

TOWN OF FRANKLIN  
INSPECTION DEPARTMENT  
Building Inspection – Division of Wires – Division of Gas  
Division of Plumbing  
MUNICIPAL BUILDING – 355 East Central Street  
Franklin, Massachusetts 02038

Lloyd (Gus) Brown  
Building Commissioner

Telephone: 508-520-4926  
FAX: 508-520-4906

**ZONING REVIEW**

**APPLICANT:** Thomas Burkhardt

**LOCATION:** 97 Miller Street

**ZONING DISTRICT:** RR 1

**TYPE OF PROJECT:** Construction of a 10' x 12' Deck

**DATE:** 12/22/2022 **DENY**

**VARIANCE**

**ZONING BY LAW SECTIONS:** 185 Attachment 9 Schedule of Lot, Area,  
Frontage, Yard and Height Requirements

**REASON FOR DENIAL:** Applicant has constructed a 10' x 12' deck that is  
33.4' from the left side yard setback where 40' is required. The building  
permit is denied without a variance from the ZBA.

**APPEAL OF DENIAL OPTIONS:**

**ZONING BOARD OF APPEALS**

**APPLICANT SIGNATURE**\_\_\_\_\_ **DATE**

**ZONING OFFICIAL SIGNATURE** LAB \_\_\_\_\_ **DATE 12/22/2022**

December 8, 2022

Franklin Zoning Board of Appeals  
355 East Central Street  
Franklin, MA 02038

Attn: Town of Franklin – Zoning Board of Appeals

RE: 97 Miller Street  
Application for Variance

To Whom It May Concern,

This application is presented to request a variance to the left side property setback from 40 feet to 33.4 feet to allow for a 10 foot by 12 foot wood deck. Deck is to provide a functional area off of the only exterior door on this side of the house. This allows for four steps down to face the street to get to ground level, to which it will provide a path straight to the driveway where personal vehicles are parked.

Enclosed please find the following:

- 1.) The petition form with typed responses below.
- 2.) Deed to property.
- 3.) Certified surveyor's plot plan.
- 4.) Abutter's list.

Responses to the "ZBA Application Form – Supporting Statement for a Variance"

- A.) An enforcement of this zoning bylaw would create a hardship to the homeowner to not have a safe and functioning landing at the first floor level to enter the left side of the home. This exterior door is the path from the parking area of the driveway to the living area of the home.
- B.) The hardship of the topography of the land is that it pitches negatively from the front of the property at the high point and decreases in elevation to the back of the property. For where the exterior door is located, it takes seven steps to achieve the elevation necessary to reach the exterior door, as well as having to flatten out the grade of the soil facing the side lot versus the front lot. Without a safe, inviting landing for maneuverability, having only several steps directly off of the exterior door can be challenging for young children, individuals with hardships and the elderly. It increases the chances for a slip, trip or falling hazard, especially in the winter.
- C.) 1.) The ability to create a deck landing on the exterior door and rotate the stairs facing the driveway to form a safe walking path and entrance creates no harm to the public good. It increases the good of the public entering and exiting the home.
- C.) 2.) The addition of the deck landing does not substantially deviate from the current zoning boundary of the side yard setback. This parcel has a larger 40-foot side yard setback, and this request is to only encroach 6.6 feet. So, the closest corner will still be

33.4 feet from the side yard setback. It does not interfere with any roadways, drainage, utilities and no surrounding homes will not be deprived of any natural light or air circulation.

Responses to the "ZBA Application Form – Supporting Statement for a Special Permit:

- 1.) 97 Miller Street Franklin, MA 02038
- 2.) N/A, proposed wood deck is set back beyond the street and driveway off of the left side of the house. Deck and stairs to ground level provides a safe area to exit the home from that side to the driveway where vehicles can be parked.
- 3.) N/A, proposed deck is elevated off the ground and does not alter or affect the current roadways, drainage or utilities.
- 4.) No, proposed deck increases the social structure and invites a path in and out safely to the driveway where vehicles can be parked.
- 5.) N/A, proposed deck is elevated and only requires three 12" round, 48" depth concrete footings. There have been no trees or shrubs in this area, thus none to be removed. Drainage will remain unchanged.
- 6.) No, surrounding homes will not be deprived of any natural light or air circulation. Proposed deck will only have open railings and does not extend more than 36" off of the 1<sup>st</sup> floor level. Sun also rises and sets from the right side of the property. Surrounding homes will see not change with this concern.
- 7.) N/A, No additional utilities or waste water will be added with this proposed wood deck.

Very truly yours,

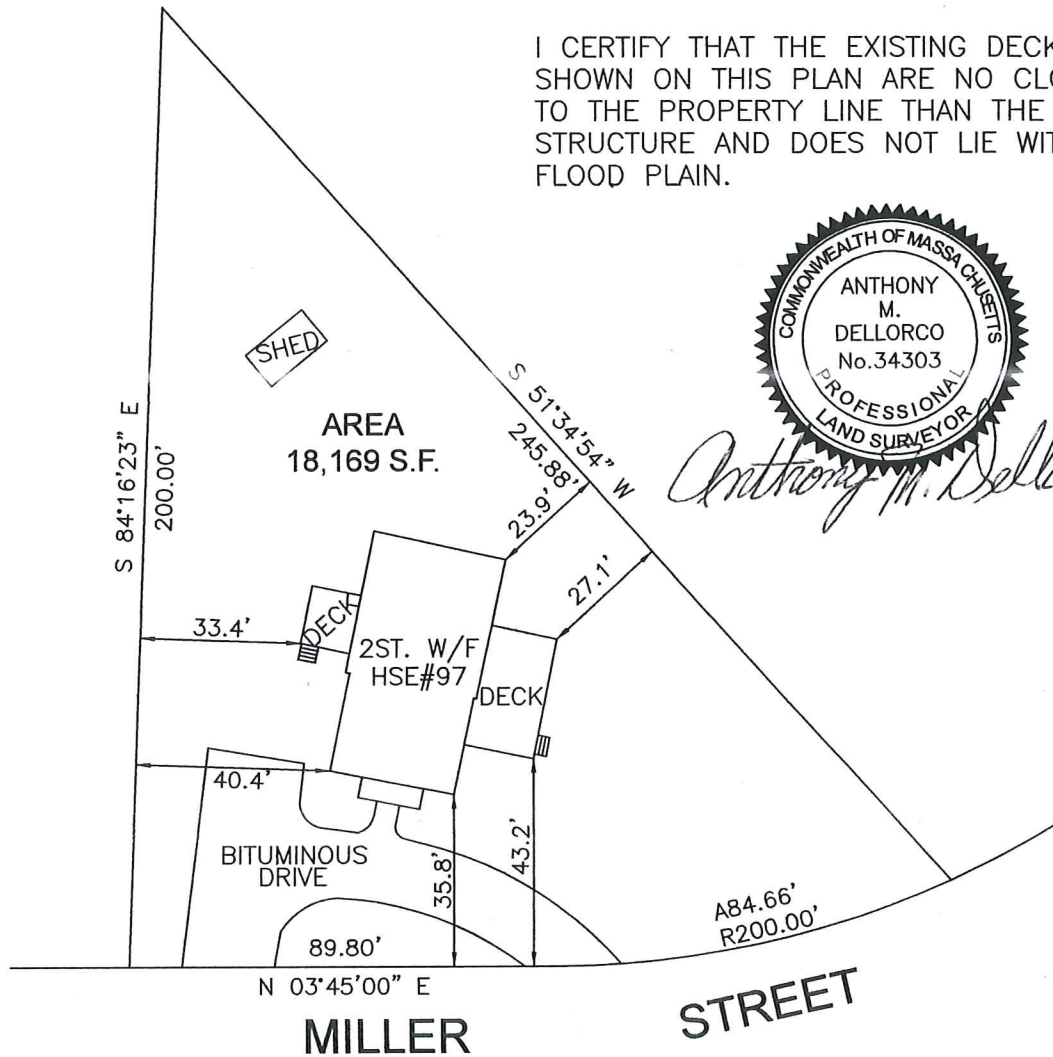
A handwritten signature in black ink, appearing to read "T Burkhart", with a stylized flourish at the end.

Tom Burkhart

I CERTIFY THAT THE EXISTING DECKS SHOWN ON THIS PLAN ARE NO CLOSER TO THE PROPERTY LINE THAN THE EXISTING STRUCTURE AND DOES NOT LIE WITHIN THE FLOOD PLAIN.



*Anthony M. Dellorco*



ZONE RR1  
AREA 40,000 S.F.  
FRONTAGE 200'  
DEPTH 200'  
CIRCLE 180' DIA.  
SETBACK 40'  
SIDEYARD 40'  
REARYARD 40'  
LOT COVERAGE  
STRUCTURE 20%  
STRUC. & IMPER. 25%

LOT IS PRE-EXISTING  
& NON-CONFORMING  
LOT IS IN ZONE II (15%)

EXISTING LOT COVERAGE  
STRUCTURE 11.3%  
STRUC. & IMPER. 21.6%

AS-BUILT  
PLAN OF LAND

IN

FRANKLIN, MA.

SCALE: 1"=40' DATE DECEMBER 5, 2022

OWNER: Thomas W. Burkhardt  
97 Miller Street  
Franklin, Ma. 02038

COLONIAL ENGINEERING INC.  
11 Awl Street Medway, Ma. 02053  
508-533-1644





**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

**ZBA APPLICATION FORM - OWNERSHIP INFORMATION**

*To be completed by OWNER, signed and returned to the Secretary of the Zoning Board of Appeals.*

I/We THOMAS BURKHART  
(OWNER)

Address: 97 MILLER STREET

State that I/We own the property located at 97 MILLER STREET,  
which is the subject of this zoning application.

The record title of this property is in the name of THOMAS BURKHART

\*Pursuant to a deed of duly recorded in the date 5/23/2018, Norfolk

County Registry of Deeds at Book 36011, Page 10; or

Dedham Registry District of Land Court, Certificate No. 42175

Book 36011 Page 10

T-Burkart  
SIGNATURE BY LAND OWNER OR  
AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

ZBA APPLICATION FORM

GENERAL INFORMATION

The undersigned hereby petitions the Zoning Board of Appeals for the following:

Special Permit: \_\_\_\_\_ Variance: X Appeal: \_\_\_\_\_

PETITIONER: THOMAS BURKHART

PETITIONER'S ADDRESS: 97 MILLER STREET PHONE: 781-570-1218

LOCATION OF PROPERTY: 97 MILLER STREET

TYPE OF OCCUPANCY: RESIDENTIAL ZONING DISTRICT: RR1

ASSESSORS MAP & PARCEL: 231-056-000-006

REASON FOR PETITION:

_____ Additions	_____ New Structure
_____ Change in Use/Occupancy	_____ Parking
_____ Conversion to Addi'l Dwelling Unit's	_____ Sign
_____ Dormer	_____ Subdivision
<u>X</u> Other: <u>DECK (10' x 12')</u>	

DESCRIPTION OF PETITIONER'S PROPOSAL:

ADDED 10'x12' DECK TO LEFT SIDE OF HOUSE IS 33.4' FROM 40'  
SIDEYARD SETBACK. REQUESTING VARIANCE OF SETBACK TOTAL OF 6.6'

SECTIONS OF ZONING ORDINANCE CITED:

Article \_\_\_\_\_ Section \_\_\_\_\_

Article \_\_\_\_\_ Section \_\_\_\_\_

Article \_\_\_\_\_ Section \_\_\_\_\_

Applicants for a Variance must complete Pages 1-5

Applicants for a Special Permit must complete Pages 1-4 and 6

Applicants for an Appeal to the ZBA pursuant to Zoning Bylaw section 185-45 (D) must attach a statement concerning the reasons for the appeal

Original Signature(s): \_\_\_\_\_

(Petitioner(s)/Owner)

THOMAS BURKHART  
(Print Name)

Address: 97 MILLER STREET FRANKLIN MA 02038

Tel. No.: 781-570-1218

E-Mail Address: tom.w.burkhart@gmail.com

Date: 12/7/22

# TOWN OF FRANKLIN ZONING BOARD OF APPEALS

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

## ZBA APPLICATION FORM

### DIMENSIONAL INFORMATION

APPLICANT: THOMAS BURKHART PRESENT USE/OCCUPANCY: RESIDENTIAL

LOCATION: 97 MILLER STREET ZONE: RR1

PHONE: 781-570-1218 REQUESTED USE/OCCUPANCY: RESIDENTIAL

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS<sup>1</sup></u>
<u>Lot Area:</u>		<u>18,169 SF</u>	<u>/</u>	<u>(min.)</u>
<u>Continuous Frontage:</u>		<u>200'</u>	<u>/</u>	<u>(min.)</u>
<u>Size of Lot:</u>	Width	<u>200'</u>	<u>/</u>	<u>(min.)</u>
	Depth	<u>200'</u>	<u>/</u>	<u>(min.)</u>
<u>Setbacks in Feet:</u>	Front	<u>40'</u>	<u>/</u>	<u>(min.)</u>
	Rear	<u>40'</u>	<u>/</u>	<u>(min.)</u>
	Left Side	<u>40'</u>	<u>33.4'</u>	<u>(min.)</u>
	Right Side	<u>40'</u>	<u>/</u>	<u>(min.)</u>
<u>Building Height:</u>	Stories	<u>2 STORES</u>	<u>/</u>	<u>(max.)</u>
	Feet	<u>30'</u>	<u>/</u>	<u>(max.)</u>
<u>NO. of Dwelling Units:</u>		<u>1</u>	<u>/</u>	<u>(max.)</u>
<u>NO. of Parking Spaces:</u>		<u>2</u>	<u>/</u>	<u>(min./max)</u>

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

A WOOD CONSTRUCTED DECK OFF OF LEFT SIDE EXTERIOR DOOR.  
OVERALL SIZE 10' x 12' WITH FOUR WOOD STEPS DOWN TO GROUND  
LEVEL.

**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

**ZBA APPLICATION FORM**

**SUPPORTING STATEMENT FOR A VARIANCE**

*EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH ZONING BYLAW SECTION 185-45 (D) (2) (6) AND MGL 40A, SECTION 10:*

- A) A Literal enforcement of the provisions of this Zoning bylaw would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:
- B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:
- C) Desirable relief may be granted without either:
- 1) Substantial detriment to the public good for the following reasons:
  - 2) Nullifying or substantially derogating from the intent or purpose of this Zoning Bylaw for the following reasons:

If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.





ZBA APPLICATION FORM  
SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria in accordance with Zoning Bylaw Section 185-45(D) (2) (a) referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits for which additional criteria must be met under the Zoning Bylaw.

185-45(D) (2) (A) BOARD OF APPEALS: TO HEAR AND DECIDE APPLICATIONS FOR SPECIAL PERMITS UPON WHICH THE BOARD IS EMPOWERED TO ACT UNDER THIS CHAPTER. SPECIAL PERMITS SHALL BE GRANTED BY THE BOARD OF APPEALS ONLY UPON ITS WRITTEN DETERMINATION THAT THE PROPOSED USE WILL NOT HAVE ADVERSE EFFECTS WHICH OVERBALANCE ITS BENEFICIAL EFFECTS ON EITHER THE NEIGHBORHOOD OR THE TOWN, IN VIEW OF THE PARTICULAR CHARACTERISTICS OF THE SITE AND OF THE PROPOSAL IN RELATION TO THAT SITE. THIS DETERMINATION SHALL BE IN ADDITION TO THE FOLLOWING SPECIFIC FINDINGS:

- (1) Proposed project addresses or is consistent with neighborhood or Town need.
- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
- (3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (4) Neighborhood character and social structure will not be negatively impacted.
- (5) Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.
- (6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.
- (7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.

**Town of Franklin – Board of Assessors**

355 East Central Street

Franklin, MA 02038

Tel # 508-520-4920

Fax # 508-520-4923

RECEIVED  
TOWN OF FRANKLIN

DEC 7 2022

BOARD OF ASSESSORS

**Abutters List Request Form**

***Please Note:*** A \$25.00 fee per list is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of both payment and submission of the form for the Assessors office to complete processing your request. (Revised 1-1-17)

Date of Request 12 / 7 / 2022

Assessors Parcel ID # (12 digits) 231 - 056 - 000 - 000

Property Street Address 97 MILLER STREET

Distance Required From Parcel # listed above (Circle One): 500 (300) 100  
(Note: if a distance is not circled, we cannot process your request)

Property Owner THOMAS BURKHART

Property Owner's Mailing Address 97 MILLER STREET

Town/City FRANKLIN State MA Zip Code 02038

Property Owner's Telephone # 781 - 570 - 1213

Requestor's Name (if different from Owner) \_\_\_\_\_

Requestor's Address \_\_\_\_\_

Requestor's Telephone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Office Use Only: Date Fee Paid 12/7/22 Paid in Cash \$ 25.00

Paid by Check \$ \_\_\_\_\_ Check # \_\_\_\_\_ Town Receipt # 30058

**Please Circle One:**

Administration

Conservation

Planning

Zoning Board of Appeals

tom.w.burkhart@gmail.com

BAGHDASARYAN GOR  
TIKHONOVA ANASTASIA  
18 GREEN ST  
FRANKLIN, MA 02038

LABRECK THOMAS J JR  
LABRECK LOIS E  
100 MILLER ST  
FRANKLIN, MA 02038

BURKHART THOMAS W  
97 MILLER ST  
FRANKLIN, MA 02038

MARZORATTI EDGARDO O  
MARZORATTI NORMA I  
19 GREEN ST  
FRANKLIN, MA 02038

CONSTANTINO DAVID F  
CONSTANTINO JANET M  
36 WAMPANOAG DR  
FRANKLIN, MA 02038

NIELSON MARILYN  
TABOR DONALD L  
10 DANIELS ST  
FRANKLIN, MA 02038

ELY DONA  
20 GREEN ST  
FRANKLIN, MA 02038

NORMAN CHRISTOPHER S TR  
NORMAN REALTY TRUST  
18 DANIELS ST  
FRANKLIN, MA 02038

EMBREE MURRAY W  
EMBREE LYNDA  
91 MILLER ST  
FRANKLIN, MA 02038

OBRIEN KYMBERLEE  
101 MILLER ST  
FRANKLIN, MA 02038

FOLEY THOMAS J  
FOLEY JUDITH G  
89 MILLER ST  
FRANKLIN, MA 02038

SCAGLIARINI MARK R  
SCAGLIARINI CARIE A  
4 WYLLIE RD  
FRANKLIN, MA 02038

FRANKLIN TOWN OF  
355 EAST CENTRAL STREET  
FRANKLIN, MA 02038

SOUZA JOSEPH D  
SOUZA DONNA M  
2 WYLLIE RD  
FRANKLIN, MA 02038

GIAMPIETRO FRANK M  
GIAMPIETRO EMILY  
6 WYLLIE RD  
FRANKLIN, MA 02038

VOZZELLA LOUISE C  
90 MILLER ST  
FRANKLIN, MA 02038

JASPERSOHN CARL K  
JASPERSOHN ELEONOR F C  
98 MILLER ST  
FRANKLIN, MA 02038

WALCZAK THOMAS W  
WALCZAK CATHERINE MCCARTH  
37 MEETINGHOUSE RD  
NORFOLK, MA 02056

KENNEDY SHAUN M  
KENNEDY ELIZABETH A PEASE  
99 MILLER ST  
FRANKLIN, MA 02038





# 97 MILLER ST - 300' ABUTTERS

Franklin, MA

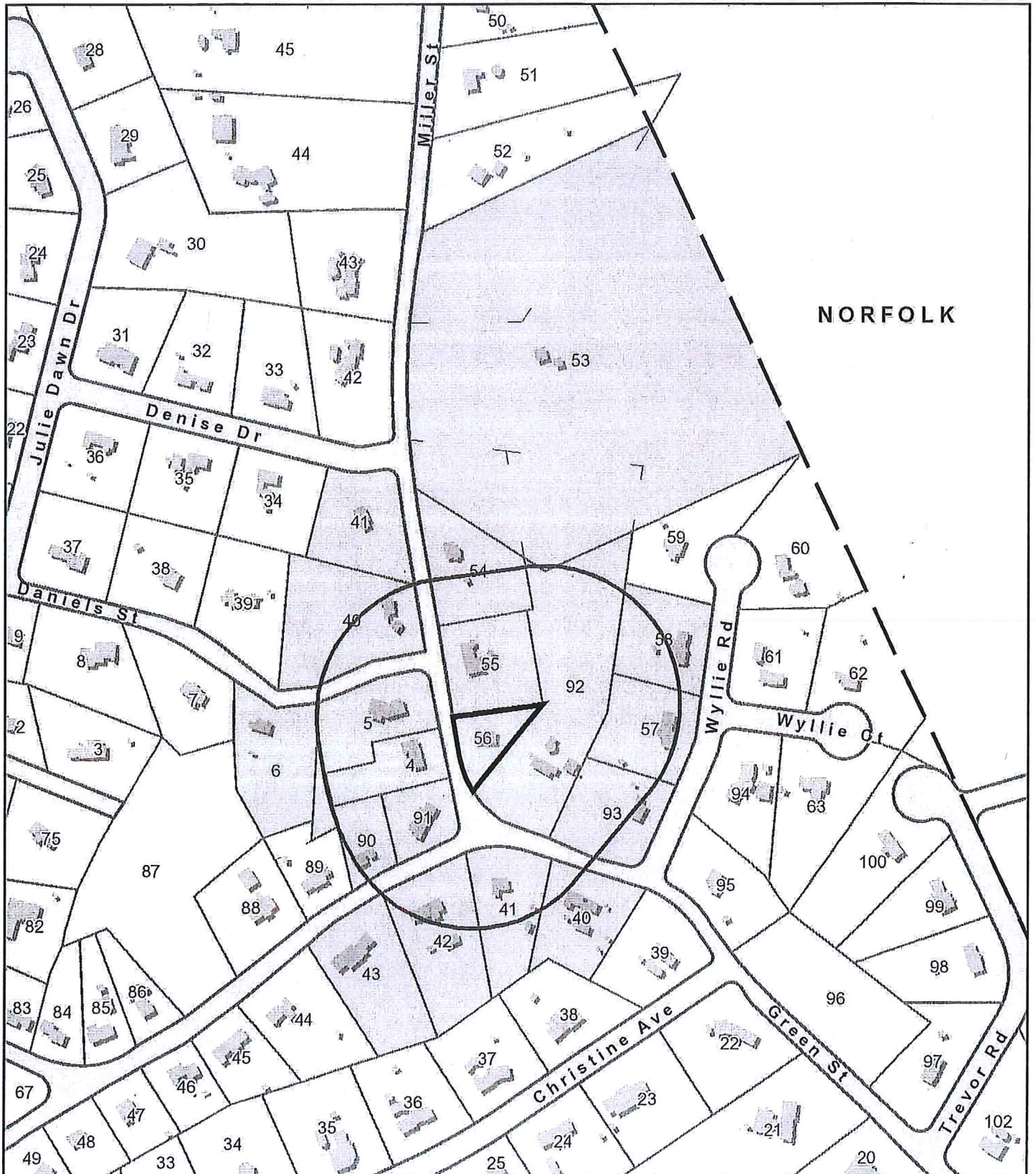


CAI Technologies  
Precision Mapping, Geospatial Solutions

December 7, 2022

1 inch = 300 Feet

[www.cai-tech.com](http://www.cai-tech.com)



This information is believed to be correct but is subject to change and is not warranted.





# 300 foot Abutters List Report

Franklin, MA  
December 07, 2022

## Subject Property:

Parcel Number: 231-056-000  
CAMA Number: 231-056-000-000  
Property Address: 97 MILLER ST

Mailing Address: BURKHART THOMAS W  
97 MILLER ST  
FRANKLIN, MA 02038

## Abutters:

Parcel Number: 231-004-000  
CAMA Number: 231-004-000-000  
Property Address: 92 MILLER ST

Mailing Address: CONSTANTINO DAVID F CONSTANTINO  
JANET M  
36 WAMPANOAG DR  
FRANKLIN, MA 02038

Parcel Number: 231-005-000  
CAMA Number: 231-005-000-000  
Property Address: 10 DANIELS ST

Mailing Address: NIELSON MARILYN TABOR DONALD L  
10 DANIELS ST  
FRANKLIN, MA 02038

Parcel Number: 231-006-000  
CAMA Number: 231-006-000-000  
Property Address: 18 DANIELS ST

Mailing Address: NORMAN CHRISTOPHER S TR NORMAN  
REALTY TRUST  
18 DANIELS ST  
FRANKLIN, MA 02038

Parcel Number: 231-040-000  
CAMA Number: 231-040-000-000  
Property Address: 98 MILLER ST

Mailing Address: JASPERSOHN CARL K JASPERSOHN  
ELEONOR F C  
98 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-041-000  
CAMA Number: 231-041-000-000  
Property Address: 100 MILLER ST

Mailing Address: LABRECK THOMAS J JR LABRECK LOIS  
E  
100 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-053-000  
CAMA Number: 231-053-000-000  
Property Address: 105 MILLER ST

Mailing Address: FRANKLIN TOWN OF  
355 EAST CENTRAL STREET  
FRANKLIN, MA 02038

Parcel Number: 231-054-000  
CAMA Number: 231-054-000-000  
Property Address: 101 MILLER ST

Mailing Address: OBRIEN KYMBERLEE  
101 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-055-000  
CAMA Number: 231-055-000-000  
Property Address: 99 MILLER ST

Mailing Address: KENNEDY SHAUN M KENNEDY  
ELIZABETH A PEASE  
99 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-056-000  
CAMA Number: 231-056-000-000  
Property Address: 97 MILLER ST

Mailing Address: BURKHART THOMAS W  
97 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-057-000  
CAMA Number: 231-057-000-000  
Property Address: 4 WYLLIE RD

Mailing Address: SCAGLIARINI MARK R SCAGLIARINI  
CARIE A  
4 WYLLIE RD  
FRANKLIN, MA 02038



www.cal-tech.com

This information is believed to be correct but is subject to change and is not warranted.

12/7/2022

Page 1 of 2



## 300 foot Abutters List Report

Franklin, MA  
December 07, 2022

Parcel Number: 231-058-000  
CAMA Number: 231-058-000-000  
Property Address: 6 WYLLIE RD

Mailing Address: GIAMPIETRO FRANK M GIAMPIETRO  
EMILY  
6 WYLLIE RD  
FRANKLIN, MA 02038

Parcel Number: 245-040-000  
CAMA Number: 245-040-000-000  
Property Address: 18 GREEN ST

Mailing Address: BAGHDASARYAN GOR TIKHONOVA  
ANASTASIA  
18 GREEN ST  
FRANKLIN, MA 02038

Parcel Number: 245-041-000  
CAMA Number: 245-041-000-000  
Property Address: 20 GREEN ST

Mailing Address: ELY DONA  
20 GREEN ST  
FRANKLIN, MA 02038

Parcel Number: 245-042-000  
CAMA Number: 245-042-000-000  
Property Address: 91 MILLER ST

Mailing Address: EMBREE MURRAY W EMBREE LYNDIA  
91 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 245-043-000  
CAMA Number: 245-043-000-000  
Property Address: 89 MILLER ST

Mailing Address: FOLEY THOMAS J FOLEY JUDITH G  
89 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 245-090-000  
CAMA Number: 245-090-000-000  
Property Address: 86 MILLER ST

Mailing Address: WALCZAK THOMAS W WALCZAK  
CATHERINE MCCARTHY  
37 MEETINGHOUSE RD  
NORFOLK, MA 02056

Parcel Number: 245-091-000  
CAMA Number: 245-091-000-000  
Property Address: 90 MILLER ST

Mailing Address: VOZZELLA LOUISE C  
90 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 245-092-000  
CAMA Number: 245-092-000-000  
Property Address: 19 GREEN ST

Mailing Address: MARZORATTI EDGARDO O  
MARZORATTI NORMA I  
19 GREEN ST  
FRANKLIN, MA 02038

Parcel Number: 245-093-000  
CAMA Number: 245-093-000-000  
Property Address: 2 WYLLIE RD

Mailing Address: SOUZA JOSEPH D SOUZA DONNA M  
2 WYLLIE RD  
FRANKLIN, MA 02038

*Kevin W. Doyle, 12-7-2022*



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.



Once Recorded Return to:  
Thomas Burkhardt  
976 South Street  
Walpole, MA 02081

## QUITCLAIM DEED

RESI REO SUB, LLC, c/o Altisource Asset Management Corporation, 5100 Tamarind Reef, Christiansted, Virgin Islands 00820, hereinafter referred to as the Grantor, grants to Thomas Burkhardt, whose mailing address is: 976 South Street, Walpole, MA 02081 hereinafter referred to as the Grantee:

See POA recorded herewith.

WITNESSETH, that the Grantor, for and in consideration of the sum of (\$228,000.00) Two Hundred Twenty Eight Thousand Dollars and No Cents, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim unto the Grantee forever, all the right, title, interest, claim and demand which the said Grantor has in and to, all that certain land situate, lying and being in the City of Franklin, County of Norfolk, State of MA, viz:

SEE ATTACHED EXHIBIT "A"

More commonly known as: 97 Miller Street, Franklin, MA 02038

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

Prior Instrument Recorded Immediately Heretofore.

*The Grantor certifies that these premises do not constitute all or substantially all of the assets of the Corporation situated in Massachusetts and that this transfer is being made in the ordinary course of the Grantor's business.*

MASSACHUSETTS STATE EXCISE TAX  
Norfolk Registry of Deeds  
Date: 05-25-2018 @ 02:26pm  
Ctl#: 1258 Doc#: 42175  
Fee: \$1,039.68 Cons: \$228,000.00

WILLIAM P. O'DONNELL, REGISTER  
NORFOLK COUNTY REGISTRY OF DEEDS  
RECEIVED & RECORDED ELECTRONICALLY

97 Miller Street, Franklin, MA 02038

Signed on 23 day of MAY, 2018

Yvette D. Malloy  
RESI REO SUB, LLC

Name: Yvette D. Malloy

Its: Authorized Signer

Witness: Tanya HANSON  
Print Name:

Meco T. A. N. N. N.  
Witness Signature  
Print Name: MECO T. A. N. N. N.

STATE OF GEORGIA

COUNTY OF FULTON

On this 23rd date of May, 2018, personally appeared before me,  
Yvette D. Malloy as Authorized Signer of RESI REO SUB, LLC and  
acknowledged to me that as such Signor, being authorized to do so, executed the foregoing instrument  
voluntarily as his/her free act and deed and the free act and deed of RESI REO SUB, LLC for the purposes  
therein contained.

Given under my hand and official seal this 23rd day of May, 2018.

Crystal L. Goshey-Clarke

Notary Public

(Notary Stamp or Seal)

Commission Expires: June 29, 2020





**Exhibit "A"**

(Legal Description)

The land on the Easterly side of Miller Street in Franklin, Norfolk County, Massachusetts, as shown on a plan of land entitled "Plan of Land in Franklin, Mass., Owned by Mary Stanton, George H. Frink, Reg. Land Surveyor, 334 Main Street, Franklin, Mass.," dated June 3, 1977, scale 1" = 20', which plan is recorded with Norfolk Deeds in Book 5391, Page 580 and being described according to said plan as follows:

Beginning at a point in the Easterly sideline of Miller Steiger, thence

S. 84-16-23 E. by land now or formerly of Harry W. Vozella a distance of 200.00 feet to a point; thence

S. 51-34-54 W. by land now or formerly of Robert J. Ballerino et ux. a distance of 245.88 feet to the Easterly sideline of Miller Street; thence in a

Northerly direction by the Easterly sideline of Miller Street in a curve having a radius of 200.00 feet, a distance of 84.66 feet; thence

N. 03-45-00 E. still by the Easterly sideline of Miller Street, a distance of 89.80 feet to the point of beginning.

Containing 18,169 square feet of land, according to said plan.

This conveyance is also made subject to and with benefit of easements, takings, restrictions and rights of way of record insofar as in force and applicable.

A true copy from Lib. 36011 Fol. 10  
in Norfolk County Registry of Deeds  
Dedham, MA

Certify:

*Alba P. O'Sullivan*  
Register