

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Case No. _____

**COMPLAINT FOR VOLUNTARY WITHDRAWAL OF LAND FROM THE
REGISTRATION SYSTEM UNDER G. L. c. 185, § 52**

Plaintiffs are all of the owners of the fee simple estate in all of a parcel of land that has been registered under G. L. Chapter 185, and wish to withdraw the land from the provisions of that Chapter. Plaintiffs therefore seek endorsement of the Court approving the withdrawal, under § 52 of that Chapter, as amended by Chapter 413 of the Acts of 2000 and Chapter 287 of the Acts of 2014.

Plaintiffs submit with this complaint their executed Notice of Voluntary Withdrawal. The land to be withdrawn is described on Certificate of Title No. _____, in Book _____, at Page _____, issued from the _____ Registry District of _____ County and is shown on Land Court Plan No. _____ as follows:

- all the land described in the certificate of title
- part of the land described in the certificate of title, namely: _____

Plaintiffs seek withdrawal under the following clause in the fourth paragraph of § 52:

- (a) The registered land is in contiguous ownership with recorded land of the total area of a single parcel or of two or more contiguous parcels in common ownership.
- (b) The registered land consists of less than 10 per cent of the portion of the land area to which an original certificate of title pertains, the rest of the land area to which such certificate pertains having been conveyed since the original registration under Chapter 185.
- (c) The owners of the registered land have submitted the land or satisfy the Court that the owners shall submit the land to Chapter 183A or 183B or shall create interests in the land to which said Chapter 183B is applicable under Section 3 of Chapter 760 of the acts of 1987 or satisfy the Court that the owners shall create those interests.
- (d) The registered land is improved with an occupied building not used or occupied as or in connection with, and not designed or intended for use or occupancy as or in connection with, a 1-to-4 family residential dwelling.
- (e) Other good cause for withdrawal, as follows: _____

NOTE: PROOF OF PLAINTIFFS' ENTITLEMENT TO WITHDRAW LAND FROM THE REGISTRATION SYSTEM UNDER CLAUSES (a)-(c), INCLUSIVE, MUST ACCOMPANY THE COMPLAINT AND BE INCORPORATED THEREIN. IF PLAINTIFFS ARE FILING UNDER CLAUSE (d), THEY SHOULD SET FORTH WITH SPECIFICITY WITHIN THE COMPLAINT THE NATURE OF THE GOOD CAUSE FOR WITHDRAWAL.

FROM THE OFFICE OF:

Signed under the pains and penalties of perjury,

(Signatures of owners or their attorney)

Dated: