

## **PRELIMINARY TITLE REPORT**

**Current Owner: Elam Real Estate Trust, Robert F. Dziurgot, Trustee**

**Property Address: 799 Mt. Elam Road, Fitchburg, MA**

**Client: Fletcher, Tilton & Whipple, P.C.**

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To Land Described in a quitclaim deed  
From Cynthia A. Dziurgot  
To Helen B. Lemanski, \*Trustee of Elam Real Estate Trust  
Dated 06/28/00

Said Estate having been examined since 08/18/70  
The date of an Administrator's Deed  
From Ellen Romeo Administratrix of the estate of Herbert E. Goodfellow (WPC#240598)  
To Ellen Romeo and Gasper J. Romeo dated 08/18/70 and recorded in Book 1059, Page 129.

And find that so far as shown by instruments recorded during the period covered by this examination, the record title and said premises is now in the name of

And there are no encumbrances of record upon said property except:

***Please note: The said Helen B. Lemanski is believed to have resigned as trustee of Elam Real Estate Trust and Robert Dziurgot is now trustee of said Trust. See Acceptance recorded in Book 3703, Page 368.***

Subject to and together with the benefit of an agreement and easement as recorded in Book 1242, Page 556.

Excepting that portion conveyed out in Book 1243, Page 547 and shown as Lot 16-A-2 in Plan Book 241, Page 1.

Excepting that portion conveyed out in Book 1596, Page 386 and shown as Parcel A on Plan Book 310, Page 18

Subject to a mortgage given by Cynthia A. Dziurgot to First NH Mortgage Corp. in the original amount of \$105,000.00 dated 08/24/87 and recorded on 08/28/87 in Book 1598, Page 419. Said mortgage was assigned to Dovenmuehle Mortgage Company L.P. in Book 3044, Page 4. See further assignment to Mortgage Electronic Registration Systems, Inc. in Book 4998, Page 326. Said Mortgage was subsequently assigned to Everhome Mortgage Company by assignment dated

03/30/06 and recorded on 04/46/06 in Book 6091, Page 63. See the Orders of Notice recorded in Book 6091, Page 64, 6531, Page 369 and Book 6777, Page 270.

Subject to an Attachment by John A. Farnsworth against Cynthia Dziurgot, et al and Robert Dziurgot, et al, in the amount "up to \$1,000,000.00 field on 02/08/08 and approved on 09/08/08 and recorded in Book 6793, Page 216, as same may affect locus.

See Memorandum of Lis Pendens John A. Farnsworth vs. Cynthia Dziurgot, et al and Robert Dziurgot, Trustee of Elam Real Estate Trust as recorded in Book 6659, Page 266.

Subject to a Notice of Federal Tax Lien against Cynthia Dziurgot in the amount of \$23,790.29 dated 02/17/09 and recorded on 02/26/09 in Book 6886, Page 142.

**Please note: This title exam has only been run from 1971 through the present.**

**Note: For accuracy of description I relied on Plan Book 230, Plan 7, recorded with the Worcester North Registry of Deeds, being Lot 16A, thereon. See also Plan Book 241, Plan 1 being shown as Lot 16-A1, thereon and Plan Book 310, Plan 18.**

**TITLE EXAM ENDS: September 15, 2009 @ 4:00 p.m.**