No. 7564 Equity

Henry Knoblock,
et al.

vs.

Albert Petrowsky
Trustee, et al.

File 2
Drawer 1

Summon Albert Retowsky and Katherine Retowsky at 4505 Frederick Ave - Baltimore

No. 7564

CIRCUIT COURT
FOR ANNE ARUNDEL CO. - EQUITY

Henry Knoblock, et al.

vs.

Albert Retowsky, et al.

BILL OF COMPLAINT.

Mr. Clerk:

Please file.

Robert W. Beach

Noah A. Hillman

Solicitors for Complainants

Filed Friday, 23rd. 1938.

ROBERT W. BEACH
ATTORNEY AND COUNSELLOR AT LAW
[illegible] E. NORTH AVENUE
BALTIMORE, MD.

LAP OVER MARGIN

165

168

Henry Knoblock,
William J. Kunst, and
Marie Kunst, his wife,
John F. Frisch, and
Katherine Frisch, his wife,
Michael Sansone,
Mary Sansone, his wife,
and the Paradise Beach Improvement
Association, a body corporate,
Complainants.

vs.

Albert Retowsky, and
Katherine Retowsky, his wife,
and the Board of County Commissioners
for Anne Arundel County,
Defendants.

In the
Circuit Court
for Anne Arundel County,
In Equity.
No. 7564.

To the Honorable, the Judge of said Court:

The Bill of Complaint of the above named complainants, by Robert W. Beach and Noah A. Hillman, their solicitors, against the above named defendants, to your Honor respectfully shows:

1. That the said defendant, Albert Retowsky, acquired the property now known as "Paradise Beach", lying in the Third District of Anne Arundel County, on or about the 14th day of June, 1921, by deed from Grover C. Wise, et al., to said Albert Retowsky, recorded among the Land Records for Anne Arundel County in Liber W.N.W. No. 42, folio 358, a certified copy of which is herewith filed marked "Complainants' Exhibit No. 1", and prayed to be taken as part hereof; and, subsequently, caused to be filed with the Clerk of this Court a plat of said land laid off in named roads and lots, (mostly twenty-five feet in width), consecutively numbered, which said plat was designated as a "Plat of Paradise Beach" and was recorded among the

Plat Records for said County in Plat Records G.W. No. 1, Section 3, folio 342, a copy of which plat of Paradise Beach is filed herewith marked "Complainants' Exhibit No. 2" and prayed to be taken as part hereof.

2. That upon said Plat there appears a road, parallel with the water front, named as "Patapsco Avenue" and which is there designated as a roadway fifty (50) feet in width.

3. That the said Albert Retowsky and Katherine Retowsky, his wife, (the said property being held in fee simple), have conveyed by sundry deeds more than seventy-five (75) lots touching and bordering on the north-eastern side of said Patapsco Avenue and two lots touching and bordering on the south-western side of said "Patapsco Avenue", to various persons since the year 1921 and down to date, in all of which deeds the lots sold referred to the said Plat of Paradise Beach by the numbers thereon respectively.

4. That on or about the 24th day of March, 1937, the said Albert Retowsky and Katherine Retowsky, his wife, deeded to the Board of County Commissioners for Anne Arundel County the said fifty foot roadway designated upon the said Plat of Paradise Beach as "Patapsco Avenue", it being therein stipulated that the said land so conveyed was to be "For the use and purposes of a public roadway", which said deed is recorded among the Land Records for Anne Arundel County in Liber F.A.M. No. 163, folio 36, a certified copy of which is filed herewith marked "Complainants' Exhibit No. 3" and prayed to be taken as part hereof.

5. That the said Board of County Commissioners for Anne Arundel County took over the said fifty (50) foot roadway designated as "Patapsco Avenue" but laid out and improved the same to the extent and with a width of thirty (30) feet only and laid the same on the north-eastern part thereof, (and not in the centre thereof), leaving a strip twenty feet in width on the south-western side thereof.

6. That, on or about the 14th day of January, 1938, the said

Albert Retowsky

Albert Retowsky filed a petition with the Board of County Commissioners for Anne Arundel County asking that the said southwestern strip of twenty (20) feet of said fifty (50) foot roadway known and designated on the said Plat of Paradise Beach as "Patapsco Avenue" be reconveyed to him and his said wife so that he could add that much footage to his other lots in Paradise Beach adjacent thereto; and that, on or about the 21st day of January, 1938, the said Board of County Commissioners for Anne Arundel County, without legal or any other notice to the property owners whose lots abut upon the said "Patapsco Avenue", and without their knowledge, consent and approval, passed a resolution to deed the said twenty (20) feet of said "Patapsco Avenue" to the said Albert Retowsky and Katherine Retowsky, his wife; and, further, that on or about the 22nd day of January, 1938, a deed for said twenty (20) feet of said "Patapsco Avenue" was executed by the President of said Board and delivered to the said Albert Retowsky and Katherine Retowsky, his wife, in fee simple, which said deed was recorded the same day among the Land Records for said Anne Arundel County in Liber F.A.M. No. 176, folio 115, a certified copy of which is herewith filed marked "Complainants' Exhibit No. 4" and prayed to be taken as part hereof.

7. That as soon as your petitioners learned of the filing of said petition for the transferring from the Board of County Commissioners to the said Retowsky and wife of the said twenry (20) foot part of said "Patapsco Avenue", a protest was filed with the said Board by mail under date of January 26th, 1938, they being unaware that action on said petition had been taken and a deed had already been executed and delivered, a copy of which said letter is herewith filed marked "Complainants' Exhibit No. 5" and prayed to be taken as part hereof; to which said letter a reply was received under date of February 3rd, 1938, informing that a public hearing would be held before the Board of County Commissioners at 11 o'clock a.m. on Tuesday, February 15th, 1938, "at which time your committee will be

able to present their protest against the transfer of this strip of road", which letter is also filed herewith marked "Complainants' Exhibit No. 6" and prayed to be taken as part hereof.

8. Your complainants, John F. Frisch and Katherine Frisch, his wife, allege that they purchased from the said Albert Retowsky and Katherine Retowsky, his wife, lots No. 88 and ½ of 89 on or about the 26th day of July, 1930, which border upon the said "Patapsco Avenue", from whom they received a deed in fee simple, recorded among the Land Records for Anne Arundel County in Liber F.S.R. No. 76, folio 191, which said deed referred to the said Plat of Paradise Beach, recorded as aforesaid, wherein "Patapsco Avenue" was marked as a fifty (50) foot roadway, and in which said deed there were no reservationsof title to any of the roadways laid out and mentioned on said Plat of Paradise Beach, a certified copy of which said deed is herewith filed marked "Complainants' Exhibit No. 7" and prayed to be taken as part hereof.

9. That your complainant, Henry Knoblock, alleges that he purchased from the said Albert Retowsky and Katherine Retowsky, his wife, lots Nos. 61 and 62 on or about March 16th, 1931, which border upon the said "Patapsco Avenue", from whom he received a deed in fee simple, recorded among the Land Records of Anne Arundel County in Liber F.S.R. No. 88, folio 113, which said deed referred to the said Plat of Paradise Beach, recorded as aforesaid, wherein "Patapsco Avenue" was marked as a fifty (50) foot roadway, a certified copy of his said deed being filed herewith marked "Complainants' Exhibit No. 8" and prayed to be taken as part hereof; and he further avers that he purchased the said lots upon the represenations of said grantors and of said Plat of Paradise Beach and has since relied upon the same.

10. That your complainants, William J. Kunst and Marie Kunst, his wife, allege that they purchased from the said Albert Retowsky and Katherine Retowsky, his wife, lots Nos. 381 and 382 on or about January 30th, 1929, from whom they received a deed in fee simple for

said lots, recorded among the said Land Records for Anne Arundel County in Liber F.S.R. No. 39, folio 480, a certified copy of which is herewith filed marked "Complainants' Exhibit No. 9" and prayed to be taken as part hereof. That their said deed referred to the said Plat of Paradise Beach wherein "Patapsco Avenue" is marked as a fifty foot roadway; and that, while their said lots do not border directly upon said "Patapsco Avenue", they are so close thereto that if the said deed from the said County Commissioners to the said Retowskys is upheld, and the said Retowskys should change the said Plat of Paradise Beach by adding the said 20 foot strip to their lots and build houses thereon facing the waterfront, they would be greatly damaged and inconvenienced thereby, irreparably.

11. That your complainants Michael Sansone and Mary Sansone, his wife, allege that they purchased from the said Albert Retowsky and Katherine Retowsky, his wife, Lots Nos. 77, 78 and 79, so described on the Plat of Paradise Beach aforesaid, and received from them a deed in fee simple for the same which is recorded among the Land Records for Anne Arundel County in Liber F.S.R. No. 50, folio 347, a certified copy of which is filed herewith marked "Complainants' Exhibit No. 10", and which is prayed to be taken as part hereof. That said lots border upon the said "Patapsco Avenue", which is marked upon said Plat of Paradise Beach as a fifty (50) foot roadway; and they further aver that they purchased the said lots upon the representations of said grantors and of said Plat of Paradise Beach, to which said deed particularly referred, that said "Patapsco Avenue" was to remain as a fifty foot roadway, and that they relied upon said representations.

12. That the said Albert Retowsky and Katherine Retowsky, his wife, also conveyed to William Matthiass on October 1, 1935 by a deed in fee simple Lots Nos. 99 and 100 on the said Plat of Paradise Beach by deed recorded among the Land Records of Anne Arundel County in Liber F.A.M. No. 146, folio 436, a certified copy of which is filed herewith marked "Complainants' Exhibit No. 11", and prayed to be taken as part hereof, wherein no reservations were made by said grantors to the title in

any of the roadways mentioned on said Plat of Paradise Beach to which the said deed to them particularly referred.

13. That in another deed from the said Albert Retowsky and Katherine Retowsky, his wife, to Andrew Zgliniski and Joseph Chelschowski, dated July 23rd, 1923, and recorded among said Land Records in Liber W.N.W. No. 69, folio 48, a certified copy of which is also filed herewith marked "Complainants' Exhibit No. 12" and prayed to be taken as part hereof, the said grantors failed to make any reservations of the title to the roadways on the Plat of Paradise Beach, heretofore referred to, to which the said deed referred particularly in naming the property conveyed thereby as Lots Nos. 51 and 52 on said Plat, and which said lots border and bind on the said "Patapsco Avenue".

14. That the said Paradise Beach Improvement Association, of which all of the above named complainants are members, and in which most of the property owners at Paradise Beach are also members, is a corporation duly incorporated under the laws of the State of Maryland, the active members of which are, and must be, property owners at Paradise Beach. That, at a regular meeting of the said association held on February 13th, 1938, when over forty members (active) out of a total of about fifty members were present, a motions was made, seconded and unanimously carried authorizing the Board of Directors of said Association to take such action in this matter as it might deem advisable, a copy of the minutes of which meeting on said subject is herewith filed marked "Complainants' Exhibit No. 13" and prayed to be taken as part hereof; and that, at a meeting of the Board of Directors of said Association, held on February 14th, 1938, pursuant to said authority and the By-Laws of said Association, a copy of the minutes of said Board meeting on said subject being herewith filed marked "Complainants' Exhibit No. 14" and prayed to be taken as part hereof, the said Board of Directors unanimously authorized and directed that these proceedings be instituted.

15. That these complainants aver and charge that the said

Albert Retowsky and Katherine Retowsky, his wife, if the said deed to them from the said Board of County Commissioners is held to be legal, might have the right to alter and change the said Plat of Paradise Beach, change the lines of certain lots thereon, and to build upon the said twenty (20) foot strip of said "Patapsco Avenue", (and the said Albert Retowsky has expressed his intention of so doing); and they further charge that any such changes in said Plat of Paradise Beach and any building upon the said strip of "Patapsco"Avenue" would result in considerable detriment and disadvantage to your complainants and to their respective properties, particularly those whose properties abut upon said "Patapsco Avenue"; and they further aver and charge that they purchased their respective properties upon the representations of the said Plat of Paradise Beach and with the understanding that said "Patapsco Avenue" was, would be, and remain a fifty (50) foot roadway as thereon set forth.

16. Your complainants aver and charge that said fifty (50) foot roadway, described as "Patapsco Avenue" upon the said Plat of Paradise Beach, has been dedicated for public use at least since 1923, in view of the fact that no reservations of the title to the same was set forth in the deed referred to in the twelfth paragraph of this Bill of Complaint, filed herewith as "Complainants' Exhibit No. 12", as well as in other deeds hereinbefore referred to, certified copies of which are filed as exhbits.

17. Your complainants aver and charge further that the said fifty (50) foot roadway known as "Patapsco Avenue" upon the Plat of Paradise Beach, has been dedicated for public use by reason of the aforementioned deed from Albert Retowsky and wife to the Board of County Commissioners for Anne Arundel County, dated March 24th, 1937, (copy of which is filed herewith marked "Complainants' Exhibit No. 3"), the said deed particularly setting forth that the said "Patapsco Avenue" was conveyed to the Board

"For the use and purposes of a public road".

18. Your complainants further aver and charge that the deed from the said Board of County Commissioners for Anne Arundel County to the said Albert Retowsky and Katherine Retowsky, his wife, bearing date of January 22nd, 1938, (Exhibit No. 4), was without consideration; that, although it reads that "In consideration of the sum of One dollar and other good and valuable considerations" it was publicly admitted by the Board of County Commissioners for Anne Arundel County at the "Hearing" held on February 15th, 1938, that there were no "Valuable Considerations" passed and that the alleged payment of One dollar was not made; in consequence whereof the said Board attempted to convey over 20,000 square feet of land on a thirty foot county road without any consideration whatsoever; and that, as tax-payers in said County, they object to the legality of such a conveyance.

19. These complainants further aver and charge that their individual rights, as well as the rights of the other property owners, members of the Paradise Beach Improvement Association, abutting on said "Patapsco Avenue", particularly, have been, and will be, seriously affected by the possible encroachment upon said Avenue by the erection of buildings upon the said 20 foot strip, the narrowing of the said Avenue, the interference of light and air, and the depreciation of the value of their respective properties by reason of the narrowing of the said Avenue, for which, they further allege, they have no adequate remedy at law.

20. These complainants further allege and charge that, during the Summer months, particularly, many hundreds of automobiles travel the said "Patapsco Avenue", mostly to the south of Potomac Avenue on their way to and from Kurtz's Pleasure Beach and Maryland Beach, and they insist that the reduction of the width of said "Patapsco Avenue" from fifty (50) feet to thirty (30) feet will tend to make said Avenue more hazardous and dangerous for the many pedestrians, residents, their children, friends and others, lawfully using the same.

21. Your complainants further aver that already the said Albert

Retowsky and Katherine Retowsky, his wife, have conveyed, or attempted to convey, to Samuel Kurtz, et al., four hundred feet of said twenty foot strip on the southwestern side of said "Patapsco Avenue", being part of the strip of land which was attempted to be conveyed to them by the said Board of County Commissioners for Anne Arundel County by the deed of January 22nd, 1938, ("Complainants' Exhibit No. 4"), by a deed dated February 12, 1938, and recorded among the said Land Records for said Anne Arundel County on February 17th, 1938, Liber F.A.M. No. , folio , a certified copy of which is also filed herewith marked "Complainants' Exhibit No. 15" which is prayed to be taken as part hereof.

22. Your complainants further aver and charge, generally, that the said Albert Retowsky, the owner and developer of said Paradise Beach, and his said wife, from its inception, has represented and sold to your complainants, and all other purchasers of property at Paradise Beach, according to the said Plat of Paradise Beach, recorded as aforesaid; and, in all of the deeds executed the lots conveyed have referred to that Plat and been described by the numbers thereon; that said "Patapsco Avenue" has always been represented by said grantors to your complainants, as well as all other purchasers of lots therein, as a fifty (50) foot roadway and according to said Plat; that "Potomac Avenue" was also represented as a fifty (50) foot roadway, of which, when it was turned over to the said County by the said grantors, but thirty (30) feet thereof were conveyed to the County, the said thirty feet of County road having been laid in the centre thereof.

Wherefore they pray that this Honorable Court will pass a Decree declaring the aforesaid deed from the said County Commissioners to the said Albert Retowsky and wife, dated January 22nd, 1938, be declared to be null and void; that the said Retowsky and wife, their heirs and assigns, be required to show cause why they should not be enjoined from disposing of any part of said twenty foot strip of "Patapsco Avenue" or of building thereupon, or of changing the Plat of Paradise Beach in any manner; and that your complainants may have such other and

further relief as their case may require.

May it please the Court to grant unto your complainants the State's writ of subpoena directed to the said defendants, and each of them, and require them to appear and answer the foregoing Bill of Complaint on some certain day to be named therein, and to show cause, if any they may have, why the relief prayed for should not be granted.

And as in duty bound, etc.

John W. Beach

Noah A. Hillman

Solicitors for Complainants.

Henry Knoblock

William J. Kunst

Marie A. Kunst

John F. Frisch

Katherine Frisch

Michael Sansone

Mary Sansone

Paradise Beach Improvement Association,

By Henry Knoblock, President.

Complainants.

State of Maryland, City of Baltimore, to wit:

I hereby certify that on this 18th day of February, 1938, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, personally appeared Henry Knoblock, and made oath in due form of law that the statements made in the foregoing Bill of Complaint are true to the best of his knowledge and belief.

Witness my hand and notarial Seal.

H. Chand Johnson Notary Public.

served 2/24/38
Clerk to Co Com
M.

No. 9564 Equity

Henry Knoblock
et al

vs.

The Board of County
Commissioners of Anne Arundel
County et al

Court House

Summoned the Board of County Commissioners of Anne Arundel County a body corporate this 24th day of February 1938 by serving on R. Harry Arnold, Clerk and a copy of this subpoena as well as a copy of the Bill of Complaint left in the hands of R. Harry Arnold, Clk.

Joseph H. Alton, Sheriff
By Meade

Returnable 1st Monday March 193

Sheriff's Cost 95¢

MARYLAND, SCT.

THE STATE OF MARYLAND

To The Board of County Commissioners of Anne Arundel County

of Anne Arundel County, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set apart, you personally be and appear before the Circuit Court of Anne Arundel County, sitting in Equity; to be held in the City of Annapolis, on the first Monday of March next, to answer the complaint of Henry Knoblock et al

against you in said Court exhibited. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable FRANCIS NEAL PARKE, Chief Judge of the said Court, the 3rd day of January 1938

ISSUED 23rd day of February 1938

Francis A. Wilmer, Clerk.

TAKE NOTICE:—That you are required to file your answer or other defense in this case in the Clerk's Office within fifteen days from the return day, which return day is Monday, the 7th day of March 1938

(Beach + Hillman Solrs)

In the Circuit Court for Anne Arundel County

#1564 In Equity

Henry Knoblock, et al

vs

Albert Retowsky, et al

Complainants' Exhibit No 1

Mr. Clerk:
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

$2.00 Pd N.A.H.

(1)

($9.00 Rev. Stamp.)

This Deed, Made this Fourteenth day of June, in the year nineteen hundred and twenty-one, between Grover C. Wise and Margaret B. Wise, his wife, Michael L. Schmidt and Marie A. Schmidt, his wife, and George Knapp and Anna E. Knapp, his wife, all of the City of Baltimore, in the State of Maryland, of the first part, and Albert Retowsky, of said City and State, of the second part.

Witnesseth, that for and in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Grover C. Wise and Margaret B. Wise, his wife, Michael L. Schmidt and Marie A. Schmidt, his wife, and George Knapp and Anna E. Knapp, his wife, do grant and convey unto the said Albert Retowsky, his heirs and assigns, in fee simple.

all that tract of land situate, lying and being on the southwest shore of the Patapsco River, in the Third Election District of Anne Arundel County, and which according to a recent survey made by J. Spence Howard, Civil Engineer, is contained within the following metes and bounds,

Beginning for the same at the beginning of the land described in the deed from Preston Jenkins and wife to Grover C. Wise and wife, et al. dated September 20, 1920, and recorded among the Land Records of Anne Arundel County in Liber W. N. W. No. 29, folio 101 &c., and running thence from said beginning point and binding on the outlines of said land as now surveyed, North twenty four degrees thirty five minutes west two thousand four hundred and seventeen and fourteen one-hundredths feet, thence south eighty eight degrees fifty five minutes east one hundred and fifty six and seventy five one-hundredths feet, thence north thirteen degrees five minutes east one hundred and thirty two feet to a stone near a gum tree, thence north twenty four degrees fifty minutes east two thousand two hundred and thirty six and five tenths feet more or less, to the waters of the Patapsco River, thence binding on the waters and shore line of said river, which is closely parallel by the following three courses and distances, South forty four degrees twenty five minutes east one thousand six hundred and sixteen and

eight tenths feet, South fifty two degrees twenty seven minutes east three hundred and eighty five feet, and South forty four degrees forty one minutes east one thousand and ninety one and ninety five one hundredths feet to the mouth or outlet of Chards Pond, (a Boundary of lot No. 2) thence South forty two degrees forty three minutes west one thousand four hundred and twenty three and fifty two one hundredths feet to a dead chestnut tree standing at the head of said Pond, thence south forty eight degrees five minutes west forty six and eighty three one hundredths feet to a gum tree on the south side of the marsh at the head of said Pond, thence north seventy nine degrees seven minutes west one hundred and thirty and fifty three one hundredths feet, thence south forty six degrees thirty four minutes west one thousand six hundred and fifty feet to the place of beginning, excepting thereout, however, a triangular lot of ten acres lying at the southernmost end of said tract, which is not hereby intended to be conveyed.

Being and comprising the tract of land conveyed by Preston Jenkins and wife to the said Grantors, by deed dated September 20, 1920, and recorded among the Land Records of Anne ArundelCounty in Liber W. N. W. No. 29, folio 101 &c., exclusive of the ten acres aforesaid. The Quantity of land hereby intended to be conveyed according to the said survey being about one hundred and fifty seven acres of land, more or less.

Together with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging,or anywise appertaining.

To Have And To Hold the said tract of land and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said Albert Retowsky, his heirs and assigns, in fee simple;subject however, to the legal operation and effect of two mortgages from said grantors to said Preston Jenkins and wife, each dated September 20, 1920, and recorded among the Land Records of Anne Arundel County

in Liber W. N. W. No. 29, folio 104 and 108 respectively, the first of said mortgages being for the sum of Eleven Thousand Dollars, and the second being for the sum of Five Thousand Dollars.

And the said Grantors covenant that they will warrant specially the property hereby conveyed, and that they have not done any act or thing whatsoever to encumber the same, except the mortgages aforesaid, and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of the said Grantors.

Grover C. Wise (Seal)
Margaret B. Wise (Seal)
Michael L. Schmidt (Seal)
Marie A. Schmidt, (Seal)
George Knapp (Seal)
Anna E. Knapp (Seal)

Test:
John N. Yost.

State of Maryland, City of Baltimore, to Wit:

I Hereby Certify, that on this 14th day of June, in the year nineteen hundred and twenty-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared Grover C. Wise and Margaret B. Wise his wife, Michael L. Schmidt and Marie A. Schmidt, his wife, and George Knapp and Anna E. Knapp, his wife, the Grantors named in the foregoing Deed, and severally acknowledged the foregoing Deed to be their act.

Witness my hand and Notarial Seal.

John N. Yost
Notary Public

(Notary Seal)

Recorded 15th. June, 1921. 9 Am.

State of Maryland, Anne Arundel County, Sct:

I Hereby Certify that the foregoing Deed was truly taken and copied from Liber W. N. W. No. 42, folio 358, one of the Land Record Books for Anne Arundel County.

In Testimony Whereof, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County, this 17th day of February, A. D. 1938.

Frank A. Munroe (Seal)

In the Circuit Court
for Anne Arundel County
#7564 In Equity

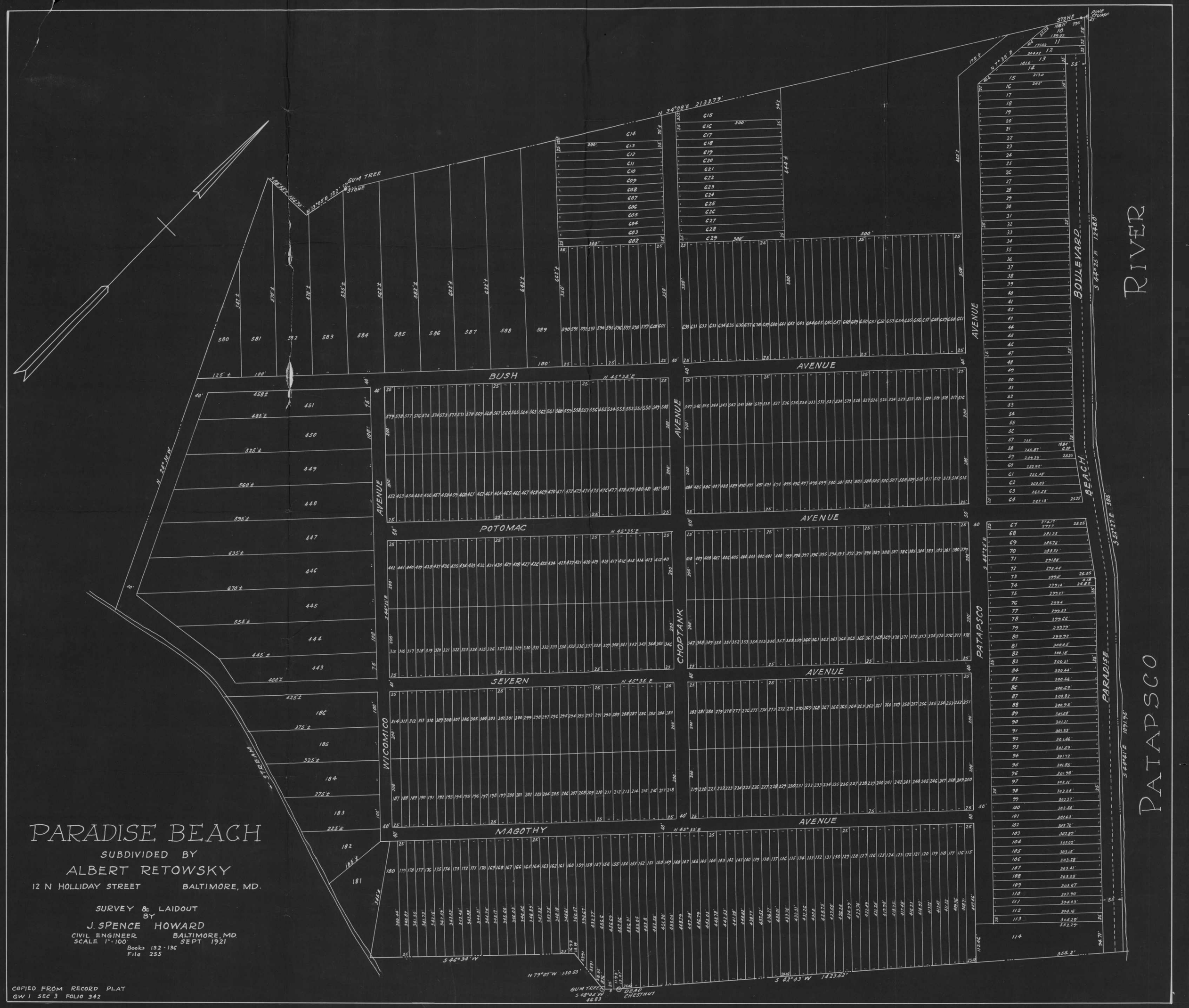
Henry Kuehlock, et al
vs.
Albert Petrowsky, et al

Complainants' Exhibit No. 2.

Mr. Clerk. –
Please file.

Noah A. Hillman
Solicitor for Complainants.

Filed 23 February 1938


PARADISE BEACH
SUBDIVIDED BY
ALBERT RETOWSKY
12 N HOLLIDAY STREET BALTIMORE, MD.
SURVEY & LAIDOUT
BY
J. SPENCE HOWARD
CIVIL ENGINEER BALTIMORE, MD.
SCALE 1" = 100' SEPT 1921
Books 132 - 136
File 255
COPIED FROM RECORD PLAT
GW 1 SEC 3 FOLIO 342
BUSH
POTOMAC
SEVERN
MAGOTHY
AVENUE
WICOMICO
CHOPTANK
PATAPSCO
BOULEVARD
BEACH
PARADISE
RIVER
PATAPSCO
STREAM
N 34°08'E 2133.79'
N 45°35'E
S 44°25'E 1248.0'
S 52°27'E 305'
S 46°34'W
N 79°07'W 130.53'
S 42°43'W 1423.52'
GUM TREE
STONE
PINE STUMP
DEAD CHESTNUT

In the Circuit Court
for
Anne Arundel County

~~#9,564 In Equity~~

Henry Knoblock, et al

vs.

Albert Petrunky, et al

Complainants' Exhibit No. 3

Mr. Clerk:
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

$1.00 Pd. N.A.H.

(3)

THIS DEED, made this 24th day of March, 1937, by and between ALBERT RETOWSKY and KATHERINE RETOWSKY, his wife, of Anne Arundel County, State of Maryland, of the first part, hereinafter called "GRANTORS", and the COUNTY COMMISSIONERS OF ANNE ARUNDEL COUNTY, a body corporate, of the second part, hereinafter called "GRANTEE".

WITNESSETH, that for and in consideration of the sum of One dollars ($1.00) and other good and valuable considerations, the receipt whereof in full is hereby acknowledged, the said Grantors do hereby grant and convey unto the said Grantee its successors and assigns, in fee simple, all that strip or parcel of land located in the Third Election District of Anne Arundel County, Maryland, which is described as follows:

BEING a strip of land 50 feet wide and known as PATAPSCO AVENUE and as shown on a plat recorded among the Land Records of Anne Arundel County in Plat Book W. N. W. -- Section 3, folio 342.

THE above mentioned PATAPSCO AVENUE being a part of the property as conveyed to Albert Retowsky by Grover C. Wise, Margaret B. Wise, et al., by deed dated June 14, 1921, and recorded among the Land Records of Anne Arundel County in W. N. W. No. 42, folio 358.

ACCORDING to a plat of same entitled "PARADISE BEACH" and intended to be recorded among the Land Records of Anne Arundel County.

TOGETHER with the improvements thereon, and all of the rights and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto the said Grantee, its successors and assigns, in fee simple, for the use and purpose of a public road.

AND the said Grantors do hereby covenant that they will warrant specially the title to the property hereby conveyed, and that they will execute such other or further assurances of the same as may be requisite.

WITNESS the hands and seals of the said grantors

WITNESS: ALBERT RETOWSKY (SEAL)

KATHERINE RETOWSKY (SEAL)

STATE OF MARYLAND, CITY OF BALTIMORE,

Signed and Sworn to before me, this 24th day of March, 1937.

(NOTARIAL SEAL) JEROME P. THUMAN

NOTARY PUBLIC

RECORDED APRIL 7, 1937 at 2 P.M.

STATE OF MARYLAND, Anne Arundel County, Sct:

I Hereby Certify that the foregoing Deed is truly taken and copied from Liber F. A. M. No. 163, folio 36, one of the Land Record Books for Anne Arundel County.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County this 17th day of February A. D., 1938.

Frank A. Munroe Clerk.

STATE OF MARYLAND, CITY OF BALTIMORE:

signed and sworn before me, this 8th day of March, 1977.

(NOTARIAL SEAL) GEORGE P. THOMAS

NOTARY PUBLIC

RECORDED APRIL 7, 1977 AT 8:00 A.M.

STATE OF MARYLAND, Anne Arundel County, SS:

I Hereby Certify that the foregoing Deed is truly taken and copied from Liber E. A. G. No. 109, Folio 34, one of the Land Record Books for Anne Arundel County.

IN TESTIMONY WHEREOF, I do formally set my hand and affix the Seal of the Circuit Court for said Anne Arundel County this 19th day of February A. D., 1988.

_____ Clerk.

In the Circuit Court for
Anne Arundel County
#7564 In Equity

Henry Knoblock, et al

vs.

Albert Petrowsky, et al

Complainants' Exhibit No. 4

Mr. Clerk: —
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

10.m 170/115

$1.25 Pd. N.A.H. (4)

THIS DEED, made this 22nd day of January, 1938, by and between The County Commissioners of Anne Arundel County, Maryland, a body corporate of the first part, hereinafter called "Grantors" and Albert Retowsky and Katherine Retowsky, his wife, parties of the second part, hereinafter called "GRANTEES" all of Anne Arundel County, State of Maryland.

Witnesseth: That for and in consideration of the sum of One Dollar $1.00 and other good and valuable considerations, the receipt whereof in full is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantees, their heirs and assigns, in fee simple, all that tract or parcel of land located in the Third Election District of Anne Arundel County. Maryland which is described as follows;-

Being the southwesterly 20 feet of the 50 foot wide road bed of Patapsco Avenue as conveyed to the County Commissioners of Anne Arundel County by Albert Retowsky and Katherine Retowsky, his wife by deed dated March 24, 1937 and duly recorded among the Land Records of Anne Arundel County in Liber F. S. R. No. 163 folio #36. The said Patapsco Avenue Being shown on a Plat entitled "Paradise Beach" and recorded in Plat Book W. N. W. __ Section #3, Folio 342.

Together With the impeovements thereon, and all of the rights and appurtenances thereto belonging or in anywise appertaining.

To HAVE AND TO HOLD the above described land unto the proper use and benefit of the said Grantees, their heirs and assigns forever in fee simple.

Witness the signature of Thomas J. Cullimore, President of the County Commissioners of Anne Arundel County a body corporate with the corporate seal attested by R. Harry Arnold, Clerk on the day and in the year first above written.

Attest;- (CORPORATE SEAL)

R. Harry Arnold, Clerk

County Commissioners of
Anne Arundel County, Md
by Thomas J. Cullimore (seal)
Presidemt

State of Maryland, Anne Arundel County, To Wit;-

I hereby certify that on this 22nd day of January 1938 before me the subscriber, a Notary Public of the State of Maryland in and for Anne Arundel County, personally appeared Thomas J. Cullimore, President of the Board of County Commissioners of Anne Arundel County Maryland, and acknowledged the

aforegoing deed to be the act of the said County Commissioners.

Witness my hand and Notarial Seal.

(Notary Seal) Lucy F. Loskosky

My commission expires May 1,1939 Notary Public

Recorded January 22nd 1938 at 9 15 A. M.

State of Maryland, Anne Arundel County, Sct;-

I hereby certify that the aforegoing Deed is truly taken and copied from Liber F. A. M. No. 176 folio 115 etc, one of the Land Record Books for Anne Arundel County.

In Testimony Whereof I hereto set my hand and affix the Seal of the Circuit Court for Anne Arundel County this 18th day of February A. D. 1938.

Frank A. Hammond CLERK.

In the Circuit Court for
Anne Arundel County
#9564 In Equity

Henry Kroblock, et al
vs.
Albert Petowsky, et al

Complainants Exhibit No. 5

Mr. Clerk: —
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

(5)

(11)

COPY

January 26,1937

Mr. Weems Duvall
St. Elizabeth
Anna Arundle County, Md.

Dear Mr. Duvall:

As president of the Paradise Beach Improvement Association and on behalf of many of the tax-payers and property owners of Paradise Beach, who have read the article in the Southern Maryland Times stating that Mr. Albert Retowski has requested the Commissioner to dedicate the 20 ft. of road known as Patapsco Ave; I am entering formal protest against such a transfer, on behalf of the citizens of the Paradise Beach and the Paradise Beach Improvement Association, we beg that no action be taken until later, to give us an opportunity to call a formal meeting to discuss this matter. As a matter of fact the plat of Paradise Beach, according to which all the property has been purchased and sold, shows Patapsco Ave. to be a 50 ft. road and therefore any interference would involve the legal right of property-owners boardering on this roadway.

I would appreciate a notice of formal hearing on this subject so we may have our representatives present.

Trusting that our plea in this matter may have your proper consideration, I am.

Yours very truly,

H. C. Knoblock

Baltimore Address
321 S. Collins Ave.

A copy was sent to the County Commissioners

In the Circuit Court for
Anne Arundel County
#9564 In Equity

Henry Krohlock, et al

vs.

Albert Petrowsky, et al

Complainants Exhibit no. 6

Mr. Clerk:—
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

(6)

PHONE, ANNAPOLIS 325

JOHN A. BROMLEY, ENGINEER

COUNTY COMMISSIONERS OF ANNE ARUNDEL COUNTY

OFFICE OF COUNTY ROAD ENGINEER

ANNAPOLIS, MARYLAND

February 3, 1938.

Mr. H. C. Knoblock,
President,
Paradise Beach Improvement Asso.,
321 South Collins St.,
Baltimore, Maryland.

Dear Sir:-

Your letter to the Board of County Commissioners regarding the deed of 20 feet of Patapsco Avenue in Paradise Beach to the developer, Mr. Albert Retowski, has been referred to this office for reply.

A formal hearing will be held before the Board of County Commissioners at 11:00 a.m. at their regular meeting on Tuesday, February 15, 1938, at which time your Committee will be able to present their protest against the transfer of this strip of road.

Yours very truly,

J. A. Bromley
County Roads Engineer.

JAB/rls.

In the Circuit Court for
Anne Arundel County
#9564 In Equity

Henry Knoblock, et al

vs.

Albert Petowsky, et al

Complainants' Exhibit No. 7

Mr. Clerk:—
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

75 R 76/191

#125 Pd. Nat.

(7)

THIS DEED, Made this 26th day of July, in the year one thousand nine hundred and thirty, by and between Albert Retowsky and Katherine Retowsky, his wife of Baltimore City in the State of Maryland, of the first part, and John F. Frisch and Anna Katherine Frisch, his wife, of same City and State of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars and other good and valuable considerations the said Albert Retowsky and Katherine Retowsky, his wife do grant and convey unto the said John F. Frisch, and Anna Katherine Frisch, his wife, as tenants by the entireties their heirs and assigns, in fee-simple, all those lots of ground, situate, lying and being in the 3rd District of Anne Arundel County at Paradise Beach and described as follows, that is to say:

THOSE lots known as No. 88 and the north one-half of Lot No. 89, fronting 37-1/2 feet on Paradise Beach Boulevard as laid down on a plat of Paradise Beach recorded in Plat Records G. W. No. 1, Section 3, folio 342.

BEING part of the land which by deed dated June 14th, 1921, and recorded in Liber W. N. W. No. 42, folio 358, was conveyed by Grover C. Wise, et al unto the said Albert Retowsky, also see deed dated June 28th, 1930, and intended to be recorded immediately prior hereto, from William Mattheisz and wife unto the said Albert Retowsky and wife.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said John F. Frisch and Anna Katherine Frisch, his wife, as tenants by the entireties, their heirs and assigns, in fee-simple.

AND the said parties of the first part hereby covenant that they have not done, or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors the day and year first above written.

TEST: Albert Retowsky (Seal)

Dorothy T. Willett Katherine Retowsky (Seal)

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I HEREBY CERTIFY, that on this 26th day of July, in the year one thousand nine hundred and thirty, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City and State aforesaid, personally appeared Albert Retowsky and Katherine Retowsky, the above named grantors, and acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

Dorothy T. Willett

(Notarial Seal) Notary Public

Recorded July 29, 1930 at 3 P. M.

STATE OF MARYLAND, Anne Arundel County, Sct:

I Hereby Certify that the foregoing Deed is truly taken and copied from Liber F.S.R. No. 76, folio 191, one of the Land Record Books for Anne Arundel County.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County this 17th day of February A.D., 1938.

Frank A. Munroe Clerk

In the Circuit Court for
Anne Arundel County
#7564 In Equity

Henry Knobloch, et al.

vs.

Albert Petowsky, et al.

Complainants' Exhibit No. 8

Mr. Clerk: —

Please file.

Noah A. Hellman
Solicitor for Complainants

Filed 23 February 1938

$1.75 Pd. N. A. H.

8

THIS DEED made this sixteenth day of March, in the year nineteen hundred and thirty-one, by Albert Retowsky, and Katherine Retowsky, his wife, of Baltimore City, State of Maryland, parties of the first part and Henry Knoblock, of Baltimore, State of Maryland, party of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars ($5.00) and for other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Albert Retowsky and Katherine Retowsky, his wife, parties of the first part, do hereby grant and convey unto the said Henry Knoblock, party of the second part, his heirs and assigns, subject to the restrictions hereinafter set forth, all those lots of ground situate in Anne Arundel County, State aforesaid, and being the same lots of ground mentioned and described as lots numbers 61 and 62, making a total frontage of fifty feet (50) on Paradise Beach Boulevard, running back two hundred and fifty-six feet (256) to Patapsco Avenue, in "Paradise Beach", as laid down on a plat of"Paradise Beach" prepared by J. Spence Howard, and duly recorded among the Plat Records of Anne Arundel County, in Plat Book G. W. # 1 Section 3, folio 342.

TOGETHER with the improvements thereon and the rights and appurtenances thereto belonging or appertaining.

TO HAVE AND TO HOLD, tha above granted property unto the said party of the second part, as tenants by the entireties, his heirs and assigns, the survivor of them, his or her heirs and assigns, forever in fee-simple, subject however to the following covenants and agreements to which restrictions, the said party of the second part, his heirs and assigns, hereby covenant to observe.

The parties of the first part expressly reserves unto themselves their successors and assigns, all right, title, and interest and estate in and to the beds of all streets of Paradise Beach, and the mention of said streets of Paradise Beach, is not intended in any wise to be a dedication of any of them to public use, or as public highways, but

is for the purpose of description only.

(a) That no building nor any part of any building shall be nearer to the front line of the lot than 40 feet.

(b) That no dwelling house shall be erected on any lot to cost less than $___

(c) That at no time shall any part of said land be used or occupied for the manufacture, brewing, distilling or sale of spirituous or malt liquors, nor shall the said lot or any part thereof, nor any building erected thereon be used or occupied as a drinking saloon, bone-boiling establishment, tannery, slaughter house, glue, soap, candle, starch or gun-powder manufactory, nor for other offensive or dangerous purposes; nor for the use of burial or cemetery purposes.

(d) The premises shall not be leased, sold, demised, or conveyed to, or owned by a negro, nor be occupied or resided or by persons of negro descent, except in the service of the owner or an employee thereof.

(e) That no privy, sewer, or receptacle for drainage or other purposes shall be dug on the property to running water: and that the same when built shall be bricked or cemented so that there shall be no leakage.

(f) That said covenants and agreements may be at any time and in any manner changed with the mutual consent of the said parties of the first part, and the owner or owners at the time being of the lots hereby conveyed.

BEING, part of the same property described in a deed from Grover C. Wise, to Albert Retowsky and Katherine Retowsky, his wife, and recorded among the Land Records of Anne Arundel County, in Plat Book W. N. W. 42, folio 358.

AND the said Albert Retowsky, and Katherine Retowsky, his wife, hereby covenant that they will execute such further assurances of these presents as may be requisite.

WITNESS the hands and seals of the said grantors.

TEST:

Robert L. Grafflin.

Albert Retowsky (Seal)

Katherine Retowsky(Seal)

Baltimore City, State of Maryland, to wit:

I Hereby Certify, that on the 16th day of March, in the year 1931, before me the subscriber, a Notary Public, of the State of Maryland, in and for Baltimore City, personally appeared Albert Retowsky, and Katherine Retowsky, his wife, the grantors in the aforegoing deed and they acknowledged, the aforegoing deed to be their act.

As Witness my hand and notarial seal.

Robert L. Graflin

(Notarial Seal) Notary Public.

Recorded April 20, 1931 at 10 A. M.

State of Maryland, Anne Arundel County, Sct:

I Hereby Certify, that the foregoing Deed was truly taken and copied from Liber F. S. R. No. 88, folio 113, one of the Land Record Books for Anne Arundel County.

In Testimony Whereof, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County, this 18th day of February, A. D. 1938.

Frank A. Munroe Clerk.

In the Circuit Court for
Anne Arundel County
#7564 In Equity

Henry Knoblock et al

vs

Albert Petrowsky, et al

Complainants' Exhibit No. 9.

Mr. Clerk —
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

75 L 39/480

#175 Pd. N.A.H. (9)

THIS DEED, made this 30th, day of January, in the year nineteen hundred and twenty-nine, by ALBERT RETOWSKY, and KATHERINE RETOWSKY, his wife, of Baltimore City, State of Maryland, parties of the first part, and WILLIAM J. KUNST, and Marie Kunst, his wife of Baltimore, State of Maryland, parties of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars ($5.00) and for other good and valuable considerations, the receipt whereof is hereby acknowledged, the said ALBERT RETOWSKY, and KATHERINE RETOWSKY, his wife, parties of the first part, do hereby grant and convey unto the said William J. Kunst and Marie Kunst, his wife, parties of the second part, their heirs and assigns, subject, to the restrictions hereinafter set forth, all these lots of ground situate in Anne Arundel County, State aforesaid; and being the same lots of ground mentioned and described as lots numbers 381 and 382, making a total frontage of fifty feet (50)-feet on Potomac Avenue, in "Paradise Beach" as laid down on a plat of "Paradise Beach" prepared by J. Spence Howard and duly recorded among the Plat Records of Anne Arundel County, in Plat Book G. W. #1 --- Section 3, Folio 342.

TOGETHER with the improvements thereon and the rights and appurtenances thereto belonging or appertaining.

TO HAVE AND TO HOLD, the above granted property unto the said parties of the second part as tenant by the entireties, their heirs and assigns, the survivor of them, his or her heirs and assigns, forever in fee-simple, subject however, to the following covenants and agreements which restrictions, the said parties of the second part, their heirs and assigns, hereby covenant to observe.

The parties of the first part expressly reserves unto themselves their successors and assigns, all right, title, and interest and estate in and to the beds of all streets of Paradise Beach, and the mention of said Streets of PARADISE BEACH, is not intended in anywise to be a dedication of any of them to public use, or as public highways, but is for the purpose of description only.

(a) That no building nor any part of any building shall be

nearer to the front line of the lot than 40 feet.

(b) That no dwelling house shall be erected on any lot to cost less than $.....

(c) That at no time shall any part of said land be used or occupied for the manufacture, brewing, distilling or sale of spirituous or malt liquors, nor shall the said lot or any part thereof, nor any building erected thereon be used or occupied as a drinking saloon, boneboiling establishment, tannery, slaughter house, glue, soap, candle, starch or gun-powder manufactory, nor for other offensive or dangerous purposes; nor for the use of burial or cemetery purposes.

(d) The premises shall not be leased, sold, demised, or conveyed to, or owned by a negro, nor be occupied or resided on by persons of negro descent, except in the service of the owner or an employee thereof.

(e) That no privity, sewer, or receptacle for drainage or other purposes shall be dug on the property to running water; and that the same when built shall be bricked or cemented so that there shall be no leakage.

(f) The said covenants and agreements may be at any time in any manner changed with the mutual consent of the said parties of the first part, and the owner or owners at the time being of the lots hereby conveyed.

BEING, part of the same property described in a deed from Grover C. Wise, To ALBERT RETOWSKY and KATHERINE RETOWSKY his wife, and recorded among the Land Records of Anne Arundel County, in Plat Book W.N.W. 42--folio 358.

AND the said ALBERT RETOWSKY and KATHERINE RETOWSKY his wife, hereby covenant that they will exeucte such further assurances of thes_ presents as may be requisite.

WITNESS the hands and seals of the said grantors.

Albert Retowsky (SEAL)

TEST: Katherine Retowsky (SEAL)

Robert L. Grafflin

BALTIMORE CITY)
TO WIT:
STATE OF MARYLAND)

I HEREBY CERTIFY, that on this 16th day of February in the year 1929, before me the subscriber, a Notary Public, of the State of Maryland, in and for Baltimore City, personally appeared ALBERT RETOWSKY and KATHERINE RETOWSKY, his wife, the grantors in the aforegoing deed and they each acknowledged, the aforegoing deed to be their act.

AS witness my hand and notarial seal.

(NOTARIAL SEAL)

Robert L. Grafflin
Notary Public

Recorded February 21, 1929, at 10:30 A. M.

STATE OF MARYLAND, Anne Arundel County, Sct:

I Hereby Certify, that the foregoing Deed is truly taken and copied from Liber F. S. R. 39, folio 480, one of the Land Record Books for Anne Arundel County.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County this 17th day of February, A.D., 1938.

Frank A. Munroe Clerk.

In the Circuit Court
for
Anne Arundel County
#9564 In Equity

Henry Eastlock, et al
vs.
Albert Ritowsky, et al.

Complainants' Exhibit No. 10

Mr. Clerk:
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

R.C.
(2) .75 Pd N.A.H

THIS DEED, Made this 4th day of September, in the year One Thousand, Nine Hundred and Twenty-nine, by and between Albert Retowsky and Katherine Retowsky, his wife, of the City of Baltimore in the State of Maryland, of the first part; and Henry Sansone, and Anna Sansone, his wife, of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey unto the said parties of the second part, as tenants by the entirities, their heirs and assigns, in fee simple, all those lots or parcels of ground, situate, lying and being in Anne Arundel County, State of Maryland aforesaid, and described as follows, that is to say;

BEING lots Nos. 77, 78, and 79 on the plat of Paradise Beach, which plat is recorded among the plat records of Anne Arundel County in Plat Book G. W. No. 1 Section 3, folio 342.

BEING part of the land, which by Deed dated June 14, 1921 and recorded amond the Land Records of Anne Arundel County, in Liber W. N. W. No. 42, folio 358, was granted and conveyed by Grover C. Wise et al, to the said Albert Retowsky.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenandes and advantages, to the same belonging or anywise appertaining.

TO HAVE AND TO HOLD the said lots or ground and premises above described and mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging unto and to the proper use and benefit of the said parties of the second part, as tenants by the entirities, their heirs and assigns, in fee simple, subject to the following restrictions.

(a) That no building nor any part of any building shall be nearer to the front line of the lot than forty feet.

(b) That no dwelling house shall be erected on any lot to cost less than $1500.00 (One Thousand, Five Hundred Dollars).

(c) That at no time shall any part of said land be used or occupied for the

manufacture, brewing, distilling, or sale of spirituous or malt liquors; nor shall the lot or any part thereof, nor any building erected thereon be used or occupied as a drinking saloon, bone-boiling establishment, tannery, slaughter house, glue, soap, candle, starch or gunpowder manufactury, nor for other offensive or dangerous purposes; nor for the use of burial or cemetery purposes.

(d) The premises shall not be leased, sold, demised or conveyed to, or owned by a negro nor occupied or resided on by persons of negro descent, except in the service of the owner or an employee, thereof.

(e) That no prive, sewer, or receptacle for drainage or other purposes shall be dug on the property to running water, and that the same when built shall be bricked or cemented so that there shall be no leakage.

(f) The party of the first part expressly reserves unto itself, its successors and assigns, all right, title, interest, and estate in and to the beds of all streets of Paradise Beach, and the mention of said streets of Paradise Beach is not intended in anywise to be a dedication of any of them to public use or as public highways; but as for the purpose of description only.

The said covenants and agreements may be at any time and in any manner changed with the mutual consent of the said Paradise Beach Company, and the owner or owners at the time being of the lots hereby conveyed.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed, that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors the day and year first above written.

Test: Albert Retowsky (Seal)

Edward A. Weiler Katherine Retowsky (Seal)

STATE OF MARYLAND, CITY OF BALTIMORE, to-wit:

I Hereby Certify, that on this 4th day of September in the year One Thousand Nine Hundred and twenty-nine, before me, the Subscriber, a Notary Public of the State of Maryland, in and for City of Baltimore aforesaid, personally appeared Albert Retowsky and Katherine Retowsky, his wife, the above named grantors and they acknowledged the aforegoing Deed to be their act.

As Witness my hand and Notarial Seal.

Notarial Seal

Edward A. Weiler

Notary Public

Recorded September 24, 1929 at 2 P. M.

State of Maryland, Anne Arundel County, Sct:

I Hereby Certify, that the foregoing Deed was truly taken and copied from Liber F. S. R. No. 50, folio 347, one of the Land Record Books for Anne Arundel County.

In Testimony Whereof, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County, this 21st day of February, A. D. 1938.

Frank A. Munro Clerk

In the Circuit Court for
Anne Arundel County
#7564 In Equity

Henry Knoblock, et al

vs.

Albert Petowsky, et al

Complainants' Exhibit no. 11

Mr. Clerk: —
Please file

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

203-750
49-100

$1.00 Pd. N. A. H.

(11)

(Int Rev Stamp $2.50)

THIS DEED, made this 1st day of October in the year one thousand nine hundred and thirty-five, by and between Albert Retowsky and Katherine Retowsky, his wife, of the City of Baltimore, in the State of Maryland, of the first part and William Mattheiss and Caroline Mattheiss, his wife, of the said city and state of the second part.

Witnesseth, that in consideration of the sum of five dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Albert Retowsky and Katherine Retowsky, his wife, do grant and convey unto the said William Mattheiss and Caroline Mattheiss, his wife, their heirs and assigns, in fee simple, all those ten (10) lots of ground situate, lying and being in the Third Election District of Anne Arundel County, State of Maryland , aforesaid, and known and designated as lots Nos. 243-244-245-246-247-248-249-250-99-100 of Paradise Beach as shown upon the Plat of Paradise Beach, which plat is duly recorded among the plat records of Anne Arundel County.

Together with the buildings and improvements thereupon erected, made or being, and all and every the rights, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise appertaining.

To Have And To Hold the said lot of ground and premises above described and mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said William Mattheiss and Caroline Mattheiss, his wife, their heirs and assigns , in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of the said grantors.

Test;-

Albert Retowsky-(seal)

Charles F. Obrecht

Katherine Retowsky-(seal)

John M. Baumann

State of Maryland, City of Baltimore, to wit;-

I Hereby Certify that on this 1st day of October in the year one thousand nine hundred and thirty five, before me, the subscriber a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared Albert Retowsky and Katherine Retowsky, his wife, the above named grantors, and they acknowledged, the foregoing deed to be their act.

As Witness my hand and notarial seal.

(Notarial Seal)

Charles F. Obrecht

Notary Public

Recorded December 31, 1935 at 10 A. M.

State of Maryland, Anne Arundel County, Sct;-

I Hereby Certify that the aforegoing Deed is truly taken and copied from Liber F. A. M. No. 146 folio 436 etc, one of the Land Record Books for Anne Arundel County.

In Testimony Whereof, I hereto set my hand and affix the Seal of the Circuit Court for Anne Arundel County this 18th day of Fabruary A. D. 1938.

CLERK.

In the Circuit Court for
Anne Arundel County
#7564 In Equity

Henry Knoblock, et al
vs.
Albert Petrowsky, et al

Complainants' Exhibit No. 12

Mr. Clerk: —
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

(12)

W.N.W. 69/48

#1.25 Pd. N.A.H.

THIS DEED, made this 23rd day of July in the year one thousand nine hundred and twenty three by Albert Retowsky and Katherine Retowsky, hsi wife, of the City of Baltimore, in the State of Maryland, parties of the first part, and Andrew Zglinicki and Joseph Chelchowski, of the City and State aforesaid, parties of the second part.

Witnesseth, that in consideration of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Albert Retowsky and Catherine Retowsky, his wife, do grant and convey unto Andrew Zglinicki and Joseph Chelchowski, as tenants in common, their heirs and assigns, in fee simple, all those two lots of ground situate, lying and being in Anne Arundel County, State of Maryland, and described as follows, that is to say:

All those two lots of ground and premises situate, lying and being in Anne Arundel County, State of Maryland, and being known as lots numbered 51 and 52 as shown on plat of property known as Paradise Beach in Anne Arundel County, State of Maryland, which plat is duly recorded among the Land Records of Baltimore County, in plat Book G. W. No. 1, Section 3, folio 342. Being part of the lot of ground described in a deed from Grover C. Wise, et al, to Albert Retowsky, said deed being dated June 14, 1921, and recorded among the Land Records of Anne Arundel County in Liber W. N. W. 42, folio 358 &c.

Together with the buildings and improvements thereupon erected, made or being and all and every, the rights alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in anywise appertaining.

To Have and To Hold the said two lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Andrew Zglinicki and Joseph Chelchowski, as tenants in common, their heirs and assigns in fee simple.

And the said Albert Retowski and Catherine Retowski, his wife, hereby covenant that they will warrant specially the property hereby granted and conveyed; and that they will execute such further assurances of said property as may be requisite.

Witness the hands and seals of said grantors.

Walter M. Czajkowski
John J. Nowakowski

Albert Retowsky (Seal)

Catherine Retowsky (Seal)

State of Maryland, City of Baltimore, to wit:

I hereby certify that on this 23rd day of July in the year one thousand nine hundred and twenty three before me the subscriber a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Albert Retowsky and Catherine Retowsky, his wife, and they acknowledged the foregoing deed to be their act.

(Notary Seal)

John J. Nowakowski.
Notary Public.

Recorded -- July 25th, 1923, at 11. A. M.

STATE OF MARYLAND, Anne Arundel County, Sct:

I Hereby Certify that the foregoing Deed is truly taken and copied from Liber W. N. W. No. 69, folio 48, one of the Land Record Books for Anne Arundel County.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County this 17th day of February A. D., 1938.

Frank A. Munroe Clerk.

Circuit Court for

Anne Arundel County.

In Equity.

No 7564

Knoblock, et al.

vs.

Retowsky, et al.

Complainants' Exhibit

No. 13.

Mr. Clerk:

Please file.

Robert W Brack

Noah A Gillman

Solicitors for Complainants.

Filed 23 February 1938

Excerpt from the Minutes of a meeting
of the Paradise Beach Improvement Association, held
on February 13th, 1938, at 2332 Frederick Avenue.

"Upon motion made by Mr. Beach, seconded by Mr. Sansone, the matter of the protest against the transfer of the twenty-foot strip of Patapsco Avenue at Paradise Beach by the Board of County Commissioners for Anne Arundel County to Albert Retowsky and wife, was referred to the Board of Directors of the Association with full power and authority to take such ~~xxxx~~ legal or other action in the matter as the members thereof deem best. The motion was unanimously carried."

I hereby certify that the foregoing is a true copy of the minutes of the Paradise Beach Improvement Association the subject matter of the Motion.

H. C. Knollock

President Paradise Beach Imp. Ass'n.

Circuit Court for Anne

Arundel County. In Equity.

No 9564

Knoblock, et al.

vs.

Retowsky, et al.

Complainants' Exhibit

No. 14.

Mr. Clerk:

Please file.

Robert W. Beach

Noah A. Gillman

Solictors for Complainants

Filed 23 February 1938

Excerpt from Minutes of the Board of Directors of the Paradise Beach Improvement Association, at a meeting thereof held on February 14th, pursuant to call, at No. 321 S. Collins Avenue.

"Upon motion of Mr. Kunst, seconded by Mr. Patti, in the matter of the protest against the transfer of the twenty foot strip of Patapsco Avenue to Albert Retowski and wife, by the County Commissioners for Anne Arundel County, the President of the Association, Mr. Knoblock, was authorized and directed to employ legal counsel and to institute such proceedings as counsel might deem necessary and advisable to set aside the deed from the Commissioners to Retowsky and wife, which bears date of Jan. qqnd, 1938, and to expend such sums of money as may be necessary the same to be paid out of the Treasury of the Association. The motion was unanimously carried".

I hereby certify that the foregoing is a true copy of the minutes of the Board of Directors of the Paradise Beach Improvement Association on the subject of the Retowsky matter.

H C Knoblock

President Paradise Beach Improvement Ass'n.

N.O.L. 1019.

In the Circuit Court for
Anne Arundel County
In Equity

No 7564

Henry Frobleck, et al.

vs.

Albert Petawsky, et al

Complainants Exhibit No. 15

Mr. Clerk: —
Please file.

Noah A. Hillman
Solicitor for Complainants

Filed 23 February 1938

SE/11/2

No consideration

THIS DEED, Madethis 12 day of February, in the year one thousand nine hundred and thirty-eight, by and between

ALBERT RETOWSKY and KATHERINE RETOWSKY, his wife, grantors, of the City of Baltimore, in the State of Maryland, of the first part, and

GUSTAV KURTZ, SAMUEL KURTZ and ANNA KURTZ, his wife, grantees, of the second part:

WITNESSETH, That in consideration of the sum of one dollar and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said grantors do grant and convey unto the said grantees, their heirs and assigns, in fee simple, all that tract orparcel of ground located in the third district of Anne Arundel County and described as follows, that is to say:-

BEGINNING for the same at the intersection of the southwest side of Patapsco Avenue and the southeast side of Severn Avenue, and running thence southwesterly twenty feet (20') along the southwest side of Severn Avenue to lot No. 251 on the Plat of Paradise Beach, thence southeasterly binding on lots Nos. 251 and 250 four hundred feet (400) to the northwest side of Magothy Avenue, thence running and binding on the northwest side of Magothy Avenue twenty feet (20') to the intersection of Patapsco Avenue and Magothy Avenue, thence northwesterly four hundred feet to the place of beginning.

The said tract of land being a part of the fiftyfoot wide (50') road bed of Patapsco Avenue as shown on the Plat of Paradise Beach, which said road bed has been reduced in width to thirty feet (30'). Being also part of the land conveyed by deed dated 22nd day of January, 1938 and recorded among the Land Records of Anne Arundel County in Liber F. A. M. No. 176, folio 115 by the County Commissioners of Anne Arundel County, Maryland to the grantors herein.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

THIRD BLOCK, beginning 50 ft. of Northerly, in the West one thousand and ninety-eight, by and between

ROBERT STEWART and EARNESTINE STEWART, his wife, grantors, of the City of Inglewood, in the State of Maryland, of the first part, and

MATTHEW ZUNDEL, BARBARA DUNTZ and ROSE ZUNDEL, his wife, grantees, of the second part:

WITNESSETH, that in consideration of the sum of one dollar and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said grantors do grant and convey unto the said grantees, their heirs and assigns, in fee simple, all that tract or parcel of ground located in the third district of Anne Arundel County and described as follows, that is to wit:

BEGINNING for the same at the intersection of the southwest side of Hyattsville Avenue, as the southeast side of Everett Avenue, and running thence southwesterly two hundred feet (200) along the northwest side of Everett Avenue to lot No. 251 on the Plat of Pumpkin Beach; thence northwesterly bounding on said lot, seven and four hundred feet (400) to the northwest side of Hyattsville Avenue, thence running and binding on the northwest side of Hyattsville Avenue two hundred feet (200) to the intersection of Hyattsville Avenue and Everett Avenue, thence northeasterly four hundred feet to the place of beginning.

The said grantor long being a part of the Hyattsville road (50') road bed of Pumpkin Avenue as shown on the Plat of Pumpkin Beach, which said road bed has been reduced in width to thirty feet (30'), being also the same land conveyed by deed dated the 1st day of August, 1[illegible] from [illegible] to the County of Anne Arundel County in Liber [illegible] folio [illegible] by the County Commissioners of Anne Arundel County, Maryland to the grantors herein.

TOGETHER with the buildings and improvements thereupon erected, the rights, privileges, rights and appurtenances thereto belonging or appertaining and all rights of the said grantors, their heirs and assigns, in the said property.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said grantees, their heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors.

TEST: ALBERT RETOWSKY (SEAL)

JEROME P. THURMAN KATHERINE RETOWSKY (SEAL)

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 12 day of February, in the year one thousand nine hundred and thirty-eight, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared ALBERT RETOWSKY and KATHERINE RETOWSKY, his wife, the above named grantors, and they acknowledged the foregoing deed to be their act.

AS WITNESS my hand and notarial seal.

JEROME P. THURMAN
Notary Public

(Notary Seal)

Recorded February 17, 1938 at 10 a. m.

State of Maryland, Anne Arundel County, Sct:

I Hereby Certify, that the foregoing Deed was truly taken and copied from Liber F. A. M. No. , folio , one of the Land Records Books for Anne Arundel County.

In Testimony Whereof, I hereunto set my hand and affix the Seal of the Circuit Court for Anne Arundel County, this 21st day of February, A. D. 1938.

Frank A. Munroe Clerk

No. 7564 Equity

Henry Knoblock,
et al.

vs.

Albert Retowsky
& wife.
4505 Frederick Avenue

Wm. Roff

Returnable 1st Monday March 1938.

16

Received 14th day of July 1938
and forthwith delivered to the
Sheriff of Baltimore City.
Test:
Letitia Pittman Clerk

Summoned Albert Retowsky and a copy of the Process with a copy of the Complaint & left with the defendant & also summoned Katherine Retowsky and a copy of the Process with a copy of the Bill of Complaint & left with the defendant in the presence of William on the 2nd day of March 1938 in the presence of
G. Bayer

Joseph E. Deegan
Sheriff

Fee $3.40

MARYLAND, SCT.

THE STATE OF MARYLAND

16) 3/1/38

To Albert Retowsky & Katherine Retowsky, his wife

of Baltimore City ~~County~~, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set apart, you personally be and appear before the Circuit Court of Anne Arundel County, sitting in Equity; to be held in the City of Annapolis, on the first Monday of March next, to answer the complaint of

Henry Knoblock et al.,

against you in said Court exhibited. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable FRANCIS NEAL PARKE, Chief Judge of the said Court, the 3rd day of January 1938.

ISSUED 23rd day of February 1938.

Frank A. Munroe, Clerk.

TAKE NOTICE:—That you are required to file your answer or other defense in this case in the Clerk's Office within fifteen days from the return day, which return day is Monday, the 7th day of March 1938.

(Beach & Hellman Sols.)

In the Circuit Court for Anne Arundel County.

No. 7564 Equity.

Henry Knoblock, Wm. J. Kunst and Marie Kunst, his wife, John E. Frisch and wife, Michael Sansone and wife, Paradise Beach Improvement Association, a body corporate,
Plaintiffs.

Vs.

Albert Retowsky and wife, the County Commissioners of A. A. County, a body corporate.
Defendants.

Answer of County Commissioners of A. A. County.

Mr. Clerk:

Please file.

Benjamin Michaelson
Solicitor for Defendants

BENJAMIN MICHAELSON
ATTORNEY AT LAW
HAYS BUILDING
ANNAPOLIS, MD.

Henry Knoblock,	:	In
William J. Kunst, and	:	The Circuit Court
Marie Kunst, his wife,	:	For
John E. Frisch, and	:	Anne Arundel County.
Katherine Frisch, his	:	No. 7564 Equity.
wife,	:	
Michael Sansone, and Mary	:	
Sansone, his wife, and the	:	
Paradise Beach Improvement	:	
Association, a body corporate,	:	
Complainants.	:	
Vs.	:	
Albert Retowsky, and Katherine	:	
Retowsky, his wife, and the	:	
Board of County Commissioners	:	
for Anne Arundel County.	:	
Defendants.	:	

****

To the Honorable, the Judge of said Court:

The answer of the County Commissioners of Anne Arundel County, a body corporate, one of the defendants in the above cause, to the Bill of Complaint against it in this Court exhibited.

This defendant, answering, says:

1. That it neither admits nor denies the allegations in the first paragraph of said Bill of Complaint.

2. That it admits the allegations in the second paragraph of said Bill of Complaint.

3. That it neither admits nor denies the allegations in the third paragraph of said Bill of Complaint.

4. That it admits the allegations in the fourth paragraph of said Bill of Complaint.

5. That it admits the allegations in the fifth paragraph of said Bill of Complaint.

6. That it admits the allegations in the sixth paragraph of said Bill of Complaint.

7. That it admits the allegations in the seventh paragraph of said Bill of Complaint.

8. That it neither admits nor denies the allegations in the eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth paragraphs of said Bill of Complaint.

9. That this defendant admits the allegations in the seventeenth paragraph of said Bill of Complaint.

10. That it admits the allegations in the eighteenth paragraph of said Bill of Complaint.

11. That it neither admits nor denies the allegations in the nineteenth paragraph of said Bill of Complaint.

12. That this defendant consents to the passage of a decree as prayed in said Bill of Complaint.

Having fully answered said Bill of Complaint, this defendant prays to be hence dismissed with its cost.

County Commissioners of Anne Arundel County,

Benjamin Nicholson
Solicitor for Defendant.

By Thomas H. Cullimore
President.

No. 7564 Equity

Henry Knoblock

etal

Vs.

Albert Retowsky
etal

Petition for Extension
Of Time

Mr. Clerk:

Please file.

R. P. Adams
Albert Meid, Jr.
Attys for Petitioner

ADAMS & MEID
ATTORNEYS AND COUNSELLORS AT LAW
218 E. LEXINGTON STREET
BALTIMORE, MD.

Order Mch 22 1938

FILED March 22nd. 1938.

Henry Knoblock :

William J. Kunst, and :

Marie Kunst, his wife,

John F. Frisch, and :

Katherine Frisch, his wife,

Michael Sansone, and

Mary Sansone, his wife, and

the Paradise Beach Improvement Association, a body corporate, :

Complainants

Vs.

Albert Retowsky, and :

Katherine Retowsky, his wife, and

the Board of County Commissioners for Anne Arundel County, :

Defendants :

In the

Circuit Court

for Anne Arundel County

In Equity

PETITION

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

The Petition Of

Albert Retwosky
and
Katherine Retowsky
his wife

Respectfully Represents

1. That the subpoena and copy of the Bill of Complaint was served on your Petitioners, two of your respondents, on March 1st, 1938.

2. That since that time, your petitioners have been in communication with the complainants in an endeavor to settle amicably the matters complained of in said bill.

3. That so far their endeavors have not been successfully concluded and is necessary that they should have an extension of time

in which to file a demurrer or answer, or both, to the said Bill of Complaint, if such should be necessary to file in these proceedings.

THEREFORE, YOUR PETITIONERS PRAY:

A. That Your Honorable Court will enter an order granting unto Your Petitioners an extension of time, at least thirty days, in which to file a demurrer or answer, or both, whichever may be necessary, to the Bill of Complaint.

R. V. Adams

Albert Meid, Jr.

Attorneys for Petitioners

I Hereby Certify, That I have read the foregoing Petition and request the Court to grant the prayer of the Petitioners.

John W. Leach

Attorney for All Complainants.

O R D E R

AND NOW, TO WIT, March 22 ,1938

On consideration of the foregoing Petition and with the assent of Robert W. Beach, Esq., attorney for all complainants, it is this day ordered by

The Circuit Court
Of Anne Arundel County

that Albert Retowsky and Katherine Retowsky, his wife, respondents, be and they are hereby granted an extension of time; viz, until April 20, 1938, in which to file a demurrer or an answer, or both a demurrer and an answer, to the Bill of Complaint in these proceedings.

Leonard P. Clark
Judge

4505 Freedman

No. 7564

In Equity

In the
Circuit Court
for Anne Arundel County

Henry Knoblock,
et al.,

-vs-

Albert Retowsky,
et al.

Demurrer & Answer

Mr. Clerk:-

Please file.

Albert Meid Jr
R. B. Adams
Solicitors for Defendants.

No. 7564.

ADAMS & MEID
ATTORNEYS AND COUNSELLORS AT LAW
218 E. LEXINGTON STREET
BALTIMORE, MD.

FILED April 20th. 1938.

Henry Knoblock, William J. Kunst and Marie Kunst, his wife, John F. Frisch and Katherine Frisch, his wife, Michael Sansone and Mary Sansone, his wife, and the Paradise Beach Improvement Asso., a body corporate, Complainants, -vs- Albert Retowsky and Katherine Retowsky, his wife, and the Board of County Commissioners for Anne Arundel County, Defendants.	In the Circuit Court for Anne Arundel County In Equity No. 7564

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Demurrer and Answer of Albert Retowsky and Katherine Retowsky, his wife, two of the defendants named in the above cause of action.

DEMURRER

These defendants demur to the Bill of Complaint and to the prayers for relief therein, and for cause of demurrer say:

That the said Bill of Complaint and prayers for relief do not state such a case as entitles the plaintiffs to any relief in equity against these defendants.

And for special grounds of demurrer these defendants say:

1. That there is a non-joinder of necessary parties in that as shown by the Bill of Complaint that part of the property was conveyed to Samuel Kurtz, et al., who have not been made parties to this cause.

ANSWER

These defendants, answering, say:-

1. That they admit the allegations setforth in the first, second, third, fourth and fifth paragraphs of the said Bill of Complaint.

2. That they admit that the County Commissioners for Anne Arundel County re-conveyed to them twenty (20) feet of land along the southwestern side of Patapsco Avenue as stated in the said Bill of Complaint but neither admit nor deny the other allegations setforth in the said sixth paragraph and call for strict proof thereof.

3. That they have no knowledge of the facts setforth in the seventh paragraph of said Bill of Complaint and call for strict proof thereof if any of said allegations are material.

4. That they admit the allegations setforth in the eighth paragraph of said Bill of Complaint.

5. That they admit the conveyance recited in the ninth paragraph of said Bill of Complaint but neither admit nor deny any other allegations setforth in said ninth paragraph and call for strict proof thereof.

6. That they admit the conveyance recited in the tenth paragraph of said Bill of Complaint but deny the other allegations setforth in said tenth paragraph and aver that neither William J. Kunst nor Marie Kunst, his wife, would suffer any damage if houses were built as suggested by them in said tenth paragraph and further that these defendants had no intentions at any time to build any structures on any part of said twenty (20) foot wide strip of land referred to in the Bill.

7. That they admit the conveyance recited in the eleventh paragraph of said Bill of Complaint but they neither admit nor deny the other allegations setforth in said eleventh paragraph and call for strict proof thereof.

8. That they admit the allegations setforth in the twelfth paragraph of said Bill of Complaint.

9. That they admit the allegations setforth in the thirteenth paragraph of said Bill of Complaint.

10. That they neither admit nor deny any of the allegations setforth in the fourteenth paragraph of said Bill of Complaint and call for strict proof thereof if any of said allegations are material.

11. That they neither admit nor deny the allegations setforth in the fifteenth paragraph of said Bill of Complaint and call for strict proof thereof and they aver that on or about April 7th,1938 these defendants at the request of the County Commissioners for Anne Arundel County re-conveyed to said County Commissioners for Anne Arundel County the entire twenty (20) foot wide strip of land mentioned in the Bill of Complaint.

12. That they admit that said Patapsco Avenue mentioned in the sixteenth paragraph of said Bill of Complaint was laid out and intended to be a fifty (50) feet wide roadway and was conveyed by them to the County Commissioners for Anne Arundel County as recited in the fourth paragraph of said Bill of Complaint but aver that thereafter the said County Commissioners for Anne Arundel County refused to physically open and maintain said Patapsco Avenue of a greater width than thirty (30) feet leaving said twenty (20) foot wide strip of land on which other property of these defendants abut thereby leaving said abutting land twenty (20) feet away from that portion of said Patapsco Avenue which was physically open to the great injury and damage of these defendants and for that reason the said County Commissioners for Anne Arundel County re-conveyed the said twenty (20) foot wide strip of land back to these defendants in order that the said other property of these defendants abutting on said twenty (20) foot wide strip of land would have access to and use of said Patapsco Avenue as physically open and maintained by said County Commissioners for Anne Arundel County.

13. That they admit the allegations contained in the seventeenth paragraph of said Bill of Complaint but aver as setforth in the twelfth paragraph of this Answer that the County Commissioners for Anne Arundel County refused to maintain said Patapsco Avenue at no width greater than thirty (30) feet.

14. That they neither admit nor deny the allegations setforth in the eighteenth paragraph of said Bill of Complaint and call for strict proof thereof.

15. That they deny the allegations setforth in the nineteenth paragraph of said Bill of Complaint.

16. That they deny the allegations setforth in the twentieth paragraph of said Bill of Complaint.

17. That they admit the allegations setforth in the twenty-first paragraph of said Bill of Complaint.

18. Answering the twenty-second paragraph of said Bill of Complaint these defendants aver and admit that the said Patapsco Avenue was planned for a fifty (50) foot roadway and was so intended to be but for the reasons setforth in the twelfth paragraph of this Answer the twenty (20) foot wide strip of land was re-conveyed to them by the County Commissioners for Anne Arundel County.

19. That these defendants aver that for the reasons hereinabove setforth the said Patapsco Avenue was reduced from a fifty (50)foot roadway to a thirty (30) foot roadway by the County Commissioners for Anne Arundel County and that since these proceedings were instituted as hereinabove setforth the said twenty (20) foot wide strip of land was re-conveyed by these defendants to the said County Commissioners for Anne Arundel County and the County Commissioners for Anne Arundel County have agreed that they will change the physical opening and maintenance of said Patapsco Avenue to a width of thirty (30) feet in the centre of the said fifty (50)foot strip of land shown on the Plat of Paradise Beach as Patapsco Avenue so that the relief prayed for in said Bill of Complaint has

been given by amicable agreements and theconveyance of the said twenty (20) foot wide strip of land back to the County Commissioners for Anne Arundel County so that there is nothing now before YOUR HONORABLE COURT requiring any order or decree to be entered except the matter of the costs in these proceedings no part of which should be assessed against these defendants.

THEREFORE, having fully answered all of the allegations in said Bill of Complaint they pray to be dismissed hence with their costs.

And as in duty bound, etc.

Albert Retowsky
Katherine Retowsky
Defendants.

Albert Weis, Jr
R. B. Adams.
Solicitors for Defendants.

STATE OF MARYLAND, CITY OF BALTIMORE, ss:-

I Hereby Certify, that on this 20 day of April 1938 before me, the subscriber, a notary public of the State of Maryland in and for the City of Baltimore, personally appeared ALBERT RETOWSKY and KATHERINE RETOWSKY, his wife, two of the above named defendants, and in due form of law made oath that the aforegoing demurrer is not filed for the purpose of delay and also made oath in due form of law that the matters and facts setforth in the foregoing answers are true to the best of their knowledge, information and belief.

Witness my hand and notarial seal.

Jerome P. Thurman
Notary Public.

In the
Circuit Court
for Anne Arundel County.

No. 7564 In Equity

Henry Knoblock,
et al.,

-vs-

Albert Retowsky,
et al.

Joinder of Issue

Mr. Clerk:-

Please file.

R. V. Digges

Albert Meid, Jr.

Solicitors for,
Albert Retowsky
and Katherine Retowsky.

ADAMS & MEID
ATTORNEYS AND COUNSELLORS AT LAW
218 E. LEXINGTON STREET
BALTIMORE, MD.

FILED May 25th. 1938.

Henry Knoblock, et al.,	)	In the
	)	Circuit Court
-vs-	)	for Anne Arundel County.
Albert Retowsky, et al.	)	No. 7564 In Equity

Albert Retowsky and Katherine Retowsky, two of the defendants named in the above cause join issue on the matters alleged in the replication of the plaintiffs to the answer of these defendants, so far as the same may be taken to deny or avoid the allegations setforth in said answer.

R. E. Adams

Albert Reid, Jr.

Solicitors for,
Albert Retowsky
and
Katherine Retowsky.

#7564 Equity

CIRCUIT COURT
FOR ANNE ARUNDEL COUNTY.

Henry Knoblock, et al.

vs.

Albert Retowsky, et al.

REPLICATION.

Mr. Clerk:

Please file.

Robert W. Beach

Noah A. Willman

Solicitors for Complainants

Filed May 27th 1938.

ROBERT W. BEACH
ATTORNEY AND COUNSELLOR AT LAW
[illegible] N. NORTH AVENUE
BALTIMORE, MD.

LAP OVER MARGIN

Henry Knoblock, et al.,

vs.

Albert Retowsky, et al.,

In the

Circuit Court

for Anne Arundel County.

No. 7564 In Equity

To the Honorable, the Judge of said Court:

The above named complainants herewith file their replication to the answer filed by the said Albert Retowsky and Katherine Retowsky, his wife, which said replication to Your Honor respectfully shows:-

1. A perusal of the answer above referred to will show unto Your Honor that the said defendants, Albert Retowsky and Katherine Retowsky, his wife, admit the acquiring of the said property now known as Paradise Beach and the filing of the Plat of Paradise Beach; that the said Patapsco Avenue was laid out on said Plat as a roadway with a width of fifty feet; that they sold more than seventy-five lots bordering on said Patapsco Avenue the said Plat being referred to in the deeds conveying the same; that they deeded to the County Commissioners for Anne Arundel County the fifty-foot roadway known as Patapsco Avenue "For the use and purpose of a public road"; that the County Commissioners took over said roadway and improved it on the northeast side for a width of thirty feet; that the County Commissioners re-conveyed the twenty foot strip remaining to them; that in the deed to Frisch the said Plat was referred to and that no reservations were made as to the title to the bed of the roadways on said plat; admits the deed to Knoblock; admits the deed to Sansone; admits the deed to Zyliniski, et al., and that no reservations were made therein as to the title to the bed of the roadways on said plat; admits the deed to Mathias, and that no reservations were made therein as to the title to the beds of the roadways on said plat; admits that Patapsco was laid out as and intended to be a fifty foot roadway and was so conveyed to the County Commissioners; admits that Patapsco Avenue has been dedicated to public use by reason of said deed from

them to the said County Commissioners, (Paragraph No. 13 of the Bill); admits that they conveyed to Samuel Kurtz, et al., four hundred feet of said strip twenty feet wide, and they aver that they have conveyed back to the County Commissioners the entire twenty foot strip, (they having obtained from the said Samuel Kurtz, et al., a re-conveyance back to them of the four hundred feet previously conveyed to the said Kurtz, et al.)and that the relief prayed for has been given by amicable agreement, which your complainants positively deny, no agreement whatsoever having been made with them, or any of them, or even attempted to be made with them or any of them; and these complainants beg leave to file herewith as exhibits the following:- a copy of the deed from Samuel Kurtz, et al to Albert Retowsky, marked "Complainants' Exhibit No. 16"; a copy of the second deed from Albert Retowsky and wife to the County Commissioners, marked "Complainants' Exhibit No. 17"; a true copy of the minutes of the Board of County Commissioners under date of February 15th relative to said 20 foot strip of Patapsco Avenue, Marked "Complainants' Exhibit No. 18; a true copy of the minutes of the Board of County Commissioners under date of January 11, 1938, relative to said 20 foot strip of Patapsco Avenue, marked "Complainants' Exhibit No. 19; and six photographs numbered 1,2,3,4, 5 and 6 of said Patapsco Avenue and marked "Complainants' Exhibit No. 20", all prayed to be taken as part hereof;

2. Further replying to said answer the complainants aver that there was no consideration whatsoever passed upon the execution of the deed from the County Commissioners to said Retowskys above referred to as"Complainants' Exhibit No. 4" ; that the narrowing of said Patapsco Avenue would increase the danger to pedestrians thereon; that your complainants have no adequate remedy at law; and they further aver that the fact of said 20 foot strip of roadway having been re-conveyed to the County does not entirely grant unto your complainants the relief for which this proceeding was instituted, because your complainants desire that the legal questions involved be finally determined so as to prevent the said defendants from any further attempts to interfere with the rights of your com-

plainants by changing the roadways set forth upon the said plat of Paradise Beach and that the said deed described herein as "Complainants Exhibit No. 4" should be declared null and void so as to definitely determine the rights involved in this case;

And replying to the answer filed by the County Commissioners, these complainants have to say, only this:- that the said answer of the County Commissioners consents to ~~the~~ a decree as prayed for in the Bill of Complaint.

Wherefore your complainants renew their prayer for relief and pray that a proper decree may be signed herein and that the said Retowskys, defendants, be required to pay all costs.

And as in duty bound, etc.

Robert W. Beach

Solicitors for complainants.

#7564

In the Circuit Court
for
Anne Arundel County
In Equity

Henry Knoblock, et al.

vs.

Albert Retowsky, et al.

Complainants' Exhibit No. 16

Mr. Clerk:
Please file.

[redacted]ah A. Hill[redacted]
Solicitor for
Complainants

Filed May 27th. 1938.

$1.00 n.a 14.

(NO CONSIDERATION) (NO STAMPS REQUIRED)

THIS DEED, Made this 6" day of April, in the year one thousand nine hundred and thirty-eight by and between Gustav Kurtz and Maria Kurtz, his wife, and Samuel Kurtz and Anna Kurtz, his wife grantors, of the City of Baltimore, in the State of Maryland, of the first part, and Albert Retowsky and Katherine Retowsky, his wife, grantees, of the second part:

WITNESSETH, That in consideration of the sum of one dollar and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said grantors do grant and convey unto the said grantees, their heirs and assigns, in fee-simple, all that tract or parcel of ground located in the third district of Anne Arundel County and described as follows, that is to say:-

BEGINNING for the same at the intersection of the southwest side of Patapsco Avenue and the southeast side of Severn Avenue, and running thence southwesterly twenty feet (20') along the southwest side of Severn Avenue to lot No. 251 on the Plat of Paradise Beach, thence southeasterly binding on lots Nos. 251 and 250 four hundred feet (400') to the northwest side of Magothy Avenue, thence running and binding on the northwest side of Magothy Avenue twenty feet (20') to the intersection of Patapsco Avenue and Magothy Avenue, thence northwesterly four hundred feet (400') to the place of beginning.

The said tract of land being a part of the fifty foot wide (50') road bed of Patapsco Avenue as shown on the Plat of Paradise Beach, which said road bed has been reduced in width to thirty feet (30'). Being also part of the land conveyed by deed dated _____day of February, 1938, and recorded among the Land Records of Anne Arundel County in Liber F.A.M. No. ___folio _____by Albert Retowsky and Katherine Retowsky, his wife, to the within named grantors.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above

described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said grantees, their heirs and assigns, in fee-simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors.

TEST:

ALBERT MEID, JR.

SAMUEL KURTZ (SEAL)

ANNA KURTZ (SEAL)

GUSTAV KURTZ (SEAL)

MARIA KURTZ (SEAL)

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, That on this 6" day of April, in the year one thousand nine hundred and thirty-eight, before me the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Gustav Kurtz and Maria Kurtz, his wife, and Samuel Kurtz and Anna Kurtz, his wife, the above named grantors, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

ALBERT MEID JR.

(NOTARIAL SEAL)

NOTARY PUBLIC

Recorded-13th-April-1938-at-9-A.M.

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, Sct:

I Hereby Certify, that the foregoing Deed is truly taken and copied from F.A.M. No. 179, follio 114, one of the Land Record Books of the Circuit Court for Anne Arundel County

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court for Anne Arundel County, this 16th day of May A.D., 1938.

Frank A. Munroe Clerk.

In the Circuit Court
#7564 for
Anne Arundel County

Henry Koblock, et al

vs.

Albert Petowsky, et al

Complainant's Exhibit No. 17

Mr. Clerk:
Please file.

Noah A. Hillman
Solicitor for Complainant

Filed May 27th. 1938.

$1.00 nah

(NO CONSIDERATION) (NO STAMPS REQUIRED)

THIS DEED, made this 6 day of April, in the year nineteen hundred and thirty-eight, by and between Albert Retowsky and Katherine Retowsky, his wife, of Anne Arundel County, State of Maryland, of the first part, hereinafter called "GRANTORS" and the County Commissioners of Anne Arundel County, a body corporate, of the second part, hereinafter called "GRANTEE."

WITNESSETH: That for and in consideration of the sum of one dollar ($1.00) and other good and valuable considerations, the receipt whereof in full is hereby acknowledged, the said GRANTORS do hereby grant unto the said GRANTEE, its successors and assigns, in fee simple, all that strip or parcel of land located in Paradise Beach, Third Election District of Anne Arundel County, Maryland, and which is described as follows:

BEING the southwesterly twenty (20) feet of the fifty (50) foot wide road bed of Patapsco Avenue as shown on a plat entitled "PARADISE BEACH", and recorded among the Plat Records of Anne Arundel County in Plat Book W.N.W. Section 3, Folio 342.

Being that identical property which was conveyed by the County Commissioners of Anne Arundel County to Albert Retowsky and wife by deed dated January 22, 1938, and recorded among the Land Records of Anne Arundel County in Liber F.A.M. 176, Folio 115.

Together with the improvements thereon and all of the rights and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto the said Grantee, its successors and assigns in fee simple for the use and purpose of widening Patapsco Avenue.

And the said Grantors do hereby covenant that they will Warrant Specially the title to the property hereby conveyed, and that they will execute such other or further assurances of the same as may be requisite.

WITNESS the hands and seals of said GRANTORS.

WITNESS: ALBERT RETOWSKY (SEAL)

JEROME P. THUMAN KATHERINE RETOWSKY (SEAL)

STATE OF MARYLAND, CITY OF BALTO TO WIT:

I hereby certify that on this 6 day of April 1938, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore personally appeared Albert Retowsky and Katherine Retowsky, his wife, and acknowledged the aforegoing deed to be their act.

WITNESS MY HAND AND SEAL NOTARIAL.

JEROME P. THUMAN

(NOTARIAL SEAL) NOTARY PUBLIC

Recorded-13th-April-1938-at-9-A.M.

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, Sct:

I Hereby Certify, that the foregoing Deed is truly taken and copied from F.A.M. No. 179, folio 110, one of the Land Record Books of the Circuit Court for Anne Arundel County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court for Anne Arundel County, this 16th day of May A. D., 1938.

Frank A. Munroe Clerk.

7564

In the Circuit Court
for
Anne Arundel County
In Equity

Henry Knoblock, et al.

vs.

Albert Retowsky, et al.

Complainants' Exhibit No. 18

Mr. Clerk:
Please file.

Robert W Beach
Noah A. Hillman
Solicitors for Complainants

Filed May 27th. 1938.

NOAH A. HILLMAN
ATTORNEY AT LAW
ANNAPOLIS, MARYLAND

"Mr. Henry Knoblock, President and Carleton L. Molesworth, Secretary of the Paradise Beach Association appeared before the Board in protest against the execution of a deed from the County Commissioners to Mr. Albert Retowsky for a right-of-way. Mr. Robert Beach, a member of the Association and Acting Attorney spoke of the Deed executed on January 22, 1938, conveying an unused thirty foot of right-of-way of the sixty foot road to Mr. Retowsky, deleloper of Paradise Beach and inquired as to why this was done and why the road was not centered, when constructed. Engineer Bromley stated, the line of electric poles on the east side was in the way, therefore the road was built on one side, leaving a thirty foot portion unused and when Mr. Retowsky requested his be covered to him, the Committee reviewing same, decided to comply with the request. Mr. Beach stated this places a considerable number of property owners in a bad location, since the portion obtained by Mr. Retowsky is proposed to be added to the lots bordering Patapsco Avenue and would bring out-houses, garbage cans, etc., on the back lots bordering on the side of houses opposite. The matter was referred to Mr. Michaelson for investigation."

I Hereby Certify that the aforegoing is a true copy from the minutes of the Board of County Commissioners for Anne Arundel County, meeting on February 15, 1938

R. Gary Arnold
Clerk to the Board

7564

In the Circuit Court
for
Anne Arundel County
In Equity

Henry Knoblock, et al.

vs.

Albert Retowsky, et al.

Complainants' Exhibit No. 19

Mr. Clark:

Please file.

Robert W. [redacted]

Noah A. Hillman

Solicitors for Complainants

Filed May 27th. 1938.

NOAH A. HILLMAN
ATTORNEY AT LAW
ANNAPOLIS, MARYLAND

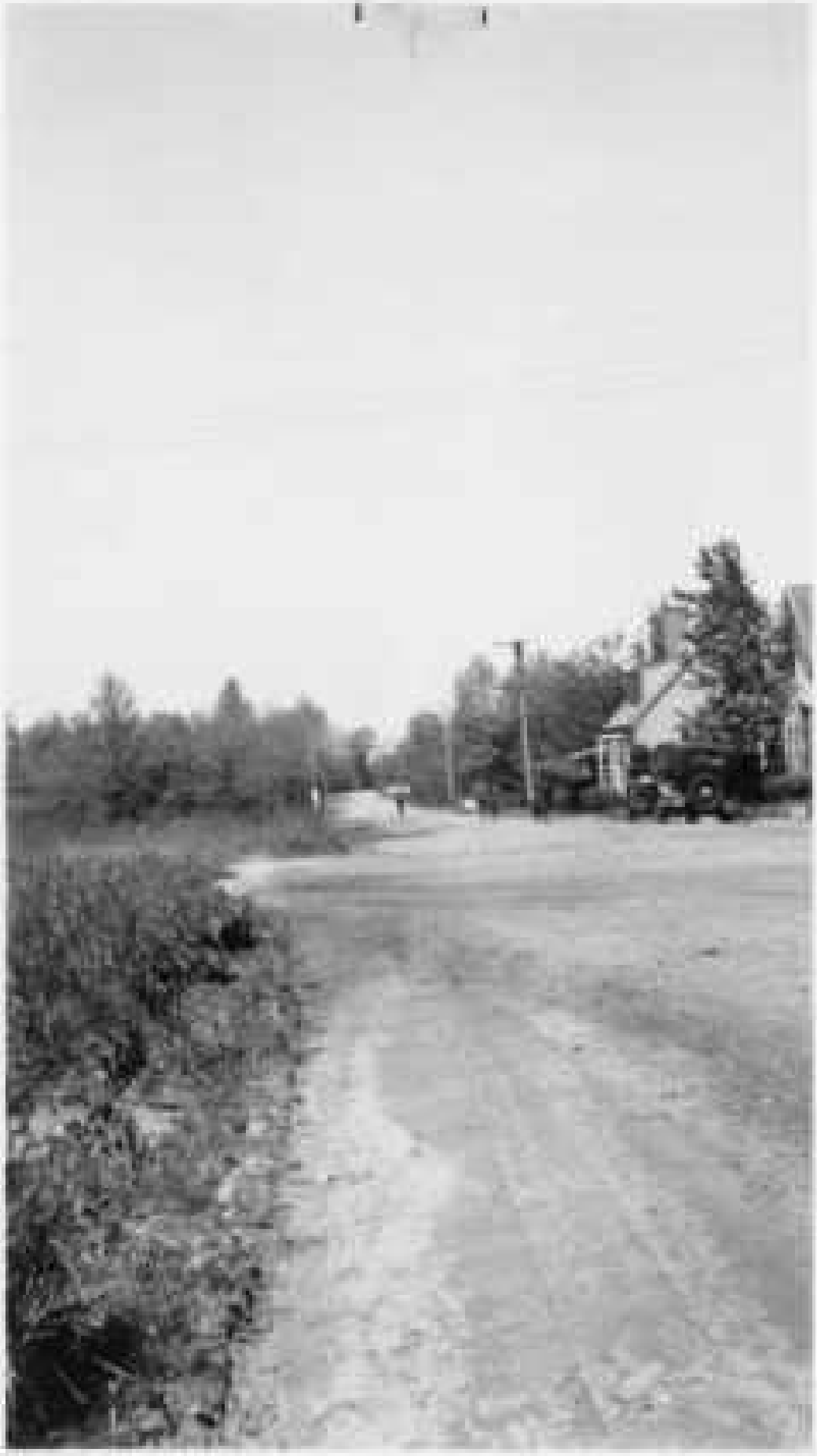
"Mr. Albert Retowsky appeared before the Board with reference to a 20 foot strip of County right of way bounding the present County Road and his lots at Paradise Beach, Third District. Mr. Retowsky stated the County secured a 50 foot strip for the County Road using 30 feet only, leaving this strip of 20 feet which he would like to have the County deed him to enlarge the lots. Same referred to Commissioner Duval for investigation, report to be made at the next meeting."

I Hereby Certify, that the aforegoing is a true copy from the minutes of the Board of County Commissioners for Anne Arundel County, meeting on January 11, 1938.

R. Wam Amos

Clerk to the Board

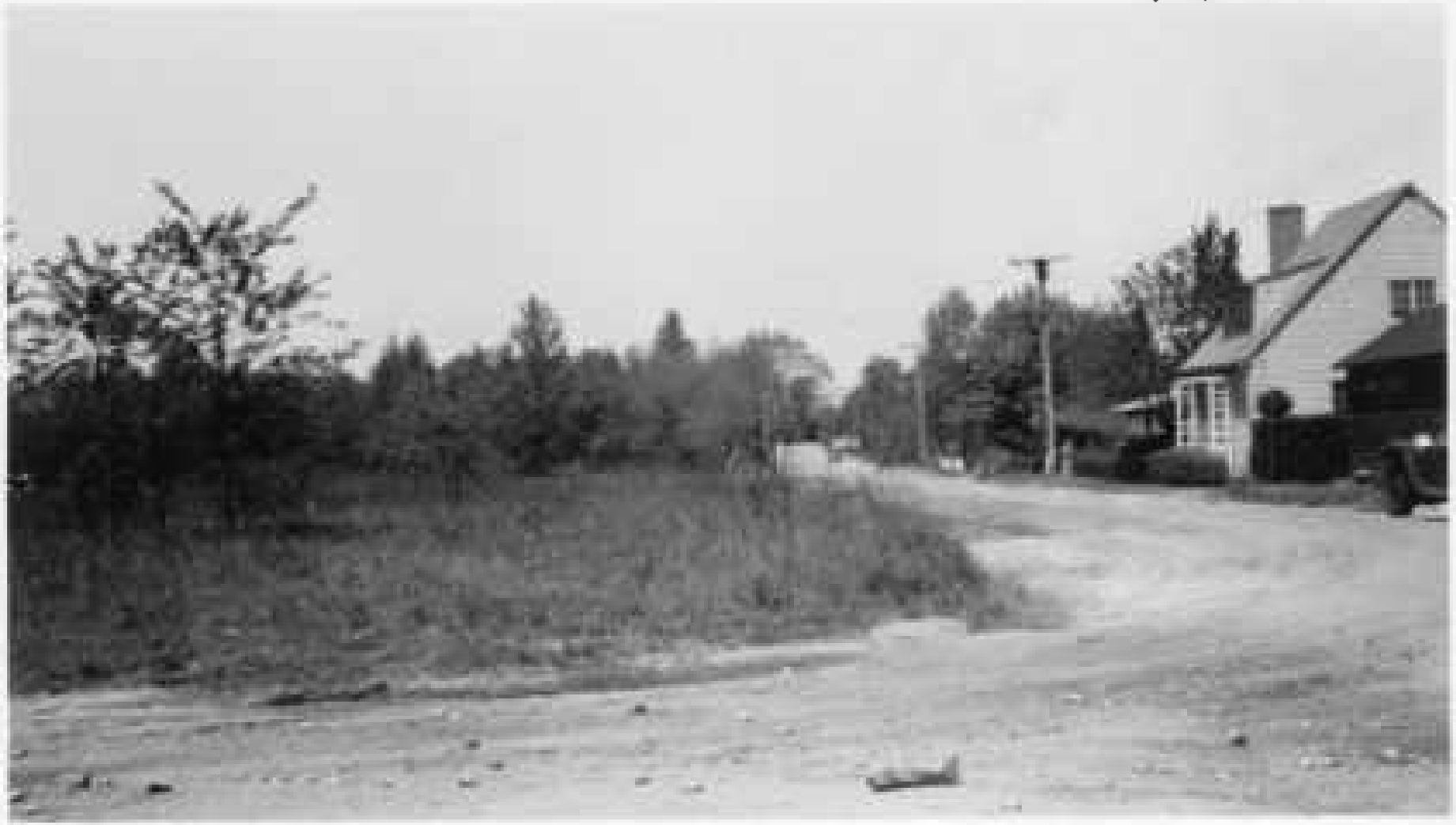
No. 1



No. 1

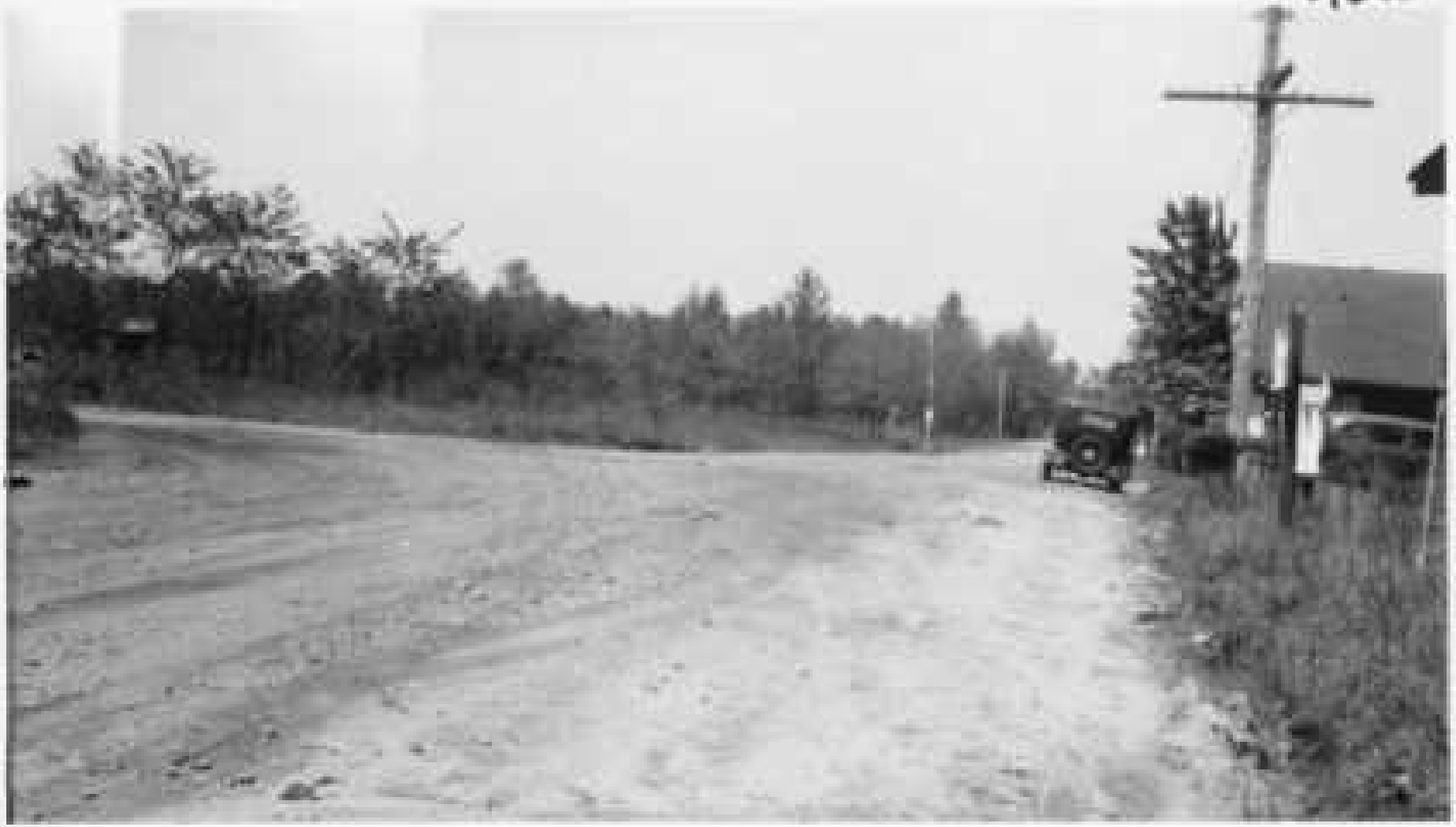
Circuit Court for Ala.
Knoblauch et al vs Kennedy, et al
"Complainants Exhibit No 20"

160 2



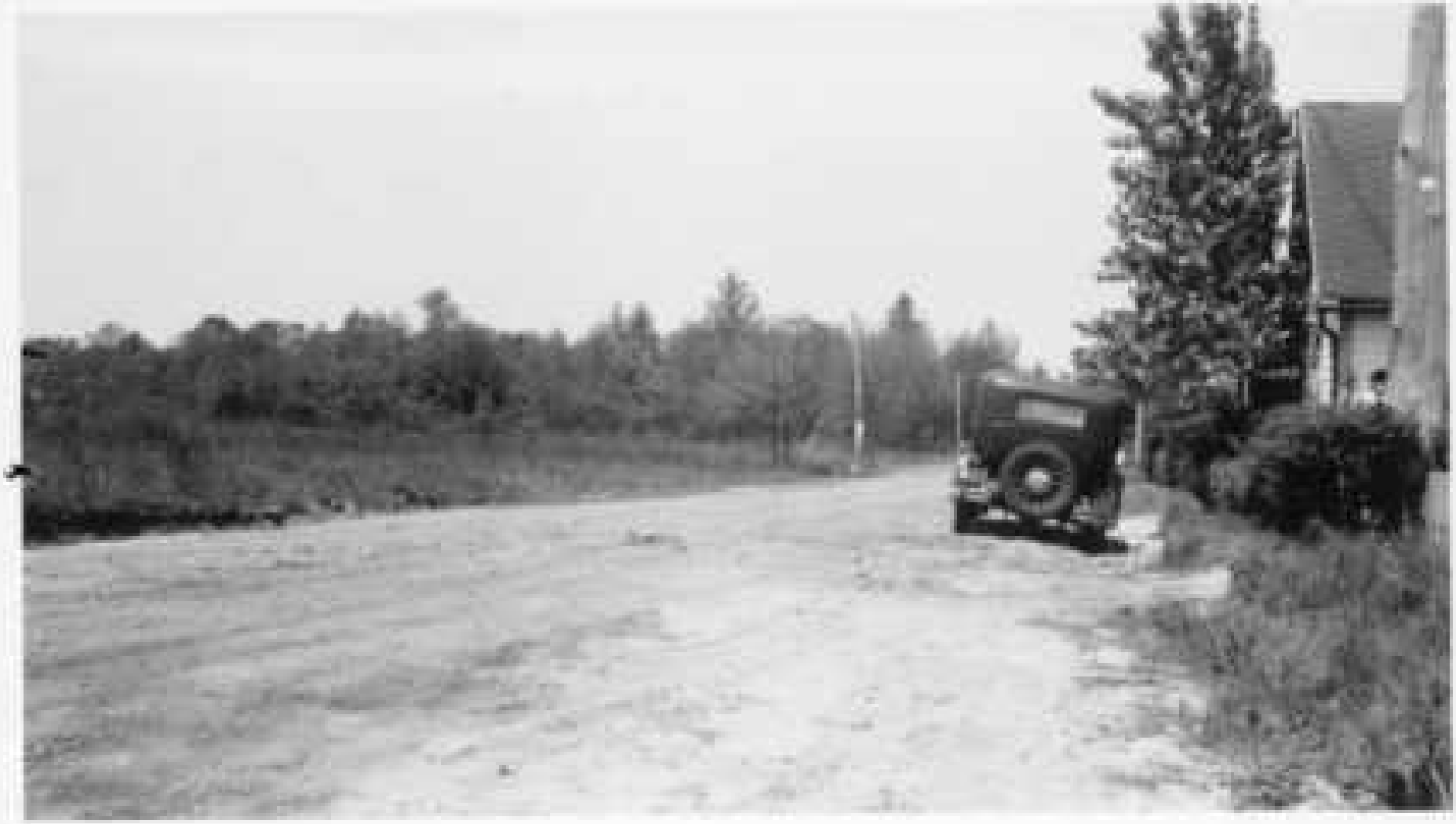
Circuit Court for ado.
Knobloch et al vs Rehnstedt et al
"Complainants Exhibit No. 20"

No 3



Circuit Court for Balto.
Knobloch et al vs Rebusky et al
Complainants Exhibit No 20"

No. 4

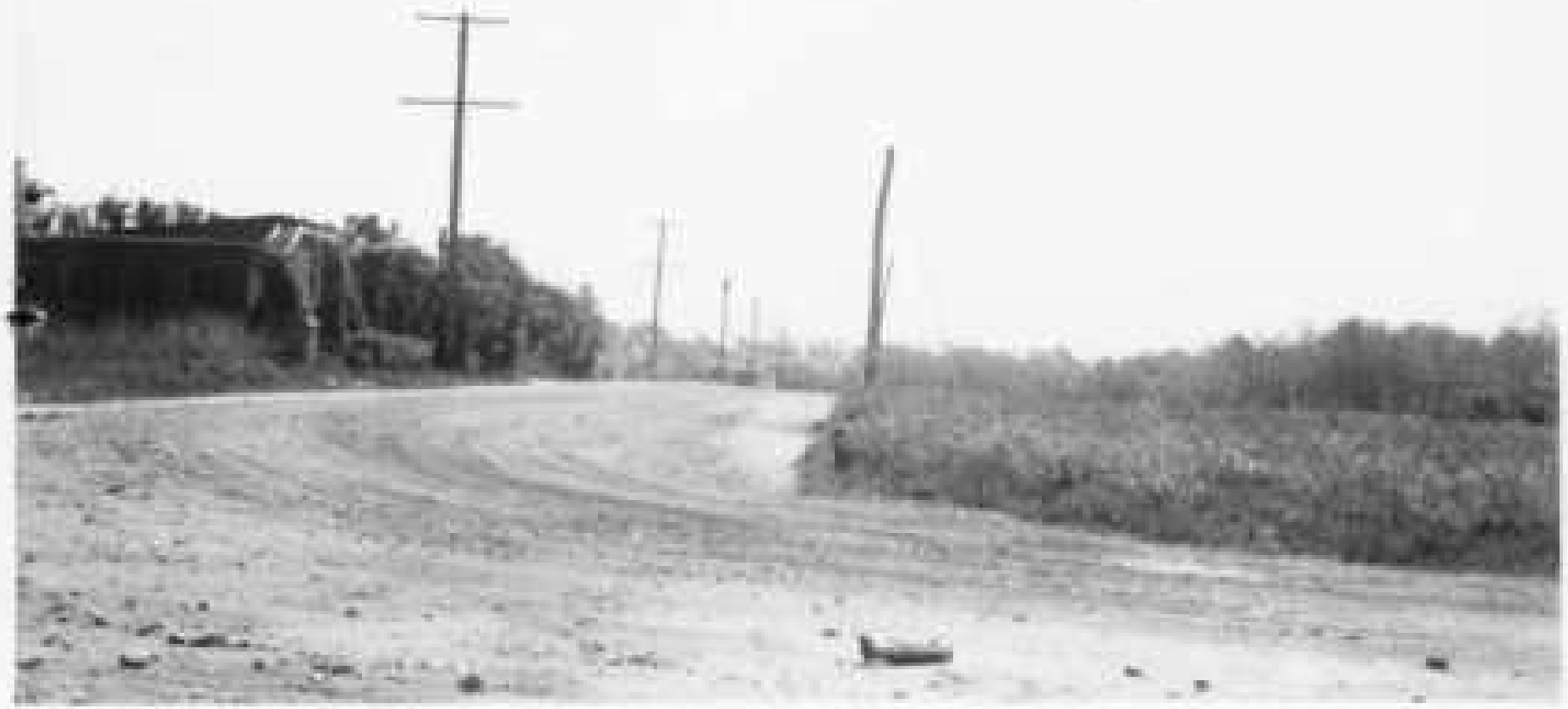


Circuit Court for Ala.
Knobloch et al vs Retowsky et al
"Complainants' Exhibit No. 20"

No 5

Circuit Court for Ala.
Knobloch et al. v. Relonsky et al
"Complainants Exhibit No. 20"

Looking S. towards Kurtz No. 6



7564 Equity

Circuit Court for Cecil
Knobloch et al vs Relosky et al
"Complainants Exhibit No. 20"

Filed May 27th 1938.

No. 7564 Equity.

Henry Knoblock, et al.,

vs.

Albert Retowsky and
wife, et al.,

ORDER
By Linwood L. Clark, Judge
August 6th, 1938.

Filed 6 August 1938

HENRY KNOBLOCK, ET AL.,

VS.

ALBERT RETOWSKY AND WIFE, ET AL.,

No. 7564 EQUITY

IN THE CIRCUIT COURT FOR

ANNE ARUNDEL COUNTY.

O R D E R.

This case coming on for hearing in open Court on Bill, answer and replication and the case having been fully argued; and the proceedings having been read and considered; and it appearing that the causes of complaint have been fully corrected and removed by the defendants, since the filing of this Bill to the complete satisfaction of the Complainants:

It is therefore ORDERED adjudged and decreed by the Circuit Court of Anne Arundel County this 6th day of August, 1938, that the Bill be dismissed upon the payment of costs; and that the costs be paid by the defendants.

Leonard R. Clark

Judge.

No 1.

No. 7564 Equity

Henry Knoblock, et al.,

vs.

Albert Retowsky, et al.,

ORDER to strike out
Order of August 6th, 1938.
By Linwood L. Clark, Judge
August 15th, 1938.

Filed August 15, 1938

Henry Knoblock, et al.,

vs.

Albert Retowsky, et al.,

No. 7564 Equity

In the Circuit Court for

Anne Arundel County.

ORDERED by the Circuit Court of Anne Arundel County this 15th day of August 1938, that the Order filed in this matter dated the 6th of August 1938 be and the same is hereby stricken out.

Leonard Colahan

Judge.

no 2

No. 7564 Equity.

Henry Knoblock, et al.,

vs.

Albert Retowsky, et al.,

[redacted] ORDER
By Linwood L. Clark, Judge
August 13th, 1938.

Filed August 15, 1938

Henry Knoblock, etal vs Albert Retowsky, et ux, et al	* * * * * * * * * * * # 7564	In the Circuit Court for Anne Arundel County In Equity

[redacted] ORDER

This case coming on for hearing in open Court on Bill, Answer and Replication and the case having been read and considered; and it appearing that the causes of complaint have been fully satisfied since the filing of the Bill, in that the reconveyance to the County Commissioners of Anne Arundel County from the Defendants, Albert Retowsky and wife (Recorded in Land Records Liber F. A. M. No. 179, folio 110) has been duly executed and recorded, thus nullifying the deed sought to be vacated.

It is therefore ORDERED, ADJUDGED AND DECREED by the Circuit Court of Anne Arundel County, In Equity, this 13 day of August, 1938, that the Bill be dismissed upon the payment of costs, and that thecosts be paid by the Defendants.

Judge