SENATE DOCKET, NO. 1132 FILED ON: 1/20/2011

SENATE . . . . . No. 854

The Commonwealth of Massachusetts

PRESENTED BY:

Richard J. Ross

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to homestead declarations recording of deeds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard J. Ross	*Norfolk, Bristol, and Middlesex*
Robert L. Hedlund	☐ *[District]* ☐
Bruce E. Tarr	☐ *[District]* ☐

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SENATE . . . . . No. 854

By Mr. Ross, a petition (accompanied by bill, Senate, No. 854) of Richard J. Ross, Robert L. Hedlund and Bruce E. Tarr for legislation relative to homestead declarations recording of deeds. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1590* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to homestead declarations recording of deeds.

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 188 of the General Laws, is hereby amended by striking out section 2 in its entirety and inserting in its place the following new section:-

Section 2. Notwithstanding the rights of any mortgagee, upon the recording of any deed accompanied by an affidavit, signed, sealed and acknowledged that the conveyed premises are the primary residence of the grantee, an estate of homestead shall be created in the conveyed property by the grantee. To acquire a claim of homestead in a manufactured home, the fact that it is designed to be held as such shall be set forth in writing duly signed, sealed and acknowledged and filed at the city or town clerk's office in the city or town in which the manufactured home is located. The acquisition of a new estate or claim of homestead shall defeat and discharge any such previous estate.