

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

SUPERIOR COURT
Docket No.

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| <p>***** ***** ,</p> <p style="text-align: center;">plaintiff</p> <p>v.</p> <p>**** ***** ,</p> <p style="text-align: center;">defendant</p> |
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COMPLAINT

Introduction

This is a Complaint for the Specific Enforcement of a contract for the conveyance of real estate.

Jurisdiction

The Superior Court for the County of Middlesex has jurisdiction over this matter as the land in question is located in said county.

Parties

1. The plaintiff is ***** ***** , who resides in ***** , Massachusetts.
2. The defendant is his brother, **** ***** , who resides at ** ***** ***** , ***** , Middlesex County, Massachusetts.
3. The real estate in question is located at ** ***** ***** ***** , Middlesex County, Massachusetts.

Facts

4. The following transactions &/or agreements took place:

- a.) June 19, 19**:

Deed: The parents ("Parents") of the four ***** adult children (including the plaintiff and defendant) conveyed their interest in the real estate to said adult children, as tenants in common, reserving for themselves a life estate.

b.) December 14, 19**:

Agreement: the Parents and the four ***** adult children agree that the Parents will convey the property to the defendant, ***** , and that "Upon the deaths of both Mr. and Mrs. ***** , title to the real estate shall be transferred by deed, within thirty days, from ***** *****" to the four adult children, "as tenants in common."

c. December 30, 19**:

Deed: to effect the foregoing agreement, the four ***** adult children convey the property back to the parents.

d. December 30, 19**:

Deed: also to effect the foregoing agreement, the Parents then convey the property to the defendant, ***** .

5. True and accurate copies of the documents described in paragraph 4 are appended hereto.

6. The senior Mr. ***** was the longer lived of the ***** parents, and he passed away on or about ***** **, 2004.

7. The defendant, ***** , has failed, refused and neglected to convey title from himself as sole owner to himself and the other three ***** adult children, one of whom is the plaintiff, as tenants in common.

WHEREFORE, the plaintiff prays that the defendant be ordered to effect the conveyance of the said property from his sole ownership to himself and the three other ***** children, including the plaintiff, as tenants in common; that the plaintiff be declared owner of a one-quarter interest in the said property; and that he be awarded his costs and legal fees and such other relief as the Honorable Court deems meet and just.

Respectfully submitted,
the plaintiff,
***** ,
by his attorney:

Gregory R. Barison
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date: **** ** ****