

THE TRIAL COURT OF THE  
COMMONWEALTH OF MASSACHUSETTS  
HOUSING COURT DEPARTMENT – WESTERN DIVISION

2012.05.23 AM 8:1


HAMPDEN, ss.

DOCKET NO: 12-CV-117

CITY OF SPRINGFIELD  
CODE ENFORCEMENT DEPARTMENT,  
HOUSING DIVISION,  
Plaintiff

v.

MARISEL OLMEDA (OWNER),  
JOSE RAMOS (TENANT)  
LYDIA RAMOS (TENANT)  
Defendants

*After hearing, at which  
the city and the Receiver appeared  
but no other parties appeared after  
notice of motion, motion allowed*  
  
5/29/12

**RECEIVER'S MOTION TO AMEND THE ORDER ON PETITION TO  
ENFORCE STATE SANITARY CODE AND FOR APPOINTMENT OF  
RECEIVER AND FOR AUTHORIZATION TO BORROW FUNDS FROM  
SPRINGFIELD REDEVELOPMENT AUTHORITY**

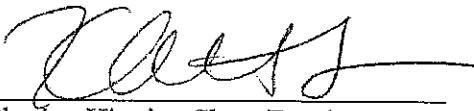
Now comes the Receiver, YellowBrick Property, LLC, and moves that this Honorable Court amend the Court's Order on Petition to Enforce State Sanitary Code and for Appointment of Receiver, dated May 3, 2012, to include that the Receiver has authority to borrow funds and to grant security interests or liens on the property. Pursuant to General Laws Chapter 111, Section 127I, "The receiver shall have full power to borrow funds and to grant security interests or liens on the affected property . . . ." Paragraph Five of said Order, entitled "Authority and Duties of the Receiver," does not include this power of the receiver as prescribed by G. L. c. 111, § 127I and the Receiver requests that Paragraph Five of the Order be amended to include said power and/or authority.

The Receiver intends to borrow funds from the Springfield Redevelopment Authority (hereinafter "SRA"). The Receiver estimates it will borrow approximately \$50,000.00 for the purpose of rehabilitating the premises at 223 Central Street, Springfield, Massachusetts. The loan from the SRA is an interest free loan. The Receiver further requests that the Receiver be authorized to sign the loan documents and all other documents required by the SRA to make and secure the loan.

WHEREFORE, the Receiver requests that the instant Motion be allowed and that said Order be amended as set forth above and that the Receiver be authorized to borrow the funds from the Springfield Redevelopment Authority as detailed above.

YELLOWBRICK PROPERTY, LLC  
Receiver

Date: May 21, 2012

By   
Katharine Higgins-Shea, Esquire  
BBO #662738  
Lyon & Fitzpatrick, LLP  
Whitney Place  
14 Bobala Road, 4<sup>th</sup> Floor  
Holyoke, MA 01040  
(413) 536-4000  
Fax (413) 536-3773

**NOTICE OF MOTION**

TO: Attorney Lisa C. DeSousa  
City of Springfield  
Code Department  
95 State Street, 6<sup>th</sup> Floor  
Springfield, MA 01103

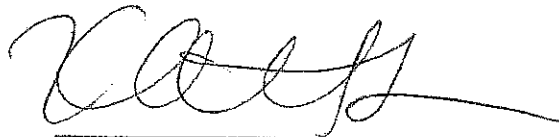
Marisel Olmeda  
225 Central Street  
Springfield, MA 01105

Jose and Lydia Ramos  
223 Central Street  
Springfield, MA 01105

Deutsche Bank National Trust Company,  
As Indenture Trustee for the Registered Noteholders  
Of Aegis Asset Backed Securities 2006-1,  
Mortgage Backed Notes  
c/o Ocwen Loan Servicing, LLC  
1661 Worthington Road, Suite 100  
West Palm Beach, FL 33409

Deutsche Bank National Trust Company,  
As Indenture Trustee for the Registered Noteholders  
Of Aegis Asset Backed Securities 2006-1,  
Mortgage Backed Notes  
60 Wall Street  
New York, New York 10005

Please take notice that the undersigned will bring the foregoing **Motion to Amend Order and for Authorization to Borrow Funds from Springfield Redevelopment Authority** on for hearing before this Court at Springfield on **Tuesday, May 29, 2012, at 2:00 p.m.** on that date or as soon thereafter as counsel can be heard.



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Katharine Higgins-Shea, BBO #662738  
Lyon & Fitzpatrick, LLP  
Whitney Place, 14 Bobala Road  
Holyoke, MA 01040  
413-536-4000  
FAX: 536-3773

Dated: May 21, 2012