



# MASSACHUSETTS TRIAL COURT

## COMPLAINT FOR VOLUNTARY WITHDRAWAL OF LAND BY ☐ Public Entity ☐ Private Owner(s) FROM THE REGISTRATION SYSTEM (G.L. c. 185, § 52)

COURT USE ONLY

COURT DEPARTMENT

LAND COURT

COUNTY

DATE

CASE NAME

*In the matter of:*

*Plaintiff(s)*

DOCKET NUMBER

\_\_\_\_-SBQ-\_\_\_\_-\_\_\_\_-\_\_\_\_

1. All the owners of the fee simple estate in land registered under G.L. c. 185 is/are the Plaintiff(s). Plaintiff(s) request to withdraw the land from the registration system pursuant to G.L. c. 185, § 52.
2. Plaintiff(s) is/are:  
☐ **Private Owner(s)** Submit an executed and acknowledged Notice of Voluntary Withdrawal Form with this Complaint (at <https://www.mass.gov/lists/land-court-forms>); or  
☐ **A Public Entity** Submit an executed Notice of Withdrawal of Land by Public Entity Form with this Complaint (at <https://www.mass.gov/lists/land-court-forms>).
3. The land Plaintiff(s) is/are withdrawing is described on Certificate of Title No. \_\_\_\_\_, in Book \_\_\_\_\_, at Page \_\_\_\_\_, issued from the \_\_\_\_\_ Land Registration District and is shown on Land Court Plan No. \_\_\_\_\_ as follows:  
☐ All the land described in the Certificate of Title **-or-** ☐ Part of the land described in the Certificate of Title.
4. The Land Court designation for the land (for example "Lot 4 on Land Court Plan 12345D filed with Certificate of Title 54321") is as follows: *(If you are withdrawing part of the land described in the Certificate of Title, specify the piece of land.)*

☐ Check if there is additional information on an attached Addendum sheet to this Complaint.

### LIST ALL MORTGAGEES (MORTGAGE HOLDERS)

Mortgagee:	Document No:	Assent Filed with Complaint: <input type="checkbox"/>
Mortgagee:	Document No:	Assent Filed with Complaint: <input type="checkbox"/>

☐ Check if there are additional mortgagees listed on an attached Addendum sheet to this Complaint.

### LIST ALL LESSEES (TENANTS)

Lessee:	Document No:	Assent Filed with Complaint: <input type="checkbox"/>
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☐ Check if there are additional lessees listed on an attached Addendum sheet to this Complaint.


### LIST ALL OPTION HOLDERS OF RECORD

Party:	Document No:	Assent Filed with Complaint: <input type="checkbox"/>
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☐ Check if there are additional option holders of record listed on an attached Addendum sheet to this Complaint.

### REQUEST FOR TITLE EXAMINATION

- ☐ Plaintiff(s) requests that the court appoint a title examiner, at their cost. The examiner should identify the current owner(s) and holders of interests in the land who are entitled to notice. This includes all current mortgagees (mortgage holders), lessees (tenants), or option holders.

 <div style="display: inline-block; vertical-align: middle;"> <b>MASSACHUSETTS TRIAL COURT</b> </div>	<b>COMPLAINT FOR VOLUNTARY WITHDRAWAL OF LAND BY</b> <input type="checkbox"/> Public Entity <input type="checkbox"/> Private Owner(s) <b>FROM THE REGISTRATION SYSTEM</b> <b>(G.L. c. 185, § 52)</b>	<b>COURT USE ONLY</b>
<b>COURT DEPARTMENT</b>  <b>LAND COURT</b>	<b>COUNTY</b>	<b>DATE</b>
<b>CASE NAME</b> <i>In the matter of:</i>  <div style="text-align: right;"><i>Plaintiff(s)</i></div>		<b>DOCKET NUMBER</b>  ____-SBQ-____-____-____

**NOTICE TO INTEREST HOLDERS**

☐ No registered mortgagees (mortgage holders), lessees (tenants), or option holders have an interest in the registered land or the owners' Certificate of Title. An Affidavit of Service Form (available at <https://www.mass.gov/lists/land-court-forms>) is being filed with the Complaint.

☐ Plaintiffs have filed with the Complaint assents from all registered mortgagees, lessees, and/or option holders of record. An Affidavit of Service Form (available at <https://www.mass.gov/lists/land-court-forms>) is being filed with the Complaint or will be filed once all interested parties have been given notice as required by G.L. c. 185, § 52.

☐ Plaintiffs will serve the registered mortgagees, lessees, and/or option holders of record by certified mail with a file-stamped copy of the Complaint and Notice of Voluntary Withdrawal of Land Form (available at <https://www.mass.gov/lists/land-court-forms>).

☐ Plaintiffs request notice upon registered mortgagees, lessees, and/or option holders of record by additional means as described in the attached Addendum.

**FILING REQUIREMENTS CHECKLIST**

Submit the following to the Land Court (**Note: Additional documents may be requested by the Land Court.**):

☐ This Complaint and the filing fee for a subsequent complaint.

☐ Attested copies of the last prepared Certificate of Title or Memorandum of Unit Ownership.

☐ Notice of Voluntary Withdrawal of Land signed by all registered owners and notarized if plaintiff(s) is/are private entity or Notice of Withdrawal by Public Entity, as applicable. (**File a copy, NOT the original.**)

☐ If applicable for private entities, a current (within the last 60 days) Certificate of Good Standing from the Secretary of the Commonwealth for each registered owner that is a corporation, limited liability company, and/or limited partnership or a Trustee's Certificate pursuant to G.L. c. 184, § 35 for any registered owner that is a trust.

☐ If a public entity, a clerk's certificate or certificate of authority.

<b>NAME (ATTORNEY OR OWNER(S))</b>				<b>B.B.O. NUMBER (IF APPLICABLE)</b>	
<b>FIRM OR AGENCY NAME (IF APPLICABLE)</b>				<b>OFFICE OR HOME PHONE NUMBER</b>	
<b>STREET ADDRESS</b>			<b>APT/UNIT #</b>	<b>CELL PHONE NUMBER</b>	
<b>CITY/TOWN</b>		<b>STATE</b>	<b>ZIP CODE</b>	<b>E-MAIL ADDRESS</b>	
<b>DATE</b>		<b>SIGNATURE</b>			