

REPORT

Estate No.	Lots 76 and 77 on Plan of Lawton's Rest PB 19 P 77 Fairhaven	
Owner	George R. Mendonca and Sharon C. Mendonca h & w	Street No.
Description	as shown on current plan	as joint tenants
Said Estate Subject to		
1. Mortgages	Street No.	
	none	
2. Restrictions or Conditions	none	
3. Easements	See Easement Plan of Land Torrington Road Fairhaven, MA, rec. as PB 150 P 114	
4. Attachments	none	
5. Liens	none	
6. Bankruptcy	none	
My Examination Ends	8-14-2019	

Remarks

This title abstract is submitted in order to demonstrate that the locus premises, being two contiguous, numbered lots totalling 10,000 sq. ft. are a buildable parcel under Mass. G.L. c. 40A s. 6 (fourth paragraph) having been at all times since December 26, 1958 held in an ownership separate from any abutting lots. See detailed narrative herewith.

Really Rugged Research

John C. Larsen

Over 45 years experience in researching:
 Real Estate-Probate Records-Geneologies
 Mass Vital Statistics & State Archives

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LOTS 76 and 77 Lawton's Rest
PB 19 P 77 Bristol S.D.
Shown as Fairhaven Assess. Plot 29A Lots 168,169

- 1) Carlton G. Judson to Louis E. Doucette and Antoinette A. Doucette h & w, joint tenants 3-10-1950, rec. B. 980 P. 370 (conveys Lots 80 and 81 on Plan of Lawton's Rest, PB 19 P 77)
- 1A) William J. Maley to Louis E. Doucette and Antoinette A. Doucette h & w, joint tenants 5-1-1950, rec. B. 984 P. 09 (conveys Lots 76 to 79 AND 82 to 87 inclusive on plan of Lawton's Rest, PB 19 P 77.
- 1B) NOTE that by confirmatory deed between the same parties dated 12-21-1955, rec. B. 1168 P. 419 grantor states that the earlier deed should have recited that the lots being conveyed should have been Lots 66 to 79 (NOT 76 to 79) and 82 to 87.

Thus at this point the Doucettes owned two entire blocks of lots as shown on the plan, being one containing Lots 66 to 75 (nonlocus and with frontage on Buzzards Bay) and the other containing lots 76 thru 87 including the ultimate locus , Lots 76 and 77, all the others being nonlocus.

With the passage of time the Doucettes deeded out various groups of lots from the block containing Lots 76 to 87, as follows:

- 2) Doucettes to Joaquina Viveiros 12-23-1955, rec. B. 1169 P. 29 (Lots 86, 87)
- 2A) Doucettes to Irene Viveiros 4-9-1956, rec. B. 1179 P. 65 (Lots 84, 85)
- 2B) Doucettes to Victor B. Chace 10-1-1956, rec. B. 1196 P. 435 (Lots 78, 79, 80, 81)
- 2C) Doucettes to Irene Viveiros 9-8-1 58, rec. B. 1270 P. 247 (Lots 82,83)

The lots conveyed by the last deed mentioned above were the last lots shown on the Lawton's Rest plan ever to be conveyed out by the Doucettes

Thus the Doucettes thereafter continued to own the entire block of ten (10) numbered lots fronting on Buzzards Bay (Lots 66 to 75) as well as the ultimate locus pair of lots (Lots 76 and 77)

- 3) Then by instrument of taking dated 3-25-1971, rec. B. 1616 P. 203, the Fairhaven tax collector took Lots 76 and 77, measuring 100' X 100' also known as Plat 29A Lots 168 and 169, for unpaid 1969 real estate taxes assessed to Louis E. & Antoinette A. Doucette.
- 3A) The entire block of lots fronting on Buzzards Bay and also owned by the Doucettes was also taken for unpaid taxes, 3-25-1971, rec. B. 1616 P. 202
- 3B) Both groups of lots were contained in an Affidavit of Low Value by Deborah Ecker dated 10-24-1973, rec. B. 1675 P. 02
- 3C) Finally both groups of lots were offered at public auction and the locus lots were purchased by Manuel and Rachael Mendonca 12-24-1973, rec. B. 1676 P. 1136. The nonlocus lot group of lots was purchased by one Michael Poczatek 12-24-1973, rec. B. 1676 P. 1137.
- 4) Finally Manuel and Rachel Mendonca conveyed the locus lot group to George R. Mendonca and Sharon C. Mendonca h & w, joint tenants, 3-6-1987, rec. B. 2013 P. 343, and they remain the current owners.

TOWN OF FAIRHAVEN

ASSESSORS PLANS

SCALE - 1 INCH = 80 FEET

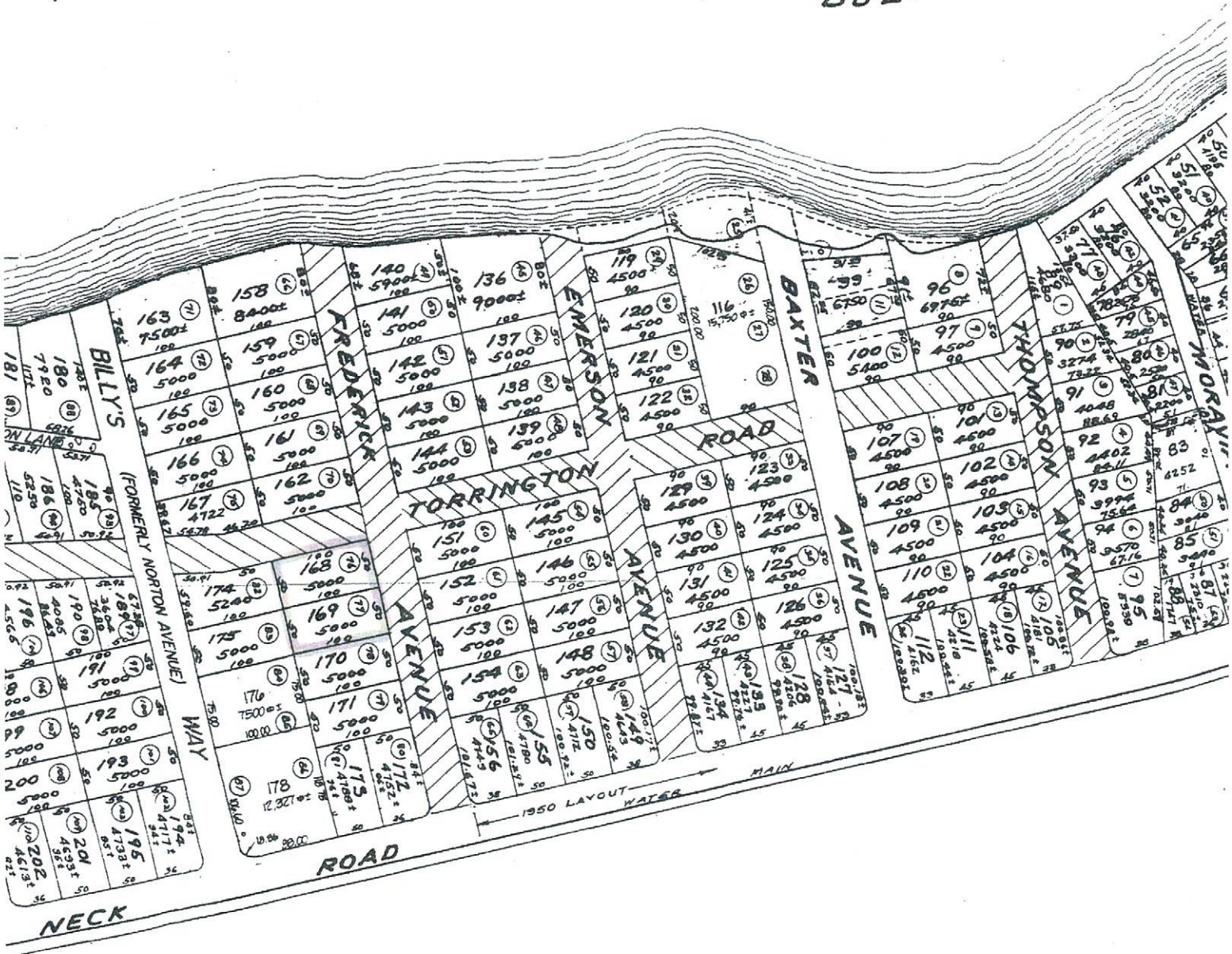
MAP 29A
LOTS 168, 169

NOTE: LOT NUMBERS IN CIRCLES REFER TO SUB-DIVISION PLANS

REVISIONS AND ADDITIONS MADE

DECEMBER	1937
MARCH	1942
MARCH	1946
FEBRUARY	1947
JANUARY	1948
JULY	1948
MARCH	1949
JANUARY	1957
JANUARY	1952
JULY	1953
APRIL	1958
JAN.	1960
JAN.	1966
DEC.	1967
DEC.	1975
DEC.	1980
DEC.	1986
DEC.	1987
DEC.	1989
DEC.	1990
DEC.	1993

BUZZARDS BAY



Commonwealth of Massachusetts.

Registry of Deeds:

New Bedford, Dec 18 1925

At 11 Hour 55 Min A. M.

Received and Recorded in

Attest James O. McShane, Register.

PLAN I

BUZZARDS

50±	100±	50	50	50	50	50
49	5900±	100	50	50	50	50
50	5000	100	50	50	50	50
51	5000	100	50	50	50	50
52	5000	100	50	50	50	50
53	5000	100	50	50	50	50

FREDERICK

80±	50	50	50	50	50	50
66	8400±	100	50	50	50	50
67	5000	100	50	50	50	50
68	5000	100	50	50	50	50
69	5000	100	50	50	50	50
70	5000	100	50	50	50	50
71	7500±	100	50	50	50	50
72	5000	100	50	50	50	50
73	5000	100	50	50	50	50
74	5000	100	50	50	50	50
75	4722	100	50	50	50	50

NORTON

140±	117±	108±	110	110	110	110
88	7920±	4986±	5250	4750	5250	4750
89	108±	56	110	110	110	110
90	4642±	108±	5750	5750	5750	5750
91	6408±	108±	120	120	120	120
92	6120±	125±	6250	6250	6250	6250

FIFTEEN FOOT WAY

RESERVATION

50	50	50	50	50	50	50
60	5000	100	50	50	50	50
61	5000	100	50	50	50	50
62	5000	100	50	50	50	50
63	5000	100	50	50	50	50
64	5055	101±	50	50	50	50
65	5074	101±	50	50	50	50

AVENUE

50	50	50	50	50	50	50
76	5000	100	50	50	50	50
77	5000	100	50	50	50	50
78	5000	100	50	50	50	50
79	5000	100	50	50	50	50
80	5108	102±	50	50	50	50
81	5113	102±	50	50	50	50
82	5240	100	50	50	50	50
83	5000	100	50	50	50	50
84	5000	100	50	50	50	50
85	5000	100	50	50	50	50
86	5102	102±	50	50	50	50

AVENUE

67±	50	50	50	50	50	50
97	3604	76±	50	50	50	50
98	4085	86±	50	50	50	50
99	5000	100	50	50	50	50
100	5000	100	50	50	50	50
101	5000	100	50	50	50	50
102	5072	101±	50	50	50	50
103	5058	101±	50	50	50	50
104	4565	96±	50	50	50	50
105	5045	105±	50	50	50	50
106	5000	100	50	50	50	50
107	5000	100	50	50	50	50
108	5000	100	50	50	50	50
109	5018	99±	50	50	50	50
110	4968	98±	50	50	50	50

TOPPINGTON

ROAD

63±	50	50	50	50	50	50
112	6088	97±	50	50	50	50
113	5241	112±	50	50	50	50
114	6009	127±	50	50	50	50
115	6777	143±	50	50	50	50
116	7545	158±	50	50	50	50
117	4878	97±	50	50	50	50
118	4829	96±	50	50	50	50

SCONTICUT

NECK

ROAD TO WIGWAM BEACH

The Original Plan was in Poor Condition at Time of Imadino

Lots 76 and 77 on Lawtons Rest Plan, Fairhaven
Shown on Plot 29A as Lots 168 and 169

Carlton G. Judson and Emily J. Judson conveyed to Louis E. Doucette and Antoinette A. Doucette Lots 80 and 81 on the Lawton's Rest plan rec. as PB 19 P 77. Deed dated 3-10-1950, B. 980 P. 370

William J. Maley conveyed to the Doucettes Lots 66 to 79 inclusive and 82 to 87 inclusive on that same plan. Deed dated 5-1-1950, rec. B. 984 P. 9 A corrective deed between same parties is dated 12-21-1955, rec. B. 1168 P. 419.

The result of these deeds was to give the Doucettes the ownership of two entire blocks of lots, one containing Lots 66 through 75 and the other containing Lots 76 through 82, as is shown on the Lawton's Rest plan.

In the years that followed the Doucettes would deed out all the lots in the block of lots containing Lots 76 through 87 excepting only Lots 76 and 77. Those became their only remaining Lots in that block as of 9-8-1958 at which time they deeded abutting Lots 82 and 83 to one Irene Viveiros., deed recorded on 12-26-1958.


At no time since 12-26-1958 have lots 76 and 77 been held in common ownership by either the Doucettes or those who would become successive owners to them with any other abutting lots.

The Doucettes lost Lots 76 and 77 for unpaid taxes to the Town of Fairhaven, which in turn sold them to Manuel Mendonca and Rachel Mendonca in 1973, who in turn conveyed those same two lots to current owners George R. Mendonca and Sharon C. Mendonca. The lots remain held in an ownership separate from that of any lots abutting them.

See herewith Mass. General Laws c. 40A s. 6, it being part of the 1975 zoning act. It would appear that this group of two lots, measuring 100 ft. by 100 ft. and lying in totally separate ownership from any abutting property from late 1958 to the present would now be buildable for single family dwelling purposes.

SEE ALSO, HEREWITH, TWO MASS. SUPREME JUDICIAL COURT DECISIONS, IN INTERPRETING THE LANGUAGE OF GL C. 40A S. 6! THE COURT'S INTERPRETATION SUPPORTS THE BUILDABILITY OF OUR PROPERTY AS PRE-EXISTING AND NON-CONFORMING.

THANK YOU.


GEORGE R. MENDONCA


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