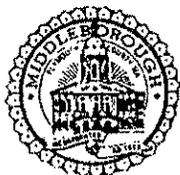


HEARINGS, MEETINGS, LICENSES
4-26-10



A hearing will be held by the Board of Selectmen on Monday, April 26, 2010 at 7:30 PM in the Selectmen's Meeting Room at the Town Hall, located at 10 Nickerson Avenue, Middleborough, MA for the purpose of discussing application made by Little John Restaurant Group, Inc., d.b.a. Shooters Steakhouse and Sports Bar for a new All Alcoholic Beverages Restaurant Liquor license and a Weekday and Sunday Entertainment license for property located at 360 Wareham Street, Middleboro, MA, Assessors Map 72, Lot 5571, Middleborough, MA. Anyone desiring to be heard on this matter should appear at the time and place designated.

Patrick E. Rogers
Marsha L. Brunelle
Muriel C. Duphily
Stephen J. McKinnon
Alfred P. Rullo, Jr.
BOARD OF SELECTMEN

Publish: April 8, 2010

Please bill the Town of Middleboro, c/o Board of Selectmen, 10 Nickerson Ave. Advertiser #300074

◆◆◆ LAW OFFICE OF CRAIG MEDEIROS ◆◆◆

Ace Tax Service
Tax Preparation and Consulting

Attorney-At-Law
Real Estate, Estate Planning and Tax Law

Ace Real Estate
Real Estate Sales and Development

March 12, 2010

Town of Middleboro Board of Selectmen
Nickerson Avenue
Middleboro, MA 02346

RE: Entertainment License
Shooters Steakhouse and Sports Bar
360 Wareham St., Middleboro, MA 02346

Dear Members of the Board,

I am writing on behalf of my client, Little John Restaurant Group, Inc., d/b/a Shooters Steakhouse and Sports Bar, to request an entertainment license at the above-referenced 360 Wareham Street, Middleboro, MA 02346. The entertainment which is respectfully requested will consist of two billiards tables, four arcade machines, a juke box, and occasional live musical entertainment consistent with the character and nature of the subject premises.

If you have any questions or concerns regarding the same please feel free to contact my office.

I sincerely appreciate your consideration in this matter.

Yours Truly,


Craig Medeiros, Esquire

MEMORANDUM

TO: Board of Selectmen
Town Manager

FROM: Jackie Shanley, Confidential Secretary

DATE: April 23, 2010

RE: CORI Background - John Hoban



There is nothing in the Massachusetts Probation Central File Automated Database that would indicate cause not to consider this applicant as Manager for Shooters Steakhouse and Sports Bar.



Town of Middleborough
Massachusetts

MAR 24 2010
BOARD OF SELECTMEN
MIDDLEBOROUGH, MA

BOARD OF SELECTMEN
Marsha L. Brunelle
Adam M. Bond
Patrick B. Rogers
Wayne C. Perkins
Steven P. Spataro

APPLICATION FOR LICENSE
(PLEASE TYPE OR PRINT CLEARLY)

DATE 3/2/2010
NAME OF APPLICANT Little John Restaurant Group, Inc.
ADDRESS OF APPLICANT 360 Wareham Street, Middleboro, MA 02346
ASSESSORS MAP & LOT 72-5571
NAME OF BUSINESS d/b/a Shooters Steakhouse and Sports Bar
OWNER OF PROPERTY TO BE LICENSED Giacomo, LLC
ADDRESS OF PROPERTY TO BE LICENSED 360 Wareham Street, Middleboro, MA 02346
ASSESSORS MAP & LOT 72-5571

TYPE OF LICENSE REQUESTED (Check One)

2nd Hand Furniture _____ 2nd Hand Clothing _____
Class I License _____ Class II License _____
Class III License _____ Liquor License _____ *Hand*
Common Victualler _____ Other Entertainment/Amusement (Video games and Juke Box)

Anticipated Start Date for Business 03/30/2010
Hours requested: 11:00 a.m. to 1:00 a.m. Monday Through Saturday
12:00 p.m. to 11:00 p.m. Sunday

Has the Applicant previously held a similar license in the Town of Middleborough or elsewhere? If yes, explain: No.

Signature [Handwritten Signature]

DATE OF HEARING _____ APPROVED/DENIED _____

Do not write below line: To be Completed by Treasurer/Collector:

Please inform this department, as well as the Board of Selectmen, as to whether or not the above listed property owner/applicant/petitioner owes the Town of Middleborough any outstanding taxes and/or municipal charges that remain unpaid for more than one year.

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? Yes.

Water Lien Due 25.00 - + Int.

[Handwritten Signature]

THE COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL COMMISSION

FORM 43

License Number _____ Middleborough _____ 3/1/2010 _____
City/Town Date

Type of Transaction (Please check all relevant transactions)

- New License
- Transfer of License
- Change of Manager
- Transfer of Stock
- New Officer/Director
- Change of Location
- Alter Premises
- Pledge of License
- Pledge of Stock
- Other _____

Little John Restaurant Group, Inc. _____ 27-2069921 _____
Name of licensee FID of Licensee

Shooters Steakhouse and Sports Bar _____ John J. Hoban _____
D/B/A Manager

360 Wareham St., Middleborough _____ 02346 _____
Address: Number Street Zip Code

Annual _____ All Alcohol _____ Restaurant _____
Annual or Seasonal Category: All Alcohol, Wine & Malt Type: Restaurant, Club, Package Store
Hotel, General on Premise, Etc.

Premises:

Description of Licensed Property: Property located at and more commonly known as
360 Wareham Street, Middleboro, MA 02346, being
more particularly shown on sketch attached hereto.

Application was filed: _____ Advertised: _____
Date & time Date & Publication
Abutters Notified Yes _____ No _____

Person to Contact regarding this transaction: Craig Medeiros, Esq. (508) 947-3555
98 E. Grove St., Ste. 201
Middleboro, MA 02346

The Local Licensing Authorities
By: _____

Alcoholic Beverages Control Commission
Ellen Moriarty
Executive Director

Remarks: _____

Jacqueline Shanley

From: Craig Medeiros [acetaxservice@verizon.net]
Sent: Friday, April 23, 2010 12:09 PM
To: Jacqueline Shanley
Subject: RE: Shooters - follow up re water lien

Hi Jackie,

I will bring it on Monday.

Thanks again,

Craig Medeiros, Esq.
Law Office of Craig Medeiros, Esq.
98 East Grove St., Suite 201
Middleboro, MA 02346
Phone: (508) 947-3555
Fax: (508) 946-4474
E-Mail: acetaxservice@verizon.net

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.)

From: Jacqueline Shanley [mailto:jshanley@middleborough.com]
Sent: Friday, April 23, 2010 10:59 AM
To: Craig Medeiros
Subject: Shooters - follow up re water lien

Attorney Medeiros:

Do you have any documentation to show that the water lien has been cleared up? If so, can you forward it to me either scan/email or fax so that I can provide for Board in packets? If not, please plan to bring it with you Monday evening.

Thank you.

Jackie

4/23/2010

Jacqueline Shanley

From: Craig Medeiros [acetaxservice@verizon.net]
Sent: Thursday, April 08, 2010 11:01 AM
To: Jacqueline Shanley
Subject: RE: Shooters - Water lien

Thanks again Jackie.

Craig Medeiros, Esq.
Law Office of Craig Medeiros, Esq.
98 East Grove St., Suite 201
Middleboro, MA 02346
Phone: (508) 947-3555
Fax: (508) 946-4474
E-Mail: acetaxservice@verizon.net

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From: Jacqueline Shanley [mailto:jshanley@middleborough.com]
Sent: Thursday, April 08, 2010 10:39 AM
To: Craig Medeiros
Subject: Shooters - Water lien

Attorney Medeiros:

There is a \$25 plus interest Water lien on the property at 360 Wareham Street. I thought I would let you know now so that you have the opportunity to clear it up prior to the hearing on 4/26.

You can call the Treasurer/Collector's office at 508 946-2420 for assistance with this matter.

Thank you.

Jackie

Jacqueline Shanley

From: Robert Whalen
Sent: Friday, April 09, 2010 8:38 AM
To: Jacqueline Shanley
Subject: RE: Shooters Liquor-Entertainment license applications

I have no objections to this license.

As with all liquor licenses, the Board can approve it but it can not be released until an inspection is done by the Building and Fire departments.

Thanks Bob

From: Jacqueline Shanley
Sent: Wednesday, March 31, 2010 1:37 PM
To: Robert Whalen; Jeanne Spalding; Patricia Cassady
Subject: Shooters Liquor-Entertainment license applications

Please see attached application for Shooters Steakhouse and provide this office with any concerns/objections re issuance of these licenses.

If you have none, please indicate so.

Thank you.

Jackie

Jacqueline Shanley

From: Jacqueline Shanley
Sent: Thursday, April 01, 2010 12:39 PM
To: Patricia Cassady
Subject: RE: Shooters Liquor-Entertainment license applications

Thank you

From: Patricia Cassady
Sent: Thursday, April 01, 2010 11:31 AM
To: Jacqueline Shanley
Subject: RE: Shooters Liquor-Entertainment license applications

I don't have any comments for this.

Tricia

From: Jacqueline Shanley
Sent: Wednesday, March 31, 2010 1:37 PM
To: Robert Whalen; Jeanne Spalding; Patricia Cassady
Subject: Shooters Liquor-Entertainment license applications

Please see attached application for Shooters Steakhouse and provide this office with any concerns/objections re issuance of these licenses.

If you have none, please indicate so.

Thank you.

Jackie

James O. Braga
378 Plymouth Street
Middleborough, Ma 02346
774-766-7668

April 21, 2010

Re: Hearing on the application from Shooter's owner, James

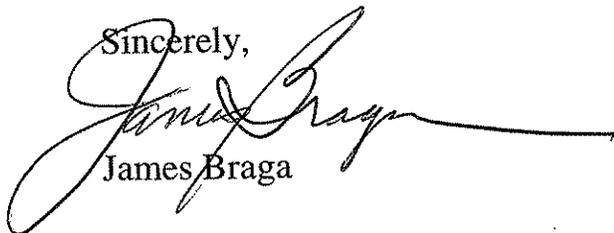
Dear Selectmen and Selectwomen,

I am writing you in support of the full licensing of Shooter's Restaurant Sports Bar on Wareham Street (Rt. 28). The South Middleborough area is in need of a quality eating establishment.

I have met and had a lengthy chat with Mr. Hoban and find him to be sincere in his planned community involvement. He believes in giving back to the community that supports his business endeavors. Like so many of our existing businesses, Mr. Hoban will be a supporter of athletics, school programs, and other activities in Middleborough.

Mr. Hoban has spent thousands of dollars renovating the old restaurant. He has really transformed the interior and exterior of this building. He will bring much needed jobs to the community. Many students from the Middleborough High School internship program will have an opportunity to work at the eating establishment, giving them a chance to improve their business and customer service skills.

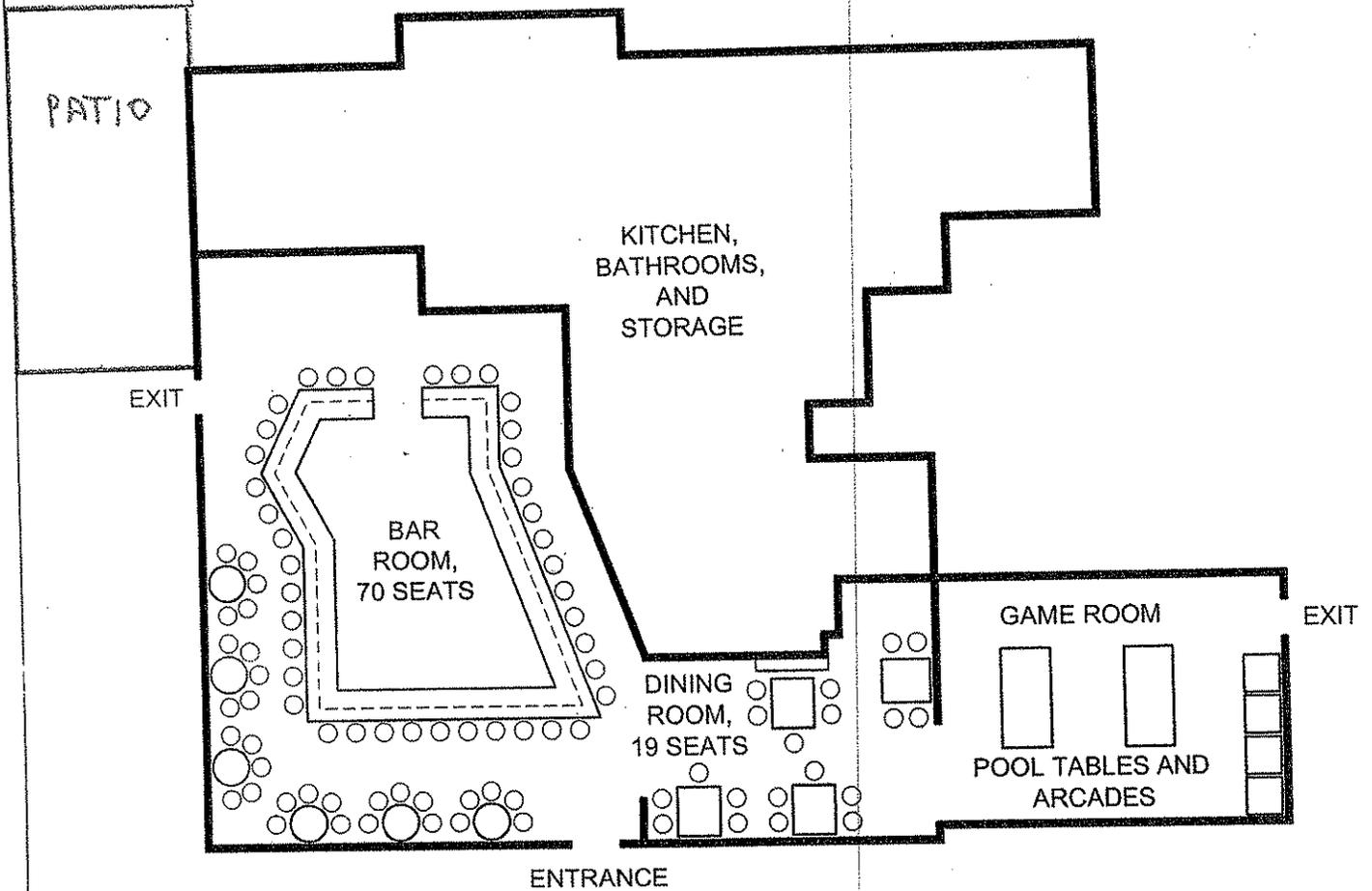
Sincerely,



James Braga

RESTAURANT SEAT LAYOUT

BAR ROOM.....70 SEATS
DINING ROOM.....19 SEATS
TOTAL.....89 SEATS



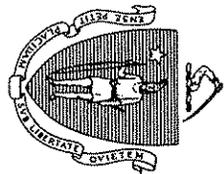
SHOOTER'S RESTAURANT
SEAT LAYOUT

360 WAREHAM STREET
MIDDLEBORO, MA

PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538
(508) 273-0377

SCALE: 1" = 15'

THE COMMONWEALTH OF MASSACHUSETTS



Town OF Middleboro
LICENSE
for

Public Entertainment on Sunday

Little John Restaurant Group, Inc.

(Name of licensee)

is hereby granted a

license for Live bands, arcade, juke box, music, billiards on Annual

(Type of entertainment)

(Date)

to be conducted at No. 360 Wareham

Street.

The name of the establishment is Shooters Steakhouse and Sports Bar

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment will not commence before 1 P.M. and that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions:

The licensee shall not advertise his place of amusement, or any performance or exhibition therein, by means of pictorial posters or placards of an obscene or indecent nature; shall not, in his place of amusement, allow any person to wear a head covering which obstructs the view of other spectators; shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about his place of amusement during performances therein; shall employ to preserve order in his place of amusement only regular or special police officers designated herefor by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the regular police officers as shall be detailed by the Chief Engineer of the Fire Department to guard against fire; shall keep in good condition, so as to be easily accessible, such standpipes, hose, water pails, axes, chemical extinguishers and other apparatus as the Chief Engineer of the Fire Department may require; shall allow such members of the fire department, in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle, passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen.

This license shall be kept on the premises where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Commissioner of Public Safety.
This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

The following numbers shown on program submitted are not approved:

Blank lines for listing program numbers.

Mayor or Selectmen

Do not write in this space

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

Application for License for Public Entertainment on Sunday

4.26.10
(Date)

Hon. Marshall L. Brunelle Mayor,
Chairman of Board of Selectmen, Middleborough
(City or Town)

Dear Sir:

The undersigned, in accordance with chapter 136 of the General Laws, as amended, hereby requests a license for live musical entertainment, juke box, arcade, and billiards tables.

(Insert Description of Entertainment)

in or on the property at No. 360 Wareham Street
(Name of Building)
on Annual, from 12 P.M. to 11 P.M.
(Date)

The concert or entertainment above mentioned is to be in keeping with the character of the Lord's Day and not inconsistent with its due observance.

Licensee or Little John Restaurant Group, Inc.

Authorized representative [Signature], John Hoban, President
(Sign name legibly)

Home Address, 360 Wareham Street
Middleboro, MA 02346

PROGRAM OF CONCERT OR ENTERTAINMENT

No.	Name of Artists, Orchestra or other Entertainment	Nature of Entertainment	Description of Costume to be worn

THIS APPLICATION AND PROGRAM MUST BE SIGNED BY THE LICENSEE OR AUTHORIZED REPRESENTATIVE OF ENTERTAINMENT TO BE HELD. NO CHANGE TO BE MADE IN THE PROGRAM WITHOUT PERMISSION OF THE AUTHORITIES GRANTING AND APPROVING THE LICENSE.

THE FEE OF _____ DOLLARS TO ACCOMPANY THIS APPLICATION AND PROGRAM WHEN FORWARDED TO THE COMMISSIONER OF PUBLIC SAFETY FOR APPROVAL.

PROPOSED CHANGES TO BYLAWS



Bank Building, 20 Centre Street, Middleborough, Massachusetts 02346

March 18, 2010

Board of Selectmen
Town Hall
Nickerson Ave.
Middleborough, MA 02346

Dear Members of the honorable Board:

Please find enclosed a revision of the Commission bylaws, last revised in 1999. The Commission voted unanimously to recommend these bylaws on March 9, 2010.

Please review and vote to accept these bylaws at your earliest convenience. I will be happy to meet with you and answer any questions, and/or sign the accepted bylaws at your convenience.

Sincerely,

A handwritten signature in cursive script, reading "David J. Cavanaugh".

David J. Cavanaugh
Chairman

Jacqueline Shanley

From: David Cavanaugh [herringwarden@yahoo.com]
Sent: Sunday, March 28, 2010 7:03 PM
To: Jacqueline Shanley
Subject: RE: Re: Commission bylaws
Attachments: Commission bylaws changes.doc

Attached is a copy with the changes (below) highlighted. I am, of course, unable to highlight the change that was removed!

Dave

1. The name is changed from " ...Herring Fisheries Commission" to "...Herring Fishery Commission". The reason is that the by-laws said "fisheries", but our letterhead and logo on hats, jackets, and the rock at the Thomas Park all say "fishery". It was easier to update the name than change everything else!
2. Wording was added that the Chairman, Vice chair and Secretary are fish wardens (ie: voting members). The previous by-laws did not specify that. There was an argument in past years that someone other than a voting member could fill a spot. We settled that argument.
3. There was originally a two-term "term limit" on chairman. That restriction was removed.
4. The duties of wardens and volunteer observers remain the same, but are now specified under each section. Before they were only specified under the Volunteer Observer section.
5. It now specifies the Middleborough Board of Selectmen as the approving authority for expenditures and policy. The reason being that in 1998 (so I'm told) the Lakeville board wanted no oversight authority except for warden and observer appointments.

--- On Thu, 3/25/10, Jacqueline Shanley <jshanley@middleborough.com> wrote:

From: Jacqueline Shanley <jshanley@middleborough.com>
 Subject: RE: Re: Commission bylaws
 To: "David Cavanaugh" <herringwarden@yahoo.com>
 Date: Thursday, March 25, 2010, 1:13 PM

Good Morning Mr. Cavanaugh:

Thank you for responding. It is preferred that you provide the changes in writing "within the document" itself. You could bold or highlight them. This would allow the Board to review with ease and be more time efficient.

Thank you.

3/29/2010

Jackie

From: David Cavanaugh [mailto:herringwarden@yahoo.com]
Sent: Wednesday, March 24, 2010 9:29 PM
To: Jacqueline Shanley
Subject: Fw: Re: Commission bylaws

Additionally, it now specifies the Middleborough Board of Selectmen as the approving authority for expenditures and policy. The reason being that in 1998 (so I'm told) the Lakeville board wanted no oversight authority except for warden and observer appointments.

Dave

--- On Thu, 3/25/10, David Cavanaugh <herringwarden@yahoo.com> wrote:

From: David Cavanaugh <herringwarden@yahoo.com>
Subject: Re: Commission bylaws
To: "Jacqueline Shanley" <jshanley@middleborough.com>
Date: Thursday, March 25, 2010, 1:25 AM

Hi ...
Sorry about that.

There are a few grammatical changes.

Otherwise:

1. The name is changed from "...Herring Fisheries Commission" to "...Herring Fishery Commission". The reason is that the by-laws said "fisheries", but our letterhead and logo on hats, jackets, and the rock at the Thomas Park all say "fishery". It was easier to update the name than change everything else!
2. Wording was added that the Chairman, Vice chair and Secretary are fish wardens (ie: voting members). The previous by-laws did not specify that and there was an argument in past years that someone other than a voting member could fill a spot. We settled that argument.
3. There was originally a two-term "term limit" on chairman. That restriction was removed.
4. The duties of wardens and volunteer observers remain the same, but were specified under each section dealing with that specific position.

Dave.

ee

3/29/2010

TheRE ARE A FEW GRAMMATICAL CHANGES.

oTHER WISE, THE MAJOR CHANGES:
re aRE THREE CHANGES

--- On Wed, 3/24/10, Jacqueline Shanley <jshanley@middleborough.com> wrote:

From: Jacqueline Shanley <jshanley@middleborough.com>
Subject: Commission bylaws
To: herringwarden@yahoo.com
Date: Wednesday, March 24, 2010, 5:21 PM

Mr. Cavanaugh:

The Town Manager has reviewed your request for the Board to vote on accepting the revised Commission bylaws. However, the Town Manager is asking that you please identify what changes have been made.

It is unclear based on the documents that we have received.

Thank you.

Jackie Shanley, Confidential Secretary

Board of Selectmen

508 946-2405



Bank Building, 20 Centre Street, Middleborough, Massachusetts 02346

MIDDLEBOROUGH-LAKEVILLE HERRING FISHERY COMMISSION BYLAWS

A. Definitions

1. The terms "Commission" and "members" shall refer collectively to Fish Wardens and Volunteer Observers.
2. Fish Wardens: The voting body of the Herring Fishery Commission. Fulfills duties as described herein.
3. Volunteer Observers: Non-voting members. Fulfills duties as described herein. Observers may speak at meetings as members of the Commission.
4. Jurisdiction: All herring containing waters (**current and future**) within the towns of Middleborough and Lakeville. All streams or ponds that breed and migrate river herring; including (but not limited to) the Nemasket River **drainage basin**, Taunton River, and the Assawompsett Pond complex. (Assawompsett Pond, Little Quitticus Pond, Great Quitticus Pond, Pocksha Pond, and Long Pond).

B. Goals and Objectives

Actively work to improve the alewife/herring fishery of Middleborough and Lakeville through sound management practices and public education.

a. Management Practices

1. To establish a firm policy for the passage of migrating river herring species, by reporting regularly to the **Middleborough** Board of Selectmen concerning activities, and periodically making recommendations to the Board of Selectmen.
2. To maintain a healthy, productive herring fishery by establishing/improving population size, monitoring population size, and monitoring flow and water quality in the rivers and ponds.
3. To administer and regulate the herring harvest.

4. Administer and expend funds from the Herring Fishery Revolving Fund account as approved by the **Middleborough** Board of Selectmen for the purposes related to the management of the herring fishery.
5. To coordinate water flow and water quality issues with agencies controlling water rights in and along herring containing waters of Middleborough and Lakeville.
6. To establish and enforce regulations governing herring catching and protection. Established rules will apply equally to all.

b. Public Education

1. Prepare pamphlets for distribution.
2. Write articles for local newspapers.
3. Utilize local cable television channels.
4. Respond to press/media inquiries.
5. Cooperate with schools and other children's organizations where educational opportunities exist.
6. **Seek out and meet visitors at the fish ladders**, to provide information about the herring migration.

c. Enforcement

1. Monitor the taking of herring by permitted citizens and organizations.
2. Report violations to the appropriate law enforcement agencies.
3. Oversee visitor activities.
4. The established rules and regulations of the fishery shall pertain equally to all Volunteer Observers and Fish Wardens.

C. Fish Wardens

a. Terms of Office and Selection

1. The office of Fish Warden (as voted January 8th 1997) is as follows:
 - a. Five (5) Wardens shall be residents of the Town of Middleborough.
 - b. Two (2) Wardens shall be residents of the Town of Lakeville.

2. Appointments shall be for a term of three (3) years. Wardens shall serve until either reappointed or replaced. (see item 6)
3. The term of office shall begin October 1st and end September 30th.
4. Wardens are to be selected from the pool of available Volunteer Observers by majority vote of the Fish Wardens.
5. Wardens are appointed by the Boards of Selectmen in Middleborough and Lakeville, upon recommendation of the Fish Wardens.
6. In order to create overlapping terms, appointments of two (2) Wardens will expire in the first year (September 30th 1997); appointments of two (2) Wardens will expire in the second year (September 30th 1998); appointments of three (3) Wardens will expire in the third year (September 30th 1997). Wardens, as necessary, will request the filling of any uncompleted terms.
7. **The offices of Chairperson, Vice Chairperson and Clerk/Secretary will be filled by Fish Wardens, voted annually in January.**
8. The Chairperson will:
 - a. File meeting dates as prescribed by law.
 - b. Establish agendas for meetings.
 - c. Preside at meetings in accordance with applicable laws.
 - d. See that minutes are voted in a timely manner. See that minutes are provided to the Town Clerk in accordance with applicable laws.
 - e. Obtain official mail.
 - f. Act as the contact point for inquiries. Meet with Selectmen and other boards, as requested, to provide information concerning Commission activities.
 - g. Provide the Town Managers and Selectmen with a synopsis of the previous year's activity, to be included in the annual town reports.
9. The Vice Chairperson will: Fulfill and discharge the obligations of the chairperson as required.
10. The Clerk/Secretary will: Take and provide accurate minutes, and be responsible for communications and press releases as required.

b. Duties and Responsibilities of Fish Wardens

1. Enforcement powers are limited to public education, observation, and reporting violations to appropriate law enforcement agencies. Wardens are expected to testify in court, as needed.
2. All incidents are to be reported to the Commission at the next public meeting.
3. Vote on polices, procedures, actions and expenditures. Vote to accept official minutes.
4. Establish rules and regulations, subject to approval by the Middleborough Board of Selectmen.
5. Prior to the annual herring run, check the rivers and ladders for obstructions and remove or correct obstructions as required.
6. Remove any poaching nets and turn them over to the appropriate law enforcement agency.
7. During the run, check ponds for obstructions or impediments to the herring returning to the ocean.
8. When on duty at the catching area; check permits, record catch data, and direct fishing activity as required and in accordance with regulations.
9. Obtain and record accurate herring count information, as required by the Commission.

D. Volunteer Observers

a. Terms of office and selection

1. The term of office shall be for one (1) year, starting October 1st and ending September 30th.
2. Volunteer Observers shall be nominated from volunteer residents of Middleborough and Lakeville by majority vote of the Fish Wardens.
3. Volunteer Observers are appointed by the Boards of Selectmen in Middleborough and Lakeville, upon recommendation of the Fish Wardens.

b. Duties and Responsibilities of Volunteer Observers

1. Enforcement powers are limited to public education, observation, and reporting violations to the appropriate law enforcement agencies. **Observers are expected to testify in court, as needed.**
2. All incidents are to be reported to the Commission at the next public meeting.

3. Prior to the annual herring run, check the rivers and ladders for obstructions and remove or correct obstructions as required.
4. Remove any poaching nets and turn them over to the appropriate law enforcement agency.
5. During the run, check ponds for obstructions or impediments to the herring returning to the ocean.
6. When on duty at the catching area; check permits, record catch data, and direct fishing activity as required and in accordance with regulations.

E. Conduct of the Commission

1. All members should act professionally at all times, remembering that members are public officials representing the towns of Middleborough and Lakeville. Unprofessional or illegal conduct will be grounds to recommend removal.
2. No member may use the Commission name, or represent the Commission for any reason, except to provide information in accordance with Commission policies and official views.
3. All external communications should be brought to the Commission at the next monthly meeting, for inclusion in minutes or files.

Approved by the Middleborough-Lakeville Herring Fishery Commission:

_____ date: _____
David J. Cavanaugh, Chairman

Approved by the Middleborough Board of Selectmen:

_____ date: _____
Patrick E. Rogers, Chairman

Approved by the Lakeville Board of Selectmen:

_____ date: _____
Derek A. Maksy, Chairman

Jacqueline Shanley

From: David Cavanaugh [herringwarden@yahoo.com]
Sent: Tuesday, April 13, 2010 9:31 PM
To: Jacqueline Shanley
Subject: Commission By-laws
Attachments: Commission bylaws.doc

STOP THE PRESSES ... STOP THE PRESSES

Sorry

Tonight ... the Commission voted one final change to the by-law proposal. Page 4 re: volunteer observers. Section D, a. 2 ... remove "... from volunteer residents of Middleborough and Lakeville ..." so the section will read:

2. Volunteer Observers shall be nominated by majority vote of the Fish Wardens".

This change effectively allows out of town residents to assist as Volunteer Observers (no voting power).

Attached is a copy of the proposed new by-laws in final (I hope!) form.

Dave



Bank Building, 20 Centre Street, Middleborough, Massachusetts 02346

MIDDLEBOROUGH-LAKEVILLE HERRING FISHERY COMMISSION BYLAWS

A. Definitions

1. The terms "Commission" and "members" shall refer collectively to Fish Wardens and Volunteer Observers.
2. Fish Wardens: The voting body of the Herring Fishery Commission. Fulfills duties as described herein.
3. Volunteer Observers: Non-voting members. Fulfills duties as described herein. Observers may speak at meetings as members of the Commission.
4. Jurisdiction: All herring containing waters (current and future) within the towns of Middleborough and Lakeville. All streams or ponds that breed and migrate river herring; including (but not limited to) the Nemasket River drainage basin, Taunton River, and the Assawompsett Pond complex. (Assawompsett Pond, Little Quitticus Pond, Great Quitticus Pond, Pocksha Pond, and Long Pond).

B. Goals and Objectives

Actively work to improve the alewife/herring fishery of Middleborough and Lakeville through sound management practices and public education.

a. Management Practices

1. To establish a firm policy for the passage of migrating river herring species, by reporting regularly to the Middleborough Board of Selectmen concerning activities, and periodically making recommendations to the Board of Selectmen.
2. To maintain a healthy, productive herring fishery by establishing/improving population size, monitoring population size, and monitoring flow and water quality in the rivers and ponds.
3. To administer and regulate the herring harvest.

4. Administer and expend funds from the Herring Fishery Revolving Fund account as approved by the Middleborough Board of Selectmen for the purposes related to the management of the herring fishery.
5. To coordinate water flow and water quality issues with agencies controlling water rights in and along herring containing waters of Middleborough and Lakeville.
6. To establish and enforce regulations governing herring catching and protection. Established rules will apply equally to all.

b. Public Education

1. Prepare pamphlets for distribution.
2. Write articles for local newspapers.
3. Utilize local cable television channels.
4. Respond to press/media inquiries.
5. Cooperate with schools and other children's organizations where educational opportunities exist.
6. Seek out and meet visitors at the fish ladders, to provide information about the herring migration.

c. Enforcement

1. Monitor the taking of herring by permitted citizens and organizations.
2. Report violations to the appropriate law enforcement agencies.
3. Oversee visitor activities.
4. The established rules and regulations of the fishery shall pertain equally to all Volunteer Observers and Fish Wardens.

C. Fish Wardens

a. Terms of Office and Selection

1. The office of Fish Warden (as voted January 8th 1997) is as follows:
 - a. Five (5) Wardens shall be residents of the Town of Middleborough.
 - b. Two (2) Wardens shall be residents of the Town of Lakeville.

2. Appointments shall be for a term of three (3) years. Wardens shall serve until either reappointed or replaced. (see item 6)
3. The term of office shall begin October 1st and end September 30th.
4. Wardens are to be selected from the pool of available Volunteer Observers by majority vote of the Fish Wardens.
5. Wardens are appointed by the Boards of Selectmen in Middleborough and Lakeville, upon recommendation of the Fish Wardens.
6. In order to create overlapping terms, appointments of two (2) Wardens will expire in the first year (September 30th 1997); appointments of two (2) Wardens will expire in the second year (September 30th 1998); appointments of three (3) Wardens will expire in the third year (September 30th 1997). Wardens, as necessary, will request the filling of any uncompleted terms.
7. The offices of Chairperson, Vice Chairperson and Clerk/Secretary will be filled by Fish Wardens, voted annually in January.
8. The Chairperson will:
 - a. File meeting dates as prescribed by law.
 - b. Establish agendas for meetings.
 - c. Preside at meetings in accordance with applicable laws.
 - d. See that minutes are voted in a timely manner. See that minutes are provided to the Town Clerk in accordance with applicable laws.
 - e. Obtain official mail.
 - f. Act as the contact point for inquiries. Meet with Selectmen and other boards, as requested, to provide information concerning Commission activities.
 - g. Provide the Town Managers and Selectmen with a synopsis of the previous year's activity, to be included in the annual town reports.
9. The Vice Chairperson will: Fulfill and discharge the obligations of the chairperson as required.
10. The Clerk/Secretary will: Take and provide accurate minutes, and be responsible for communications and press releases as required.

b. Duties and Responsibilities of Fish Wardens

1. Enforcement powers are limited to public education, observation, and reporting violations to appropriate law enforcement agencies. Wardens are expected to testify in court, as needed.
2. All incidents are to be reported to the Commission at the next public meeting.
3. Vote on polices, procedures, actions and expenditures. Vote to accept official minutes.
4. Establish rules and regulations, subject to approval by the Middleborough Board of Selectmen.
5. Prior to the annual herring run, check the rivers and ladders for obstructions and remove or correct obstructions as required.
6. Remove any poaching nets and turn them over to the appropriate law enforcement agency.
7. During the run, check ponds for obstructions or impediments to the herring returning to the ocean.
8. When on duty at the catching area; check permits, record catch data, and direct fishing activity as required and in accordance with regulations.
9. Obtain and record accurate herring count information, as required by the Commission.

D. Volunteer Observers

a. Terms of office and selection

1. The term of office shall be for one (1) year, starting October 1st and ending September 30th.
2. Volunteer Observers shall be nominated by majority vote of the Fish Wardens.
3. Volunteer Observers are appointed by the Boards of Selectmen in Middleborough and Lakeville, upon recommendation of the Fish Wardens.

b. Duties and Responsibilities of Volunteer Observers

1. Enforcement powers are limited to public education, observation, and reporting violations to the appropriate law enforcement agencies. Observers are expected to testify in court, as needed.
2. All incidents are to be reported to the Commission at the next public meeting.

3. Prior to the annual herring run, check the rivers and ladders for obstructions and remove or correct obstructions as required.
4. Remove any poaching nets and turn them over to the appropriate law enforcement agency.
5. During the run, check ponds for obstructions or impediments to the herring returning to the ocean.
6. When on duty at the catching area; check permits, record catch data, and direct fishing activity as required and in accordance with regulations.

E. Conduct of the Commission

1. All members should act professionally at all times, remembering that members are public officials representing the towns of Middleborough and Lakeville. Unprofessional or illegal conduct will be grounds to recommend removal.
2. No member may use the Commission name, or represent the Commission for any reason, except to provide information in accordance with Commission policies and official views.
3. All external communications should be brought to the Commission at the next monthly meeting, for inclusion in minutes or files.

Approved by the Middleborough-Lakeville Herring Fishery Commission:

_____ date: _____
David J. Cavanaugh, Chairman

Approved by the Middleborough Board of Selectmen:

_____ date: _____
Patrick E. Rogers, Chairman

Approved by the Lakeville Board of Selectmen:

_____ date: _____
Derek A. Maksy, Chairman

CURRENT BYLAWS



Town Hall, Nickerson Avenue, Middleborough, Massachusetts 02346

Middleborough/Lakeville Herring Fisheries Commission Bylaws

Definitions

1. Chairperson: Schedule and coordinate meetings.
2. Vice Chairperson: Fulfill and discharge the obligations of the Chairperson as required.
3. Clerk/Secretary: Responsible for providing meeting notes as required by law.
4. Corresponding Secretary: Responsible for press releases and external communications as directed by the commission.
5. Fish Warden: The voting body of the Herring Fisheries Commission.
6. Volunteer Observers: Monitors the day-to-day Activities at the Herring Run.
7. Nemasket River: To be constricted to include only the portion of the river in the towns of Middleborough and Lakeville.
8. Assawompsett Pond Complex: Includes Assawompsett Pond, Little Quitticus, Big Quitticus, Pocksha and Long Ponds.

A Goals and Objectives

To actively work to improve the alewife/herring fisheries of Middleborough/Lakeville through both sound management practices and public education.

a. Management Practices

1. To establish a firm policy for the passage of migrating river run herring species, by reporting regularly to the Board of Selectman concerning activities and periodically making recommendations to the Board of Selectman.
2. To maintain a healthy, productive Herring Fishery by establishing population size and monitoring river and pond water flow and quality issues.
3. To regulate the harvest of the Herring Fishery.
4. Administer and expend funds from the Herring Fisheries revolving fund account as approved by the Board of Selectman for the purposes related to the management of the fisheries.
5. To coordinate water flow and quality issues with agencies controlling water rights on the Middleborough section of the Taunton River, the entire Nemasket River complex and the Assawompsett Pond complex.

b. Public Education

1. Prepare pamphlets for distribution
2. Write articles for local newspapers.
3. Utilize local cable television channels
4. Cooperate with schools and the other children's organizations where educational opportunities exist.

c. Enforcement Area (Taunton River, Nemasket River Drainage Basin and Assawompsett Pond complex)

1. Monitor the taking of herring by permitted citizens and organizations
2. Reporting violations to the cognizant enforcement agencies
3. Oversight of visitor's activities
4. Maintain a safe and clean environment
5. The established rules and regulations of the fishery shall pertain equally to all Volunteer observers and Fish Wardens

B. Volunteer Observers

A. Terms of office and Selection

- 1 The term of the office shall be one (1) year, which starts on October 1st and ends on September 30th.
2. Observers shall be nominated from volunteer residents of the Towns of Middleborough and Lakeville.
3. The Fish Wardens shall vote on such nominations and, upon obtaining a majority, a letter of recommendation shall be sent to the Boards of Selectman in both Middleborough and Lakeville who will then vote on the appointment.

B. Duties and Responsibilities of Volunteer Observers

1. Enforcement powers limited to public education, observation and reporting of violations to local police and or Environmental Police officers and testimony in court.
2. All incidents shall be reported to the Commission or to the appropriate law enforcement agency if required.
3. Volunteer Observers shall have input at meetings, in an advisory capacity, and shall have priority over public comment.
4. Prior to the annual herring run, the observer shall check the river and ladders for obstructions and shall remove such obstructions as required.
5. The observer shall remove poaching nets, ect. and turn in such netting to the appropriate law enforcement agency.
6. During the run, the observer shall check ponds for obstructions or impediments to the fish returning to the ocean..
7. The observer on duty at the catching area shall check and record permit information and quantity of herring being taken by an individual.
8. The observer on duty shall be responsible for obtaining accurate count information as required by the Commission.

C. Fish Wardens

A. Terms of Office and selection

1. The office of the Fish Warden (as voted January 8th 1997) and as follows
 - a. Five (5) Wardens shall be residents of the Town of Middleborough.
 - b. Two (2) Wardens shall be residents of the Town of Lakeville
2. The Warden appointment shall be for three years. (see note 6)
3. The term shall begin on October 1st and end on September 30th. (exception: The Warden shall serve until either reappointed or replacement.)
4. Wardens are to be selected from the pool of available Volunteer Observers by the Commission.
5. Wardens are appointed by the Boards of Selectman in Middleborough and Lakeville on the recommendations of the Commission.
6. In order to create overlapping terms, appointments of two (2) members will expire in the first year (September 30,1997) appointments of two (2) members will expire the second year (September 30,1998) and the appointments of three (3) members shall expire the third year (September 30,1999). The Wardens as necessary will request filling of any uncompleted terms.
7. Office of the Chairperson to be voted on annually and can serve only three (3) terms consecutively and then to step down for one (1) year before becoming eligible for Chairperson for another three (3) consecutive terms. (Adopted December 3,1997)
8. Responsibilities and Duties of the Chairperson
 - a. To file meeting date as prescribed by law.
 - b. Submit minutes of any meeting to town clerk within thirty (30) days of meeting
 - c. Supply the Town Managers Office with a synopsis of the previous years activities to be included in the Annual Town Report By January 30th of the following year. (As voted on October 8,1998)

b. Duties and Responsibilities

1. The duties of a Fish Warden shall include all of the duties of a volunteer observer.

2. The Fish Wardens will be the voting body of the Commission.

3. Promulgation of Regulations, subject to the approval of the board of Selectman in Middleborough and Lakeville.

d. Conduct for the Commission

1. No member of the commission (be it a Warden or Volunteer) may use the commission's name or represent the Commission for any other reason than to enhance the Commission.

2. Any and all external communications shall be by the chairperson or member as directed by the Commission. All of these communications should be brought to the monthly meeting and recorded in the minutes of that month.

Approved By Middleborough/Lakeville Herring Fisheries

Mark Brochu 1/30/99
Chairman For The Commission Date:

Approved By Middleborough Selectman

Stephen D. Morris 2/8/99
Chairman For The Selectman Date

ARTICLE __. To see if the Town will vote to transfer to the Board of Selectmen the care, custody, management and control of a parcel of land on Lake Shore Drive at Navaho Lake Shores shown as Lot 5856 on Assessors Map 35, also shown as Lot 36 on a plan of Whispering Pines dated April 1952, for the purpose of sale or conveyance of the parcel, and to authorize the Board of Selectmen to sell and/or convey the parcel to Frances Stanizzi or other person(s) on such terms and conditions as the Board of Selectmen determines including conveyance for nominal consideration, or act anything thereon.

ARTICLE __. To see if the Town will accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitting by said Act, including the acquisition, creation and preservation of open space, the acquisition and preservation of historic resources, the acquisition, creation and preservation of land for recreational use, the creation, preservation and support of community housing, and the rehabilitation and restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided under said Act; to levy a 1% surcharge of the annual real estate tax against real property, to accept a \$100,000 exemption from the surcharge, as well as the exemption of property owned and occupied by a person who would qualify for low income housing or low or moderate income senior housing in the town, as permitted under Section 3(e) of said Act; or to take any other action relative thereto.

By Petition

ARTICLE __. To see if the town meeting will vote to enact the following addition to the Town Charter:

To see if the town meeting will vote to enact the following addition to the Town Charter:

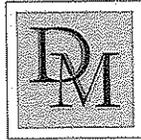
TERM LIMITS

Beginning with the 2011 Annual Town Election, no elected Town Official shall serve more than 2 consecutive terms of office at any one time. Additionally, any Town Official who has served 2 consecutive terms, shall not be able to run for the same Board or position until his or her successor has served at least one full term.

By Petition

ARTICLE __. To place on the town meeting warrant and article to accept Gibbs Road as a street in Middleboro.

By Petition



DELANEY & MUNCEY, P.C.

ATTORNEYS AT LAW

WWW.DELANEY-MUNCEY.COM

DAVID L. DELANEY
KATHLEEN P. MUNCEY
PETER N. MUNCEY, JR.
JOSEPH J. COPPOLA
BRYAN E. FECTEAU
KATHLEEN M. MULVEY
JASON M. RAWLINS

EUGENE V. BLANCHARD
OF COUNSEL
FREDERICK J. SHEEHAN
RETIRED

December 22, 2009

Middleborough Board of Selectmen
Town Office Building
20 Center Street
Middleborough, MA 02346

Re: Title Issue, Salvatore Stanizzi
Assessors Lot 035-5856
Lake Shore Drive, Carver, MA

Middleboro

Dear Board Members:

I represent Walter and Tami Bradford, the prospective purchasers of the above referenced vacant parcel of land presently assessed to Salvatore Stanizzi, et ux. The Bradfords reside at 8 Lake Shore Drive and wish to purchase this land to expand their side yard. Salvatore Stanizzi is deceased. His son, Paul Stanizzi, has been in contact with your office on behalf of his mother, Frances Stanizzi. At this time, Mrs. Stanizzi is unable to convey the property to my client, because my title search reveals that the Town of Middleborough is the record owner of the property. The title facts are as follows:

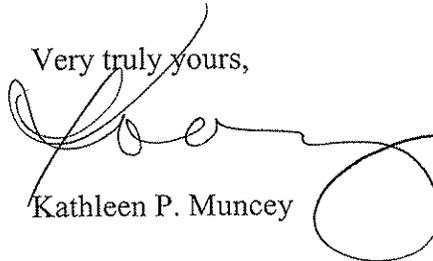
1. Whispering Pines Inc. was the original developer of the Lake Shore Drive area subdivision shown on a 1952 plan recorded in Plan Book 8, Page 812.
2. By deed dated January 5, 1957, but not recorded until September 15, 1980, in Book 4877, Page 412, Whispering Pines Inc. conveyed Lot 36 to Salvatore Stanizzi et ux. Lot 36 is Assessors Parcel 035-5856 presently assessed to Salvatore Stanizzi et ux.
3. Between the date of the deed to Stanizzi and the date it was recorded, the Town of Middleborough took the property twice for nonpayment of real estate taxes. The first time was in 1959 by tax taking recorded in Book 2689, Page 299 for nonpayment of 1957 taxes assessed to both Whispering Pines Inc. (the record owner) and Salvatore Stanizzi. The taking was redeemed in 1961 by Instrument of Redemption recorded in Book 2894, Page 432.
4. The second tax taking was recorded in 1963, Book 3046, Page 241 for nonpayment of 1962 real estate taxes assessed to Whispering Pines, Inc., the

Middleborough Board of Selectmen
December 22, 2009
Page 2

record owner. The Stanizzi name does not appear on the second taking which proceeded through the low value foreclosure process concluding with a Treasurers' Deed to the Town of Middleborough dated November 16, 1967 recorded in Book 3409, Page 385.

According to Paul Stanizzi, his father resolved this tax issue long ago and his parents have been paying real estate taxes since at least the late 1950s. In order to resolve this matter a deed from the Town of Middleborough to Frances Stanizzi is necessary before she may convey to my clients. Please advise if the Board is willing and has authority to do so. Many towns have standing votes authorizing the Selectmen to transfer tax title property without the need of a town meeting vote or further authorization. Copies of all documents referenced to above are enclosed. I would be happy to meet with you or answer any questions you may have. I am sure the Stanizzis are available as well. Thank you for your courtesy and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kathleen P. Muncey', with a large circular flourish at the end.

Kathleen P. Muncey

KPM/edj
Enclosures
cc: Walter and Tami Bradford
Paul Stanizzi
09-487/Bradford/ltmiddleboro selectmen/edj

COPPOLA AND COPPOLA
ATTORNEYS AND COUNSELLORS-AT-LAW
40 SOUTH STREET, MARBLEHEAD, MA 01945

January 27, 2010

781/639-0140
FAX 781/639-4416

JAMES E. COPPOLA
JAMES E. COPPOLA, JR.

JUDITH O. TRUFANT
ELAINE A. BYRNE

RECEIVED

FEB 01 2010

TOWN OF MIDDLEBOROUGH
TREASURER / COLLECTOR

Ms. Judy M. MacDonald
Town Treasurer
Town Hall
Middleborough, MA 02346

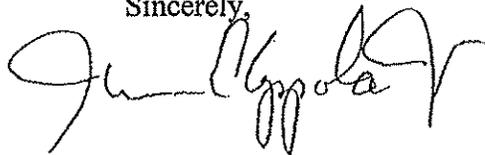
Dear Ms. MacDonald:

As you requested, I have researched the title to the property owned by Salvatore Stanizzi et ux, being Parcel 5856 on Assessors' Map 35 and also shown as Lot 36 of Navaho Lake Shores on a plan of Whispering Pines, Inc.

Mr. Stanizzi et ux acquired Lot 36 by a deed from Whispering Pines, Inc. dated January 5, 1957 but not recorded until September 15, 1980 in Plymouth County Registry of Deeds, Book 4877, Page 412. Prior to the recording of the deed, but after the date of the deed, the Town made a tax taking covering the property against Whispering Pines, Inc., Salvatore Stannizzi, for unpaid 1957 taxes. The taking was dated March 19, 1959 and recorded in Book 2689, Page 299. This taking was redeemed by a document recorded in Book 2894, Page 432. The Town made another tax taking against Whispering Pines, Inc. for 1962 taxes, which was dated July 26, 1963 and recorded on August 28, 1963 in Book 3046, Page 241. This taking was not redeemed. It was, however, foreclosed by a Treasurer's Deed to the Town dated November 15, 1967 and recorded November 21, 1967 in Book 3409, Page 385. Since Mr. Stannizzi did not record his deed until 1980, the tax taking and foreclosure against Whispering Pines, Inc. was valid and, as a result, the Town is the record owner of the property.

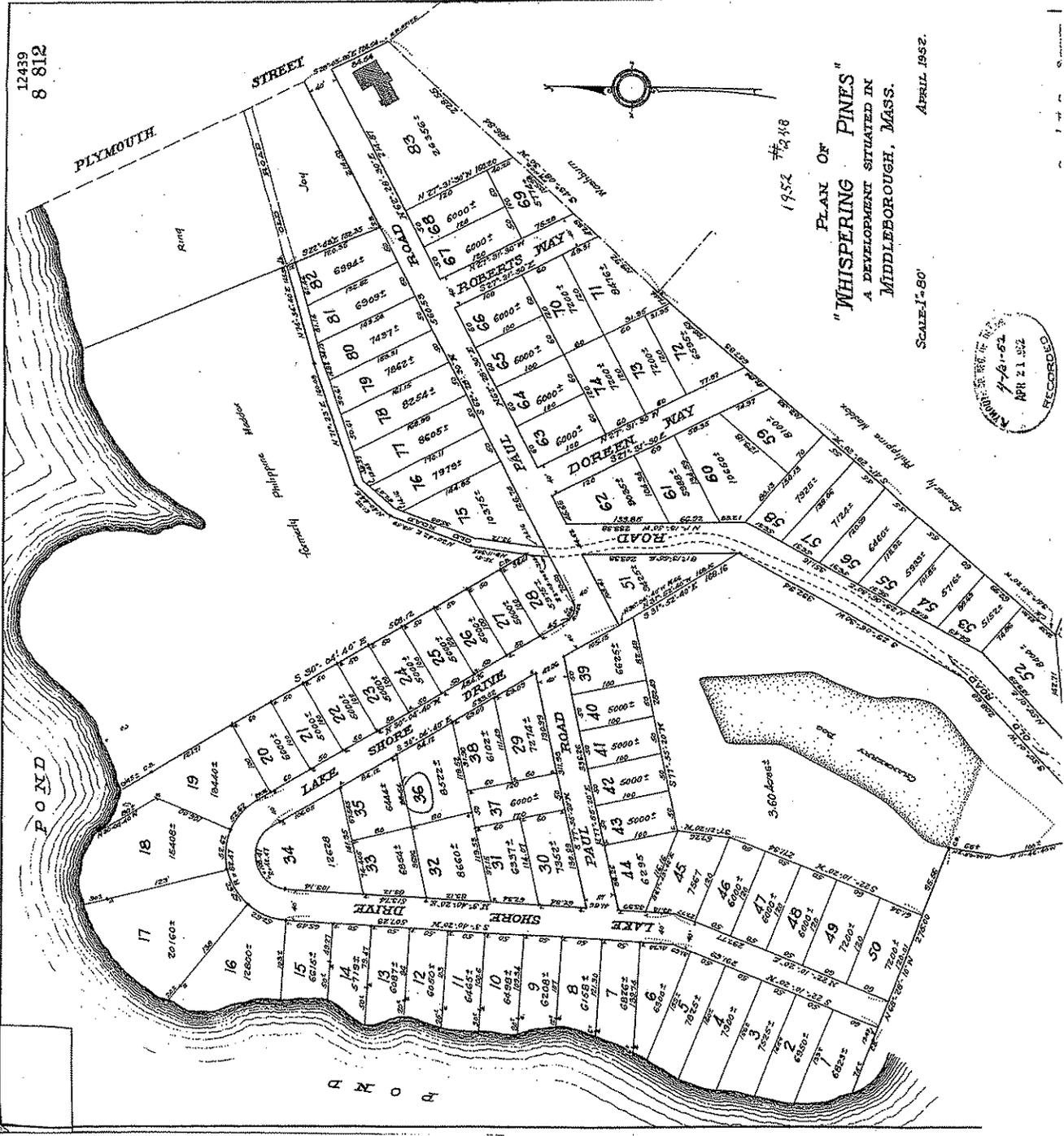
If the Town wishes to transfer ownership of Lot 36 to Mr. Stanizzi, who has been paying the taxes assessed on the property, it must first obtain consent to deed it to him by a town meeting vote. If such an article passes, a deed can be prepared and recorded which will clear up any issues Mr. Stanizzi now has with the title to the property.

Sincerely,



JEC,Jr.:jw

12439
8 812



PLAN OF
 "WHISPERING PINES"
 A DEVELOPMENT SITUATED IN
 MIDDLEBOROUGH, MASS.

1952 #248

APRIL 1952

SCALE 1"=80'



Stannitzi

PAGE 412 BOOK 4877

Whispering Pines, Inc.,
 a corporation duly established under the laws of
 and having its usual place of business at

Massachusetts
 Brookline
 Norfolk County, Massachusetts, for consideration/paid,

of \$235.91

grants to

Selvatore Stanizzi et aux
 15 Holmes Street,
 Cambridge, Massachusetts.,

with quitclaim warrants

the land in Middleboro, Massachusetts.

1170

(Description and encumbrances, if any)

being lot # 36, of Navaho Lake Shores, Middleboro, Mass., on a
 plan of Whispering Pines, Inc., said plan on record at the Plymouth
 County registry of deeds, and being a part of the premises conveyed to
 the grantor by Philippine Maddax, by her deed dated June 19 1952
 and recorded in the Plymouth County registry of deeds, Book 2214 Page 211.

T.R. Should be 2198-441



In witness whereof, the said Whispering Pines, Inc.,

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Robert H. Ostrow

its Treasurer hereto duly authorized, this 5th day of January in the year one thousand nine hundred and fifty Seven

Signed and sealed in presence of

Whispering Pines, Inc.,
 by Robert H. Ostrow
 Treasurer



The Commonwealth of Massachusetts

Suffolk January 5 19 57

Then personally appeared the above named Robert H. Ostrow

and acknowledged the foregoing instrument to be the free act and deed of the Whispering Pines, Inc.,

before me,

Ralph M. Goldstein
 Notary Public - Suffolk County, Massachusetts

My commission expires
 SEP 15 1960 AT 1-02 PM AND RECORDING

11/6/59

DSD

THE COMMONWEALTH OF MASSACHUSETTS

Town of Middleborough

NAME OF CITY OR TOWN

OFFICE OF THE COLLECTOR OF TAXES

I, Franklin G. Harlow, Collector of Taxes for the City of Middleborough, pursuant and subject to the provisions of General Laws, Chapter 60, Sections 53 and 54, hereby take for said town the following described land:

DESCRIPTION OF LAND

[The description must be sufficiently accurate to identify the premises and must agree with the notice of taking. In the case of registered land, the Certificate of Title Number and the Registry Volume and Page must be given.]

Lot number 36, with buildings thereon, as shown on plan entitled Navaho Lake Shores being a portion of the premises as purchased from Philippine Maddox in June 1953. Recorded in Plymouth Registry of Deeds, Book 2281, Page 107.

Said land is taken for non-payment of taxes as defined in Section 43 of said Chapter 60 assessed thereon to Whispering Pines, Inc., Salvatore Stannitzzi, 15 Holmes Street, Cambridge, Massachusetts, for the year 1957, which were not paid within fourteen days after demand therefor made upon Whispering Pines, Inc., Salvatore Stannitzzi June 20, 1958, and now remain unpaid together with interest and incidental expenses and costs to the date of taking in the amounts hereinafter specified, after notice of intention to take said land given as required by law.

Table with 2 columns: Description of tax item and Amount. Items include 1957 TAXES REMAINING UNPAID (\$25.02), INTEREST TO THE DATE OF TAKING (1.46), INCIDENTAL EXPENSES AND COSTS TO THE DAY OF TAKING (3.40), and SUM FOR WHICH LAND IS TAKEN (\$29.88).

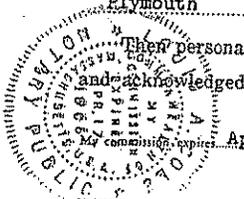
WITNESS my hand and seal this 19th day of March, 1959

Franklin G. Harlow, Collector of Taxes for the City of Middleborough

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. March 19, 1959

Then personally appeared the above named Franklin G. Harlow and acknowledged the foregoing instrument to be his free act and deed as Collector of Taxes,



before me April 17, 1959

Notary Public - Justice of the Peace

Rec'd Mar. 23, 1959 at 9:25 A.M. & recorded.

Handwritten notes: 25, 2689, 299, See Bk. 28, Pg. 43

Know all men by these presents,

that the WHITMAN SAVINGS BANK, a corporation duly established by law and having its usual place of business in Whitman, Plymouth County, Massachusetts, the mortgagee named in a certain mortgage given by John E. Murphy et ux

to Whitman Savings Bank Dated February 6 A. D. 1959, and recorded with Plymouth County Registry of Deeds, Book 2683, Page 65, hereby acknowledges that it has received full payment and satisfaction of the same, and in consideration thereof it hereby cancels and discharges said mortgage.

In witness whereof, the said WHITMAN SAVINGS BANK has caused its corporate seal to be hereunto affixed and these presents to be signed, acknowledged, and delivered, in its name and behalf by Elwood A. Wyman its Treasurer, this third day of November A. D. 19 61

Signed and sealed in presence of

WHITMAN SAVINGS BANK

By

Elwood A. Wyman



Commonwealth of Massachusetts

PLYMOUTH, ss. November 3 19 61 Then personally appeared the above named Elwood A. Wyman, Treasurer, as aforesaid, and acknowledged the foregoing instrument to be the free act and deed of the WHITMAN SAVINGS BANK, before me—

Reginald A. Conroy

Notary Public

My commission expires

JAN 11 1963



Rec'd Nov. 7, 1961 at 10:45 A.M. & recorded.

FORM 441

INSTRUMENT OF REDEMPTION TITLE IN MUNICIPALITY

THE COMMONWEALTH OF MASSACHUSETTS

Town of Middleborough

NAME OF CITY OR TOWN

OFFICE OF THE TREASURER

The City of Middleborough, holder of a tax title under a taking for non-payment of the 1957 taxes assessed to Salvatore Stanizzi, Whispering Pines, Inc., 15 Holmes Street, Cambridge, Massachusetts

on land described in the instrument of taking conveying said title, dated March 19 1959, and recorded with Plymouth County Registry of Deeds, Book 2689, Page 292, Document No., Certificate of Title No.

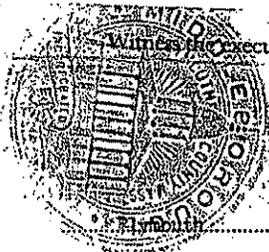
does hereby, pursuant to General Laws, Chapter 60, Section 62, acknowledge satisfaction of the tax title account secured by such instrument of taking.

DESCRIPTION OF LAND

AS APPEARING IN INSTRUMENT OF TAKING OR TAX COLLECTOR'S DEED

Lot number 36 with the buildings thereon as shown on plan entitled Navaho Lake Shores being a portion of the premises as purchased from Phillipine Maddox in June 1953. Recorded in Plymouth County Registry of Deeds, Book 2281, Page 107.

NAME OF PERSON OTHER THAN THE OWNER OF THE FEE RIGHTFULLY REDEMING AND REQUESTING TO BE NAMED IN THIS INSTRUMENT



Witness the execution of this instrument this... tenth... day of... July... 1961.

City of Middleborough, Town of Middleborough, By Franklin G. Harlow, Treasurer

29
2894
4.3.3

THE COMMONWEALTH OF MASSACHUSETTS

July 10, 1961

Then personally appeared the above-named Franklin G. Harlow, Treasurer of the City of Middleborough, and acknowledged the foregoing instrument to be the free act and deed of said city town.

Before me,

My commission expires July 11, 1967

[Signature]

NOTARY PUBLIC - JUSTICE OF THE PEACE

THIS FORM APPROVED BY COMMISSIONER OF CORPORATIONS AND TAXATION.

Rec'd Nov. 7, 1961 at 10:50 A.M. & recorded.

FORM 441

INSTRUMENT OF REDEMPTION
TITLE IN MUNICIPALITY

THE COMMONWEALTH OF MASSACHUSETTS

Town of Middleborough

NAME OF CITY OR TOWN

OFFICE OF THE TREASURER

The City of Middleborough, Town of Middleborough, holder of a tax title under a taking for non-payment of the 1959 taxes assessed to Lewis R. Brown To Irving C. Minott, Wood Street, Halifax, Massachusetts

on land described in the instrument of taking conveying said title, dated November 28, 1960, and recorded with Plymouth County Registry of Deeds, Book 2822, Page 95, Document No., Certificate of Title No.

does hereby, pursuant to General Laws, Chapter 60, Section 62, acknowledge satisfaction of the tax title account secured by such instrument of taking.

DESCRIPTION OF LAND

AS APPEARING IN INSTRUMENT OF TAKING OR TAX COLLECTOR'S DEED

About three acres of land situated on the easterly side of the road leading from the dwelling formerly occupied by Isaac Fuller, deceased. Recorded in Plymouth County Registry of Deeds, Book 1083, Page 568.

NAME OF PERSON OTHER THAN THE OWNER OF THE PIECE RIGHTFULLY REDEMPTING AND REQUESTING TO BE NAMED IN THIS INSTRUMENT

Witness the execution of this instrument this twenty-second day of June, 1961.



City of Middleborough, Town of Middleborough, By Franklin G. Harlow, Treasurer

THE COMMONWEALTH OF MASSACHUSETTS

June 22, 1961

Then personally appeared the above-named Franklin G. Harlow, Treasurer of the City of Middleborough, and acknowledged the foregoing instrument to be the free act and deed of said city town.

Before me,

[Signature]

[Signature]

NOTARY PUBLIC - JUSTICE OF THE PEACE

THIS FORM APPROVED BY COMMISSIONER OF CORPORATIONS AND TAXATION.

Rec'd Nov. 7, 1961 at 10:50 A.M. & recorded.

THE COMMONWEALTH OF MASSACHUSETTS

MIDDLEBOROUGH

NAME OF CITY OR TOWN

OFFICE OF THE COLLECTOR OF TAXES

I, Bruce G. Atwood, Collector of Taxes for the City of Middleborough, pursuant and subject to the provisions of General Laws, Chapter 60, Sections 53 and 54, hereby take for said City the following described land:

DESCRIPTION OF LAND

(The description must be sufficiently accurate to identify the premises and must agree with the notice of taking. In the case of registered land, the Certificate of Title Number and the Registry Volume and Page must be given.)

Whispering Pines, Inc.
Land situated at Navaho Lake Shores.
Lot #36 and recorded in Plymouth County Registry of Deeds, Book 2894 Page 432.
1962 Tax 18.60

Said land is taken for non-payment of taxes as defined in Section 43 of said Chapter 60 assessed thereon to Whispering Pines, Inc., P.O. Box 352, Westwood, Mass. for the year 1962, which were not paid within fourteen days after demand therefor made upon Whispering Pines, Inc. on January 11, 1963, and now remain unpaid together with interest and incidental expenses and costs to the date of taking in the amounts hereinafter specified, after notice of intention to take said land given as required by law.

Table with 2 columns: Description and Amount. Rows include: 1962 TAXES REMAINING UNPAID (\$18.60), INTEREST TO THE DATE OF TAKING (.62), INCIDENTAL EXPENSES AND COSTS TO THE DAY OF TAKING (2.22), and SUM FOR WHICH LAND IS TAKEN (\$21.44).

WITNESS my hand and seal this Twenty-Sixth day of July, 1963. Bruce G. Atwood, Collector of Taxes for the City of Middleborough.

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. July 26, 1963.

Then personally appeared the above named Bruce G. Atwood and acknowledged the foregoing instrument to be his free act and deed as Collector of Taxes, before me, Notary Public - Justice of the Peace. My commission expires July 11, 1967.

Rec'd Aug. 28, 1963 at 9:30 A.M. & recorded.

Handwritten notes: 3046, 241, See bk. 3395 Pg. 1, See 1963 3409 Pg. 385, and 'COPY' stamps.



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THIS DEED NOT VALID UNLESS RECORDED IN THE PROPER REGISTRY OF DEEDS WITHIN 60 DAYS AFTER THE SALE

STATE TAX FORM 478

TREASURER'S DEED TO MUNICIPALITY
LAND OF LOW VALUE

THE COMMONWEALTH OF MASSACHUSETTS

Town of Middleborough

NAME OF CITY OR TOWN

OFFICE OF THE TREASURER

I, J. WARREN TUFTS, Treasurer of the City of Middleborough
Town

pursuant to the provisions of General Laws, Chapter 60, Section 79 and 80, hereby grant to said city the several
town parcels
of land described in the instrument of taking or tax collector's deed to which reference is made in the following
schedule:

NAME OF PERSON ASSESSED IN THE YEAR OF THE TAX FOR WHICH THE LAND WAS TAKEN OR SOLD	INSTRUMENT OF TAKING OR TAX TITLE DEED				NAMES OF INTERESTED PERSONS SERVED BY REGISTERED MAIL WITH NOTICE OF SALE UNDER CHAPTER 60, SECTION 80 A.
	RECORDED		REGISTERED		
LOCATION OF PARCEL	Book	Page	Document No.	Classification	
Manuel Amral Lots 159 and 160 Woods Lake Terrace, B. 2781, P. 355	3046	201			
George T. Covell and Elsie C. Covell					
Clay St., B. 2636, P. 238	2878	207			George T. and Elsie C. Covell
William L. Darling					
Beach St., B. 2750, P. 186	2878	208			William L. Darling
Lionel and Albina Larivee					
Clay St., B. 2626, P. 261	2878	214			Lionel and Albina Larives

See Bk 41587 Pg. 374

(ATTACH SCHEDULE IF MORE SPACE IS NEEDED. STATE NUMBER OF SCHEDULES ATTACHED 1.)

The land hereby granted was included in an affidavit made by The Commissioner of Corporations and
taxation, recorded on September 21, 1967, in the Plymouth County Registry of Deeds,
Registry District
Book 3395, Page 1, Document No. _____, Classification _____
relative to the value of certain parcels of land taken by said city
town purchasee for non-payment of taxes and to the validity
of the tax titles held thereon; and was offered for sale at public auction on November 14, 1967,
in accordance with a notice of sale posted on October 30, 1967,
in Town Hall and published on October 26, 1967 in Middleborough Gazette
(SPECIFY PLACE WHERE NOTICE WAS POSTED; ALSO GIVE DATE AND NAME OF NEWSPAPER IN WHICH NOTICE WAS PUBLISHED)

(Strike out Paragraph (A) or (B) on the Circumstances Require)

- (A) No bid was made at the time and place appointed for the sale or at any adjournment
thereof and the said city therefore became the purchaser at an adjournment of said sale on November 15, 1967
town
- (B) ~~The purchaser failed to pay the amount bid by him at the original time and place appointed for the sale, or at adjournment of said sale.~~

Executed as a sealed instrument this 15th day of November, 1967.

J. Warren Tufts
J. Warren Tufts, Treasurer of the City of Middleborough
Town

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. November 15, 1967.

Then personally appeared the above-named J. Warren Tufts

and acknowledged the foregoing instrument to be his free act and deed as Treasurer as aforesaid, before me.

My commission expires October 1, 1971
James E. Coppola
James E. Coppola, Notary Public in and for the State of Massachusetts

THIS FORM APPROVED BY COMMISSIONER OF CORPORATIONS AND TAXATION.

THE COMMONWEALTH OF MASSACHUSETTS
Town of Middleborough
NAME OF CITY OR TOWN

OFFICE OF THE TREASURER

November 15, 1967

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NAME OF PERSON ASSESSED IN THE YEAR OF THE TAX FOR WHICH THE LAND WAS TAKEN OR SOLD	INSTRUMENT OF TAKING OR TAX TITLE DEED				NAMES OF INTERESTED PERSONS SERVED BY REGISTERED MAIL WITH NOTICE OF SALE UNDER CHAPTER 40, SECTION 19 A.
	RECORDED		REGISTERED		
	Book	Page	INSTRUMENT NO.	REGISTERED NO.	
Dora, Lewis and Lillian Thayer					Dora, Lewis and Lillian Thayer
Thomas St., B. 2449, P. 184 Whispering Pines, Inc.	3046	229			
Lot 33 Navaho Lake Shores Whispering Pines, Inc.	3046	238			
Lot 36 Navaho Lake Shores Whispering Pines, Inc.	3046	241			
Lot 76 Navaho Lake Shores Whispering Pines, Inc.	3046	234			
Lot 77 Navaho Lake Shores Whispering Pines, Inc.	3046	233			
Lot 78 Navaho Lake Shores Whispering Pines, Inc.	3046	239			
Lot 81 Navaho Lake Shores Lucy S. L. Wood and Grace M. Brackett	3046	240			Lucy S. Wood, Grace Brackett
East Grove St., B. 393, P. 41	2822	1			

CURRENT OWNER STANIZZI, SALVATORE ET AUX		UTILITIES 5 Well 6 Septic		STRT./ROAD 3 Unpaved		LOCATION		CURRENT ASSESSMENT Code 1320 Assessed Value 10,600 Appraised Value 10,600		917 MIDDLEBORO, MA	
15 HOLMES STREET		SUPPLEMENTAL DATA R29 .67 Old Plans Bett Payoff Cath Ceiling Structural Easements		ASSOC PID#		PREVIOUS ASSESSMENTS (HISTORY) Yr. Code Assessed Value Yr. Code Assessed Value 2010 1320 10,600 2009 1320 10,100 2008 1320 10,200		Total 10,600		Total: 10,100	
CAMBRIDGE, MA 02138		RECORD OF OWNERSHIP STANIZZI, SALVATORE ET AUX		SALE DATE 09/15/1980		SALE PRICE 0		Total: 10,600		Total: 10,200	

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Type	Description	Amount
Total:			Comm. Int.

ASSESSING NEIGHBORHOOD
 NBHD/SUB 0001/A NBHD NAME TRACING BATCH
NOTES

APPRaised VALUE SUMMARY	
Appraised Bldg. Value (Card)	0
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	0
Appraised Land Value (Bldg)	10,600
Special Land Value	0
Total Appraised Parcel Value	10,600
Valuation Method:	C
Adjustment:	0
Net Total Appraised Parcel Value 10,600	

BUILDING PERMIT RECORD		VISIT/CHANGE HISTORY	
Permit ID	Issue Date	Type	Date
			2/28/2008
			1/3/2006
			5/20/2003
			8/20/1997
			6/29/1993

LAND LINE VALUATION SECTION											
Use Code	Zone	D	Frontage	Depth	Units	Unit Price	I Factor	A. Disc	% Comp.	Date Comp.	Comments
I 1320	RES VACLNU MDL-00	RR	84		8,522 SF	13.83	0.90	4	1.0000		
Total Card Land Units:		0.20 AC		Parcel Total Land Area:		0.2 AC		Total Land Value:		10,600	

APPRaised VALUE SUMMARY	
Appraised Bldg. Value (Card)	0
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	0
Appraised Land Value (Bldg)	10,600
Special Land Value	0
Total Appraised Parcel Value	10,600
Valuation Method:	C
Adjustment:	0
Net Total Appraised Parcel Value 10,600	