

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**U.S. Bank Trust, N.A., as Trustee for LSF9  
Master Participation Trust**

**Plaintiff**

vs.

**Derek L. Grandmaison**

**Defendant**

**MSNI Fund VI**

**Party-In-Interest**

**CIVIL ACTION NO: 2:17-cv-00016**

**RE:**

**61 Brattle Street, South Berwick, ME 03908**

**Mortgage:**

**March 3, 2006**

**Book 14778, Page 745**

**CONSENT JUDGMENT OF FORECLOSURE AND SALE**

Now Comes the Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, and the Defendant, Derek L. Grandmaison, and hereby submits this Consent Judgment of Foreclosure and Sale.

Count II – Breach of Note, Count III – Breach of Contract, Money Had and Received, Count IV – Quantum Meruit, and Count V – Unjust Enrichment, are hereby **DISMISSED** without prejudice at the request of the Plaintiff. **JUDGMENT** on Count I – Foreclosure, is hereby **ENTERED** as follows:

1. If the Defendant or his heirs or assigns pays U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (“U.S. Bank”) the amount adjudged due and owing (\$280,795.53) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket.
2. If the Defendant or his heirs or assigns does not pay U.S. Bank the amount adjudged due and owing (\$280,795.53) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, his remaining rights to possession of the South

Berwick Property shall terminate, and U.S. Bank shall conduct a public sale of the South Berwick Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of \$280,795.53 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324.

3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.
4. The amount due and owing is \$280,795.53.
5. The priority of interests is as follows:
  - a) U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust has first priority pursuant to the subject Note and Mortgage.
  - b) MSNI Fund VI has the second priority behind the Plaintiff pursuant to a Mortgage in the amount of \$33,000.00, dated March 3, 2006, and recorded in the York County Registry of Deeds in Book 14778, Page 771, as assigned by virtue of the Assignment of Mortgage dated November 8, 2013, and recorded in said Registry in Book 16766, Page 373.
  - c) Derek L. Grandmaison have the third priority behind the Plaintiff.
6. No public utility easements survive the foreclosure.
7. The prejudgment interest rate is 8.750%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 6.65%, *see* 14 M.R.S.A. § 1602-C.

8. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	<b>PARTIES</b>	<b>COUNSEL</b>
<b>PLAINTIFF</b>	U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915
<b>DEFENDANT</b>	Derek L. Grandmaison 61 Brattle Street South Berwick, ME 03908	Pro Se
<b>PARTY-IN-INTEREST</b>	MSNI Fund VI C/o Agent: Tyler E. Harpe 9700 Fair Oaks Blvd. Suite C Fair Oaks, CA 95628	Pro Se

- a) The docket number of this case is No. 2:17-cv-00016.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 61 Brattle Street, South Berwick, ME 03908, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 61 Brattle Street, South Berwick, ME 03908. The Mortgage was executed by the Defendant on March 3, 2006. The book and page number of the Mortgage in the York County Registry of Deeds is Book 14778, Page 745.
- e) This judgment does not constitute any personal liability on the part of the Defendant, but acts solely as an in rem judgment concerning the subject property.

**SO ORDERED.**

Dated: October 19, 2017

/s/ George Z. Singal  
U.S. District Judge

Dated: October 17, 2017

/s/John A. Doonan  
John A. Doonan, Esq., Bar No. 3250  
Attorney for Plaintiff  
Doonan, Graves & Longoria, LLC  
100 Cummings Center, Suite 225D  
Beverly, Massachusetts 01915

Dated: September 21, 2017

/s/Derek L. Grandmaison  
Derek L. Grandmaison  
Defendant  
21 Brattle Street  
South Berwick, Maine 03908

## Exhibit A - Property Description

Closing date: March 3, 2006  
Property Address: 61 Brattle Street, South Berwick, Maine 03908

Two certain lots with the buildings thereon, situate on the southerly side of Brattle Street in South Berwick, County of York, State of Maine bounded and described as follows:

Parcel #1: Bounded southwesterly by land formerly of Ransom Merrill; southeasterly by land formerly of Eugene W. Ball; northwesterly by highway; and northeasterly by land formerly of Eugene W. Ball; and being commonly known as the homestead of the late Henry Young.

Together with all its right, title and interest in and to a certain right-of-way as described and conveyed in a certain deed from Ralph L. Ball, et al, to Marie L. Reidy dated June 11, 1930 and recorded in said York Registry, Book 818, Page 392, to which deed reference is hereby made for a further description thereof.

Parcel #2: Beginning at an iron pin on the southerly side of Brattle Street, said iron pin being located at the northeasterly corner of other land formerly owned by Arlo Horr; thence running easterly along Brattle Street for a distance of twenty-eight (28) feet to a stone marker in the ground at land being retained by Charles W. F. and Loretta S. Warren; thence turning and running southerly in a straight line along said Warren's land for a distance of two hundred ninety-one (291) feet, more or less, to an iron pipe set at the base of a maple tree; thence turning and running westerly along land owned now or formerly by one Fink for a distance of one thirty-five (135) feet, more or less, to an iron pipe at land owned now or formerly by one Boilard; thence turning and running northerly along land of Boilard and land of Merrill for a distance of one hundred thirty-one (131) feet, more or less, to other land formerly of said Horr's; thence turning and running easterly along land formerly of Horr a distance of one hundred five (105) feet, more or less; thence turning and running northwesterly along land formerly of Horr for a distance of one hundred sixty (160) feet, more or less, to an iron pipe set on the southerly side of Brattle Street and being the point of beginning.

EXHIBIT

