

SAMPLE
ABANDONED VESSEL OWNER-LIENHOLDER NOTICE LETTER

CAUTION:

THIS LETTER IS A SAMPLE NOTICE ONLY PROVIDED AS A COURTESY TO MEMBERS OF THE MASSACHUSETTS MARINE TRADES ASSOCIATION. THIS DOCUMENT MUST BE CAREFULLY TAILORED TO SUIT THE INDIVIDUAL FACTS. USE OF OR REFERENCE TO THIS SAMPLE NOTICE DOES NOT CONSTITUTE LEGAL ADVICE OR CERTAINTY THAT ALL LEGAL REQUIREMENTS HAVE OR WILL BE MET.

IF IN DOUBT, CONSULT YOUR OWN LEGAL COUNSEL WITH SPECIFIC FACTS AND QUESTIONS.

Boatyard or Marina or Lien Holder Letterhead

Via Regular and Certified Mail, Return Receipt Requested

Cert. Mail No. _____

Date:

Name of EACH Record Boat Owner or other known lien holder(s)
Last Known Address (es)

Re: Boat Name:

Official No.:

Dear _____:

Pursuant to M.G.L. c. 255, Section 17, [Marina, Inc.] has a lien for [boat storage and services, plus attorneys fees and costs, if applicable] in the amount of \$ _____ plus interest on a [23' O'Day Sailboat known as *Millstone*] last known owner(s) being [a Davy Jones of 59 Nathaniel Bowditch Street in South Dartmouth, MA 02748] that is stored at [Marina, Inc.'s] facility at [23 Some Street Salem, MA 01970]. An itemized statement of the claim of this company is hereto annexed, showing the sum due at the date of this notice and the date or dates when it became due.

Said vessel will be sold through [public or private sale at Marina, Inc. in Salem, Massachusetts] on [Thursday, November 29, 2008 at 9:00 AM], a date which is at least ninety (90) days from the last of three (3) anticipated consecutive days' legal notice publication in a newspaper of general circulation in the city (ies) or town(s) of each owner of record unless we receive a reply indicating an ability to satisfy this debt on or before that date. All inquiries should be directed to [Marina, Inc.] at the address above or via telephone at [978-555-1212.]

The following is a brief description of the goods now remaining at [Marina, Inc.] against which the lien exists, to wit: one [motor or sail] vessel named [_____] registration number [_____] and hull number [_____] and the goods attached to or contained therein.

Demand is hereby made on the owner(s) of record for the amount of the claim above stated and of such further claim as shall accrue from and after the date hereof until the time of payment.

The proceeds of such sales will be applied to the satisfaction of said lien, including the reasonable charges of notice, advertisement, and sale, including attorneys' fees and costs.

Should the proceeds of the sale be insufficient to pay said claim, the company will hold you liable for the deficiency. Should any proceeds of sale exceed the stated lien; the remaining funds will be sent to the Commonwealth of Massachusetts, Department of Conservation and Recreation, in accordance with Chapter 23 of the Acts and Resolves of 2008.

If you have any questions or concerns, please contact the undersigned.

Sincerely,

Printed Name: _____

Title: _____

Enclosures