APPENDIX 4 LEGAL NOTICE

CHICOPEE

It's on to second phase of City Hall renovation work

Initial repairs shored up structural problems at facility

By JEANETTE DEFORGE jdeforge@repub.com

The city officially closed out the first phase of the City Hall renovation project with a series of financial moves and is now moving on to the second phase.

The City Council voted in 2018 to borrow up to \$16 million for renovation project that included critical work to make structural repairs to the brick façade that was bowing out, fix eroded sandstone columns and shore up poor-quality brickwork in the tower.

The project also included complete rebuilding of the auditorium, including repairing stained-glass windows, replacing failing plaster and installing a modern audio and video recording system. The project renovated all restrooms to make them accessible to the disabled.

"The City Council authorized \$16 million the city has only used \$14 million of that because of creativity in finding grants for certain parts of this project," Mayor John L. Vieau said.

The \$16 million authorization is only on paper. The city only borrowed money as needed throughout the project so \$2 12-0 votes. million was never withdrawn. The request to rescind authorization is an accounting detail and needed to be done so it does not drag down the city's bond rating, Vieau said. But he also requested two amounts, about \$290,000 and an additional nearly \$8,000 that was borrowed but ended up not being used be transferred to the project's second phase.

"You can't return it because it is a long-term borrow. You can't put it in free cash because that would be illegal, so the solution is to find another



Panoramic view of the restored auditorium at Chicopee City Hall. (DON TREEGER / THE REPUBLICAN, FILE)

capital project with a longer useful life or a similar useful be used to pay principal or interest from the loan.

The \$290,000 was borrowed as part of the last amount needed to complete first phase renovations. When the final accounting was completed, credits from contractors created the surplus, City Planner Lee Pouliot said.

The City Council last week approved both transactions in

"Mass. General Law allows us to transfer the \$290,000 to phase 2 of the project. I think it is reflective of the city's commitment to do things as cost-effectively as possible," City Councilor Shane Brooks said.

The city should learn the cost estimates for the second phase of the project once the 40% design phase is completed, which is expected in the next fewweeks, Vieau said.

Initial estimates for the project were between \$5 million to replacing worn and stained \$7 million but those prices are years old and were prelimi-

nary. Some work has changed since then and construction life," Vieau said. It also cannot costs have increased, he said.

While the first phase repaired the structure and made the building more energy efficient by upgrading the heating system and replacing the windows, the second phase will modernize the interior of the building and make some cosmetic improvements, he said.

"The employees who work here deserve to be in a nice space," he said.

The project is expected to move some offices and reconfigure others so those frequently used by the public will be closer to entrances, making it more efficient and easier for the public. A long-standing problem with a lack of handicap accessibility to some offices, including the City Clerk, will also be corrected with a small elevator between two floors.

A lot of cosmetic work is expected to be done, such as carpet and ceiling tiles and painting, Vieau said.



Northampton's "Summer on Strong" outdoor dining and entertainment venue, set up on Strong Avenue in the summer of 2021. The space will return for its third run this summer. UACKSON COTE / MASSLIVE.COM,

New outdoor summer music stage planned downtown

Dining, entertainment options will be expanding

BY WILL KATCHER

wkatcher@masslive.com

Expanding on a popular outdoor dining and entertainment program that first emerged during the pandemic, the city of Northampton will set up a new downtown live music stage this summer in hopes of drawing more people to the city center.

The stage, behind the Northampton Brewery, will join performance spaces established in recent summers on Strong Avenue and Masonic Street. Once set up around Memorial Day, they will form a triangle of outdoor arts and entertainment venues spread across the Paradise City's business core.

"I think it's a great idea," said Ward 3 City Councilor James Nash, who represents about half of the center of Northampton. "Anything that gets people downtown and moving around downtown adds to the vibrancy."

In the summer of 2021, as indoor dining rebounded from the first stage of the pandemic, the city cordoned off two blocks of Strong Avenue, which juts off Main Street near the eastend entrance to downtown Northampton.

Strong Avenue restaurants set up tables in the pedestrian-only space, city officials added public seating, and performers graced a small stage multiple days each week.

Billed as "Summer on Strong," the space

Last year, the city added another outdoor dining and performance and events space at the other end of downtown, outside Iconica Social Club in the Masonic Street Parking Lot. They dubbed it Masonic Street Live.

There too, the city set up public tables and chairs for people to use whether they were dining at Iconica or not.

GROUT BEFORE

SEE STAGE, PAGE A 6

Public Announcement Concerning a Proposed Health Care Project

Encompass Health Corporation (the "Applicant"), with a principal place of business at 9001 Liberty Parkway, Birmingham, AL 35242, intends to file a Notice of Determination of Need ("Application") with the Massachusetts Department of Public Health with respect to Encompass Health Rehabilitation Hospital of Western Massachusetts located at 222 State Street, Ludlow, MA 01056 ("Hospital"). The Hospital plans to add 17 beds to its existing facility through the build out of shell space ("Proposed Project"). The total value of the Proposed Project based on the maximum capital expenditure is \$5,862,759. The Applicant does not anticipate any price or service impacts on the Applicant's existing patient panel as a result of the Proposed Project. Any ten Taxpayers of Massachusetts may register in connection with the intended Application by no later than June 25, 2023 or 30 days from the Filing Date, whichever is later, by contacting the Department of Public Health, Determination of Need Program, 67 Forest Street, Marlborough, MA 01752.

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AFTER





AMHERST

White Lion Brewing on the cusp of opening taproom

By Luis Fieldman

lfieldman@masslive.com

New signs went up recently at White Lion Brewing in downtown Amherst, where a new taproom could open as early as this summer.

White Lion teased photos of new signs on social media on Thursday with a wink.

"Hey Amherst Knock Knock....." reads a Facebook post unveiling the latest uplift to 104 North Pleasant St., a location with a history of housing breweries.

Owner Ray Berry is partnering with the University of Massachusetts Amherst basketball and NBA star Marcus Camby to bring a taste of the successful Springfield franchise to downtown Amherst.

first floor of High Horse Brewery and Bistro, which shut down during the COVID-19 pandemic and never re-opened. Prior to the High Horse, Amherst Brewing Company occupied the space.

The Drake, a live music and entertainment venue named after a famous hotel and bar from the 1960s and '70s, opened in the spring above White Lion.

Berry says the brewery will fit in well with the new businesses moving into the first and second floors vacated by High Horse.

National calzone franchise D.P. Dough will return to its birthplace in Amherst later this year where it originally began in 1987. The restaurant could be serving up calzones as early as the fall in a location directly next to White Lion.

"It's a great combination between The Drake upstairs with ongoing entertainment, a craft brewery in

"We are very excited. It reminds us of when we did our brick-and-mortar in downtown Springfield. There's new energy and restaurants and venues in place that we are seeing up in Amherst. We are very in tune to the changing landscape and happy to be a part of the downtown fabric."

Ray Berry, owner, White Lion Brewing

The taproom will inhabit the former downtown Amherst, and D.P. Dough next door to compliment us already offering food on site.

"It's a nice destination for folks," Berry said.

White Lion partner and head brewer Mike Yates previously told The Republican that their brand is built on creating a diverse, inclusive and fun place in Springfield, and the brewery is working to replicate that atmosphere in Amherst.

"As a UMass Amherst alum and a resident of the Happy Valley, I could not be happier to be back in Amherst," Yates previously said. "I built much of my professional brewing career here, and I look forward to bringing brewing back to downtown Amherst."

White Lion uses Camby's name and likeness for the Marcus Camby New England India Pale Ale. Camby played three seasons with the UMass

Camby was selected second overall



Ray Berry, owner of White Lion Brewing, in front of new signs at the soon-to-be-open location in downtown Amherst on Friday. (LUIS FIELDMAN / MASSLIVE.COM)

in the first round of the 1996 NBA draft by the Toronto Raptors and played in the NBA through the 2012-13 season.

Berry described the operation in Amherst as a "nano brew facility" that will give White Lion the opportunity to brew experimental beers and one-time productions.

"It will complement the production portfolio produced out of Springfield," he said.

"We are very excited," Berry said. "It reminds us of when we did our brick-and-mortar in downtown Springfield. There's new energy and restaurants and venues in place that we are seeing up in Amherst. We are very in tune to the changing landscape and happy to be a part of the

downtown fabric."

Along with the taproom - Berry expects to have 10 lines on tap-there will be a test kitchen and outdoor social space.

As for a timeline, Berry said he is hesitant to put an exact date on the opening.

"I can say that job postings will be forthcoming in the next week," Berry

Construction in the taproom is nearly complete, brewing equipment arrived on site a week-and-a-half ago and there is some cosmetic work left to finish, according to Berry.

"We are very close to finalizing the process," Berry said. "We are on the cusp of opening this spring/ summer.'

"As a UMass Amherst alum and a resident of the Happy Valley, I could not be happier to be back in Amherst. I built much of my professional brewing career here, and I look forward to bringing brewing back to downtown Amherst."

Mike Yates, head brewer, partner, White Lion Brewing

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Legal Notices

TOWN. IEMMINATION OF ARENTAL RIGHTS, DO CXET NUMBER 20C P9348HO, Irial Court of Massachusetts, Juvenile Court Department. COMMONWEALTH OF MASSACHUSETTS, Hampden County Juvenile Court, 121 Eim Street, Holyoke, MA 01040 (413) 322-6700. TO: Juan Lee Perez or the father of Ezequiel Lee Perez, born on 04/12/2030 in Spring-field, Massachusetts to Milmarie Gomez: A petition has been presented to this court by DCF Holyoke, seeking as to the following child: Ezequiel Lee Perez, that said child be found in need of care and protection and committed to the Department of Children and Families. The court may dispense the rights of the person(s) named herein in receive notice of or to consent to any legal proceeding affecting the adoption, custody, or guardianship or any other disposition of the child named herein, if it finds that the child is in need of care and protection and that the best interests of the child would be served by said disposition. You are hereby ORDERED to appear in this court, at the court address set forth above, on the following date and time: 05/16/2023 at 5000 AM Other Hearing//Service You may bring and attorney with you. If you have a right to an attorney and if the court determines that you are line of the court determines that you are line of the court will appoint an attorney to represent you. If you fail to appear, 2022 National Purple Heart \$5 Gold Proof coin. Issued by US mint, low mintage with box, COA, \$810,/best offer, call 413-426-7063 3-Piece Living Room Table set, Removable marble tops, drawers, \$150 firm, 413-896-0232 Lowrey Royale Organ, be aut., walnut finish, incl. Tufted bench, cost \$60K, ask. \$1.620. 413-519-8108 gent, the court will appoint an attorney to represent you. If you tail to appear, the court may proceed on that date and any date thereafter to a trial on the merits and adjudication of this matter. For further information call the Office of the Clerk-Magistrate at (413) 322-6700.

WITNESS: Hon. David B. Paradis, FIRST I USTICE, DATE ISSUED: 04/21/2023, Donald P. Whitney, Clerk-Magistrate Technics Stereo Sytem, 5 component, 5 speaker, with remote audio cabi-net. Excellent condition, \$250, Call 413-388-9744 Cash paid, LP records 45's, CD's, reel-to-re el tapes, Rock, Jazz, Blues, Classi-cal. Scott 518-424-8228

SUMMONS BY PUBLICATION, CARE AND PROTECTION, TERMINATION OF
PARENTAL RIGHTS, DOCKT NUMBER 22CP00475P,
Trial Court of Massachusetts, Juvenille Court Department, COMMONWEALTH OF MASSACHUSETTS, Hampden County
Juvenille Court, 80 State
Street, Springfield, MA
10103, (413) 748-7714, TO:
Justin L. Rodriguez or the
Tather of Jayvier Exavier
Rodriguez, born on June

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Legal Notices

14, 2009 in Springfield, MA
to Karina Eliza Bracero: A
petition has been presented to this court by DCF
Springfield, seeking as to
the following child Jayvien
E Rodriguez, that said child
be found in need of care
and protection and committed to the Department
of Children and Familles.
The court may dispense
the rights of the person(s)
named herein to receive
notice of or to consent to
any legal proceeding affecting the adoption, custody, or guardianship or
any officer disposition of
the child named herein, I if
it finds that the child is in
need of care and protection and that the best interests of the child would
be served by said disposition. You are hereby ORDERED to appear in this
court, at the court addressset form above, on the following date and time: 05,
15/2023 at 900 AM Other
Hearing You may bring
an attorney with you. If
you have a right to an attorney and if the court determines that you are in digent, the court will appoint
an attorney to represent
you. If you fail to appear,
you file you fail to appear, gent, the court will appoint an attorney to represent you. If you fail to appear, the court may proceed on that date and any date thereafter to a trial on the merits and adjudication of this matter. For further information call the Office of the Clerk Magistrate at (413)748-7714.
WITNESS: Hon. David B. Paradis, FIRST IUSTICE. DATE ISSUED: 04/14/2023, Paul R. Viets, Clerk-Magistrate.

Magistrate (April 28, May 1

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WEALTH OF MASSACHU-SETTS, Hampden County Juvenille Court, 80 State Street, Springfield, MA 01103; (413) 748-7714. Of The father of Angel Lec Calo, born on December 11, 2018 in Springfield, MA to Karina Eliza Bracero: A petition has been presen-ted to this court by DS springfield, seeking as to the following child Angel L Calo, that said child be found in need of care and protection and committed the following child Angel Le Calo, that said child be found in need of care and protection and committed to the Department of Children and Families. The court may dispense the rights of the person(s) named herein to receive motice of or to consent to any legal proceeding affecting the adoption, custody, or guardianship or any other disposition of the child named herein, if it finds that the child is in need of care and protection and that the best interests of the child would be served by said disposition. You are hereby OP. DERED to appear in the court, at the court address set forth above, on the boliowing date and time: 05/15/2023 at 9900 AM Other Hearing You may bring an attorney with you. If you have a right to an attorney and if the court determines that you are indigent, the court may proceed on that date and any date thereafter to a trial on the merits and adjudication of this matter. For further information call the Office of the Clerk-Magistrate at (413) 743-7714.
WITHESS: Hon. David B. Paradis, FIRST JUSTICE, DATE ISSUED: 04/14/2023, Paul R. Viets, Glerk-Magistrate (April 28, May 1 and 8)

Paul R. Viets, C Magistrate (April 28, May 1

SUMMONS BY PUBLICA-TION, CARE AND PROTEC-TION, TERMINATION OF PARENTAL RIGHTS, DOCK-ET NUMBER 22 CP00475P, Trial Court of Massachu-setts, Juvenille Court De-partment, COMMON-

Legal Notices

COMMONWEALTH OF MASSACHUSETTS LAND COURT DEPARTMENT OF THE TRIAL COURT 23 SM 001674 ORDER OF MOTICE TO: Geraldo Munoz a/k/a Gerardo Munoz amd Edna M. Torres and to all persons entitled to the benefit of the Servicemenbers Civil Redief Act,

to the benefit of the Servicemembers Civil Relief Act,
SO U.S.C. 50 §3901 (et
seq) U.S. Bank M.A., as
trustee, on behalf of the
holders of the IP. Morgan
Mortsage Acquisition
Trust 2006-CH2 AsserBacked Pass-1 hrough
Certificates, Series 2006CH2 claiming to have an
interest in a mortgage covcering real property in Holyoke, numbered 25
Sargent Street, given by
Geraldo Munoz a/k/a
Gerardo Munoz a/k/a
Gerardo Munoz a/k/a
Gerardo Munoz a/d dag

answer in this court at Three Pemberton Square, Boston, MA 02108 on or before June 5, 2023 or you may lose the opportunity to challenge the foreclosure on the ground of non-compliance with the Act. Witness, GORDON H. PIPER, Chief Justice of said Court on April 19, 2023 Attest
Deborah J. Patterson

Deborah J. Patterson Recorder (May 8)

(May 8)

SUMMONS BY PUBLICATION, CARE AND PROTECTION, TERMINATION OF
PARENTAL RIGHTS, DOCKET NUMBER 23 CP00 055 P.
Trial Court of Massachusetts, Juvenile Court Department, COMMONWEALTH OF MASSACHUSETTS, Hampden County
Juvenile Court 80 State
Street, Springfield, MA
01103, (413) 78-713,4, TO:
The father of Adrianna
Bella DeMichele, born on
February 10, 2021 to Krista
Gabrielle Puppolo in
Springfield, MA: A petition
has been presented to this
court by DCF Springfield,
seeking as to the following
child Adrianna Bella
DeMichele, that said this
be found in need of care
and protection and committed to the Department
of Children and Families.
The court may dispense
the rights of the person(s)
named herein to receive
notice of or to consent to
any legal proceeding af-

Legal Notices

recting the adoption, custody, or guardianship or any other disposition of the child named herein, if it finds that the child is in need of care and protection and that the best interests of the child would be served by said disposition. You are hereby ORDERD to appear in this court, at the court address set forth above, on the following date and time: 05/30/2023 at 9:00 AM Other Hearlins You may bring an attorney with you. If you have a right to an attorney and if the court determines that you are indigent, the court will appoint an attorney to represent you. If you tail to appear, the court may proceed on that date and any date thereafter to a trial on the merits and adjudication of this matter. For further information call the Office of the Clerk-Magistrate at (413) 748-7714. WITNESS: Hon. David B. Paradis, FIRST INSTICE, DATE ISSUED: 04/27/2023, Paul R. Viets, Clerk-Magistrate (May 5, 8 and 15)

SUMMONS BY PUBLICA-TION, CARE AND PROTEC-TION, TERMINATION OF PARENTAL RIGHTS, DOCK-ET NUMBER 21 CPO 10 657. Trial Court of Massachu-setts, Juvenile Court be partment, COMMON-WEALTH OF MASSACHU-SETTS, Hampden County Juvenile Court, 80 State Street, Springfield, MA 01103, (413) 743-7714. Toc. Ashley Zayas and Juan Gabriel Orfiz the mother and father of Aaliyah Marie Ortiz born on April 17, 2015 in Springfield, Mand to Alexander Gabriel Orfiz born on September 12, 2016 in Springfield, MA: A petition has been presented to this court by DCF Springfield, seeking as to the following children Aaliyah Marie Ortiz, Alexander Gabriel Ortiz, Maxander Gabriel Ortiz, that said children be found in need of care and protection and committed to the Department of Children and Families. The court may dispense the rights of the person(s) named herein to receive notice of or to consent to any legal proceeding affecting the adoption, custody, or guardianship or any other disposition of the children named herein, if it that the children are in need of care and protection and that the best interests of the children rests of the children would be served by said disposition. You are hereby ORDEMED to appear in

terests of the children would be served by saild disposition. You are hereby ORDERED to appear in this court, at the court address set forth above, on the following date and dime: 05/25/2023 at 9900 AM Other Hearing You may bring an attorney with you. If you have a right to an attorney and if the court determines that you are indigent, the court will appoint an attorney to represent you. If you fail to appear, the court may proceed on that date and any date thereafter to a trial on the merits and adjudication of this matter. For further information call the Office of the Clerk-Magistrate at (413) 748-7714.
WITNESS: Hon. David B. Paradis, FIRST JUSTICE, DATE ISSUED: 04/27/2023,

Paul R. Viets, Clerk-Magistrate (May 5,8 and 15)

Public Announcement Concerning a Proposed Health Care Project Encompass Health Corporation (the "Applicant"), with a principal place of business at 9001 Liberty Parkway, Birmingham, AL 35242, intends to file a No-tice of Determination of Need ("Application") with the Massachusetts Depart-ment of Public Health with respect to Encompass the Massachusetts Department of Public Health with respect to Encompass Health Rehabilitation Hospital of Western Massachusetts located at 222 State Street, Ludlow, MA 01056 ("Hospital"). The Hospital plans to add 17 beds to its existing facility through the build out of shell space ("Proposed Project"). The total value of the Proposed Project hased on the maximum capital expenditure is \$5,862,795. The Applicant does not anticipate any price or service impacts on the Applicant's existing patient panel as a result of the Proposed Project. Any ten Taxpayers of Massachusetts may register in connection with the intended Application by no later than late 25, 2023 or 30. connection with the intended Application by no later
than June 25, 2023 or 30
days from the Filing Date,
whichever is later, by contacting the Department of
Public Health, Determination of Need Program, 67
Forest Street, Mariborough, MA01752.
(May 8)

MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE
TRIAL COURT
Docket 23 SM 001620

ORDER OF NOTICE
To: Susan C. Ouellette aka
Susan Christine Callahan
aka Susan C. OuelletteCallahan aka Susan Callahan

aka Susan C. OuelletteCallahan aka Susan Callahan aall persons entitled
to the benefit of the Servicemembers Civil Relief Act
50 U.S.C. C. 50 §3901 (et
seq): M&T Bank, claiming
to have an interest in al
horspary in Foreit in al
horspary in Foreit
harmoden County Registration
Systems, Inc., as nomines
for Initial Bank, its successors and assigns, dated
July 12, 2015, and recorded
in Hampoden County Registry of
Deeds in Book 21278,
Page 92, as affected by a
Loam Modification dated
March 1, 2015, and recorded in Sald Registry of
Deeds in Book 22285, Page
208, and now held by plaintiff by assignment, has
have filed with this court a
complaint for determination of Deelendant's/
Deefendants' Servicemembers
status. If you now
are, or recently have been,
in the active military service of the United States of
America, then you may be
entitled to the benefits of
the Servicemembers Chil
Relief Act. if you object to
had in a foreich survey must file a
written appearance and

answer in this court at Three Pemberton Square, Boston, MA 02108 on or before June 5, 2023, or you may lose the opportunity to challenge the foreclosure on the ground of non-compliance with the Act. Witness, GORDON H. PIPER, Chief Justice of this Court on April 18, 2023. Attest Deborah J. Patterson Recorder 23-003288 (May 8)

Commonweal th of Massachusetts The Trial Court Probate and Family Court IN FORMAL PROBATE PUBLICATION NOTICE Docket No. H 023P0866EA Hamp den Division Estate of:

Date of Death:
FEBRUARY 28, 2023
To all persons interested in
the above captioned estate, by Petition of Petitioner DENNON A.
RODRIGUE of CONCORD,

MA
a Will has been admitted
to informal probate.

DENNON A. RODRIGUE of
CONCORD, MA has been informally appointed as the
Personal Representative of formally appointed as the Personal Repersentative of the estate to serve without surety on the bond. The estate is being administered under his procedure by the Personal Representative under the Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled with the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled under into the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to institute formal proceedings and to obtain orders terminating or restricting the powers of Personal Representatives appointed under informal procedure. A copy of the Petition and Will, if any, can be obtained from the Petitioner. (May 8)

(SEAL)
COMMONWEALTH OF
MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE
TRIAL COURT
DOCKET 23 SM 001614
ORDER OF MOTICE
To:

To: Laura B. Cadieux and to all persons entitled to the benefit of the Servi-cemembers Civil Relief Act, 50 U.S.C. c. 50 §3901 (et

30 U.S.C. C. 50 §3901 (et MAT BANK, SUCCESSOR IN INTEREST TO PEOPLE'S UNITED BANK, M.A. SUCCESSOR IN INTEREST BY MERICER TO UNITED BANK, claiming to have an interest in a Mortgage covering real property in Chicopee, numbered 12 Furguson Street, given by Laura B. Cadieux to United Bank, dated October 30, 2009, and recorded in Hampden County Registry of Deeds in Book 18052, Page 30, has /have filled with this court a complaint for determina-

APPENDIX 7

ARTICLES OF INCORPORATION

 $\underline{https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSearchRedirector.aspx?Action=PDF\&Path=CORP_DRIVE1/2015/0605/000671361/0697/020502087723_1.pdf$

APPENDIX 8

AFFIDAVIT



Massachusetts Department of Public Health Determination of Need

Version:

7-6-17

Page 1 of 2

Affidavit of Truthfulness and Compliance with Law and Disclosure Form 100.405(B)

Instructions: Complete Information below. When complete check the box "This document is ready to print:". This will date stamp and lock the form. Print Form. Each person must sign and date the form. When all signatures have been collected, scan the document and e-mail to: **dph.don@state.ma.us** Include all attachments as requested.

Application Number: 23050511-HE Original Application Date: 08/25/2023						
Applicant Name: Encompass Health Corporation						
Application Type:						
Applicant's Business Type: XCorporation Limited Partnership Partnership Trust LLC Other						
Is the Applicant the sole member or sole shareholder of the Health Facility(ies) that are the subject of this Application? Yes No						
The undersigned certifies under the pains and penalties of perjury: 1. The Applicant is the sole corporate member or sole shareholder of the Health Facility[ies] that are the subject of this Application;						
2. I have read 105 CMR 100.000, the Massachusetts Determination of Need Regulation;						
3. I understand and agree to the expected and appropriate conduct of the Applicant pursuant to 105 CMR 100.800;						
4. I have read this application for Determination of Need including all exhibits and attachments, and certify that all of the						
information contained herein is accurate and true; I have submitted the correct Filing Fee and understand it is nonrefundable pursuant to 105 CMR 100.405(B);						
 I have submitted the correct Filing Fee and understand it is nonrefundable pursuant to 105 CMR 100.405(B); I have submitted the required copies of this application to the Determination of Need Program, and, as applicable, to all 						
Parties of Record and other parties as required pursuant to 105 CMR 100.405(B);						
7. I have caused, as required, notices of intent to be published and duplicate copies to be submitted to all Parties of Record, and						
all carriers or third-party administrators, public and commercial, for the payment of health care services with which the						
Applicant contracts, and with Medicare and Medicaid, as required by 105 CMR 100.405(C), et seq.;						
8. I have caused proper notification and submissions to the Secretary of Environmental Affairs pursuant to 105 CMR						
100.405(E) and 301 CMR 11.00; will be made if applicable						
9. If subject to M.G.L. c. 6D, § 13 and 958 CMR 7.00, I have submitted such Notice of Material Change to the HPC - in						
accordance with 105 CMR 100.405(G);						
10. Pursuant to 105 CMR 100.210(A)(3), I certify that both the Applicant and the Proposed Project are in material and						
substantial compliance and good standing with relevant federal, state, and local laws and regulations, as well as with all						
previously issued Notices of Determination of Need and the terms and Conditions attached therein;						
11. I have read and understand the limitations on solicitation of funding from the general public prior to receiving a Notice of Determination of Need as established in 105 CMR 100.415;						
12. I understand that, if Approved, the Applicant, as Holder of the DoN, shall become obligated to all Standard Conditions						
pursuant to 105 CMR 100.310, as well as any applicable Other Conditions as outlined within 105 CMR 100.000 or that						
otherwise become a part of the Final Action pursuant to 105 CMR 100.360;						
13. Pursuant to 105 CMR 100.705(A), I certify that the Applicant has Sufficient Interest in the Site or facility; and						
14. Pursuant to 105 CMR 100.705(A), I certify that the Proposed Project is authorized under applicable zoning by-laws or						
ordinances, whether or not a special permit is required; or,						
a. If the Proposed Project is not authorized under applicable zoning by-laws or ordinances, a variance has been						
received to permit such Proposed Project; or,						
b. The Proposed Project is exempt from zoning by-laws or ordinances.						
Corporation:						
Attach a copy of Articles of Organization/Incorporation, as amended						
Mark Tarr CEO for Corporation Name Signature Date 7/26/2023	2					
CEO for Corporation Name						
CLO TOT COTPOTATION WATER						
Patrick Darby 1000						
General Counsel, EVP & Secretary Name Signature Date						

*been informed of the contents of

**have been informed that

***issued in compliance with 105 CMR 100.00, the Massachusetts Determination of Need Regulation effective January 27, 2017 and amended December 28, 2018

This document is ready to print:	Date/time Stamp:
----------------------------------	------------------

Affidavit of Truthfulness Page 2 of 2

APPENDIX 9

FILING FEE

HUSCH BLACKWELL

Crystal M. Bloom Partner

One Beacon Street, Suite 1320 Boston, MA 02108 Direct: 617.598.6783 Fax: 617.720.5092 crystal.bloom@huschblackwell.com

August 25, 2023

Via Email and FedEx

Dennis Renaud Director, Determination of Need Program Department of Public Health 250 Washington Street Boston, MA 02108

Re: Encompass Health Rehabilitation Hospital of Western Massachusetts Determination of Need Application # -23050511-HE

Dear Mr. Renaud:

We write to provide additional documentation for the above-captioned Determination of Need ("DoN") Application submitted to your office electronically on August 25, 2023. Please find enclosed the filing fee for the Encompass Health Rehabilitation Hospital for Western Massachusetts. Determination of Need Application (Application # -23050511-HE).

We thank you for your assistance with this matter. Please do not hesitate to contact Kasey Ciolfi, Esq. or me if you have any questions or require additional information.

Sincerely

HUSCH BLACKWELL LLP

Cuptel &

Crystal M. Bloom

Enclosure

cc: <u>dph.don@mass.gov</u>

HB: 4885-4528-5749.1 Husch Blackwell LLP

Check No. 2080983			Vendor No. 1400337	
Log Number Invoice Number	Invoice Date Inv			et Check Amount
0000066669 COM052323 RETURN TO KRISTY HORSLEY	05/23/2023	11,725.52	0.00	11,725.52



WELLS FARGO SAVANNAH, GEORGIA

Totals

64-975/612

11,725.52

Check No. 2080983

0.00

Date: 05/24/2023

11,725.52

9001 Liberty Parkway Birmingham, AL 35242

Pay

Eleven Thousand Seven Hundred Twenty-Five and 52/100 US Dollars

Pay Amount: \$11,725.52

Pay To COMMONWEALTH OF MASSACHUSETTS DIV HLTH CARE LICENSURE CERTIFICATION 67 FOREST ST MARLBORO, MA 01752