



City of Springfield
Abutter Lots Sales Program

Office of Housing
1600 East Columbus Avenue
Springfield, Massachusetts 01103
(413) 886-5416

Abutter Lots Sales Program Guide

The City of Springfield's Abutter Lots Sales Program is designed to sell City-owned vacant lots valued under \$25,000 to property owners with a home or building directly abutting the parcel. The program is administered through the Office of Housing. The overall goal of the program is to reduce blighted conditions within neighborhoods by allowing existing property owners to increase their properties, reduce density and return these properties to the tax rolls.

All lots will be sold "as is". The City makes no representations or warranties with respect to the suitability of any lot for any particular purpose, or as to the applicability or effect on any local, state and/or federal law.

What kind of vacant lots will be sold through this program?

The lots that are available for sale under this program are:

- Assessed to be worth \$25,000 or less;
- Not needed by the City for open space or any other public use; and
- Not part of a larger vacant parcel which can be developed.

It is important to note that not all City-owned vacant lots are for sale. All lots to be included in this program must first be approved by appropriate City entities.

What can an abutter lot be used for?

Abutter lots acquired through this program may be used only for the following:

- Garden
- Side-yard
- Landscaped open space
- Off-street parking
- Garage
- Septic improvements
- An addition to an abutter's existing structure

The City makes no representations or warranties with respect to the suitability of any lot for any particular purpose, or as to the applicability or effect of any local, state, or Federal law. Selection of a proposal and sale of a lot by the City pursuant to the terms of this program do not ensure that such zoning or other approval will be granted.

Who can apply to buy an abutter lot?

A property owner whose property is located immediately adjacent to the abutter lot is eligible to apply.

The exhibit on page three illustrates who can and cannot apply.

A	B	C
D	Abutter Lot	E

In this example, property owners B, C, D, and E would be able to apply to purchase the abutter lot. The owner of parcel A cannot apply because their property does not share a lot line with the abutter lot. Additionally, owners of property located across the street from the abutter lot are not eligible. Owners of vacant land abutting the lot are also ineligible unless they also own land with a building next to the abutter lot or next to that vacant land which abuts the lot.

What is the price of an abutter lot?

Abutter lots will be sold at a purchase price of .25¢ per square foot.

The lot sales price must be paid in full at closing. In addition to the sales price, the buyer is responsible for paying all Hampden County Registry of Deeds recording fees, costs associated with the survey and ANR plan and pro-rated payment in lieu of taxes calculated by multiplying the tax rate for the fiscal year by the sale price.

How are applications evaluated?

All abutters who submit an application will be subject to the following reviews:

- **Tax Delinquency Review:** Abutters who have had property foreclosed upon by the City of Springfield are ineligible for the program. At the time of filing an application and during the review process, abutters must not be delinquent in the payment of taxes on any property within the City.
- **Arson Prevention Review:** Abutters with arson-related histories or with any unresolved arson-related charges are ineligible for the program.
- **Fair Housing Review:** Abutters who have any housing discrimination complaints, convictions for violating fair housing laws, unresolved tenant harassment complaints or convictions for tenant harassment are ineligible for the program.
- **Code Violation Review:** Abutters who have any unresolved violations of building or health codes are ineligible for the program.
- **Complete Application Review:** Applications must be complete and submitted by any applicable deadlines. All sections should be completely and truthfully answered, the attachment forms signed and a property deed, as well as any other information, if applicable, should be included.
- **Eligible Abutter Review:** Applicants must be an abutting property owner to be eligible to buy an abutter lot. Please see the exhibit above.
- **Zoning Review:** The proposed sale of the abutter lot must not expand a non-conforming use.

- Abutter Lot Use: The applicant's proposed use for the abutter lot must be an allowed use as described above.

Following this review process, all acceptable applications will be reviewed by the Office of Housing and the Office of Planning & Economic Development. All abutters who are ineligible for the program will be notified and their applications will not be considered.

What happens when more than one abutter applies for the same lot?

If more than one abutter applies for the purchase of the lot and they both submit applications that meet the minimum review requirements, then two options are available. The Abutter Lots Sales Program Committee can recommend that the parcel be divided and each abutter will receive a portion of the property, or the Committee may decide that the property should be sold to one abutter based on the following program criteria:

- Preference will be given to an abutter who is a residential, owner-occupant.
- Preference will be given to an abutter who maintains their property in excellent condition.
- Preference will be given to the abutter who presently has little or no useable open space and/or is in need of additional off-street parking.
- Preference will be given to the abutter who has assisted in the maintenance and care of the vacant lot.
- Preference will be given to those proposals that will improve the quality of life in the neighborhood as a whole, and/or fulfill a recognized need for that neighborhood.
- Preference will be given to those abutters that have an excellent tax payment history.

In some cases, the Committee may request to meet with both applicants in order to generate a mutually agreeable solution for both parties. The Committee reserves the right to not recommend any abutter as the purchaser of the vacant lot.

All sales will need to be approved by the Springfield City Council.

Who is on the Abutter Lots Sales Program Committee?

The Abutter Lot Sales Committee will consist of representatives from the following departments:

- Office of Housing
- Treasurer's Office
- Office of Planning & Economic Development
- Law Department

All sales must additionally be approved by the Springfield City Council and the Mayor.

What are the Terms and Conditions of the Sale?

- The buyer will be responsible for all legal, recording or other applicable fees that are incurred as part of the sale.
- Included in the sale terms and conditions is an agreement that the buyer must agree to certain items such as the following:
 - The lot must be kept free of garbage and debris.
 - The grass and/or weeds must be kept trimmed and cut below 6 inches.
 - All shrubs must be maintained.
 - The premises shall be combined with the abutting property into the same record ownership for the purposes of future conveyances. If the lot is sold, the lot must always be sold with the original abutter lot.
 - If the lot is used for off-street parking, a legal curb-cut must be constructed for access in compliance with all applicable City of Springfield Ordinances.
 - The buyer must begin maintenance of the lot immediately upon purchase and complete all proposed improvements generally within one year of purchase.
 - Any improvement to the lot must be completed in accordance with the City of Springfield's zoning ordinances.

Restrictions will be placed in the deed at closing to secure these terms.

What are the procedures to purchase a vacant lot through the Abutter Lots Sales Program?

If you are a direct abutter to a vacant lot, you should contact the Office of Housing at (413) 787-6500. The Office of Housing will examine whether the property is privately owned or owned by the City.

If the property is privately owned, the City cannot sell the lot to you. However, the property may be in tax title foreclosure for non-payment of property taxes. The Office of Housing can provide you with this information, and advise you whether you should pursue the purchase of this property.

If the property is City-owned, the Office of Housing will investigate whether the vacant lot should be included in the Abutter Lots Sales Program. *Not all City-owned vacant lots are for sale.*

City of Springfield

Abutter Lots Program Application

Deadline and Delivery:

The application must be submitted in a sealed envelope with your return address, the program name, and the abutter lot address written on the exterior of the envelope. Applications must be mailed or delivered to the following address:

Tina Quagliato
Deputy Director of Neighborhood Stabilization
Office of Housing
1600 East Columbus Avenue
Springfield, MA 01103

Questions:

Any questions pertaining to the submission or completion of this application should be directed to Tina Quagliato, Deputy Director of Neighborhood Stabilization. Office of Housing staff can be reached at (413) 787-6500.

Checklist Information:

Information in the top box should be submitted by all applicants. Information in the bottom box is only applicable to certain applicants. See below for details. ***Any application that does not include all applicable materials will not be considered.***

REQUIRED FOR ALL APPLICANTS

- € Completed application
- € Affidavit regarding payment of taxes, arson and related code violations, etc.
- € Disclosure Statement
- € Rough sketch showing proposed improvements and uses of the lot
- € Copy of the deed (with book and page number) to your abutting property
- € Beneficial Interest Statement
- € Acknowledgments and Agreements form

- € If your property is held in a trust, please provide Declaration of Trust with recording reference; Authorization and Declaration of Beneficiaries; Trustee's Certificate; Beneficial Interest Statement for the Trust; Schedule of Beneficial Interests
- € If the applicant is a corporation (nonprofit, for-profit, or religious organization), please provide the Articles of Incorporation, By-Laws, List of Board Officers' names and addresses, Clerks Certificate, Corporate Vote, and 501(c)3 letter (if applicable).
- € If the applicant is a Limited Partnership, please provide the Agreement & Certificate of Limited Partnership, Authorization by and Authority of General Partner.
- € If the applicant is a Condominium Association, please provide the Master Deed and Trustee's Certificate.
- € If a co-owner of your property is deceased, please provide a copy of the death certificate, Will and probate order, if applicable.



**City of Springfield
Abutter Lots Program Application**

1. Abutter Lot Address: _____

2. Applicant's Name: _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Work Phone: _____

Mailing Address (if different from above): _____

3. Address of property you own next to the abutter lot: _____

4. Recording reference of the property you own: Deed Book: _____ Page: _____

5. Please indicate the type of property you own next to the lot:

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Residence (Owner Occupied) | <input type="checkbox"/> Business |
| <input type="checkbox"/> Residence (Renter Occupied) | <input type="checkbox"/> Vacant Land |
| <input type="checkbox"/> Church | <input type="checkbox"/> Other: _____ |

6. *Co-applicant's Name (if applicable): _____

Address: _____

*Co-Applicant's Name (if applicable): _____

Address: _____

*Co-applicants or co-owners are any other person(s) listed on your deed for the abutting property.
Please provide a copy of the death certificate for any co-owner who is deceased.

7. Please indicate your proposed use(s) for the abutter lot:

- | | |
|---|--|
| <input type="checkbox"/> Garden | <input type="checkbox"/> Landscaped Open Space |
| <input type="checkbox"/> Side Yard | <input type="checkbox"/> Off Street Parking |
| <input type="checkbox"/> Septic Improvements | <input type="checkbox"/> Garage |
| <input type="checkbox"/> Addition to Existing Structure | <input type="checkbox"/> Other: _____ |

8. When do you plan to start and complete your proposed improvements to the lot?
Start Date: _____ Completion Date: _____

9. If you are proposing to make improvements to the lot, what are your expected projects costs?
\$ _____

10. Have you (or your tenants) assisted in maintaining this lot? Yes No

If yes, please explain: _____

11. Describe your proposed use for the lot in as much detail as possible. If you are going to make improvements to the lot, please tell us what kind of materials that you will be using. Please enclose or attach a rough sketch of your proposed use and design for the lot. Attach additional pages if necessary.

12. If another abutter applies for the same lot, would you be willing to purchase the lot together to subdivide at your own expense after the sale? Yes No

13. What other property do you own in Springfield? Please include properties in which you have a partial ownership through trusts or other straw organizations.

I CERTIFY THAT ALL THE INFORMATION INCLUDED IN THIS APPLCIATION IS ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Applicant's Signature: _____ Date: _____

If applicable

Co-Applicant's Signature: _____ Date: _____

Co-Applicant's Signature: _____ Date: _____

Affidavit

Any person submitting an application for the Abutter Lots Sale Program must truthfully complete this affidavit and submit it with their application. Questions apply to you as an applicant and any co-applicant(s) or co-owner(s). *The applicant and all co-applicants must sign this affidavit below.*

1. Do you or any of the co-applicants owe the City of Springfield any monies for incurred real estate taxes, water, rents or any other indebtedness?
 No Yes, Explanation: _____
2. Were you or any of the co-applicants ever the owner of property upon with the City of Springfield foreclosed for his/her failure to pay real estate taxes or other indebtedness?
 No Yes, Explanation: _____
3. Have you or any of the co-applicants ever been convicted of any arson-related crimes, or are you currently under indictment for any such crime?
 No Yes, Explanation: _____
4. Have you or any of the co-applicants ever been convicted of violating any law, code, statute or ordinance regarding conditions of human habitation?
 No Yes, Explanation: _____
5. Have you or any of the co-applicants ever been convicted of housing discrimination or a violation of fair housing laws and ordinances?
 No Yes, Explanation: _____
6. Are you or any of the co-applicants and immediate family members (spouses, parents, offspring, and siblings) currently employed, employed within the last 12 months, or held within the last 12 months an elected or appointed position by the City of Springfield?
 No Yes
If yes, please include the name of the employee, their capacity or title, and the name of the department.

7. List the addresses of all property you and the co-applicants own in the City of Springfield, including the abutting property. Use additional paper and attach if necessary.

- 8.
- | | |
|----------------|----------------|
| Address: _____ | Address: _____ |
| Address: _____ | Address: _____ |
| Address: _____ | Address: _____ |

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS ____ DAY OF _____.

Applicant's Signature: _____ Date: _____
Address: _____

Co-Applicant's Signature: _____ Date: _____
Address: _____

Co-Applicant's Signature: _____ Date: _____
Address: _____

Disclosure Statement

In compliance with Chapter 60, Section 77B of the Massachusetts General Laws as amended by Chapter 803 of the Acts of 1985, I hereby certify, that I have never been convicted of a crime involving the willful and malicious setting of a fire or of a crime involving the aiding, counseling, or procuring of a willful and malicious setting of a fire, or of a crime involving the fraudulent filing of a claim for fire insurance; nor am I delinquent in the payment of real estate taxes in the City of Springfield, or being delinquent, an applicant for the abatement of such a tax is pending or a pending petition before the appellate tax board has been filed in good faith.

This statement is made under the pains and penalties of perjury this _____ day of _____.

Applicant's Signature: _____ Date: _____

If applicable

Co-Applicant's Signature: _____ Date: _____

Co-Applicant's Signature: _____ Date: _____

Beneficial Interest Statement

This form must be completed by all applicants.

WHEREAS, the undersigned intends to enter into an agreement to purchase real property situated at _____ (street address) in the City of Springfield, Massachusetts.

I hereby certify pursuant to section 40J of Chapter 7 of M.G.L that the following names and addresses of all persons and/or entities who have or will have a direct or indirect beneficial interest in said property.

NAME	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

This statement is made under the pains and penalties of perjury this ____ day of _____.

Applicant's Signature: _____

If applicable
Co-Applicant's Signature: _____

Co-Applicant's Signature: _____

Trustee's Certificate

Applicable to property held in Trust or by a Condo Association

The undersigned, being all the Trustees of _____ Trust under declaration of trust dated _____ and recorded with the Hamden Registry of Deeds in Book _____, Page _____, with a mailing address care of: _____
_____ (Street Address), _____ (City/Town),
Massachusetts _____ (Zip Code) (the "Trust"), hereby certifies as follows:

1. That as of the date hereof, the Trust is in full force and effect and has not been amended, modified or revoked;
2. That as of the date hereof, the undersigned are all of the duly elected and appointed Trustees of the trust; and,
3. That the undersigned hereby consent to and confirm the following which shall be treated for all purposes as a vote taken at a duly called meeting of the Trustees in accordance with Article _____, Section _____ of the Trust:

That pursuant to Article _____, Section _____ of the Trust, the Trustees are authorized and directed in the name of and on behalf of the Trust to execute and deliver any such instruments and to take all such actions as may be necessary or desirable in order to effectuate the purchase of that certain parcel of vacant land located at _____, Springfield, Massachusetts, Street-Parcel Number _____, including but not limited to executing and delivering a Purchase and Sale Agreement, Deed acknowledgment, and Mortgage.

4. That the above vote has not been amended, modified or rescinded and is still of full force and effect.

(Continued)

EXECUTED as a sealed instrument this _____ day of _____.

(Trust Name): _____

_____, BY: _____, as Trustee
Witness Signature and not individually

_____, BY: _____, as Trustee
Witness Signature and not individually

COMMONWEALTH OF MASSACHUSETTS

HAMDEN S.S. _____, _____

Then personally appeared the above-named

_____,
Trustee's Name

_____,
Trustee's Name

Trustees as aforesaid, and acknowledged the foregoing instrument to be their free act and deed as
Trustees, and the free act and deed of said Trust before me

Name of Notary Public

My Commission expires on: _____

Beneficial Interest Statement for Trust

WHEREAS, the undersigned intends to enter into an agreement to purchase real property situated at _____ in the City of Springfield, Massachusetts,

Street Address

I hereby certify pursuant to section 40J of Chapter 7 of M.G.L. that the following are true names and addresses of all persons and/or entities who have or will have a direct or indirect beneficial interest in said property.

Trust's Name	Trust's Address
Trustee's Name	Trustee's Address
Trustee's Name	Trustee's Address
Beneficiary's Name	Beneficiary's Address
Beneficiary's Name	Beneficiary's Address

This statement is made under the pains and penalties of perjury this ____ day of _____.

Witness Signature

BY: _____, as Trustee
and not individually

Witness Signature

BY: _____, as Trustee
and not individually

Schedule of Beneficial Interest and Certificate of Direction

Applicable to property held in Trust

The undersigned, being all the Trustees and Beneficiaries of the _____
Trust's Name
under a Declaration of Trust dates _____ and recorded with the Hamden Registry of
Deeds on _____ as Document No. _____, hereby certifies that the following is a
complete list of the Beneficiaries of said Trust and their proportionate interest as of this date.

In addition, the undersigned Beneficiaries hereby direct the undersigned Trustee to purchase certain
property in Springfield, Massachusetts having the street address of _____
from the City of Springfield, and to do any and all things which the Trustee may deem necessary in his
sole and absolute discretion to effectuate this conveyance.

LIST OF ALL BENEFICIARY'S NAMES	PERCENTAGE OF INTEREST RESPECTIVELY
_____	_____
_____	_____
_____	_____

Witness the execution hereof take effect as a sealed instrument this _____ day of
_____.

Trust's Name

Witness Signature BY: _____, as Trustee
and not individually

Witness Signature BY: _____, as Trustee
and not individually

Witness Signature BY: _____, as Beneficiary

Acknowledgments and Agreements

WHEREAS the undersigned, if determined to be the successful applicant under the Abutter Lots Sales Program, intend to purchase real property located at _____, Springfield, Massachusetts from the City of Springfield for the total sales price (exclusive of Recording Fees and In-Lieu of Tax Payment) of \$_____.

NOW THEREFORE, the undersigned hereby acknowledge(s) and agree(s) as follows:

1. The City will convey the Lot by a good and sufficient quitclaim deed running to the undersigned (or, as applicable, to the record owners of the abutting land);
2. The Lot will be sold “as is”, in its present condition; and
3. The City of Springfield has made no representations or warranties of any kind as to the suitability of the Lot for any particular purpose, or as to the applicability or effect of any local, state, or Federal law.
4. The City of Springfield has made no representations or warranties as to whether the Lot contains any substance which may be classified as a hazardous, toxic, chemical or radioactive substance, or a contaminant or pollutant (together, “Hazardous Substances”) under applicable federal, state or local law, statute, ordinance, rule or regulation (“Applicable Laws”) or which may require any cleanup, remediation or other corrective action pursuant to such Applicable Laws.
5. The deed from the City will contain restrictions that provide substantially as follows:

”This conveyance is made pursuant to the Abutter Lots Sales Program of the City of Springfield, and is subject to the following restrictions, which shall run with the land and which shall be enforceable by the City:

The premises shall be kept free of garbage and debris.

The premises shall be combined for the purposes of future conveyances with the abutting property owned by Grantee, located at _____, Springfield, Massachusetts and described in a deed dated _____ and recorded in the Hampden Registry of Deeds in Book ____, Page ____ (the “abutting lot”), such that

the premises shall henceforth be conveyed in tandem with the abutting lot, and into the same record ownership.”

Signed under the pains and penalties of perjury this _____ day of _____.

Applicant’s Signature: _____

Address: _____

Co-Applicant’s Signature: _____

Address: _____

Co-Applicant’s Signature: _____

Address: _____