

APPOINTMENT TO PREPARE TITLE EXAMINATION REPORT	DOCKET NUMBER	Commonwealth of Massachusetts
	20 TL 000891	LAND COURT Land Court Department
		21 JAN 25 PM 4:03

REPORT

City of Worcester v. Maria Emerson , et al.

Pursuant to G. L. c. 60, section 66, I report below the names of all persons who may be interested and entitled to notice (with a reference to the sheet of this report showing the interest); and I annex sheets showing so much of the record title to the land affected by the complaint as in my opinion that section requires.

(within the period of this report)

Owner – of equity,	see Sheet No. <u>3</u>	Mortgages,	see Sheet No. <u>3</u>
Restrictions,	see Sheet No. <u> </u>	Other Interests,	see Sheet No. <u> </u>
Easements,	see Sheet No. <u> </u>	Attachments,	see Sheet No. <u> </u>

Parties interested and entitled to notice:

(Reference Sheet No.)

Maria Emerson
22 Thatcher St.
Carver, MA 02330

3

Maria Emerson
130 Saint Louis St.
Worcester, MA 01607

3

Neil Emerson, Sr.
22 Thatcher St.
Carver, MA 02330

3

(See continuation of list of parties interested and entitled to notice on Sheet 1a.)


Plaintiff—has title under Sheet No. 4

Plaintiff—~~has~~— has not— recorded a notice of the complaint.

My examination ends January 19, 2021.
(Date)

Joseph W. Topa, Jr.
Land Court Examiner

Sheet No. 1

APPOINTMENT TO PREPARE TITLE EXAMINATION REPORT	DOCKET NUMBER 20 TL 000891	Commonwealth of Massachusetts Land Court Department 
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CASE NAME <p style="text-align: center;">City of Worcester v. Maria Emerson , et al.</p>

LAND COURT EXAMINER TO WHOM THIS APPOINTMENT IS ISSUED <p>Joseph W. Topor Jr., Esq. 2045 Main Street P.O. Box 267 Three Rivers, MA 01080-0267</p>	COURT NAME & ADDRESS <p style="text-align: center;">Land Court Three Pemberton Square Room 507 Boston, MA 02108</p> <p style="text-align: center;">Telephone: (617) 788-7470</p>
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Please search the public records and examine the title to the land described in the enclosed complaint sufficiently to determine the person(s) who may be interested in the complaint and file in the case a report of your search, concluding with a list of all those persons and the nature of their interests, typed or legibly printed on the reverse side of this sheet. Rule 1:07(7) of the Supreme Judicial Court must be complied with before payment for these services can be made.

YOUR REPORT MUST BE FILED WITHIN SIXTY (60) DAYS FROM THE DATE HEREOF. IF THE REPORT IS NOT RECEIVED BY THE COURT WITHIN SIXTY (60) DAYS, THE COURT WILL AUTOMATICALLY REVOKE THIS APPOINTMENT WITHOUT FURTHER NOTICE AND APPOINT ANOTHER LAND COURT EXAMINER TO EXAMINE TITLE IN THIS ACTION.

By order of the Court.

Attest:

Deborah J. Patterson

Deborah J. Patterson
Recorder

CERTIFICATION

To the Justices of the Land Court:

In compliance with SJC Rule 1:07(7), I certify that I have provided the services requested and filed with the Recorder a statement of the amount of payment, and an itemization of my expenses, all under the penalties of perjury.

My report, list of interested parties and their addresses are on the reverse side of this sheet.

Dated: January 20, 2021.

Joseph W. Topor Jr.
Land Court Examiner

PLEASE SIGN AND USE REPORT SHEET ON REVERSE SIDE AS FRONT SHEET OF REPORT.

Date Issued: January 4, 2021

Recorder: Deborah J. Patterson

Continuation of list of parties interested and entitled to Notice:

Sheet No.

Neil Emerson, Sr.
130 Saint Louis St.
Worcester, MA 01607

3

Erik Moller
76 Kendall Hill Road
Sterling, MA 01564

3

Erik Moller
376 Zions Hill Road
Chesterville, ME 04938

3

Millbury Savings Bank
109 Elm Street
Millbury, MA 01527

3

EXAMINER'S NOTE:

The plaintiff in the complaint should be listed as Clearwater Capital, LLC
(See Sheet 4, Instrument No. 10).

All Instruments Below Pertain to the Locus:

1. Quitclaim Deed Signed, sealed and acknowledged
15100-70 Carl R. Moller of Worcester, Worcester County, MA
March 9, 1993 To
March 11, 1993 Claudia M. Casello, Karl J. Moller, and Carl R. Moller of Shrewsbury, Worcester County, MA
April 20, 1993 Description:

A certain tract or parcel of land situated on the northerly side of Mathilda Street in said Worcester and being lot numbered 30 on a plan of lots for Kane & West by E.P. Poer, C.E. dated May 26, 1927 recorded with Worcester District Deeds, otherwise bounded and described as follows:

BEGINNING at the intersection of the westerly line of St. Louis Street and the said northerly line of Mathilda Street;

THENCE Northerly by said westerly line of St. Louis Street one hundred (100) feet to a point;

THENCE westerly eighty and thirty-six hundredths (80.36) feet to a point at lot numbered 29 on said plan;

THENCE southerly by lot numbered 29 on said plan one hundred (100) feet to said Mathilda Street;

THENCE easterly by said Mathilda Street eighty-two and fifty hundredths (82.50) feet more or less to St. Louis Street and the point of beginning.

Being the same premises conveyed to Maria C. Moller by deed dated October 2, 1928 and recorded in Worcester District Registry of Deeds Book 2479, page 345.

That part of the southeast corner of the above lot bounded by the street lines and by the curved line as shown on said plan is subject to a right of way for street purposes in order to make a curved corner instead of a square corner at the intersection of said street lines.

2. Estate of Carl R. Moller
The estate of Carl R. Moller is probated in Worcester County Probate Case No. W002P0206WF1.
He died testate on January 11, 2002. Under the terms of his will he bequeathed and devised all of his estate to his children, Karl J. Moller and Claudia M. Casello. They were his only heirs at law and next of kin. His son, Karl J. Moller was nominated and appointed the Executor of the will on October 17, 2002. The probate bond was approved on that date, and the will allowed. The locus real estate was valued at \$40,000.00 and personal estate at \$35,000.00. There is no further action in the estate.

3. Quitclaim Deed Signed, sealed and acknowledged
26353-177 Claudia M. Casello of Shrewsbury, Worcester County MA
Feb.25,2012 To
Feb.25,2012 Karl J. Moller of said Worcester
April 10,2012 Description: Described as in Book 15100, Page 70
(See Instrument No. 1).

4. Death Certificate – Carl R. Moller
26353-185 A death certificate was recorded on April 10, 2002 of the death of Carl R. Moller late a resident of
Jan. 15, 2002 said Worcester. He died on January 11, 2002. The death
certificate is recorded in Book 26353, Page 185, and is dated January 15, 2002.
April 10, 2002
5. Estate of Karl J. Moller
The estate of Karl J. Moller is probated in Worcester County Probate Case Docket No.
WO13P376EA. He died on July 5, 2012. Under the terms of his will he bequeathed and devised all
of his estate to his children, Maria Emerson and Erik Moller in equal shares. They were his only
heirs and next of kin. His daughter, Maria Emerson was appointed as Personal Representative of
the estate. A deed of distribution in the estate was to be made to the heirs of the estate..
6. Affidavit for Release of Estate Tax Lien
51561-208 Estate of Karl J. Moller- Worcester County Probate Case Docket No. WO13P376EA
Sept. 24, 2013 Date of Death: July 5, 2012
Sept. 24, 2013 Property located at 130 St. Louis Street, Worcester, MA as described by deeds recorded in Book
Sept. 27, 2013 26353, Pages 175- 177.
The undersigned affiant hereby states that the gross estate of the decedent does no necessitate a
Massachusetts estate tax filing.
Signed by Maria Emerson, Personal Representative.
7. Quitclaim Deed Signed, sealed and acknowledged
51561-209 Eric Moller of said Town of Sterling and Maria Emerson of said Worcester
Sept.23,2013 To
Sept.23,2013 Maria Emerson and Neil Emerson, Sr., husband and wife, as tenants by the entirety
Sept. 27, 2013 both of said Worcester
Description: Described as in Book 15100, Page 70 (See Instrument No. 1).
8. Deed of Distribution M. G. L c. 190B, Section 3-907
51576-146 Maria Emerson of said Worcester
Sept. 23, 2013 To
Sept. 23, 2013 Maria Emerson of said Worcester and to Erik Moller of Sterling, Worcester County, MA as joint
Oct. 2, 2013 tenants with the rights of survivorship.
Description: Described as in Book 15100, Page 70. (See Instrument No. 1).
9. Mortgage - (Outstanding) Signed, sealed and acknowledged
56599-382 Maria Emerson and Neil Emerson, Sr. both of said Worcester
Jan.11,2017 To
Jan.11,2017 Millbury Savings Bank, a Massachusetts Banking Corporation organized under the laws
Jan. 11,2017 of Massachusetts with an address of 109 Elm Street, Millbury, ma 01527.
Description: Described as in Book 15100, Page 70 (See Instruments No. 1).
To secure the payment of \$50,000.00.

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