



TO: MMTA Membership

FR: Abandoned Vessel Law Working Group<sup>1</sup>

DT: May 15, 2008

**RE: ABANDONED VESSEL LAW IMPLEMENTATION PROCEDURAL SUMMARY**

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Thanks and congratulations to all who helped secure passage of *An Act Relative to the Disposition of Abandoned Vessels* sponsored by Massachusetts Legislative Boating Caucus Chairman Anthony J. Verga of Gloucester. Recently signed into law by Governor Patrick, *Chapter 23 of the Acts and Resolves of 2008: An Act Relative To The Disposition of Abandoned Vessels* became effective on May 6, 2008. At last the cumbersome legal process has been streamlined for responsible business owners seeking to remove costly and dangerous abandoned boats from their properties.

Since the Bill's passage, many members of the Massachusetts Marine Trades Association have contacted the Association with questions concerning implementation of the law. In other words, many of you have asked "What Now?"

A Procedural Summary has been drafted for MMTA members by MMTA's Abandoned Vessel (AV) Working Group in consultation with the Commonwealth's Office of Marine Registration & Titling (hereinafter "the Commonwealth" or "Marine Titling"). This *Preliminary Analysis* is intended to serve as a guideline for MMTA members seeking to dispense with vessels abandoned on their property in the Commonwealth.

**This *Preliminary Analysis* is not intended as a substitute for legal advice or Counsel in individual situations. If you have outstanding concerns, be sure to consult your own counsel to discuss the specific facts of your situation. This is a new law, the implementation of which will surely have some surprises.**

Below is the AV Working Group's understanding of the steps to take so that vessels will be considered by the Commonwealth as "abandoned" under the law ([Chapter 23 of the Acts and Resolves of 2008, amending primarily Chapter 255 of the Massachusetts General Laws](#)). [Sample forms](#) are available to provide you with guidance only. They will be linked throughout this document as well.

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<sup>1</sup> Many thanks are dues to the volunteers members and staff who participated in the *Abandoned Vessel Working Group*: [Marie Hayward](#) of *N.E. Marine Documentation*, [David Jensen](#) of *Marina Bay on Boston Harbor*, [Alex Russo](#) of *Russo Marine and Maritime Attorney* [David S. Smith](#) of *Ouellette & Smith*. Staff assistance was provided by [Nathalie Grady](#), *Public Affairs Director* and [Jamy B. Madeja, Esq.](#), *Government Relations and Legal Counsel*. To contact any member of the AV Working Group click on their name or consult their listings in the *MMTA Membership Directory*.

## Getting Started

You can now avoid court proceedings to dispose of vessels considered abandoned and, in most cases, you won't need a lawyer. However, the option to go to court has been maintained for certain situations, such as when vessel title is contested. No special fees for filing documents under the AV Law have been implemented by the Commonwealth thus far; for the time being the usual titling fee will apply (currently \$25). Please refer to a copy of the law as you read below ([Chapter 23 of the Acts and Resolves of 2008, amending primarily Chapter 255 of the Massachusetts General Laws](#)).

### First Steps

*(a): Certified mail notice sent to any owner of record of the vessel, at the last known address, of the amount of the lien and proposed disposition or sale of the vessel;*

Notice must go to “any” owner of record, even if there is more than one and even if the record owners share common names or addresses. **Send separate notices to each owner of record.** The Commonwealth agrees with the AV Working Group that the statute text requires “Certified Mail” must be “sent”, not necessarily received, which is consistent with case law on similar subjects

### How Do I Insure I Am Sending Notice to the “Last Known Address”?

By the time you consider vessel disposition, you should have determined if the vessel is a Federally Documented Vessel or a State Registered/Titled Vessel. If the vessel is State Registered/Titled, there is no need to contact the U.S. Coast Guard for “last known address”. **If the vessel has no known registration numbers, then contacting the U.S. Coast Guard would be prudent and, if it is a Documented Vessel, it is necessary.** ([Click Here For Sample AV Request for Title Search Form](#))

It is also wise to consider the “last known address” as the official, of-record address with either the State or the U.S. Coast Guard, *even if this address is different from the one in your own facility records.* To be safe, send Certified Mail notices to all possible addresses you learn of. Such extra steps cost little but could save a lot should any contest involving notice arise. ([Click Here For Sample AV Owner-Lien Holder Notice Letter](#))

### What If the Vessel Is Federally Documented?

Federal Maritime Law trumps State law, but if there are no Federal issues, State law applies in dealing with Abandoned Vessels ([Click Here For 46 CFR 67.91](#)) Ordering an Abstract of Title will tell you if there is any mortgage or lien holder. If there is a Preferred Ships Mortgage on the vessel or any recent liens, Federal Maritime Law applies. If there are no lien holders or any lien holders that are more than six (6) years old, State law may be used to obtain title to the Abandoned Vessel.

Note that in the case of an Abandoned Documented Vessel the safest practice would be to obtain title to the vessel before disposal by way of a dumpster! This is a business decision though. If a marina has a boat sitting on its property for 10 years with no signs of the owner and State law has been complied with, a marina would *probably not face any fallout* from failing to take the next step because it is unlikely that someone would come forward to complain. However, the AV Working Group cannot guarantee this.

### Should I Also Notice Lien Holders?

Absolutely. When sending notice it is necessary to inquire of the Massachusetts Boat Registration office and, where appropriate, the U.S.C.G. National Vessel Documentation Center for any lien holder names and last known addresses. Lien holders are considered vessel “owners” requiring notice of the proposed disposition or sale of the vessel. You can use the same form to ask the Commonwealth for all known lien holders as well as the last known owner. ([Click Here For AV Request for Title Search Form](#))

### What If I Can't Locate Any Owners of Record?

If you are among the unfortunate stuck with a vessel difficult to identify at all, or with conflicting identification information, which may suggest theft or other trouble, you are best served by contacting Chief David Barber (617.626.1611) or Captain George Agganis (617.626.1663) at the Commonwealth's Office of Marine Titling to have the vessel inspected prior to proceeding with disposition. A visit by a Massachusetts Environmental Police Officer is recommended if there is no proper hull number on the transom. Chief Barber and Captain Agganis assured the AV Working Group there are 100 Environmental Police Officers available for this chore and it should get done without slowing your process, provided you call in advance and not a few days before sale or other disposition!

### What Information Must I Include In the Notice I Send?

“Amount of the lien and proposed disposition or sale” is one of the required items in the notice. “Disposition” can mean to the nearest landfill, if the materials are accepted there; “sale” can mean a private sale, public auction, or reflect intent to keep the vessel.

According to the AV Working Group's discussions with the Commonwealth, you are free to put in your notice that any of these options may be elected on or after 90 days have passed from the last newspaper publication date (discussed below). While it is not necessary to specify exactly which option you plan to select, be careful! **If you are specific in the owners' notice of exactly how, when and where you will dispose of or sell the vessel, you must stick to this detail or send another notice.**

The bottom line is to keep good records. If the vessel has any chance of having greater value than your lien, or if there are other lien holders, you may be best served with a public auction to protect yourself from future complaints.

### What Else Must I Do to Insure Proper Notice?

Several things! Please see statute text and explanations below.

*(b): legal notice of the lien and proposed disposition has been posted for three (3) consecutive days in a newspaper of general circulation in the city or town of any owner of record's last known address*

In other words, if the Owner Of Record's address is in Worcester, notice in the *Telegram & Gazette* works fine, but notice in your local paper on the Cape does not. Don't forget, this goes for each and every owner of record! One Owner of Record address may be on the Cape and another may be

in the Berkshires. You need not publish notice in every small and large local paper in their location – just one paper of general circulation will do for each owner.

### **Why Not Just Place Notice in the Statewide Papers?**

You can. The Commonwealth has told the AV Working Group that the *Boston Globe* and the *Boston Herald* will be considered “newspapers of general circulation” for all Massachusetts cities and towns. However, these newspapers may charge more than local papers. You may want to consider how many different “last known addresses” for any owners of record you must consider, including lien holders, when you make your choice(s) of newspapers. Be sure to check carefully that any newspapers you choose can run notice **on three (3) consecutive days!** ([Click Here For Sample AV Legal Notice](#))

### **AND**

*(c): At least 90 days have passed from the last posting of the legal notice in any owners' local newspaper AND you have not received a reply indicating an ability to satisfy the debt within 90 days of the posted notice.*

### **What If I Do Hear From An Owner Within 90 Days?**

What if you hear from an owner (either a lien holder or the owner of record)? Hopefully, it's with cash in hand. If it is the more common “give me more time” you have a tough call. The statute requires a reply “*indicating an ability*” to satisfy the debt within 90 days. However, the AV Working Group recommends that if an owner or lien holder responds to your notice with some payment promise, you may be better off giving the owner or lien holder the chance to meet their proposed payment schedule, and documenting their promise, rather than continuing right away with the abandoned title procedure and disposition. This will make any eventual legal objections thereafter more likely to conclude in your favor if you do have to proceed for non-payment even after a promise to pay.

### **Assume I Have Satisfied the Three Criteria Above. What Next?**

**Provide Notarized Affidavit to Secure Title:** A Notarized Affidavit is required to secure an Abandoned Title Document (detailed below), which you must have for the subsequent sale of the vessel. The Commonwealth tells the AV Working Group it should not take more than a few days to obtain the Title Document provided your Notarized Affidavit is in order.

You'll need to provide the Commonwealth with:

**Notarized Affidavit Requirements:** the document must indicate the three statutory criteria noted above in (a), (b) and (c) have been met, with copies or originals of the related documents, filed with the Marine Titling Division of the Massachusetts Environmental Police. The Commonwealth has informed the AV Working Group that branch offices should accept the documents, not just Boston, although Chief Barber himself expects to work on the early batches to be sure the procedures are in order, so you may want to note “Attention Chief Barber” on your cover letter.

Additionally, Marine Titling advises the affidavits should be kept “lean”, simply listing the requirements of the statute, attesting that each one has been met, and attaching the required

documentation. Once you get title, the buyer who purchases the vessel subsequently will then be able to secure new title via the usual existing procedures. ([Click Here For Sample AV Affidavit](#)).

**Secure Abandoned Title Document:** If the three criteria described in (a), (b) and (c) are met, according to the new law, vessel title is “presumed abandoned” and you, the lien holder, may get an Abandoned Title Document from the Commonwealth.

Marine Titling officials have informed the AV Working Group that this title document will not bear any special marking; it will look like any other marine title. However, it is recommended that you keep in your files evidence that you advised any subsequent purchaser about the history of the vessel.

### **Is This New Law A Money Maker?**

In the rare cases where proceeds of sale exist in excess of any liens on the Abandoned Vessels, you must send the “extra” proceeds to a State fund to be held by the Commonwealth’s Department of Conservation & Recreation in the name of the former owner of record for two (2) years. After this time, the funds are available to the Massachusetts Department of Conservation & Recreation for removing vessels presumed abandoned from public waterways. Make checks out to “Commonwealth of Massachusetts, Department of Conservation & Recreation”, mark the check “Abandoned Vessel” and send it to:

**Stephen Scapicchio, Revenue Director  
Department of Conservation and Recreation  
251 Causeway Street, Suit 600  
Boston, MA 02114-2104  
Tel: 617/626-1322**

### **I Want To Take This Guy or Gal To Court! Can I Still Do That?**

Certainly. The new Abandoned Vessel Law just gives you, the lien holder, more options. The lien holder may proceed through District Court or Superior Court if desired (prior to the law’s passage, lien holders in this predicament could only proceed through Superior Court).

### **Any Other Tips I Should Know About?**

- Holding vessel viewings? Get a signed Liability Release before anyone boards the vessel.
- Disputing with other lien holders? Best to seek counsel and avoid navigating the new AV law as your means of allowing you to dispose of or sell the vessel.
- Auction or sell “as is”, with express disclaimers and disclosures.

THE COMMONWEALTH OF MASSACHUSETTS

*In the Year Two Thousand and Eight*

AN ACT RELATIVE TO THE DISPOSITION OF ABANDONED VESSELS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after section 35FF the following section:-

Section 35GG. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Abandoned Vessel Trust Fund to be used, without appropriation, by the department of conservation and recreation for the purpose of removing from the public waterways vessels on which title may be presumed to have been abandoned. Available revenues from the sale of abandoned vessels, as provided for in chapter 255, and appropriations from the General Fund shall be deposited into the trust fund. The proceeds of a sale of an abandoned vessel shall be held in trust for the former owner of record for a period of 2 years, after which time the funds shall become property of the trust. All monies deposited into the fund shall be expended exclusively for the purpose set forth in this section. No expenditure from the fund shall cause the fund to be in deficiency at the close of a fiscal year.

SECTION 2. Section 17 of chapter 255 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word "action", in line 4, the following words:- in the district court or.

SECTION 3. Said section 17 of said chapter 255, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

No civil action shall be required for a lienholder to sell at public auction or dispose of a vessel on which a lien exists pursuant to section 14 or 14A and on which title is presumed to have been abandoned. Title to a vessel shall be presumed to have been abandoned if: (i) the lienholder sent a notice to owner of record by certified mail at his last known address and shall include, but not be limited to, the amount of the lien and any proposed disposition or sale of the vessel; (ii) the lienholder published a notice of the lien, which shall include, but not be limited to: a description of the vessel, a description of where the vessel is located and a proposed disposition or sale in a newspaper of general circulation in the city or town of the owner of record's last known address for 3 consecutive days; and (iii) no response or

reply was received from the owner of record within 90 days after the date of publication indicating an ability to satisfy the debt to the lienholder.

The lienholder may dispose of the vessel upon filing with the marine title division of the department of environmental police a notarized affidavit stating no reply was received from the owner of record within 90 days of the lienholder sending certified notice or within 90 days after publication pursuant to this section, whichever is later. The filing by the lienholder shall include legible copies of the affidavit and notice. If the lienholder of a vessel presumed to have been abandoned elects to hold a public auction of the vessel then, upon receipt of the notarized affidavit and notice, the marine title division, shall issue an abandonment of title document to the lienholder, if requested, and thereafter, shall issue new title documents to the purchaser of the vessel at public auction.

SECTION 4. Section 20 of said chapter 255, as so appearing, is hereby amended by adding the following sentence:- All proceeds of sales in excess of any liens thereon shall be placed in the Abandoned Vessel Trust Fund established in section 35GG of chapter 10.

House of Representatives, January 29, 2008.

Passed to be enacted,

*Paul J. Donato*, Speaker.

In Senate, January 29, 2008.

Passed to be enacted,

*Chris Key*, President.

6 February, 2008.

Approved,

*Deval Patrick*

Governor.

[Code of Federal Regulations]  
[Title 46, Volume 2]  
[Revised as of October 1, 2001]  
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[Page 347]

## TITLE 46--SHIPPING

### CHAPTER I --COAST GUARD,DEPARTMENT OF TRANSPORTATION--CONTINUED

#### PART 67 --DOCUMENTATION OF VESSELS -- Table of Contents

##### Subpart E --Acceptable Title Evidence; Waiver

#### Sec. 67.91 Passage of title pursuant to operation of State law.

When title to a documented vessel has passed by operation of State law for reasons other than those specified in this subpart, such passage must be established by:

- (a) A copy of the statute permitting transfer of title to the vessel and setting forth procedures to be followed in disposing of the vessel;
- (b) An affidavit from the party acting against the vessel, setting forth the basis for selling the vessel, and the steps taken to comply with the requirements of the statute under which title passes;
- (c) Evidence of substantial compliance with the relevant statute(s); and
- (d) A bill of sale which meets the criteria for filing and recording set forth in subpart P of this part from the acting party as agent for the owner(s) of record.

Registration Fax Number:  
1-617-626-1630  
This form for Marina/Boatyards

Request for File Search  
Abandoned Vessel  
at Marina/Boat Yard

Mail or Fax Request:  
Mass Environmental Police  
251 Causeway St - Suite 101  
Boston, MA 02114  
Attn: Dave Barber

DATE:		
<b>ABANDONED/SALVAGED PROPERTY</b>		
Requested by:		
Name:		
Address:		
City:	Zip Code:	
Telephone:	Return Fax Number:	
I am requesting a search of the database covering the property described below:		
<b>Circle one:</b>	<b>Boat</b>	<b>ATV</b> <b>Snowmobile</b>
Please provide any information available: Hull ID# - Reg. Number- Make-Model etc.		
<b>XXXXXXXXXXXXXXXXX OFFICE USE ONLY XXXXXXXXXXXXXXXXXXXX</b>		
A check of our database indicates:		
<b>No Record on file</b>	<b>Owner on File</b>	<b>See Notes on Back</b>
Last registered owner:		
Name:		
Address:		
City:	Zip:	
Lien Holder:		
Name:		
Address:	City:	Zip:
Date search results sent:		
<b>Special Note:</b>		
<b>If vessel in question does not have an acceptable 12 Character Hull ID#, an inspection by an Environmental Police Officer will be required prior to issuance of Title</b>		
<b>To arrange inspection call 1-800-632-8075</b>		

**SAMPLE  
ABANDONED VESSEL AFFIDAVIT**

**CAUTION:**

**THIS IS A SAMPLE AFFIDAVIT 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.**

**AFFIDAVIT OF [NAME]**

I, \_\_\_\_\_, having been duly sworn, hereby state:

1. I am the [Title] of [Marina Inc. or Name of entity seeking Abandoned Vessel title] which is located at [entity full Address in Massachusetts.]
2. [Marina, Inc.] stored [and worked on] a vessel called [Vessel Name] which was known to us to be owned by [Name.]
3. [Marina, Inc.] has not been paid overdue charges for the vessel. The owner owes [Marina, Inc.] \$ [Amount] pursuant to the attached documentation. See Exhibit "A" attached hereto.
4. [Marina, Inc.] contacted the Commonwealth's boat registration division and confirmed all owners of record and any recorded lien holders for the vessel.
5. In accordance with M.G.L. c. 255 sec. 17, as amended by Chapter 23 of the Acts and Resolves of 2008, [Marina, Inc.] has done the following:
  - (a.) Sent a notice to owner of record by certified mail at last known address to any owner(s) of record, and any recorded lienholder(s). A copy of the notice is attached hereto as Exhibit "B" and includes the amount of the lien and any proposed disposition or sale of the vessel; and
  - (b.) Published a notice of the lien including a description of the vessel, a description of where the vessel is located and a proposed disposition or sale in a newspaper of general circulation in the city or town of the last known address of each owner of record and each recorded lien holder for three consecutive days; and
  - (c.) No response or reply was received from any owner of record or record lien holder within 90 days after the date of publication indicating an ability to satisfy the debt. See Exhibit "C" attached hereto for a legible copy of the newspaper notice(s).

6. The boat will be disposed of through [auction or public sale or other disposal, including demolition and disposal. Specify which, and on or after what date.]
7. Exhibits A through C attached hereto are true and accurate copies of the documents identified above.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS [\_\_ TH DAY OF MONTH/YEAR]

\_\_\_\_\_  
On behalf of [Marina, Inc], Lien holder:

Title: \_\_\_\_\_

Printed Name: \_\_\_\_\_

MARINA ADDRESS:

\_\_\_\_\_, ss                      Commonwealth of Massachusetts

Then appeared before me the above named [Signatory, identified to me through [Identification Type] and acknowledged that the foregoing to be [his/her] free act and deed this [\_\_ day of \_\_\_\_\_, 200\_.

\_\_\_\_\_  
Notary Public:

My Commission Expires: \_\_\_\_\_

**SAMPLE  
ABANDONED VESSEL LEGAL NOTICE**

**CAUTION:**

**THIS IS A SAMPLE LEGAL 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.**

**LEGAL NOTICE**

Pursuant to M.G.L. c. 255, Section 17, [Marina, Inc.] has a lien for [boat storage and services] 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 South Dartmouth, MA 02748] that is stored at [Marina, Inc.'s] facility at [23 Some Street Salem, MA 01970]. 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 said lien is satisfied. All inquiries should be directed to [Marina, Inc.] at the address above or via telephone at [978-555-1212.]

**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