



MASSACHUSETTS
TRIAL COURT

**AFFIDAVIT CERTIFYING
SERVICE FOR
VOLUNTARY WITHDRAWAL OF LAND
FROM THE REGISTRATION SYSTEM
(G.L. c. 185, § 52)**

COURT USE ONLY

COURT DEPARTMENT

LAND COURT

COUNTY

CASE NAME

[In the matter of: List all Plaintiff(s)]

DOCKET NUMBER

-SBQ-

INSTRUCTIONS

In accordance with G.L. c. 185, § 52, the plaintiff(s) seeking to withdraw land from the registration system must file an affidavit with the court. The plaintiff(s) must certify in the affidavit that all current mortgagees (mortgage holders), lessees (tenants), and option holders with interests in the land being withdrawn, who are entitled to notice and who have not assented to withdrawal, have been served and must provide proof of service. The plaintiff(s) must serve by certified mail a file-stamped copy of the Complaint and Notice of Withdrawal (by private owner or public entity). Where the plaintiff(s) are represented by an attorney, the attorney must sign the affidavit.

I, _____ (PLAINTIFF OR ATTORNEY, IF REPRESENTED), hereby swear or affirm under oath that all current mortgagees, lessees, and option holders with interests in the land who are entitled to notice have either assented in writing and/or been served by certified mail with a file-stamped copy of the Complaint and Notice of Withdrawal (by private owner or public entity). As grounds therefore, I certify that:

- There are no mortgagees, lessees, or option holders with interests in the land.
- I have filed with the Complaint executed assents from all mortgagees, lessees, or option holders with interests in the land who are entitled to notice.
- All current mortgagees, lessees, or option holders with interests in the land who are entitled to notice have been served by certified mail with a file-stamped copy of the Complaint. I have attached proof of service (ex. green cards).
- All current mortgagees, lessees, or option holders with interests in the land who are entitled to notice have either assented in writing and/or been served by certified mail with a file-stamped copy of the Complaint and Notice of Withdrawal (by private owner or public entity) as required pursuant to G.L. c. 185, § 52. I have filed with the Complaint executed assents and I have attached proof of service (ex. green cards).

NAME (ATTORNEY OR PARTY)

B.B.O. NUMBER (IF APPLICABLE)

FIRM OR AGENCY NAME (IF APPLICABLE)

OFFICE OR HOME PHONE NUMBER

STREET ADDRESS

APT/UNIT #

CELL PHONE NUMBER

CITY/TOWN

STATE

ZIP CODE

E-MAIL ADDRESS

DATE

SIGNATURE