by land now or formerly of the Commonwealth of Massachusetts, Massachusetts Bay Transportation Authority as shown on said plan, eighty-nine and $50/100$ (89.50') feet to a point; thence continuing

in a general northerly direction along the arc of a curve to the right with a radius of four thousand nine hundred sixty-eight and $70/100$ (4,968.70') feet by land now or formerly of the Commonwealth of Massachusetts, Massachusetts Bay Transportation Authority as shown on said plan, seventy and $92/100$ (70.92') feet; thence turning and running

N $89^{\circ} 28' 16''$ E by Parcel R3 as shown on said plan, two hundred eighty-three and $08/100$ (283.08') feet to the point of beginning.

Containing 51,512 square feet according to said plan.

Parcel 5C:

Beginning at a point at the northeasterly corner of said Parcel 5C and running

S 14° 27' 06"W by the westerly side line of Ocean Avenue as shown on said plan, one hundred ninety-nine and 78/100 (199.78') feet; thence turning and running

N 75° 32' 54" W by Parcel 4C as shown on said plan, three hundred twenty-four and 32/100 (324.32') feet; thence turning and running

in a general northerly direction along the arc of a curve to the right with a radius of three thousand two hundred forty-eight and 67/100 (3,248.67') feet by land now or formerly of the Commonwealth of Massachusetts, Massachusetts Bay Transportation Authority as shown on said plan, two hundred eighty-five and 28/100 (285.28') feet; thence turning and running

S 60° 32' 54" E by Parcel 6C as shown on said plan, three hundred twenty-nine and 79/100 (329.79') feet to the point of beginning.

Containing 78,654 square feet according to said plan.

A portion of Parcel 5C is the registered land shown as Land Court Case No. 19605 on said plan and being shown as an unnumbered parcel on Plan No. 19605-A**, and being more particularly described in Transfer Certificate of Title No. 101316 in Registration Book 502, Page 116.

**plan filed w/ctf 48462 B. 11875 p. 340 14128 p 324

The real property covered by said mortgage will be sold subject to any and all restrictions, easements, covenants, conditions, unpaid real estate taxes, tax titles, municipal liens and assessments and existing encumbrances of record created prior to said mortgage, if any thereon.

The real property covered by said mortgage also will be sold subject to all leases and tenancies having priority over said mortgage, to tenancies or occupation by persons on the premises and to all laws and ordinances including, without limitation, all building, zoning and environmental laws and ordinances.

TERMS OF SALE: One Hundred Thousand and 00/100 Dollars (\$100,000.00) of the purchase price shall be paid as a deposit in cash, certified check or bank treasurer's check at the time and place of the sale by the purchaser. The purchaser shall be required to increase the deposit to two and 50/100 percent (2.5%) of the purchase price within seven (7) days of the time and place of the sale and the balance of the purchase price shall be paid in cash, certified check or bank treasurer's check upon delivery of the deed thirty (30) days from the date of the sale. The deposit paid shall be forfeited if the purchaser does not comply strictly with the terms of the

sale. Other terms will be announced at the sale.

DIV OA LENDER, LLC,
present holder of said mortgage

By: Wendy M. Fiscus, Esquire
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