

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Richard Rocco to Newburyport Five Cents Savings Bank, dated April 26, 2022 and recorded at Essex County (Southern District) Registry of Deeds on May 2, 2022, in Book No. 40904, at Page 509, of which mortgage the undersigned is the present holder Newburyport Five Cents Savings Bank, for breach of the conditions of said mortgage and for the purpose of foreclosing same will be sold at public auction at 10:00 AM, on October 23, 2025 on the mortgaged premises being known as 7 Myrtle Avenue, Newburyport, MA, being all and singular the premises described in said mortgage to wit:

Parcel 1. The land in said Newburyport, being and constituting lots numbered two and three as shown upon a certain plan entitled "Barrows Heights, Newburyport, Mass." Dated November 1, 1922, John P. Titcomb, C.E. and recorded with Essex South District Deeds Plan Book 39, Plan 3. Sec Essex South District Registry of Deeds, Book 3539, Page 192 and Book 3745, Page 406.

Parcel 2. Lot number 4 as shown upon a certain plan entitled "Barrows Heights, Newburyport, Mass." Dated November 1, 1922, John P. Titcomb, C.E. and recorded with Essex South District Deeds Plan Book 39, Plan 3. See said Registry of Deeds Book 3773, Page 477, Book 3851, Page 559 and Book 3851, Page 560, Excepted from this Parcel is a portion of land conveyed to Stillman Fitzgerald and Matilda Fitzgerald by Deed of Leopold J. Rocco and Evelyn E. Rocco dated October 8, 1951 and recorded in said Deeds in Book 3851, Page 561.

Parcel 3. A certain parcel of land located South of Myrtle Avenue in the City of Newburyport, Massachusetts, bounded and described as follows: Southerly by land of City of Newburyport, Fifty Six 91/100 (56.91) feet; Westerly by land of Leopold J. Rocco et ux Twenty-One and 61/100 (21.61) feet; Northerly by land of said Rocco, Fifty three and 89/100 (53.89) feet; Easterly by land of said City, Ten (10) feet. Containing about Eight Hundred Fifty (850) square feet. For Title see Book 4410, Page 246.

Excepted from this conveyance is a parcel of land taken by the City of Newburyport in September 1955.

Being the same premises as conveyed to the mortgagor by deed of Richard Rocco and Melinda Rocco, dated April 26, 2022, recorded at Essex County (Southern District) Registry of Deeds on May 2, 2022, in Book No. 40904, at Page 505.

The above described premises will be sold **SUBJECT TO** and with the benefit of all restrictions, easements, covenants, conditions, building and zoning laws, to any and all unpaid taxes, tax titles, water and sewer charges, municipal or other public taxes, assessments or liens, rights of tenants and parties in possession, if any.

TERMS OF SALE:

A deposit of \$7,500.00 DOLLARS shall be required to be made to the mortgagee in cash, by certified or by cashier's check at the time and place of the sale as a deposit. The successful bidder will be required to execute an Auction Sale Agreement immediately after the close of the bidding. The balance of the purchase price shall be paid in cash, by certified check, by cashier's check, or other check satisfactory to Mortgagee's attorney within thirty (30) days thereafter at the offices of BARSH AND COHEN, P.C., Attorneys for the Mortgagee, 500 Turnpike Street Suite 201, Canton, MA 02021, in exchange for which and at such time and place, the deed shall be delivered to the purchaser for recording.

The Mortgagee reserves the right to amend the foregoing terms of sale by written or oral announcement made before the auction sale, during the sale thereof or at the commencement of or during any postponed sale, the right to bid at the sale, to reject any and all bids, and to postpone the sale up until the time the property is declared sold by the auctioneer.

The description of the premises contained in said mortgage shall control in the event of an error in the Notice of Mortgagee's Sale or its publication.

OTHER TERMS TO BE ANNOUNCED AT THE TIME AND PLACE OF THE SALE.

Dated: September 13, 2025

(signed:) Newburyport Five Cents Savings Bank
Present Holder of said Mortgage
By its Attorneys,
Barsh and Cohen, P.C.

Neil Cohen, Esquire
Attorney for the Mortgagee
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