



*City of New Bedford*  
**ZBA VARIANCE APPLICATION**

**CASE #** *4222*

**1. SUBMITTAL CHECKLIST**

The following documentation must be submitted, in duplicate (1 Original and 11 Copies):

Have you included...			Planning staff review finds...	
Yes	No		Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>Completed and Signed Application</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	An <u>Existing Conditions Site Plan</u> , drawn to a scale not less than 1 inch: 40 feet, identifying positioning of existing structures must be provided. Your site plan must show footprint and dimensions of rear, front and side distances between structure(s) and boundary lines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>Proposed Site Plan</u> showing all proposed alterations or additions with side, front and rear set property lines identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<u>Sub-Division Plans</u> if Applicable.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>Certified Abutter's List</u> prepared by planning staff and certified by the Assessor's Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Plot Plan</u> as provided through Department of Inspectional Services or through the Assessor's Office (in person or online through parcel lookup).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Filing Fee</u> in check form made payable to the City of New Bedford.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of <u>Building Permit Rejection</u> Packet (Containing Rejected Building Permit and all information submitted with Building Permit Application)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Owner's Verification</u> including owner's signature and parcel deed for all involved parcels.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Official Use Only**

Review of submittal compliance performed by *[Signature]* of the city's Division of Planning.

Staff review found the application packet to be  complete  incomplete on this date: \_\_\_\_\_.

**This is page 1 of your ZBA Application BUT YOU DO NOT NEED 11 COPIES OF IT; just the original is enough. Please remove the instruction pages when submitting your completed application packet but keep this as your first page.**

2016 FEB 10 A 9:27  
CITY CLERK

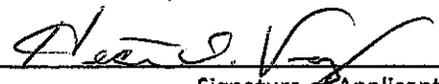
## 2. VARIANCE SPECIFICS

The undersigned petitions the New Bedford Zoning Board of Appeals [ZBA] to grant a VARIANCE in the manner and for the reasons set forth here under the provisions of the city's zoning ordinance to the following described premises:

### APPLICATION SUMMARY (PLEASE PRINT)

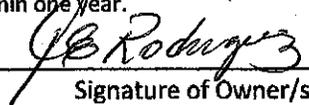
SUBJECT PROPERTY			
ASSESSOR'S MAP PLOT#	58	LOT(S)#	26
REGISTRY OF DEEDS BOOK:	4246	PAGE #	172
PROPERTY ADDRESS: 245 MAXFIELD STREET, NEW BEDFORD MA, 02740			
ZONING DISTRICT: B			
OWNER INFORMATION			
NAME: JUAN E. RODRIGUEZ			
MAILING ADDRESS: 369 COTTAGE STREET, NEW BEDFORD MA, 02740			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT):			
APPLICANT'S RELATIONSHIP TO THE PROPERTY: Check one:	OWNER <input checked="" type="checkbox"/>	CONTRACT VENDEE <input type="checkbox"/>	OTHER Describe <input type="checkbox"/> _____
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #	CELL 774.301.9157 HOME 508.993.2347		
EMAIL ADDRESS:	NACHOSPEAK@GMAIL.COM		

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give planning division staff and ZBA members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

  
 \_\_\_\_\_  
 Signature of Applicant/s Date

**If the applicant differs from the owner, this section must be completed/signed by the property owner/s:**

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the variance must be recorded and acted upon within one year.

  
 \_\_\_\_\_  
 Signature of Owner/s Date

**APPLICATION SPECIFICS**

<b>DIMENSIONS OF LOT/S:</b>	<b>FRONTAGE</b> 47.89	<b>DEPTH</b> 51.85	<b>AREA in SQ FT</b> 2478 SQ FT		
<b>EXISTING BUILDING/S</b>	<b># OF BLDGS</b> 1	<b>EXISTING SIZE</b> 1290 SQ FT	<b>TOTAL SQ FT BY FLOOR</b> 1246 SQ FT	<b>NUMBER OF FLOORS</b> 3	<b>TOTAL SQ. FT ENTIRE STRUCTURE</b> 3424 SQ FT
	<b># OF DWELLING UNITS</b> 1		<b># OF BEDROOMS</b> 6		
<b>PROPOSED BUILDING/S</b>	<b># OF BLDGS</b> SAME	<b>PROPOSED SIZE</b> SAME	<b>TOTAL SQ FT BY FLOOR</b> SAME	<b>NUMBER OF FLOORS</b> SAME	<b>TOTAL SQ. FT ENTIRE STRUCTURE</b> SAME
	<b># OF DWELLING UNITS</b> SAME		<b># OF BEDROOMS</b> SAME		<b>EXTENT OF PROPOSED ALTERATIONS</b>
<b>EXISTING USE OF PREMISES:</b>	CONVENIENCE STORE				
<b>PROPOSED USE OF PREMISES:</b>	BARBER SHOP				
<b>EXPLAIN WHAT MODIFICATIONS YOU ARE PROPOSING THAT NECESSITATE THE REQUESTED VARIANCE:</b>	<u>CONVERTING USE FROM CONVENIENCE STORE TO BARBER SHOP.</u> <hr/> <hr/> <hr/>				

*If there's a commercial use existing and/or proposed, please complete the following:*

	EXISTING	PROPOSED
NUMBER OF CUSTOMERS PER DAY	100	48 / 6 Barbers = Customers Per Hour
NUMBER OF EMPLOYEES	1	6
HOURS OF OPERATION	8AM-10PM	10AM-6PM
DAYS OF OPERATION	SUNDAY-SATURDAY	TUESDAY-SATURDAY
HOURS OF DELIVERIES	8AM-10AM	
FREQUENCY OF DELIVERIES <i>(Check frequency)</i>	<input type="checkbox"/> DAILY <input checked="" type="checkbox"/> WEEKLY <input type="checkbox"/> MONTHLY <input type="checkbox"/> OTHER	<input type="checkbox"/> DAILY <input type="checkbox"/> WEEKLY <input type="checkbox"/> MONTHLY <input checked="" type="checkbox"/> OTHER

*If you are also requesting site plan review and special permit/s from the planning board, please specify here:*

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Complete each item that is relevant to your variance request:

	Existing	Allowed/ Required	Proposed
Lot Area (sq ft)			
Lot Width (ft)			
Number of Dwelling Units			
Total Gross Floor Area (sq ft)			
Residential Gross Floor Area (sq ft)			
Non-Residential Gross Floor Area (sq ft)			
Building Height (ft)			
Front Setback (ft)			
Side Setback (ft)			
Side Setback (ft)			
Rear Setback (ft)			
Lot Coverage by Buildings (% of Lot Area)			
Permeable Open Space (% of Lot Area)			
Green Space (% of Lot Area)			
Off-Street Parking Spaces	0	10	0
Loading Bays			
Number of Ground Signs			
Height of Ground Sign			
Proximity of Ground Sign to Property Line			
Area of Wall Sign (sq ft)			
Number of Wall Signs			

### 3. PARCEL LEGAL DOCUMENTATION

Title Reference to Property See Deed Attached, BK:4246 PG:172  
*(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)*

Is the applicant also the owner?  Yes  No

If no, please attach the following three items to your application and indicate they are attached:

A notarized authorization letter on letterhead from the owner to tenant/buyer for application of this permit.

If the Applicant is Not the Owner, Provide:

A copy of the Purchase & Sale Agreement or lease, where applicable.

A copy of the deed or deeds of abutting parcels if said parcels have been held in common ownership with the subject property at any time since January 1, 1976.

### 4. REQUIRED FINDINGS FOR GRANTING A VARIANCE

Massachusetts General Law Chapter 40A Section 10 requires the "permit granting authority" (which, in this instance is the Zoning Board of Appeals) to make ALL the following findings before a variance can be granted:

**A**  
That there are circumstances relating to the soil conditions, shape or topography which especially affect the land or structure in question, but which do not affect generally the zoning district in which the land or structure is located.

**B**  
That due to those circumstances especially affecting the land or structure, literal enforcement of the provisions of the Zoning Ordinance or By Law would involve substantial hardship, financial or otherwise, to the petitioner or appellant.

**C**  
That desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance or Bylaw.

**D**  
That desirable relief may be granted without substantial detriment to the public good.

The full text of M.G.L. Chapter 40A, Section 10 can be viewed at: <http://www.mass.gov/legis/laws/mgl/>

Because the ZBA must be able to articulate each of these four findings in order to grant a variance, you must make your case as to WHY your application meets each of these four points. **This is an extremely important question and it is recommended that you answer this VERY carefully.** You may use an additional sheet if needed.

**A** Describe any circumstances relating to soil conditions, shape or topography which especially affect the land or structure in question but that doesn't generally affect the zoning district in which your premises is located:  
see attached

**B** Describe how circumstances unique to your land or structure would mean a substantial hardship to you if the city were to literally enforce the zoning ordinance:  
see attached

**C** Describe how granting you relief would not take away from the purpose of the city's zoning ordinance:  
see attached

**D** Describe why nobody else would be hurt if the city granted your requested zoning relief:  
see attached

A) Since the property has no driveway it could be decided that a driveway could be installed on the grass area on the Maxfield Street side (See Existing Site Plan). The problem with that proposal would be that if a driveway were to be installed there it would only be able to fit two cars. Also for a single car to be parked completely in the driveway without interfering with the sidewalk we would have to tear down the stockroom (See Existing Site Plan). Personally, if a driveway were there it would only fit two vehicles, and that would be a huge investment in our end for only two parking spaces. Property needs a certain percentage of green, and by installing a driveway we will eliminate all percentages that the property currently has.

B) There will be other violations if we decide to make more parking with the area that we have. For example, if a driveway could be installed we would take the risk of abutting our neighbor's properties. By installing a driveway we are technically removing one parking spot just to add two so in reality we would only be gaining one parking spot.

C) Granting relief would not take away from the city's zoning ordinances because there was a pass business in place. Due to the previous business, surrounding area is familiar with the routine of business traffic. Vehicles are to be used only during patron visits that last no longer than 40 minutes. The business is located in the center of many residential homes, to which our focus is towards, our neighbors.

D) No one else would be hurt if the city grants us this zoning relief because there has been an existent business at this location for over 20 years. The previous business did not cause any zoning issues or issues throughout the community. During business hours patron would park their vehicles in allotted spots and leave within a reasonable time frame. This location is perfect for a barbershop. The feedback from the people in the community is positive. The closest barbershop from the location is half a mile. We will be the only barber shop in ward 4-B so it would be convenient for local and surrounding population. We have had positive support of our neighborhood for this project, and anything done at this location is for the benefit of the community as a whole.



*City of New Bedford*  
**REQUEST for a CERTIFIED ABUTTERS LIST**

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

CITY CLERK'S OFFICE  
 NEW BEDFORD, MA  
 2016 FEB 10 A 9:27

SUBJECT PROPERTY			
MAP #	58	LOT(S)#	26
ADDRESS: 243 Maxfield St.			
OWNER INFORMATION			
NAME: Susan E. Rodriguez			
MAILING ADDRESS: 369 Cottage			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Hector Velez			
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #	774-360-7056		
EMAIL ADDRESS:			
REASON FOR THIS REQUEST: Check appropriate			
<input checked="" type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input type="checkbox"/>	PLANNING BOARD APPLICATION		
<input type="checkbox"/>	CONSERVATION COMMISSION APPLICATION		
<input type="checkbox"/>	LICENSING BOARD APPLICATION		
<input type="checkbox"/>	OTHER (Please explain):		

**PLANNING  
 JAN 11 2016  
 DEPARTMENT**

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

This sheet is NOT part of your ZBA application but you will need to submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

**Official Use Only:**

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Carlos Amado


1/11/2016

Printed Name
Signature
Date

January 11, 2016

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 243 Maxfield Street (58-26). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
58-26	243 MAXFIELD ST	RODRIGUEZ JUANE, RODRIGUEZ LOURDES 369 COTTAGE STREET NEW BEDFORD, MA 02740
58-474	240 MAXFIELD ST	MENDES STEVEN F, 240 MAXFIELD STREET NEW BEDFORD, MA 02740
58-24	372 COTTAGE ST	SYLVIA JOHN E "TRS", COTTAGE REALTY TRUST 372 COTTAGE STREET NEW BEDFORD, MA 02740
58-29	233 MAXFIELD ST	HOUTMAN ALBERT O, HOUTMAN MARY L 233 MAXFIELD ST NEW BEDFORD, MA 02740
58-28	75 CHESTNUT ST	LAPLANTE ANA, RAMOS PAULO 75 CHESTNUT STREET NEW BEDFORD, MA 02740
58-117	355 COTTAGE ST	SHAW WILLIE, SHAW BARBARA A 355 COTTAGE ST NEW BEDFORD, MA 02740
58-124	242 MAXFIELD ST	HARLAND JOHN J, HARLAND OLGA 242 MAXFIELD ST NEW BEDFORD, MA 02740
58-19	369 COTTAGE ST	RODRIGUEZ JUANE, RODRIGUEZ LOURDES 369 COTTAGE STREET NEW BEDFORD, MA 02740
58-21	363 COTTAGE ST	RODRIGUES ISABEL S, RODRIGUES HENRIQUE S 363 COTTAGE STREET NEW BEDFORD, MA 02740
58-25	79 CHESTNUT ST	FORTES HIRONDINA T, 79 CHESTNUT ST NEW BEDFORD, MA 02740
58-27	237 MAXFIELD ST	BARNES HEYWOOD, BARNES ANDRA GARR 237 MAXFIELD ST NEW BEDFORD, MA 02740
58-511	370 COTTAGE ST	BAPTISTE ROBERT J, 370 COTTAGE STREET New Bedford, MA 02740-6113



**Legend**

58-26

CEDAR ST

SPRUCE ST

SYCAMORE ST

MAXFIELD ST

SUMMER ST

COTTAGE ST

SMITH ST



64-230 65-318 65-144 65-152 65-399 65-387 65-155 65-167 65-169 65-170 65-171 65-184 65-186 65-147 N 65-149 65-150 65-151 65-152 65-398 65-387 65-155 65-257 65-256 65-259 65-260 65-271 65-230 65-231 65-389 65-241 65-357 65-379 65-250 65-368 65-248 65-251 65-252 65-253 65-254 65-255 65-256 65-257 65-258 65-259 65-260 65-261 65-262 65-263 65-264 65-265 65-266 65-267 65-268 65-269 65-270 65-271 65-272 65-273 65-274 65-275 65-276 65-277 65-278 65-279 65-280 65-281 65-282 65-283 65-284 65-285 65-286 65-287 65-288 65-289 65-290 65-291 65-292 65-293 65-294 65-295 65-296 65-297 65-298 65-299 65-300 65-301 65-302 65-303 65-304 65-305 65-306 65-307 65-308 65-309 65-310 65-311 65-312 65-313 65-314 65-315 65-316 65-317 65-318 65-319 65-320 65-321 65-322 65-323 65-324 65-325 65-326 65-327 65-328 65-329 65-330 65-331 65-332 65-333 65-334 65-335 65-336 65-337 65-338 65-339 65-340 65-341 65-342 65-343 65-344 65-345 65-346 65-347 65-348 65-349 65-350 65-351 65-352 65-353 65-354 65-355 65-356 65-357 65-358 65-359 65-360 65-361 65-362 65-363 65-364 65-365 65-366 65-367 65-368 65-369 65-370 65-371 65-372 65-373 65-374 65-375 65-376 65-377 65-378 65-379 65-380 65-381 65-382 65-383 65-384 65-385 65-386 65-387 65-388 65-389 65-390 65-391 65-392 65-393 65-394 65-395 65-396 65-397 65-398 65-399 65-400 65-401 65-402 65-403 65-404 65-405 65-406 65-407 65-408 65-409 65-410 65-411 65-412 65-413 65-414 65-415 65-416 65-417 65-418 65-419 65-420 65-421 65-422 65-423 65-424 65-425 65-426 65-427 65-428 65-429 65-430 65-431 65-432 65-433 65-434 65-435 65-436 65-437 65-438 65-439 65-440 65-441 65-442 65-443 65-444 65-445 65-446 65-447 65-448 65-449 65-450 65-451 65-452 65-453 65-454 65-455 65-456 65-457 65-458 65-459 65-460 65-461 65-462 65-463 65-464 65-465 65-466 65-467 65-468 65-469 65-470 65-471 65-472 65-473 65-474 65-475 65-476 65-477 65-478 65-479 65-480 65-481 65-482 65-483 65-484 65-485 65-486 65-487 65-488 65-489 65-490 65-491 65-492 65-493 65-494 65-495 65-496 65-497 65-498 65-499 65-500 65-501 65-502 65-503 65-504 65-505 65-506 65-507 65-508 65-509 65-510 65-511 65-512 65-513 65-514 65-515 65-516 65-517 65-518 65-519 65-520 65-521 65-522 65-523 65-524 65-525 65-526 65-527 65-528 65-529 65-530 65-531 65-532 65-533 65-534 65-535 65-536 65-537 65-538 65-539 65-540 65-541 65-542 65-543 65-544 65-545 65-546 65-547 65-548 65-549 65-550 65-551 65-552 65-553 65-554 65-555 65-556 65-557 65-558 65-559 65-560 65-561 65-562 65-563 65-564 65-565 65-566 65-567 65-568 65-569 65-570 65-571 65-572 65-573 65-574 65-575 65-576 65-577 65-578 65-579 65-580 65-581 65-582 65-583 65-584 65-585 65-586 65-587 65-588 65-589 65-590 65-591 65-592 65-593 65-594 65-595 65-596 65-597 65-598 65-599 65-600 65-601 65-602 65-603 65-604 65-605 65-606 65-607 65-608 65-609 65-610 65-611 65-612 65-613 65-614 65-615 65-616 65-617 65-618 65-619 65-620 65-621 65-622 65-623 65-624 65-625 65-626 65-627 65-628 65-629 65-630 65-631 65-632 65-633 65-634 65-635 65-636 65-637 65-638 65-639 65-640 65-641 65-642 65-643 65-644 65-645 65-646 65-647 65-648 65-649 65-650 65-651 65-652 65-653 65-654 65-655 65-656 65-657 65-658 65-659 65-660 65-661 65-662 65-663 65-664 65-665 65-666 65-667 65-668 65-669 65-670 65-671 65-672 65-673 65-674 65-675 65-676 65-677 65-678 65-679 65-680 65-681 65-682 65-683 65-684 65-685 65-686 65-687 65-688 65-689 65-690 65-691 65-692 65-693 65-694 65-695 65-696 65-697 65-698 65-699 65-700 65-701 65-702 65-703 65-704 65-705 65-706 65-707 65-708 65-709 65-710 65-711 65-712 65-713 65-714 65-715 65-716 65-717 65-718 65-719 65-720 65-721 65-722 65-723 65-724 65-725 65-726 65-727 65-728 65-729 65-730 65-731 65-732 65-733 65-734 65-735 65-736 65-737 65-738 65-739 65-740 65-741 65-742 65-743 65-744 65-745 65-746 65-747 65-748 65-749 65-750 65-751 65-752 65-753 65-754 65-755 65-756 65-757 65-758 65-759 65-760 65-761 65-762 65-763 65-764 65-765 65-766 65-767 65-768 65-769 65-770 65-771 65-772 65-773 65-774 65-775 65-776 65-777 65-778 65-779 65-780 65-781 65-782 65-783 65-784 65-785 65-786 65-787 65-788 65-789 65-790 65-791 65-792 65-793 65-794 65-795 65-796 65-797 65-798 65-799 65-800 65-801 65-802 65-803 65-804 65-805 65-806 65-807 65-808 65-809 65-810 65-811 65-812 65-813 65-814 65-815 65-816 65-817 65-818 65-819 65-820 65-821 65-822 65-823 65-824 65-825 65-826 65-827 65-828 65-829 65-830 65-831 65-832 65-833 65-834 65-835 65-836 65-837 65-838 65-839 65-840 65-841 65-842 65-843 65-844 65-845 65-846 65-847 65-848 65-849 65-850 65-851 65-852 65-853 65-854 65-855 65-856 65-857 65-858 65-859 65-860 65-861 65-862 65-863 65-864 65-865 65-866 65-867 65-868 65-869 65-870 65-871 65-872 65-873 65-874 65-875 65-876 65-877 65-878 65-879 65-880 65-881 65-882 65-883 65-884 65-885 65-886 65-887 65-888 65-889 65-890 65-891 65-892 65-893 65-894 65-895 65-896 65-897 65-898 65-899 65-900 65-901 65-902 65-903 65-904 65-905 65-906 65-907 65-908 65-909 65-910 65-911 65-912 65-913 65-914 65-915 65-916 65-917 65-918 65-919 65-920 65-921 65-922 65-923 65-924 65-925 65-926 65-927 65-928 65-929 65-930 65-931 65-932 65-933 65-934 65-935 65-936 65-937 65-938 65-939 65-940 65-941 65-942 65-943 65-944 65-945 65-946 65-947 65-948 65-949 65-950 65-951 65-952 65-953 65-954 65-955 65-956 65-957 65-958 65-959 65-960 65-961 65-962 65-963 65-964 65-965 65-966 65-967 65-968 65-969 65-970 65-971 65-972 65-973 65-974 65-975 65-976 65-977 65-978 65-979 65-980 65-981 65-982 65-983 65-984 65-985 65-986 65-987 65-988 65-989 65-990 65-991 65-992 65-993 65-994 65-995 65-996 65-997 65-998 65-999 66-000



QUITCLAIM DEED

Ronald J. Ferrero, Trustee of the Mt. Royal Realty Trust, of 79 Beetle Street, New Bedford, Bristol County, Massachusetts, under Declaration of Trust dated August 15, 1988 recorded in Bristol County (S.D.) Registry of Deeds in Book 2187, Page 275, for consideration paid, and in full consideration of Fifty Five Thousand and 00/100 (\$55,000.00) Dollars grants to Juan E. Rodriguez and Lourdes A. Rodriguez of 369 Cottage Street, New Bedford, Bristol County, Massachusetts, with quitclaim covenants, the land with any buildings thereon in New Bedford, Bristol County, Massachusetts, bounded and described as follows: **\*as tenants by the entirety**

**BEGINNING** at the southwest corner of the land herein-described at a point formed by the intersection of the easterly line of Cottage Street with the northerly line of Maxfield Street;

**THENCE NORTHERLY** in the said easterly line of Cottage Street, Fifty-one and 85/100 (51.85) feet to land now or formerly of Edward L. and Genevieve L. Manley;

**THENCE EASTERLY** in line of last-named land, Forty-seven and 50/100 (47.50) feet to land now or formerly of Julia A. Winsper, et al;

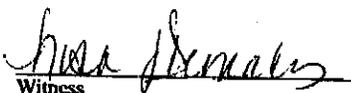
**THENCE SOUTHERLY** in line of last-named land, Fifty-one and 85/100 (51.85) feet to the said northerly line of Maxfield Street; and

**THENCE WESTERLY** in the said northerly line of Maxfield Street, Forty-seven and 50/100 (47.50) feet to the said easterly line of Cottage Street and the point of beginning.

**CONTAINING** Nine and 10/100 (9.10) square rods, more or less.

For Grantor's title, see Deed of Mt. Royal Realty, Inc., dated August 15, 1988, recorded in Bristol County (S.D.) Registry of Deeds in Book 2187, Page 287.

WITNESS my hand and seal this 3<sup>rd</sup> day of November, 1998.

  
Witness

  
Ronald J. Ferrero, Trustee

DEEDS REC 07  
BRISTOL SOUTH

11/03/98

TAX 250.00  
CHCK 250.00

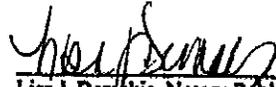
2403A128 16:09  
EXCISE TAX

THE COMMONWEALTH OF MASSACHUSETTS

Bristol: ss.

November 3, 1998

Then personally appeared the above-named Ronald J. Ferrero, Trustee, and acknowledged the foregoing instrument to be his free act and deed, before me.

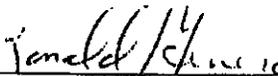


Liss J. Demakis, Notary Public  
My Commission Expires: 9/17/2004

**CERTIFICATE OF TRUSTEES**

Ronald J. Ferrero, Trustee of Mt. Royal Realty Trust, of 79 Beetle Street, New Bedford, Bristol County, Massachusetts, under Declaration of Trust dated August 15, 1988 recorded in Bristol County (S.D.) Registry of Deeds Book 2187, Page 275, hereby certifies that at the time of the delivery of the attached Deed, to Juan E. Rodriguez and Lourdes A. Rodriguez said Trust was in full force and effect, and has not been altered, amended or revoked, that the Trustee's execution and delivery thereof was duly authorized, empowered and directed by the beneficiaries thereof and that such Deed and any other instruments executed as part of the sale of 243 Maxfield Street, New Bedford, Bristol County, Massachusetts are valid, binding, effective and legally enforceable, and that Ronald J. Ferrero is the incumbent Trustee.

WITNESS my hand and seal this 3<sup>rd</sup> day of November, 1998.

  
\_\_\_\_\_  
Ronald J. Ferrero

**COMMONWEALTH OF MASSACHUSETTS**

BRISTOL, SS

November 3, 1998

Then personally appeared the above named Ronald J. Ferrero, Trustee, and acknowledged the foregoing instrument to be his free act and deed, before me.

  
\_\_\_\_\_  
Lisa J. Demakis, Notary Public  
My commission expires: 9/17/2004