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Worcester Registry of Deeds

Newsletter

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Happy Holidays!

Please continue to be well and safe this holiday season during Pandemic 2020.


Welcome to the Worcester Registry of Deeds monthly newsletter. We began this new electronic publication in October 2020. Our goal is to highlight different communities of the 55 that are the Worcester District. The thought is to share the attributes of our rich and diverse community with all the communities of the district. This newsletter has given us a platform to share known and sometimes little known facts, stories and histories of our region.


I have been spending my weekends during the pandemic traveling to the communities to explore the land and landmarks of the Worcester District.

What's Inside?

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Many Saturdays, my husband and I hop in the car and visit many parks and hiking trails to explore our region. After I visit one of our towns, I access MLR (Mass Land Records) to look up the title history. Each issue will highlight a business, historical spot or place that generated my interest to research.

If you want to email me to suggest a location, building, person or topic, please do not hesitate contact me at: Kathryn.Toomey@sec.state.ma.us

Community Statistics

Number of Recordings in November
12

Median home price per sq. ft
\$229

Homes sold above list price
43%

Median days on market
8

Density (Houses per Square Mile)
341

Town Spotlight

Southwick's Zoo

Mendon



Deep in the woods that border Mendon, Millville and Uxbridge, and spanning more than 200 acres, lies Southwick's Zoo. For those unfamiliar with the zoo, it is the largest zoological experience in New England. Unexpected, perhaps, in this more remote part of the county.

The Homestead at Southwick's dates back to 1803, where the property was acquired in bits and pieces by George Southwick over the course of approximately 40 years ([Bk 184, pg 10](#), Nov 15, 1817, Moses Chapin (grantor, unrecorded), Feb 12, 1821, Ezra Staples (grantor, unrecorded), [Bk 263, Pg 204](#), March 11, 1840, Baruch A Southwick (grantor, unrecorded). The 200-acres comprising the Zoo was primarily a dairy and vegetable farm until the mid-1900's.

"The Zoo was primarily a dairy and vegetable farm until the mid-1900's."

In the 1949, Justin Southwick, founder of the wildlife park, acquired the property ([Bk 3189, Pg 66-67](#)). While the property remained a working farm, Justin began exhibiting exotic birds – a passion of his – at local fairs. His deep interest and dedication led him to be acknowledged as one of the world's leading authorities on migratory waterfowl.

Then 1953, Justin sold the dairy business to focus exclusively on his collection, which attracted visitors from all over the region. His attempts at selling birds, however, wasn't as successful as hoped. The exotic birds did, however, attract the attention of national zoos, and Justin began trading the birds for a variety of animals.

As the popularity of his exhibits grew and to help him maintain his growing menagerie, Justin put out a donation box a few years later. Finally, in 1963, he officially opened a zoo to the public and incorporated in 1965.

The zoo has continued to grow and expand to become home to over 850 exotic animals from around the world, including many endangered species. Southwick's Zoo remains privately owned by Justin's descendants – the Brewer family – and does not receive federal, state, or local funding of any kind, relying solely on the admission proceeds from visitors and patrons.

Protecting Your Home Title from Theft

By Richard P. Howe Jr., Register, Middlesex North District

“A number of homeowners have recently called the Registry of Deeds to ask if the title to their home is safe from online theft. Because my own social media stream has been filled with ads from a company called Title Lock, I understand why they are calling. The ads usually begin with something like this: “Alarming FBI report shows hackers can steal the title to your home in minutes – without you ever knowing it.” For \$14.99 per month, Title Lock will provide its “basic protection service” which monitors your title and notifies you if anything is amiss.

So is this a legitimate concern? Well like most things related to real estate law, it's complicated. First, your “title” is not a thing. Instead, it is a legal opinion based on a review of all the records at the registry of deeds about who owns or has a legal interest in a particular parcel of real estate.

That said, here is the scenario contemplated by Title Lock and its competitors, at least as I understand it: A wrong-doer creates a deed that purports to transfer ownership of your property from you to him, forges your name on the deed then forges a notary public's signature and stamp on the deed; and then records this forged deed at the registry of deeds. Next, the wrong-doer applies for a mortgage that uses your property that now appears to be in the name of the wrong-doer as security for the loan. The lender consults the registry records, sees that the applicant owns the property, grants the loan, and records a mortgage in the name of the applicant (not you) that encumbers the property. The wrong-doer/applicant never makes a payment and the lender eventually begins foreclosure proceedings against the property. The wrong-doer likely listed his mailing address as something other than the property address so you, still living in the house and unaware of all this, would not get any notices of the foreclosure until one day when an auctioneer showed up on your front steps to sell your house at auction.

Sounds pretty scary – rightfully so - but under Massachusetts law, a forged signature does not convey ownership so the forged deed would be void as would the new mortgage that is being foreclosed. The real risk is not that you will lose your property, it is that you will be saddled with the hassle and cost of proving to everyone that you did not execute the forged deed. Because of all the layers of forgery involved (your signature, a notary's signature) it would not be very difficult to prove that, however, the burden would be on you to initiate the lawsuit needed to determine that.

Whenever a document is recorded at the registry of deeds, we immediately add the names of anyone listed on the document and the address of the property involved to our computerized index. Much like the index at the back of a textbook, the registry index is the key to finding relevant documents in the registry of deeds records.

What this Home Title Lock service purports to do is to continuously scan the registry of deeds index and anytime your name appears on a newly-recorded document to then notify you of this fact. Because the registry of deeds index is online and freely available to anyone, a homeowner concerned about this could periodically enter his or her name in the registry website and perform an identical check. That would take about 30 seconds but it would require you to go to the website on a recurring basis.

Also, several registries of deeds in Massachusetts already offer a similar service for free, however, most registries (including this one) are not yet able to offer it. When the pandemic struck we were in the process of selecting and installing an entirely new computer system with many advanced features including this automatic monitoring capability but its deployment has been delayed because of the pandemic.

(Continued, next page)

Protecting Your Home Title (cont.)

In any case, whether you paid for Title Lock, had a registry-provided automated alert, searched the registry records yourself, or just waited for the auctioneer to show up, you would be in the exact same position: having to initiate a lawsuit to expunge the fraudulent deed and proving that the deed was forged. As I said, it should not be too difficult to prove the forgery but you would still bear the cost of hiring a lawyer to handle the matter. Title Lock does offer an enhanced “resolution service” to help with this but I am not sure of the cost and coverage. Also, some title insurance policies would cover this, but some do not – you have to read the fine print. (Most people obtain title insurance when they buy or refinance the home but since it is hardly ever used, few people are familiar with it).

All this begs the question what does the registry of deeds do to prevent the recording of forged deeds? The answer is not very much but that is a public policy decision made at echelons of government high above the registry. Specifically, our land records system relies on documents being rapidly recorded. If the registry were to have to investigate every signature on every deed to determine whether it was a forgery, the recording process would grind to a halt and the multibillion dollar real estate economy would be severely disrupted.

While the incidence of this type of fraud may be on the rise, it is still very rare. In my 25 years as register of deeds, I've never encountered a case where this has happened. There have been a couple of forged deeds, but they involved family members or friends of aged and incapacitated homeowners, not an anonymous interloper on the internet.”

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Holiday Travel

If you are considering traveling for the winter holidays, here are some important questions to ask yourself and your loved ones beforehand.

These questions can help you decide what is best for you and your family:

- Are you, someone in your household, or someone you will be visiting at increased risk for getting very sick from COVID-19?
- Are cases high or increasing in your community or at your destination? The more cases in your community or at your destination, the more likely you are to get and spread COVID-19 as a result of your door-to-door travel.
- Are hospitals in your community or at your destination overwhelmed with patients who have COVID-19?
- Does your home or destination have requirements or restrictions for travelers?
- During the 14 days before your travel, have you or those you are visiting had close contact with people they don't live with?
- Do your plans include traveling by bus, train, or airplane, which might make staying 6 feet apart difficult?
- Are you traveling with people who don't live with you?

If the answer to any of these questions is “yes,” you should consider making other plans, such as hosting a virtual gathering or delaying your travel. Please see Mass.Gov and the CDC websites for additional information.

General Information for MA Residents: <https://www.mass.gov/info-details/covid-19-updates-and-information>

Vaccine FAQs: <https://www.mass.gov/info-details/covid-19-vaccine-frequently-asked-questions>

CDC Travel Guidelines: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html>

CRYPTOGRAM

This cryptogram is based on simple substitution, replacing each letter in the alphabet with a number. Here, the letter A is represented by the number 21.



A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
21																									

_____ A
 1 13 1 14 5 19 4 17 26 21 20 13 23 23 4

_____ A _____ A _____ A _____ A _____
 8 19 23 14 5 22 20 21 5 21 16 24 21 19 21 2 2 4 16 13 1

_____ A _____
 4 13 21 23

Need some help? Here are some tips for solving cryptograms:

- **Look for Common Letters** - the most common letters in the English language are E, T, A, O, and N, with I and S a close second. So, the first step to solving the puzzle is to look at what letters occur most often in the above gibberish, and work with them.
- **Solve the Short Words** - This is especially effective for short words that have only two or three letters. The most common two letter words are: OF, TO, IN, IS, IT, AS, HE, BE, BY, ON, OR, and AT.
- **Spot Repeated Letters** - Only a few letters are actually ever repeated twice in a word: RR, LL, NN, MM, and fewer of these are in small words. So, for example, if there is a three-letter word containing repeating letter, such as SZZ, that word is almost certainly the word ALL.

