



2005 00188485

Bk: 37498 Pg: 339 Doc: MTG  
Page: 1 of 2 10/05/2005 01:59 PM

## MORTGAGE

We, **EARL A. BERTHIAUME** and **ELIZABETH M. BERTHIAUME**, of Mendon, Norfolk County, Massachusetts, in consideration of TWO HUNDRED TWENTY FIVE THOUSAND AND NO/100 (\$225,000.00) DOLLARS grant to **MEDWAY LUMBER & HOME SUPPLY, INC.**, of 1400 Main Street, Millis, Norfolk County, Massachusetts, with MORTGAGE COVENANTS, to secure the payment of TWO HUNDRED TWENTY FIVE THOUSAND AND NO/100 (\$225,000.00) DOLLARS, payable as provided in a note of even date.

A certain parcel of land situated on the easterly side of North Avenue, Mendon, Worcester County, Massachusetts, being shown as Lot 57 Parcel "A" on a plan entitled "Plan of Land in Mendon, Mass. prepared for R. Christopher Noonan, Scale 1" = 40' dated October 10, 1996 by Andrews Survey & Engineering, Inc." and recorded with the Worcester County Registry of Deeds in Plan Book 712, Plan 95, to which reference may be had for a more particular description.

Said premises are conveyed subject to and with the benefit of easements and restrictions of record if any there be in force and applicable at this time.

Being the same premises conveyed to us by deed of Earl Berthiaume and Elizabeth Berthiaume recorded with Worcester Registry of Deeds in Book 25373, Page 4.

Subject to a prior mortgage to Citizens Bank in the original principal amount of \$199,400.00 dated December 9, 2004 and recorded with said Deeds in Book 35447, Page 102.


Borrower waives all rights of homestead exemption in the property and relinquishes all rights of courtesy and dower in the property.

**This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the statutory power of sale.**

**Property Address: 57 North Avenue, Mendon, MA 01756**

Witness Our Hands and Seals this 5th day of October, 2005.

  
EARL A. BERTHIAUME

  
ELIZABETH M. BERTHIAUME

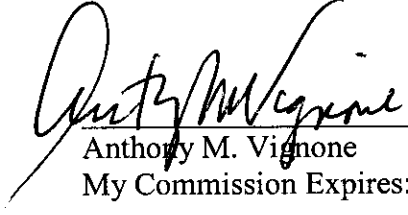


COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 5th day of October, 2005, before me, the undersigned notary public, personally appeared **EARL A. BERTHIAUME** and **ELIZABETH M. BERTHIAUME**, proved to me through satisfactory evidence of identification, being (check whichever applies):

           *Driver's License or other state or federal governmental document bearing a photographic image,*            *Oath or Affirmation of a credible witness known to me who knows the above signatory, or*  *My Own personal knowledge of the identity of the signatory,* to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

  
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Anthony M. Vignone  
My Commission Expires: 11/25/05

DM (My Docs.) Mortgage – Medway Lumber(Berthiaume)

ATTEST: WORC. Anthony J. Vigliotti, Register