

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-Seventh Day of November, in the year nineteen hundred and seventy-three, the following Notice of Lien of Judgment was brought to be recorded, to wit:

#75

DISTRICT COURT OF MARYLAND FOR Queen Anne's County

Notice of Lien of Judgment

I HEREBY CERTIFY that the following judgment has been recorded in this Court, to wit:

<u>Dover Federal Credit Union</u>		<u>Harold Robinson</u>
_____	vs.	_____
_____		_____
_____		_____
Plaintiff(s)		Defendant(s)

District Court Case No. 3-4-73CV55

Date of Entry of Judgment July 9, 1973

Amount of Judgment \$ 1321.60

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of said Court this 26th day of November, 19 73.

Margaret Dodd
Clerk



D.C. 229
Filed Nov 27, 1973

#75

DOVER FEDERAL CREDIT UNION	*	In District Court of
	*	
Plaintiff	*	Maryland for
	*	
vs.	*	Queen Anne's County
	*	
HAROLD ROBINSON	*	Case # 3-4-73CV55
	*	
Defendant	*	

SHERIFF'S REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

I, the undersigned, George B. Sharp, Sheriff of Queen Anne's County, hereby report the sale of the undivided one-half (1/2) interest in real estate levied upon in the above captioned proceeding.

1. By virtue of a writ of Fi. Fa. issued on the judgment in the above captioned case, I took in execution by entry and levy on the 1st day of December, 1973, all of the right, title and interest of the Defendant in the following described real estate.

2. I did then advertise notice of sale in the Queen Anne's Record Observer for more than 20 days prior to the sale as per Certificate of Publication, attached hereto, and prayed to be taken as part hereof.

3. Pursuant to the said notice of sale, a copy of which I also posted at the Court House door, Centreville, Maryland, on December 3, 1973, I did attend on the premises on Saturday, January 12, 1974, commencing at 2:00 o'clock P.M., and then and there, by Joseph A. Jackson, Jr., Auctioneer, offered the right, title and interest, being an undivided one-half (1/2) interest of the Defendant, Harold Robinson, in said real estate at public auction and sold the same to Howard Wood, the highest bidder, at and for the sum of \$1400.00, said real estate being described as follows:

ALL that lot of land (improved by a vacant house) situate in the First Election District of Queen Anne's County, Maryland, on the south side of Md. Rt. 300, a short distance east of Dudley's Corner (between U.S. Rt. 301 and Sudlersville) known as Parcel 38 on county tax map no. 12, bounded on the north by Md. Rt. 300, on the east by land of or formerly of Howard Kennedy and wife, on the south by land of or formerly of Albert Jeffers and on the west by land of or formerly of Horace Winchester and wife, containing three (3) acres of land, more or less; being the same land granted to James E. Wilmore and Sylvia A. Wilmore, his wife, (1/2 interest) and the Defendant, Harold Robinson, (1/2 interest) by Albert Jeffers by deed dated June 1, 1967 and recorded among the land records of Queen Anne's County in Liber C.W.C. No. 28, folio 594.

A certificate of Joseph A. Jackson, Jr., Auctioneer, is attached hereto as part hereof.

4. The purchaser has fully complied with the terms of sale by full payment of \$1400.00 which was not sufficient to make the debt, interest and costs in said writ specified which the undersigned has paid and applied as follows:

<u>Queen Anne's Record Observer</u>	
Advertising sale	\$ 62.50
Joseph A. Jackson, Jr.,	
Auctioneer's fee	25.00
Sheriff's fee retained	21.00
TOTAL costs of sale	<u>\$ 108.50</u>
Balance of proceeds of sale	
applied to Plaintiff's judgment	\$1291.50
Total proceeds accounted for	<u>\$1400.00</u>

Statement of judgment debt

Amount of judgment	\$1321.60
Interest--July 9, 1973 to	
January 12, 1974	40.00
Court costs	41.00
TOTAL	<u>\$1402.60</u>

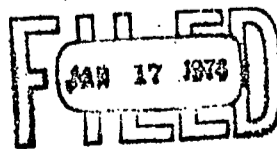
Above balance paid to Plaintiff by the undersigned Sheriff on account	<u>\$1291.50</u>
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Deficiency	\$ 111.10
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I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.

And, as in duty bound, etc.

George B. Sharp
(George B. Sharp, Sheriff)



FOR QUEEN ANNE'S CO., MARYLAND

Queen Anne's

RECORD-OBSERVER

Centreville, Md., January 15 19 74

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of Sheriff's Sale of Real Estate

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 12th day of January, 1974, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 19th day of Dec. 1973, and the last insertion on the 9th day of January, 1974.

THE RECORD-OBSERVER CORPORATION

By *Arvid M. Moore*

SHERIFF'S SALE OF REAL ESTATE

By virtue of a writ of Fi. Fa. issued on the judgment in the case of Dover Federal Credit Union, Plaintiff, vs. Harold Robinson, Defendant, being case no. 3-4-73CV55 in the District Court of Maryland for Queen Anne's County, I the undersigned Sheriff of Queen Anne's County have taken in execution and will offer at public sale on the premises herein described at 2:00 o'clock P.M. on Saturday, January 12, 1974, all the Defendant's right, title and interest, being an undivided one-half (1/2) interest in the following described real estate:

ALL that lot of land (improved by a vacant house) situate in the First Election District of Queen Anne's County, Maryland, on the south side of Md. Rt. 300, a short distance east of Dudley's Corner (between U.S. Rt. 301 and Sudlersville) known as Parcel 38 on county tax map no. 12, bounded on the north by Md. Rt. 300, on the east by land of or formerly of Howard Kennedy and wife, on the south by land of or formerly of Albert Jeffers and on the west by land of or formerly of Horace Winchester and wife, containing three (3) acres of land, more or less; being the same land granted to James E. Wilmore and Sylvia A. Wilmore, his wife, (1/2 interest) and the Defendant, Harold Robinson (1/2 interest) by Albert Jeffers by deed dated June 1, 1967 and recorded among the land records of Queen Anne's County in Liber C.W.C., No. 28, folio 594.

TERMS—25 pct. deposit will be required on the day of sale, the balance ten (10) days later, both in cash or by certified check.

GEORGE B. SHARP

Sheriff of Queen Anne's County

JOSEPH A. JACKSON

Auctioneer

11-1-9

DOVER FEDERAL CREDIT UNION	*	In District Court of
	*	
Plaintiff	*	Maryland for
	*	
vs.	*	Queen Anne's County
	*	
HAROLD ROBINSON	*	Case # 3-4-73CV55
	*	
Defendant	*	

AUCTIONEER'S CERTIFICATE

I, the undersigned, Joseph A. Jackson, Jr., hereby certify that on Saturday, January 12, 1974 at 2:00 o'clock P.M., I cried the sale on the premises of the undivided one-half (1/2) interest of Harold Robinson, Defendant in the above case, in the lot of land in the First Election District of Queen Anne's County, Maryland, containing three (3) acres, more or less, which was granted to James E. Wilmore and wife and Harold Robinson by Albert Jeffers and wife by deed dated June 1, 1967 and recorded among the land records of Queen Anne's County in Liber C.W.C. No. 28, folio 594 and sold the same to Howard Wood, highest bidder for the sum of \$1400.00.

Witness my hand this 16th day of January, 1974.

Joseph A. Jackson, Jr.
 (Joseph A. Jackson, Jr. Auctioneer)

Filed Jan 17, 1974

FILED
 JAN 17 1974

FOR QUEEN ANNE'S CO., MARYLAND

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-fourth Day of April, in the year nineteen hundred and seventy-three, the following Bill to Quiet Title was brought to be recorded, to wit: ----

MELVIN ROYAL and
RACHAEL ROYAL, his wife,
1021 Spruce Street
Wilmington, Delaware

vs

JOHN HENRY HUTCHINS, and any
unknown heirs of John Henry
Hutchins, their respective heirs, executors
administrators, personal representatives,
and all other persons, their heirs, exe-
cutors, administrators, personal representatives
who could claim any interest in the real estate
mentioned in these proceedings or who could hold a lie
lien or encumbrance on the real estate mentioned
in these proceedings.
Addresses unknown

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5437

12-51211

BILL TO QUIET TITLE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of Melvin Royal and Rachael Royal, his wife, by Clark & Clark, their attorneys, respectfully represents:

1. That this proceedings is filed under the provisions of the Code of Public General Laws of Maryland, Article 16, Section 128 (1957).

2. That on or about April 8, 1920, Rachael Griffin, Elizabeth Saulsbury, Richard A. Curtis, Sarah E. Queen, Frank Queen, her husband, and William H. Curtis and Hanna Curtis deeded to John Burke all of their right, title, interest and estate in and to the hereinafter described land of which the said John Henry Hutchins died seized and possessed, to wit:

ALL of that lot of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, in Scottown, facing the public road leading from Wye Mills to Queenstown, adjoining the land of John Scott, et. al., and being the same land whereon the said John Henry Hutchins resided during his lifetime and containing one acre of land, more or less.

Said deed was recorded among the Land Records of Queen Anne's County in Liber JFR No. 4, Folio 381, a copy of which is filed hereiwith and made a part hereof and marked Exhibit "A".

3. That in the recital clause of the deed mentioned in Paragraph No. 2 above, it states that this is the same land of which the said John Henry Hutchins died seized and possessed. Furthermore, in the being clause of the deed mentioned in Paragraph No. 2 above, it states that this is the same land whereon the said John Henry Hutchins resided during his lifetime. It further states in the recital clause that Rachael Griffin and Elizabeth Saulsbury are surviving sisters of John Henry Hutchins, late of Queen Anne's County, deceased and the said William H. Curtis and Richard A. Curtis and Sarah Queen are surviving children of Annie M. Curtis, a sister of the said John Henry Hutchins, who was alive at the time of the decease of said John Henry Hutchins.

4. That a diligent search of the records of the Register of Wills Office of Queen Anne's County has failed to reveal any evidence of the death of John Henry Hutchins, any evidence of the time of his death, any evidence of any administration of his estate and any evidence of ^{his} heirs at law. Furthermore, that a diligent search of the Land Records of Queen Anne's County only revealed what was stated in Paragraph No. 3 above. The diligent search of the Land Records of Queen Anne's County back to 1850 did not reveal how said John Henry Hutchins acquired said property described in the deed, which is Exhibit "A" to this Bill of Complaint.

5. That the said John Burke, the Grantor in Exhibit "A", died in the early 1940's and said property descended to his heirs at law, since he died intestate. An estate in the Orphans Court of Queen Anne's County was taken out for John Burke being estate No. 2519. Letters of Administration were granted to Rachael Royal on October 11, 1943, in the capacity of administratrix. This property described in Exhibit "A" above-mentioned was inventoried in the inventory of real estate found in Liber EEC No. 1, folio 37, with an appraised value of \$200.00 being placed on it. That said estate referred to the heirs of John Burke as the following: Sarah Burke, surviving widow; and Sarah Gross, William Burke, Lillian Jackson and Rachael Royal, children. Furthermore, in the First and Final Administration Account found in Liber NSD No. 2, folio 329, it shows that the direct inheritance tax was paid.

6. That on or about April 25, 1944, Sarah Burke, et. al., all the heirs at law of John Burke as mentioned in paragraph No. 5 above, except Rachael Royal, conveyed all their interest in the land to Melvin Royal and Rachael Royal, and said deed was recorded among the Land Records of Queen Anne's County in Liber ASG, JR. No. 9, folio 354, a copy of which is filed herewith and made a part hereof and marked Exhibit "B" to this Bill of Complaint.

7. That a survey description of the Melvin Royal and Rachael Royal property was obtained in March 1973 and the survey shows the following metes and bounds description:

BEGINNING for the same at a pipe set at the intersection of the South side of Scottown Road and the division line of the land now or formerly owned by Friel Lumber Company and Melvin Royal Property, said pipe being North 17° 08' 09" West 7.89 from a concrete monument as shown on the plat titled " 2 parcels of land surveyed for James Friel" by F. Ward Associates, dated January 18, 1972, thence binding on the said South side of Scottown Road 1) North 70° 25' 07" East 182.20 feet to a pipe set at the property line division between this lot of Melvin Royal and the land now or formerly owned by Tilsie Hersch, having no deed reference available in the Land Records of Queen Anne's County, Maryland, thence binding on said property line division 2) South 16° 54' 00" East 251.64 feet to a concrete monument thence holding a line to the concrete monument in the rear of the lot shown on the Ward Assoc. Plat, 3) South 69° 44' 00" West 176.77 feet to the aforementioned concrete monument, thence by a line passing over the concrete monument firstly mentioned 4) North 17° 08' 09" West 267.91 feet to the place of beginning, containing 45,066.58 square feet or 1.035 acre of land, more or less.

8. That accounting from April 25, 1944, when the Complainants got title to the said land by a deed which is Exhibit "B", the Complainants have by deed held record title to said above-mentioned lands and have possessed the same in an actual, visible, exclusive, continuous manner, hostile to any claim or right of others, under a claim of title for a period in excess of 20 years, and have paid State and County taxes on the said land.

9. That the Complainants herein since the date of the conveyance of this acre of land, more or less, have held the same openly, notoriously and adversely under color of title, occupying the same against the claim of the above named Respondents, or anyone claiming through them.

10. That said Plaintiffs are now in possession of the land, but they have been advised there might be more children or heirs at law of John Henry Hutchins, they being the Respondents named herein. The Plaintiffs have been advised that because of this, they cannot deliver a good and merchantable fee simple title to said lands until said title is cleared by Order of this Court, where upon it shall be decreed that title to the same shall be vested in your Complainants, unencumbered by claims of others.

11. That no action at law or in equity is now pending to test the validity or to quiet or remove the cloud from said title to the land aforementioned.


TO THE END THEREFORE:

1. That the Complainants may by decree of this Honorable Court be made the absolute owners of said land, and have the perfect right of absolute disposition of the land.

2. That your Complainants may have such other and further relief as their case may require.

3. That this Honorable Court will grant an absolute and permanent injunction against the assertion by any of the Respondents in this cause of their claim to said property by any action either at law or equity or otherwise.

AND AS IN DUTY BOUND, ETC.

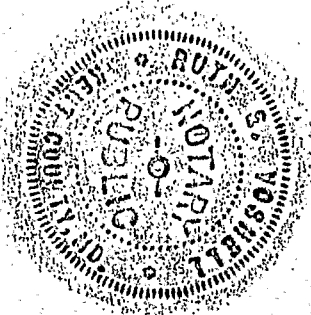


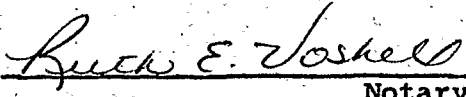
 Clark & Clark
 By: John T. Clark, III
 118 N. Commerce Street
 Centreville, Maryland 21617
 Phone: 758-1392
 Attorneys for Plaintiffs

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that on this 24th day of April, 1973, before me, a Notary Public of the State of Maryland, for the County of Kent, personally appeared John T. Clark, III, Attorney for the Plaintiffs, and made oath in due form of law that the matters and facts set forth herein are true and correct according to the best of his knowledge.

AS WITNESS my hand and Notarial Seal.





 Notary Public

My commission expires: July 1, 1974

Filed April 24, 1973

WITNESS my hand and notarial seal.

ISABEL BERGER
Notary Public.
Isabel Berger

My commission expires October 7, 1944

Notary
Public
Seal.

EXHIBIT "B"

.....
#22,452.

Be it remembered that on the sixteenth day of May, in the year nineteen hundred and forty four, the following Deed was brought to be recorded, to wit:-

One-Fifty Cent and One-Five Cent
Int. Rev. Stamps. Endorsed R R
4/25/44

One-Twenty Cent Recordation Tax Stamp.
Endorsed M R 4/25/44

THIS DEED made this 25th day of April in the year nineteen hundred and forty four by Sarah Burke, widow, Lillian Jackson and Greerfield Jackson, her husband, Sarah Gross and Benjamin Gross, her husband, all of Queen Anne's County, State of Maryland, and William Burke, single man, of New Castle County, State of Delaware, WITNESSETH:

Original Exam'd. & mailed to Grantee
May 19, 1944 710 Curlett St. Del.
Wilmington, Del.

WHEREAS, John Burke, late of Queen Anne's County, Maryland, died intestate, seized and possessed of the hereinafter described real estate, leaving surviving him as his only heirs-at-law, the said Sarah Burke, his widow, and the following children, to wit: Lillian Jackson, who is married to Greenfield Jackson, Sarah Gross, who is married to the said Benjamin Gross, William Burke, a single man, and Rachael Royal, who is married to Melvin Royal:

AND WHEREAS, it was agreed by all heirs of the said John Burke that should Rachael Royal and her husband satisfy and pay one James DeCoursey the sum of Two Hundred and Twenty Five Dollars, more or less, for money due him by the said John Burke, which loan was used in the purchase of the real estate herein set forth, that the said heirs would unite in a deed of conveyance to the said Melvin Royal and Rachael Royal, his wife, which said sum the said Melvin Royal and Rachael Royal have paid and satisfied and therefore are entitled to a deed of conveyance.

Now therefore in consideration of the premises and the sum of one dollar the said Sarah Burke, Lillian Jackson and Greenfield Jackson, her husband, Sarah Gross and Benjamin Gross, her husband, and the said William Burke do hereby grant and convey unto and to the said Melvin Royal and Rachael Royal, his wife, of New Castle County, State of Delaware, as tenants by the entireties, their heirs and assigns, and the heirs and assigns of the survivor of them, in fee simple,

all of that lot or tract of land, situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, in Scottown, facing the public road leading from Wye Mills to Queenstown, adjoining the land now or formerly owned by John Scot et al., and which was formerly owned by John Henry Hutchins, and where the said John Henry Hutchins died, being the same land and all the land granted and conveyed to the said John Burke by deed bearing date of April 8th., 1920, from Rachael Griffin et al., and recorded in Liber J. F. R. No. 4-folio 381 & etc., to which deed reference is hereby made for a fuller and more particular description.

TOGETHER with all buildings and improvements thereon erected, made or being and all rights, roads, ways, waters, privileges and advantages thereunto attached or in any wise appertaining to the same.

TO HAVE AND TO HOLD the lot and premises hereby mentioned to be granted and conveyed, with the rights and appertanances aforesaid, unto the said Melvin Royal and Rachael Royal, his wife, as tenants by the entireties their heirs

granted and conveyed, with the rights and appertinances aforesaid, unto the said Melvin Royal and Eacheael Royal, his wife, as tenants by the entireties, their heirs and assigns, and the heirs and assigns of the survivor of them, for their proper use and benefit, forever in fee.

AND the said Sarah Burke, Lillian Jackson, Sarah Gross and William Burke hereby warrant specially and generally the title to the land hereby granted and conveyed or attempted to be granted and conveyed and covenant to execute such other and further assurances of title to the same as may be now or shall hereafter become requisite or necessary.

In witness whereof we have hereunto subscribed our names and affixed our seals.

Test as to Sarah Burke, Lillian Jackson, Greenfield Jackson, Sarah Burke (SEAL)

W. H. BISHOP LILLIAN JACKSON (SEAL)
W. H. Bishop Lillian Jackson

Test as William Burke GREENFIELD JACKSON (SEAL)
Charles J. Coleman Greenfield Jackson

CHARLES J. COLEMAN SARAH GROSS (SEAL)
Charles J. Coleman Sarah Gross

Test as to Sarah Gross and BENJAMIN GROSS (SEAL)
Benjamin Gross Benjamin Gross

WILLIAM T. BANKS WILLIAM BURKE (SEAL)
William T. Banks William Burke

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 25 day of April in the year nineteen hundred and forty four, personally appeared before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, Sarah Burke, Lillian Jackson, and Greenfield Jackson, her husband, her husband, and each acknowledged the within and foregoing deed to be their respective act and deed. In witness whereof I have hereunto subscribed my name and affixed my Notarial Seal.

NANNIE C. BISHOP
Notary Public.
Nannie C. Bishop
Notary Public Seal.

STATE OF DELAWARE, NEW CASTLE COUNTY, to wit:

I hereby certify that on this 6th day of May in the year nineteen hundred and forty four, personally appeared before me, the subscriber, a Notary Public of the State of Delaware in and for New Castle County, William Burke and acknowledged the within and foregoing deed to be his act and deed. In witness whereof I have hereunto subscribed my name and affixed my Notarial Seal.

CHARLES J. COLEMAN
Charles J. Coleman
Notary Public

Notary
Public
Seal.

My commission expires April 8th, 1945.

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I hereby certify that on this 8 day of May 1944, personally appeared before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore City, Sarah Gross and Benjamin Gross, her husband, and each acknowledged the within and foregoing deed to be their respective act and deed. In witness whereof I have hereunto subscribed my name and affixed my Notarial Seal.

SOPHIA SCHMUCKLER
Notary Public.
Sophia Schmuckler

Notary
Public
Seal.

My commission expires May 1945

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wlt:

THIS IS TO CERTIFY, that the foregoing Instrument is truly taken from the original filed and recorded in the Office of the Clerk of the Circuit Court for Queen Anne's County in Liber A.S.G., Jr. No. 9010 354, a Land Record Book for Queen Anne's County, Maryland.

IN TESTIMONY WHEREOF, I herunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 24th day of April in the year Nineteen Hundred and Seventy-three.

Charles W. Cecil
CHARLES W. CECIL, Clerk of the Circuit Court for Queen Anne's County, Maryland.



Filed April 24, 1973

N. D. C. Apr. 27, 1920.

EXHIBIT "A"

3.
#7735. QUEEN ANNE S COUNTY, P O W I T: Be it remembered that on the twenty seventh day of April, in the year nineteen hundred and twenty, the following deed was brought to be recorded, to wit:-

THIS DEED, made this 8th. day of April, in the year nineteen hundred and twenty, by Rachel Griffin of Queen Anne's County, State of Maryland, Elizabeth Saulsbury, Richard A. Curtis, Sarah E. Queen and Frank Queen, her husband, of Baltimore City, State of Maryland and William H. Curtis and Hannah Curtis, his wife, of Caroline County, State of Maryland, witnesseth:

Whereas the said Rachel Griffin and Elizabeth Saulsbury are surviving sisters of John Henry Hutchins, late of Queen Anne's County, deceased, and the said William H. Curtis and Richard A. Curtis, and Sarah Queen are surviving children of Annie M. Curtis, a sister of the said John Henry Curtis who was alive at the time of the decease of the said John Henry Hutchins, and whereas the said parties have sold and do hereby sell unto John Burke of Queen Anne's County, State of Maryland the land of which the said John Henry Hutchins died, seized and possessed situate in the Fifth Election District of Queen Anne's County aforesaid.

Now therefore in consideration of the premises and the sum of two hundred dollars, the receipt of which is hereby acknowledged the said Rachel Griffin, Elizabeth Saulsbury, Richard A. Curtis, Sarah Queen and Frank Queen, William H. Curtis and Hannah Curtis, do

hereby grant and convey unto the said John Burke, his heirs and assigns, all of their right, title, interest and estate in and to the hereinafter described lot of land of which the said John Henry Hutchins died seized and possessed, to wit: All of that lot of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, in Scottown, facing the public road leading from Wye Mills to Queenstown, adjoining the land of John Scott et al and being the same and whereon the said John Henry Hutchins resided during his life time and containing one acre of land, more or less. Together with all the rights, roads, ways, waters, alleys, privileges, advantages and appurtenances thereto attached or in any wise appertaining. And the said grantors warrant generally the title to the said land, and covenant to execute such further accurrences of title as may be necessary.

Witness the hands and seals of the said grantors.

Test as to Rachel Griffin:
James T. Earle

Her
Rachel X Griffin (SEAL)
mark

Test as to Elizabeth Saulsbury
Richard A. Curtis, Sarah Queen and
Frank Queen:
Geo. W. Garrick.
Test as to William H. Curtis
and Hannah Curtis:
L. Irving Jones.

Elizabeth X Saulsbury (SEAL)
mark
Richard A. Curtis (SEAL)
Sarah W. Queen (SEAL)
Frank Queen (SEAL)
William H. Curtis (SEAL)
Hannah Curtis (SEAL)

State of Maryland, Baltimore City, to wit:

I hereby certify that on this

8th. day of April, 1920 before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Elizabeth Saulsbury,

Maryland, in and for Baltimore City and County, persons named Richard A. Curtis, Sarah E. Queen and Frank Queen, and did each acknowledge the foregoing deed to be their respective act.

In testimony whereof I have herunto subscribed my name and affixed my Notarial Seal the day and year first above written.

Notary
Public
Seal.

Geo. W. Garrick,
Notary Public.

State of Maryland, Queen Anne's County, to wit:-

I hereby certify that on this 27th day of April, in the year nineteen hundred and twenty, before me, the subscriber, a Justice of the Peace of the State of Maryland in and for County and State aforesaid, personally appeared Rachel Griffin and acknowledged the foregoing deed to be her act.

Ezekiel M. Forman,
Justice of the Peace.

State of Maryland, Caroline County, to wit:-

I hereby certify that on this 21st day of April, 1920, before me the subscriber a Notary Public of the State of Maryland in and for Caroline County aforesaid personally appeared William H. Curtis and Hannah Curtis, his wife, and did each acknowledge the foregoing deed to be their respective act.

In testimony whereof I have herunto subscribed my name and affixed my seal the day and year first above written.

L. Irving Jones,
Notary Public.

Notary
Public
Seal.

One Fifty Cent
Internal Revenue Stamp,
endorsed: R.G. 4/27/20.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

THIS IS TO CERTIFY, that the foregoing Instrument is truly taken from the original filed and recorded in the Office of the Clerk of the Circuit Court for Queen Anne's County in Liber J.F.R. No. 4 folio 381
Land Record Book for Queen Anne's County, Maryland.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 24th day of April in the year Nineteen Hundred and Seventy- three

Charles W. Cecil
CHARLES W. CECIL, Clerk of the Circuit Court for Queen Anne's County, Maryland.

Filed April 24, 1973

2
1
MELVIN ROYAL and
RACHAEL ROYAL, his wife,
1021 Spruce Street
Wilmington, Delaware

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

vs

IN EQUITY

JOHN HENRY HUTCHINS, and any
unknown heirs of John Henry
Hutchins, their respective heirs,
executors, administrators, personal
representatives, and all other persons,
their heirs, executors, administrators,
personal representatives who could claim
any interest in the real estate mentioned
in these proceedings or who could hold a
lien or encumbrance on the real estate mentioned
in these proceedings.
Addresses unknown

NO. 5437

ORDER OF PUBLICATION

The object of this suit is to procure a decree that the Plaintiff be made the absolute owners of the tract of land hereinafter respectively described with the perfect right of absolute disposition of the same and for an absolute and permanent injunction against any of the Respondents claiming any interest in said land.

The Bill recites that this proceeding is-----

(1) Filed under the provisions of the Code of Public General Laws of Maryland, Article 16, Section 128 (1957).

(2) That on or about April 8, 1920, Rachael Griffin, Elizabeth Saulsbury, Richard A. Curtis, Sarah E. Queen, Frank Queen, her husband, and William H. Curtis and Hanna Curtis, deeded to John Burke all of their right, title interest and estate in and to the hereinafter described land of which the said John Henry Hutchins died seized and possessed, to wit:

ALL of that lot of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, in Scottown facing the public road leading from Wye Mills to Queenstown, adjoining the land of John Scott, et al, and being the same land whereon the said John Henry Hutchins resided during his life time and containing one acre of land, more or less.

Said deed was recorded among the Land Records of Queen Anne's County in Liber JFR No. 4, Folio 381, a copy of which is filed herewith and made a part hereof and marked Exhibit "A".

3. That in the recital clause of the deed mentioned in Paragraph No. 2 above, it states that this is the same land of which the said John Henry Hutchins died seized and possessed. Furthermore, in the being clause of the deed mentioned in Paragraph No. 2 above, it states that this is the same land whereon the said John Henry Hutchins resided during his lifetime. It further states in the recital clause that Rachael Griffin and Elizabeth Saulsbury are surviving sisters of John Henry Hutchins, late of Queen Anne's County, deceased, and the said William H. Curtis and Richard A. Curtis and Sarah Queen are surviving children of Annie M. Curtis, a sister of the said John Henry Hutchins, who was alive at the time of the decease of the said John Henry Hutchins.

4. That a diligent search of the records of the Register of Wills Office of Queen Anne's County has failed to reveal any evidence of the death of John Henry Hutchins, any evidence of the time of his death, any evidence of any administration of his estate and any evidence of ^{his} heirs at law. Furthermore, a diligent search of the Land Records of Queen Anne's County only revealed what was stated in Paragraph No. 3 above. The diligent search of the Land Records of Queen Anne's County back to 1850 did not reveal how said John Henry Hutchins acquired said property described in the deed, which is Exhibit "A" to this Bill of Complaint.

5. That the said John Burke, the Grantor in Exhibit "A", died in the early 1940's and said property descended to his heirs at law, since he died intestate. An estate in the Orphans Court of Queen Anne's County was taken out for John Burke being estate No. 2519. Letters of Administration were granted to Rachael Royal on October 11, 1943, in the capacity of administratrix. This property described in Exhibit "A" above-mentioned was inventoried in the inventory of real estate found in Liber EEC No. 1, folio 37, with an appraised value of \$200.00 being placed on it. That said estate referred to the heirs of John Burke as the following: Sarah Burke, surviving widow; and Sarah Gross, William Burke, Lillian Jackson and Rachael Royal, children. Furthermore, in the First and Final Administration Account found in Liber NSD No. 2, folio 329, it shows that the direct inheritance tax was paid.

6. That on or about April 25, 1944, Sarah Burke, et. al., all the heirs at law of John Burke as mentioned in paragraph No. 5 above, except Rachael Royal, conveyed all their interest in the land to Melvin Royal and Rachael Royal, and said deed was recorded among the Land Records of Queen Anne's County in Liber ASG, JR. No. 9, folio 354, a copy of which is filed herewith and made a part hereof and marked Exhibit "B" to this Bill of Complaint.

7. That a survey description of the Melvin Royal and Rachael Royal property was obtained in March 1973 and the survey shows the following metes and bounds description:

BEGINNING for the same at a pipe set at the intersection of the South side of Scottown Road and the division line of the land now or formerly owned by Friel Lumber Company and Melvin Royal Property,

said pipe being North 17° 08' 09" West 7.89 feet from a concrete monument as shown on the plat titled " 2 parcels of land surveyed for James Friel" by F. Ward Associates, dated January 18, 1972, thence binding on the said South side of Scottown Road (1) North 70° 25' 07" East 182.20 feet to a pipe set at the property line division between this lot of Melvin Royal and the land now or formerly owned by Tilsie Hersch, having no deed reference available in the Land Records of Queen Anne's County, Maryland, thence binding on said property line division (2) South 16° 54' 00" East 251.64 feet to a concrete monument thence holding a line to the concrete monument in the rear of the lot shown on the Ward Assoc. Plat, (3) South 69° 44' 00" West 176.77 feet to the aforementioned concrete monument firstly mentioned (4) North 17° 08' 09" West 267.91 feet to the place of beginning, containing 45,066.58 square feet or 1.035 acre of land, more or less.

8. That accounting from April 25, 1944, when the Complainants got title to the said land by a deed which is Exhibit "B", the Complainants have by deed held record title to said above-mentioned lands and have possessed the same in an actual, visible, exclusive, continuous manner, hostile to any claim or right of others, under a claim of title for a period in excess of 20 years, and have paid State and County taxes on the said land.

9. That the Complainants herein since the date of the conveyance of this acre of land, more or less, have held the same openly, notoriously and adversely under color of title, occupying the same against the claim of the above named Respondents, or anyone claiming through them.

10. That said Plaintiffs are now in possession of the land, but they have been advised there might be more children or heirs at law of John Henry Hutchins, they being the Respondents named herein. The Plaintiffs have been advised that because of this, they cannot deliver a good and merchantable fee simple title to said lands until said title is cleared by Order of this Court, where upon it shall be decreed that title to the same shall be vested in your Complainants, unencumbered by claims of others.

11. That no action at law or in equity is now pending to test the validity or to quiet or remove the cloud from said title to the land aforementioned.

IT IS THEREUPON ORDERED, by the Circuit Court for Queen Anne's County, this 24th day of April, 1973, that the Plaintiffs, by causing a copy of this Order to be inserted in some newspaper published in Queen Anne's County, Maryland, once a week in each of four successive weeks, before the 24th day of May, 1973, shall give notice to the Respondents, addresses unknown, of the substance and object of the Bill of Complaint, and to appear in the Circuit Court for Queen Anne's County, on or before the 25th day of June, 1973, and file their answer to or other initial pleading in the Clerk's Office of said Court, at Centreville, Maryland;

otherwise, a decree pro confesso and/or a final decree may be entered for the relief demanded by the Plaintiffs.

FILED: April 24, 1973

CLERK Charles M. Cecil
CLERK

Bay Times

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P.O. Box 44, Stevensville, Md. 21666 June 4, 1973

THE BAY TIMES, a body corporate, does hereby certify that the
Order of Publication Equity No. 5437
in the case/estate of
Melvin & Rachael Royal
vs. John Henry Hutchins

a true copy of which is annexed hereto, was published in the BAY TIMES, a weekly newspaper published at Stevensville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 18th day of May, 1973, and that the first insertion of said advertisement in said BAY TIMES was on the 26 day of April, 1973, and the last insertion on the 17th day of May, 1973.

THE BAY TIMES

By

Louise R. Puce

Filed June 26, 1973

IN THE CIRCUIT COURT
FOR QUEEN
ANNE'S COUNTY
IN EQUITY
NO. 5437

MELVIN ROYAL and
RACHAEL ROYAL, his
wife,
1021 Spruce Street
Wilmington, Delaware

vs

JOHN HENRY HUTCHINS,
and any unknown heirs of
John Henry Hutchins, their
respective heirs, executors,
administrators, personal
representatives, and all
other persons, their heirs,
executors, administrators,
personal representatives
who could claim any inter-
est in the real estate
mentioned in these
proceedings or who could
hold a lien or encumbrance
on the real estate mentioned
in these proceedings.
Addresses unknown.

ORDER OF PUBLICATION

The object of this suit is to
procure a decree that the
Plaintiff be made the ab-
solute owners of the tract of
land hereinafter respec-
tively described with the
perfect right of absolute
disposition of the same and
for an absolute and per-
manent injunction against
any of the Respondents
claiming any interest in said
land.

The Bill recites that this
proceeding is-----

(1) Filed under the
provisions of the Code of
Public General Laws of
Maryland, Article 16,
Section 128 (1957).

(2) That on or about April
8, 1920, Rachael Griffin,
Elizabeth Saulsbury,
Richard A. Curtis, Sarah E.
Queen, Frank Queen, her
husband, and William H.
Curtis and Hanna Curtis,
deeded to John Burke all of
their right, title interest and
estate in and to the
hereinafter described land
of which the said John
Henry Hutchins died seized
and possessed, to wit:

ALL of that lot of land
situate, lying and being in
the Fifth Election District of
Queen Anne's County,
Maryland, in Scottown
facing the public road
leading from Wye Mills to
Queenstown, adjoining the
land of John Scott, et al. and
being the same land
whereon the said John
Henry Hutchins resided
during his life time and
containing one acre of land,
more or less.

Said deed was recorded
among the Land Records of
Queen Anne's County in
Liber JFR No. 4, Folio 381,
a copy of which is filed
herewith and made a part
hereof and marked Exhibit
"A".

3. That in the recital
clause of the deed men-
tioned in Paragraph No. 2
above, it states that this is

the records of the Register
of Wills Office of Queen
Anne's County has failed to
reveal any evidence of the
death of John Henry Hut-
chins, any evidence of the
time of his death, any
evidence of any ad-
ministration of his estate
and any evidence of his
heirs at law. Furthermore, a
diligent search of the Land
Records of Queen Anne's
County only revealed what
was stated in Paragraph No.
3 above. The diligent search
of the Land Records of
Queen Anne's County back
to 1850 did not reveal how
said John Henry Hutchins
acquired said property
described in the deed, which
is Exhibit "A" to this Bill of
Complaint.

5. That the said John
Burke, the Grantor in
Exhibit "A", died in the
early 1940's and said
property descended to his
heirs at law, since he died
intestate. An estate in the
Orphans Court of Queen
Anne's County was taken
out for John Burke being
estate No. 2519. Letters of
Administration were
granted to Rachael Royal on
October 11, 1943, in the
capacity of administratrix.
This property described in
Exhibit "A" above-
mentioned was inventoried
in the inventory of real
estate found in Liber EEC
No. 1, folio 37, with an ap-
praised value of \$200.00
being placed on it. That said
estate referred to the heirs
of John Burke as the
following: Sarah Burke,
surviving widow; and Sarah
Gross, William Burke,
Lillian Jackson and Rachael
Royal, children. Fur-
thermore, in the First and
Final Administration
Account found in Liber NSD
No. 2, folio 329, it shows that
the direct inheritance tax
was paid.

6. That on or about April
25, 1944, Sarah Burke, et. al.,
all the heirs at law of John
Burke as mentioned in
paragraph No. 5 above,
except Rachael Royal,
conveyed all their interest in
the land to Melvin Royal and
Rachael Royal, and said
deed was recorded among
the Land Records of Queen
Anne's County in Liber
ASG, JR. No. 9, folio 354, a
copy of which is filed
herewith and made a part
hereof and marked Exhibit
"B" to this Bill of Com-
plaint.

7. That a survey
description of the Melvin
Royal and Rachael Royal
property was obtained in
March 1973 and the survey
shows the following metes
and bounds description:

BEGINNING for the same
at a pipe set at the in-
tersection of the South side
of Scottown Road and the
division line of the land now

Complainants got title to the
said land by a deed which is
Exhibit "B", the Com-
plainants have by deed held
record title to said above-
mentioned lands and have
possessed the same in an
actual, visible, exclusive,
continuous manner, hostile
to any claim or right of
others, under a claim of title
for a period in excess of 20
years, and have paid State
and County taxes on the said
land.

9. That the Complainants
herein since the date of the
conveyance of this acre of
land, more or less, have held
the same openly,
notoriously and adversely
under color of title, oc-
cupying the same against
the claim of the above
named Respondents, or
anyone claiming through
them.

10. That said Plaintiffs are
now in possession of the
land, but they have been
advised there might be
more children or heirs at
law of John Henry Hutchins,
they being the Respondents
named herein. The Plain-
tiffs have been advised that
because of this, they cannot
deliver a good and mer-
chantable fee simple title to
said lands until said title is
cleared by Order of this
Court, where upon it shall be
decreed that title to the
same shall be vested in your
Complainants, unencum-
bered by claims of others.

11. That no action at law
or in equity is now pending
to test the validity or to quiet
or remove the cloud from
said title to the land
aforementioned.

IT IS THEREUPON
ORDERED, by the Circuit
Court for Queen Anne's
County, this 24th day of
April, 1973, that the
Plaintiffs, by causing a copy
of this Order to be inserted
in some newspaper
published in Queen Anne's
County, Maryland, once a
week in, each of four suc-
cessive weeks, before the
24th day of May, 1973, shall
give notice to the Respon-
dents, addresses unknown,
of the substance and object
of the Bill of Complaint, and
to appear in the Circuit
Court for Queen Anne's
County, on or before the 25th
day of June, 1973, and file
their answer to or other
initial pleading in the
Clerk's Office of said Court,
at Centreville, Maryland;
otherwise, a decree pro-
confesso and/or a final
decree may be entered for
the relief demanded by the
Plaintiffs.

FILED: April 24, 1973
CHARLES W. CECIL
CLERK

TRUE COPY
TEST: Charles W. Cecil
CLERK
4-26-4t

PLEASE NOTE :

For remaining of these columns, please see
following page.

Charles W. Cecil, Clerk

the same land of which the said John Henry Hutchins died seized and possessed. Furthermore, in the being clause of the deed mentioned in Paragraph No. 2 above, it states that this is the same land whereon the said John Henry Hutchins resided during his lifetime. It further states in the recital clause that Rachael Griffin and Elizabeth Saulsbury are surviving sisters of John Henry Hutchins, late of Queen Anne's County, deceased, and the said William H. Curtis and Richard A. Curtis and Sarah Queen are surviving children of Annie M. Curtis, a sister of the said John Henry Hutchins, who was alive at the time of the decease of the said John Henry Hutchins.

4. That a diligent search of

or formerly owned by Friel Lumber Company and Melvin Royal Property, said pipe being North 17 degrees 03' 09" West 7.89 feet from a concrete monument as shown on the plat titled "2 parcels of land surveyed for James Friel" by F. Ward Associates, dated January 18, 1972, thence binding on the said South side of Scottown Road (1) North 70 degrees 25' 07" East 182.20 feet to a pipe set at the property line division between this lot of Melvin Royal and the land now or formerly owned by Tilsie Hersch, having no deed reference available in the Land Records of Queen Anne's County, Maryland, thence binding on said property line division (2) South 16 degrees 54' 00" East 251.64 feet to a concrete monument thence holding a line to the concrete monument in the rear of the lot shown on the Ward Assoc. Plat, (3) South 69 degrees 44' 00" West 176.77 feet to the aforementioned concrete monument firstly mentioned (4) North 17 degrees 03' 09" West 267.91 feet to the place of beginning, containing 45,066.58 square feet or 1.035 acre of land, more or less.

8. That accounting from April 25, 1944, when the

4
MELVIN ROYAL and
RACHAEL ROYAL, his wife
1021 Spruce Street
Wilmington, Delaware

IN THE

vs

CIRCUIT COURT

JOHN HENRY HUTCHINS, and any
unknown heirs of John Henry
Hutchins, their respective heirs,
executors, administrators, personal
representatives, and all other persons,
their heirs, executors, administrators,
personal representatives who could claim
any interest in the real estate mentioned
in these proceedings or who could hold a
lien or encumbrance on the real estate
mentioned in these proceedings.
Addresses unknown

FOR

QUEEN ANNE'S COUNTY

IN EQUITY NO. 5437

PETITION FOR DECREE PRO CONFESSO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Complainants, by Clark & Clark, John T. Clark, III,
their Solicitor, respectfully represents unto your Honors:

1. That a Bill of Complaint was duly filed in this
cause, and an Order of Publication duly issued by the Clerk of the
Circuit Court for Queen Anne's County, giving notice to the Respondents,
John Henry Hutchins, and any unknown heirs of John Henry Hutchins,
their respective heirs, executors, administrators, personal represen-
tatives, and all other persons, their heirs, executors, administrators,
personal representatives who could claim any interest in the real
estate mentioned in these proceedings or who could claim to hold
a lien or encumbrance on the real estate mentioned in these
proceedings.

2. That although the time allowed by said Order of
Publication to the said Respondents to answer and defend in this
Cause has long since passed, the Defendants have failed to enter
their appearance, either in proper person, or by solicitor and have
not filed any pleadings herein.

3. That your Petitioners are advised and therefore allege
that they have a right to secure a decree pro confesso against the
Defendants, and that the papers be submitted to one of the examiners
of this Court, so that your Petitioners may offer testimony in
support of the allegations in the Bill of Complaint.

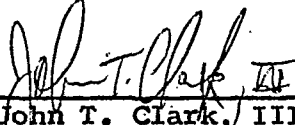
TO THE END, THEREFORE:

1. That a Decree Pro Confesso may be granted against the Respondents and each of them.

2. That the papers in this cause may be submitted to one of the standing examiners of this Court so that the Complainants may offer testimony to support evidence in this Bill of Complaint.

AND AS IN DUTY BOUND, ETC.

CLARK & CLARK



John T. Clark, III
Attorney for Petitioners
118 North Commerce Street
Centreville, Maryland 21617
Phone: 758-1392

Filed June 26, 1973

5
MELVIN ROYAL and
RACHAEL ROYAL, his wife,
1021 Spruce Street
Wilmington, Delaware

vs

JOHN HENRY HUTCHINS, and any
unknown heirs of John Henry Hutchins, their
respective heirs, executors, administrators,
personal representatives, and all other
persons, their heirs, executors, adminis-
trators, personal representatives who
could claim any interest in the real
estate mentioned in these proceedings or
who could hold a lien or encumbrance on
the real estate mentioned in these
proceedings.
Addresses unknown.

IN THE

CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5437

DECREE PRO CONFESSO

That the foregoing Petition having been read and considered, and it appearing that the Defendants, John Henry Hutchins, and any unknown heirs of John Henry Hutchins, their respective heirs, executors, administrators, personal representatives, and all other persons, their heirs, executors, administrators, personal representatives who could claim any interest in the real estate mentioned in these proceedings or who could claim to hold a lien or encumbrance on the real estate mentioned in these proceedings, being the Defendants, and having been duly notified to appear and answer the Bill of Complaint as evidenced by the Order of Publication heretofore filed in this cause and having failed to appear in proper person or by solicitor,

IT IS THEREUPON, this 27th day of June, 1973, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, ADJUDGED, ORDERED and DECREED that the Plaintiffs are entitled to relief in the premises and that the Bill of Complaint be, and the same is hereby taken Pro Confesso against the Defendants, John Henry Hutchins, and any unknown heirs of John Henry Hutchins, their respective heirs, executors, administrators, personal representatives, and all other persons, their heirs, executors, administrators, personal representatives who could claim any interest in the real estate mentioned in these proceedings or who could hold a lien or encumbrance on the real estate mentioned in these proceedings, but because it does not certainly appear to what relief the Petitioners are entitled, it is further ORDERED and ADJUDGED that leave be granted to the Petitioners to take testimony before one of the standing examiners of this Court, to support the allegations of the Bill of Complaint.

B. Hackett Turner Jr.
JUDGE

Filed June 27, 1973

MELVIN ROYAL and
RACHAEL ROYAL, his wife

vs.

JOHN HENRY HUTCHINS, et al

:
: IN THE CIRCUIT COURT FOR
:
: QUEEN ANNE'S COUNTY
:
: IN EQUITY NO. 5437
:
:
:
:
:

PETITION

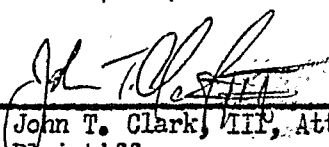
The Petition of John T. Clark, III, Attorney for Plaintiff, in the above entitled case, respectfully represents:

1. That the above entitled case is now ready to take testimony and your Petitioner desires to take the same on July 10, 1973.

2. That Edward Turner and Vachel A. Downes, Jr., the standing examiners for this Court, both will be out of town on said date.

WHEREFORE, your Petitioner prays this Honorable Court to pass an Order appointing one of the other attorneys of this Bar to act as Special Examiner in this case.

Respectfully submitted,


John T. Clark, III, Attorney for
Plaintiff

Filed July 10, 1973

ORDER OF COURT

Upon the foregoing Petition, it is this 10th day of July, 1973, ORDERED by the Circuit Court for Queen Anne's County, In Equity, that David C. Bryan, Esquire, is hereby appointed Special Examiner to take the testimony in this cause, and before he assumes the duties of this Office he shall qualify by taking his oath before the Clerk of the Court.


JUDGE

Filed July 10, 1973

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MELVIN ROYAL and
RACHAEL ROYAL, his wife,
1021 Spruce Street
Wilmington, Delaware

IN THE

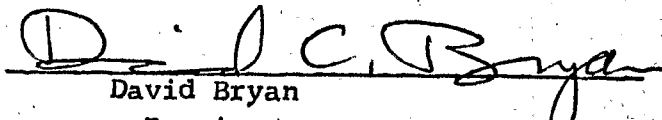
vs

CIRCUIT COURT

JOHN HENRY HUTCHINS, and any
unknown heirs of John Henry Hutchins,
their respective heirs, executors,
administrators, personal representatives, FOR
and all other persons, their heirs,
executors, administrators, personal
representatives who could claim any
interest in the real estate mentioned in
these proceedings or who could hold a lien QUEEN ANNE'S COUNTY
or encumbrance on the real estate mentioned
in these proceedings.
Addresses unknown

IN EQUITY NO. 5437

The undersigned, one of the Standing Examiners for the
Circuit Court of Queen Anne's County, in Equity, did, at the request
of Clark & Clark, Solicitors for the Plaintiffs, at their law office
at 118 North Commerce Street, Centreville, Maryland, on Tuesday,
July 10, 1973, at 11:00 o'clock a.m., after first having sworn the
witnesses and the stenographer, proceed to take testimony; and I
further certify that I was present during the taking of said
testimony and that I did not deem it necessary for me to examine any of
the witnesses, there being no irregular or unusual circumstances in
the taking of said testimony.


David Bryan
Examiner

QUESTIONS BY THE EXAMINER:

Q: State your name, age, occupation, and residence?

A: Rachael Ann Royal, 55 years old, I work in the school cafeteria
and I live at 1021 Spruce Street, Wilmington, Delaware.Q: Are there any other pending or prior litigation between you and
the Defendants in this or any other Court of Law?

A: No.

QUESTIONS BY MR. CLARK:

Q: First of all, do you have a piece of property located in Queen Anne's County?

A: Yes.

Q: Where is this piece of property?

A: It is located in Scottown.

Q: And you received this property from whom?

A: From my father.

Q: Your father was John Burke?

A: Yes.

Q: Do you know how your father got this property?

A: No, not really.

A: I don't know any more than what it says on this deed.

Q: By that deed, you are referring to Exhibit "A" in the Bill of Complaint?

A: Yes.

Q: Then you know no more than the Being Clause on this deed which is Exhibit "A" to the Bill of Complaint?

A: That's right.

Q: In regard to that deed, Exhibit "B", you received it from the heirs of your father's estate, in other words, from your brothers and sisters and from your mother, is that right?

A: Yes, that's right.

Q: And you received this Exhibit "B" to the Bill of Complaint, from Sarah Burke, your father's widow, Lillian Jackson, your sister, Sarah Gross, your sister, and William Burke, your brother?

A: Yes, that is right.

Q: Do you have any other brothers and sisters?

A: No.

Q: And your brothers and sisters and your mother conveyed it to your husband and yourself, is that right?

A: Yes.

Q: As tenants by the entireties. And that deed was dated April 25, 1944?

A: That's right.

Q: And this is a copy of that deed, is that right?

A: Yes.

Mr. Clark: Entered into evidence is a certified copy of ASG, JR. No. 9, folio 354, which is exhibit B in this Bill of Complaint and shall be marked Plaintiff's Exhibit No. 1 to this testimony.

Q: Now, since 1944 through 1973 when you and your husband have owned this property, have you held yourselves out to be the owners of this property?

A: Yes, we have.

Q: Have you visited the property?

A: Once in a while.

Q: Are there any buildings on the property?

A: No, not that we know of.

Q: It is vacant land?

A: Yes.

Q: Have you paid taxes on this property?

A: Yes, every year since 1944 we have paid State and County Taxes on this property.

Q: Have you had anyone claim that they own any of this property?

A: No.

Q: Have you had any dispute over the ownership of this property?

A: No.

Q: Have you held yourselves out, since 1944 when you acquired this

property, as the exclusive owners of this property, adversely against anyone else's claims.?

A: Yes.

Q: Now, let me ask you, in regard to the deed where your father received this property, do you have any knowledge of these persons, of the heirs of John Henry Hutchins?

A: No, I don't. I don't even know him.

The second witness, having been duly sworn, did depose and say:

Q: Please state your name, age, occupation and residence.

A: Melvin Royal, 58 years old, I am a truck driver and I live at 1021 Spruce Street, Wilmington, Delaware.

Q: Mr. Royal, is there any pending or prior litigation between you and the heirs of John Henry Hutchins in this or any other Court of Law?

A: No.

Q: The property that has been described as Exhibit No. 1 to this testimony is that lot of land found in what they call Scottown. Have you seen this property?

A: Yes, I have.

Q: And you have been there?

A: Yes, I have been there.

Q: And you were down here when you purchased the land?

A: Yes, we had to come down.

Q: Did you or have you ever maintained the land? I mean, have you ever had the grass cut of anything like that?

A: For a while there was someone tilling the land, but that has been several years now.

Q: Did they pay you any money for tilling this land?

A: They paid us \$10.00 once but most of the time I let them till it for nothing just to keep it looking nice.

Q: Are there any buildings on this land?

A: There was one when we first got it but it wasn't worth much.

Q: And what happened to this building?

A: We had it torn down.

Q: Have you been paying State and County Taxes on this land?

A: Yes, we have.

Q: And how long have you been paying taxes?

A: Ever since we got it in 1944.

Q: Have you held yourselves out to be the owners of this land against any and all claims?

A: Yes.

Q: Have there ever been any disputes against the ownership of this land?

A: No.

Q: Have you ever had a problem regarding the boundary lines of this land?

A: No. It was surveyed once but I think that all the markers are probably covered up by now.

Q: Now, let me ask you, you say you know of no one that has ever claimed any part of this land?

A: No, I don't.

The third witness, having been duly sworn, did depose and say:

Q: State your name, age, residence and occupation?

A: Joseph W. Rhyanes, 78 years old, I am retired and I live in Scottown, I was born there.

Q: Mr. Rhyanes, are you aware of where the Royal's land is?

A: Yes.

Q: How long have you lived in this area?

A: I was born right there in the house I am living in now. In 1895

Q: So you lived there all your life?

A: Yes, since 1895.

Q: How far do you live from the Royal property?

A: About 400 feet away.

Q: Did you know that the Royals owned this land?

A: Well, I had heard that they owned it.

Q: Then it was common knowledge in the neighborhood, is that right?

A: Yes, I knew the old man who owned it before they got it.

Q: The old man, who was that?

A: John Henry Hutchins.

Q: Did he have any children?

A: No, he raised some other children but they weren't his.

Q: And you say that you don't know of any of his brothers and sisters except Rachael Griffin, is that right?

A: Rachael, I knew her but she isn't living now. I knew his brother, Barney, but all them Hutchins are dead now.

Q: Did you know that the heirs of Mr. Hutchins transferred it to John Burke?

A: No, I didn't know that.

Q: Did you know John Burke?

A: Yes, I knew John Burke.

Q: But you didn't know that he owned that land at one time?

A: Well, now, not by record but I did know it.

Q: Then you knew it by common knowledge?

A: Yes.

Q: Did John Burke live on the land?

A: Yes.

Q: How long did he live on this land?

A: It was in his possession when he died but he died in a hospital.

Q: Did he live in the house?

A: Yes, he raised up his family there.

Q: Mrs. Royal was raised there you say?

A: Yes.

Q: And you knew her as a youngster?

A: Yes.

Q: After Mr. and Mrs. Royal bought the land, has there ever been anyone else to claim the land?

A: Not that I know of.

Q: Has there ever been dispute regarding the ownership of that land?

A: Not that I know of.

Q: Has there ever been any dispute regarding the boundaries of the land?

A: Not that I know of.

Q: Has anyone else ever occupied that land?

A: Not as far as I know.

Q: In other words, as far as you know, the Royals are the owners of this land?

A: Yes.

Q: Do you know of any heirs of John Henry Hutchins that have claimed ownership of this land?

A: No.

The fourth witness, having been duly sworn, did depose and say:

Q: State your name, age, residence, and occupation.

A: James R. Friel, Sr., 65, Queenstown, Maryland and I work in the canning business.

Q: Your interest in this land is for purchase, is that right?

A: Yes.

Q: And in this interest, you had a survey, is that right?

A: That is correct.

Q: The survey was made by a Mr. Clagess, is that right?

A: Yes.

Q: And this is a copy of the survey that Mr. Clagess gave you?

A: Yes, that is.

MR. CLARK: I would like to enter this copy of a survey as Exhibit No. 2 to this testimony.

Q: You are familiar with this land, you have been out there?

A: Yes, that is right.

Q: Were you out there when the survey was done?

A: Yes, I went out and showed him the piece of land.

Q: Is this land vacant?

A: Yes.

Q: Have there ever been any disputes regarding the boundaries of this land?

A: Not to my knowledge. On one side is a county road and/other one is property that we have purchased and the back boundary lines had a marker there. on the

Q: How long have you known that the Royals owned this land?

A: For several years.

There being no further witnesses to be examined, the Examiner herewith makes his return to this testimony, and the costs are as follows:

David Bryan, Examiner \$10.00 *Ed Dwyer*

Ruth Voshell, Stenographer \$30.00 *paid rev 1/30*

And I hereby further certify that said testimony commenced at 11:00 o'clock a.m., and ended at 11:45 o'clock a.m., or a period of 45 minutes.

David C. Bryan
Examiner

EXHIBIT No. 2

DESCRIPTION OF THE LANDS OF MELVIN ROYAL ASG Jr 9/354

BEGINNING for the same at a pipe set at the intersection of the South side of Scottown Road and the division line of the land now or formerly owned by Friel Lumber Company and Melvin Royal Property, said pipe being North $17^{\circ} 08' 09''$ West 7.89 from a concrete monument as shown on the plat titled "2 parcels of land surveyed for James Friel" by F. Ward Associates, dated January 18, 1972, thence binding on said South side of Scottown Road

1) North $70^{\circ} 25' 07''$ East 182.20' feet to a pipe set at the property line division between this lot of Melvin Royal and the land now or formerly owned by Tilsie Hersch, having no deed reference available in the Land Records of Queen Anne's County of Maryland thence binding on said property line division

2) South $16^{\circ} 54' 00''$ East 251.64' feet to a concrete monument thence holding a line to the concrete monument in the rear of the lot shown on the Ward Assoc. Plat,

3) South $69^{\circ} 44' 00''$ West 176.77' feet to the aforementioned concrete monument, thence by a line passing over the concrete monument firstly mentioned

4) North $17^{\circ} 08' 09''$ West 267.91' feet to the Place of Beginning

Containing 45,066.58 square feet or 1.035 acre of land more or less.



SCOTTOWN ROAD

TO ROUTE 50

N 70° 25' 07" E 182.20'

PIPE
7.89'
C.M.

PIPE

267.91' ---

251.64' ---

AREA = 45,066.58 Sq. Ft.
OR 1.035 ACRE

TILSIE
HERSCH

PLAT FOR FRIEL LUMBER CO

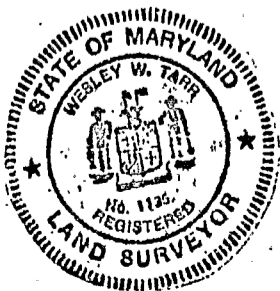
--- N 17° 08' 09" W

--- S 16° 54' 00" E

C.M.

C.M.

S 69° 44' 00" W 176.77' ---



SURVEY PLAT FOR
LAND OF MELVIN ROYAL
A.S.G. JR 9/354
QUEEN ANNS CO., MD
SCALE: 1" = 50' MARCH, 1973
RUSSELL R. KLAGES & ASSOC.
STEVENSVILLE, MD. 21666

9
MELVIN ROYAL and
RACHAEL ROYAL, his wife,
1021 Spruce Street
Wilmington, Delaware

1 IN THE

vs

CIRCUIT COURT

JOHN HENRY HUTCHINS and any
unknown heirs of John Henry Hutchins,
their respective heirs, executors,
administrators, personal representatives,
and all other persons, their heirs,
executors, administrators, personal
representatives who could claim any
interest in the real estate mentioned in
these proceedings or who could hold alien
or encumbrance on the real estate mentioned
in these proceedings.
Addresses unknown

FOR

QUEEN ANNE'S COUNTY

IN EQUITY NO. 5437

DECREE

The above Cause standing ready for hearing and being submitted
without arguement, the Bill of Complaint, testimony and all other
proceedings were by the Court read and considered:

IT IS THEREUPON this 31st day of July, 1973,
by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED,
ORDERED and DECREED that:

1. That Melvin Royal and Rachael Royal, his wife, have absolute ownership and perfect right to absolute disposition of the real estate in Queen Anne's County, mentioned in these proceedings and more particularly described below, as against John Henry Hutchins and any unknown heirs of John Henry Hutchins, their respective heirs, executors, administrators, personal representatives, and all other persons, their heirs, executors, administrators, personal representatives who could claim any interest in the real estate mentioned in these proceedings or who could hold a lien or encumbrance on the real estate mentioned in these proceedings and hereinbelow described, as follows, to wit:

"ALL that lot or tract of land, situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, in Scottown, facing the public road leading from Wye Mills to Queenstown, and more particularly described by metes and bounds description made in March, 1973, as follows, to wit:

BEGINNING for the same at a pipe set at the intersection of the South side of Scottown Road and the division line of the land now or formerly owned by Friel Lumber Company and Melvin Royal Property, said pipe being North $17^{\circ} 08' 09''$ West 7.89 from a concrete monument as shown on the plat titled "2 parcels of land surveyed for James Friel" by F.

Ward Associates, dated January 18, 1972, thence binding on the said South side of Scottown Road (1) North $70^{\circ} 25' 07''$ East 182.20 feet to a pipe set at the property line division between this lot of Malvin Royal and the land now or formerly owned by Tilsie Hersch, having no deed reference available in the Land Records of Queen Anne's County, Maryland, thence binding on said property line division (2) South $16^{\circ} 54' 00''$ East 251.64 feet to a concrete monument thence holding a line to the concrete monument in the rear of the lot shown on the Ward Assoc. Plat, (3) South $69^{\circ} 44' 00''$ West 176.77 feet to the aforementioned concrete monument, thence by a line passing over the concrete monument firstly mentioned (4) North $17^{\circ} 08' 09''$ West 267.91 feet to the place of beginning, containing 45,066.58 square feet of 1.035 acre of land, more or less.

2. John Henry Hutchins and any unknown heirs of John Henry Hutchins, their respective heirs, executors, administrators, personal representatives, and all other persons, their heirs, executors, administrators, personal representatives who could claim any interest in the real estate mentioned in these proceedings or who could hold a lien or encumbrance on the real estate mentioned in these proceedings are hereby enjoined and restrained from asserting any claim to the aforesaid real estate by any action at law, equity or otherwise.

B. Hackett Turner Jr.

JUDGE

FILED: 31 July '73

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourth Day of June, in the year nineteen hundred and seventy-four, the following Report of Tax Sales was brought to be recorded, to wit: ---

IN THE MATTER OF THE TAX SALES *
 IN QUEEN ANNE'S COUNTY, MARYLAND, *
 FOR THE YEAR 1974, OF PROPERTIES * IN
 ASSESSED TO THE FOLLOWING: *
 HORACE AND EMILY WINCHESTER; *
 JOHN W. THOMAS; JOHN W. THOMAS * THE
 AND MARY T. GIBBS; DONALD E. *
 AND LEILANI ZEIGER; DANIEL BONDS *
 HEIRS; SAMUEL BONDS; JOHN W. * CIRCUIT COURT
 BROWN; THEODORE B. AND LAURA B. *
 MOORE; CARRIE WALKER; B. BENTLEY * FOR
 BELL & ASSOC., INC.; MIKE L. DOUNAN; *
 EASTERN BAY CONSTRUCTION; FIRST *
 FIDELITY SAVINGS & LOAN; JOSEPH *
 GIORDANA, ET AL; GEORGE A. AND * QUEEN ANNE'S COUNTY
 JUDY ANN ILLI; EDNA E. LYNCH *
 AND ELIZABETH ELLIS; CHARLES M. SR. *
 AND MYRTLE J. NACE; LLOYD E. AND * IN EQUITY
 BETTY L. PARN; KARL F. PETERS, JR.; *
 THOMAS R. PHILLIPS; DAVID A. AND *
 BARBARA A. POSTON; GILBERT AND * NO. 5555
 EILEEN YINGLING; VIRGINIA S. *
 GLANDING. *

* * * * *

REPORT OF TAX SALES

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Tax Sales made by Oscar A. Schulz, Treasurer for Queen Anne's County, unto your Honors respectfully represents:

1. That in the annual levy made by The County Commissioners of Queen Anne's County for the fiscal year 1973-1974 there were assessed to the respective persons taxes for Queen Anne's County and the State of Maryland, levied against certain parcels all situate in certain designated districts of Queen Anne's County. The respective persons against whom and the respective parcels against which the taxes were levied are hereinafter fully designated, the taxes having been so levied and assessed were placed in the hands of Oscar A. Schulz, Treasurer for Queen Anne's County, for collections.

2. That as to the properties hereinafter set forth respectively, the taxes thereon were not paid when due.

3. That Oscar A. Schulz, Treasurer, caused to be published in the Queen Anne's Record Observer and Bay Times, newspapers printed and published and of general circulation in Queen Anne's County, once in each of two successive weeks, between the 15th day of February and the 1st day of March, a list of all delinquents, together with the amount of taxes for which they were respectively in arrears, with a notice of warning to such delinquents thereto appended that unless payment be made in full of said taxes, to-

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0677

gether with all interest and costs accrued thereon to the date of payment on or before the 10th day of April, 1974, the same would be collected by process of law.

4. That the said County Treasurer did cause to be mailed to each of said delinquents at the address shown on the County assessment ledgers between the 15th day of March and the 1st day of April an account of his taxes, which were in arrears, with a notice of warning to such delinquents thereto appended that unless payment be made in full of all taxes, together with all interest and costs accrued thereon to day of payment on or before the 10th day of April, 1974, the same would be collected by process of law.

5. That the said County Treasurer did cause to be published in the Queen Anne's Record Observer and Bay Times, newspapers printed and published and of general circulation in Queen Anne's County, for three successive weeks prior to the third Tuesday in May, a list of all delinquents assessed with real estate, giving the names of the persons assessed, a brief description of the property and the district of its location, together with the amount of taxes in arrears thereon, including all taxes on personality in arrears, by the owner of the real estate with a notice appended that if said taxes, together with all interest, costs, expenses and commissions accrued and to accrue are not paid before the third Tuesday in May, 1974, the Treasurer would proceed at 10:00 a.m. on that day at the Court House in said County, to offer said property for sale to the highest bidder for cash. A certificate of said publication is attached hereto as a part hereof.

6. The said Treasurer not having received the taxes in arrears on the several parcels of land, hereinafter described, did proceed to sell on May 21, 1974, at 10:00 a.m. (D.S.T.) in front of the Court House Door, Centreville, Maryland, under the terms of said notice all of said properties in the following manner. The advertisement of sale was first read, and then the properties were offered to the highest bidder, one at a time, by Joseph Jackson, Jr., Auctioneer. There follows the description of the properties, the amount of taxes and interest accrued, the pro rata costs of advertising said sale, the County Treasurer's fees, and all other charges, costs, fees, and expenses incident to said sale, the person to whom and at what price each of said several properties were respectively sold.

FIRST DISTRICT

ALL that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located near Sudlersville being designated as Parcel 233, Block 22, on Map 12, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less and improvements. Assessed value \$5,740.00, assessed to Horace and Emily Winchester for \$154.41 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - - \$ 154.41

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Interest - - - - -	\$ 8.23
Advertising - - - - -	17.00
Attorney- - - - -	10.00
Auctioneer - - - - -	5.00
Notary Public - - - - -	2.00
	<u>\$ 196.64</u>
5% Treasurer's Commission - - - - -	40.00
	<u>\$ 236.64</u>

The property was sold to Robert Wolcott at and for the sum of Eight Hundred Dollars (\$800.00) he being then and there the highest bidder thereof.

SECOND DISTRICT

ALL that lot or parcel of land lying and being in the Second Election District of Queen Anne's County, Maryland, located in Church Hill, being designated as Parcel 129, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$400.00, assessed to John W. Thomas for \$10.76 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 10.76
Interest- - - - -	.57
Advertising - - - - -	17.00
Attorney- - - - -	10.00
Auctioneer - - - - -	5.00
Notary Public - - - - -	2.00
	<u>\$ 45.33</u>
5% Treasurer's Commission - - - - -	7.50
	<u>\$ 52.83</u>

The property was sold to Robert Wolcott at and for the sum of One Hundred Fifty Dollars (\$150.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Second Election District of Queen Anne's County, Maryland, located in Church Hill being designated as Parcel 139, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$229.00, assessed to John W. Thomas and Mary T. Gibbs for \$6.16 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 6.16
Interest- - - - -	.33
Advertising - - - - -	17.00
Attorney- - - - -	10.00
Auctioneer- - - - -	5.00
Notary Public - - - - -	2.00
	<u>\$ 40.49</u>
5% Treasurer's Commission - - - - -	10.00
	<u>\$ 50.49</u>

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The property was sold to Robert Wolcott at and for the sum of Two Hundred Dollars (\$200.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Second Election District of Queen Anne's County, Maryland, Lots 626 and 627, Section 2 Chester Harbor being designated as Parcel 46, on Map 10, Queen Anne's County Tax Maps, consisting of two lots. Assessed value \$500.00, assessed to Donald E. and Leilani Zeiger for \$13.45 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 13.45
Interest- - - - -	.72
Advertising - - - - -	17.00
Attorney- - - - -	10.00
Auctioneer- - - - -	5.00
Notary Public - - - - -	2.00
	<hr/>
	\$ 48.17
5% Treasurer's Commission - - - - -	87.50
	<hr/>
	\$ 135.67

The property was sold to Eugene F. Deems at and for the sum of One Thousand Seven Hundred Fifty Dollars (\$1,750.00) he being then and there the highest bidder thereof.

THIRD DISTRICT

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 109, Block 15, on Map 28, Queen Anne's County Tax Maps, consisting of three acres of land, more or less. Assessed value \$100.00, assessed to Daniel Bonds Heirs for \$2.69 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 2.69
Interest- - - - -	.15
Advertising - - - - -	17.00
Attorney- - - - -	10.00
Auctioneer- - - - -	5.00
Notary Public - - - - -	2.00
	<hr/>
	\$ 36.84
5% Treasurer's Commission - - - - -	30.00
	<hr/>
	\$ 66.84

The property was sold to Amos Hynson, Jr. at and for the sum of Six Hundred Dollars (\$600.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Third

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Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 112, Block 9, on Map 28, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less and improvements. Assessed value \$800.00, assessed to Samuel Bonds for \$21.52 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	21.52
Interest- - - - -		1.15
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
		<hr/>
	\$	56.67
5% Treasurer's Commission - - - - -		30.00
	\$	<hr/> 86.67

The property was sold to Amos Hynson, Jr. at and for the sum of Six Hundred Dollars (\$600.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 111, Block 15, on Map 28, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$100.00, assessed to John W. Brown for \$2.69 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	2.69
Interest- - - - -		.15
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
		<hr/>
	\$	36.84
5% Treasurer's Commission - - - - -		12.50
	\$	<hr/> 49.34

The property was sold to Townsend Tomilson at and for the sum of Two Hundred Fifty Dollars (\$250.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located near Centreville being designated as Parcel 94, Block 8, on Map 29, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$440.00, assessed to Theodore B. and Laura B. Moore for \$11.83 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	11.83
Interest- - - - -		.63
Advertising - - - - -		17.00
Attorney- - - - -		10.00

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Auctioneer- - - - -	\$ 5.00
Notary Public - - - - -	2.00
	<hr/>
5% Treasurer's Commission - - - - -	\$ 46.46
	25.00
	<hr/>
	\$ 71.46

The property was sold to Charles Anthony, Jr. at and for the sum of Five Hundred Dollars (\$500.00 he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 110, Block 15, on Map 28, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less. Assessed value \$100.00, assessed to Carrie Walker for \$2.69 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 2.69
Interest- - - - -	.15
Advertising - - - - -	17.00
Attorney- - - - -	10.00
Auctioneer- - - - -	5.00
Notary Public - - - - -	2.00
	<hr/>
	\$ 36.84
5% Treasurer's Commission - - - - -	20.00
	<hr/>
	\$ 56.84

The property was sold to Amos Hynson, Jr. at and for the sum of Four Hundred Dollars (\$400.00) he being then and there the highest bidder thereof.

FOURTH DISTRICT

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 20, Block M, Plat 2 Cloverfields being designated on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$754.00, assessed to V. Bentley Bell & Assoc., Inc. for \$20.28 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 20.28
Interest- - - - -	1.08
Advertising - - - - -	17.00
Attorney- - - - -	10.00
Auctioneer- - - - -	5.00
Notary Public - - - - -	2.00
	<hr/>
	\$ 55.36
5% Treasurer's Commission - - - - -	25.00
	<hr/>
	\$ 80.36

The property was sold to Norris and Harriett Hall at and for the sum of Five Hundred Dollars (\$500.00) they being then and there the highest bidders thereof.

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ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lots 6 and 7, Block EE, Plat 6, Cloverfields being designated on Map 49, Queen Anne's County Tax Maps, consisting of two lots. Assessed value \$708.00 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	19.05
Interest- - - - -		1.02
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	54.07
5% Treasurer's Commission		35.00
	\$	89.07

The property was sold to Eugene F. Deems, Jr. at and for the sum of Seven Hundred Dollars (\$700.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lots 15, 16, 17, 18, Block H Tower Gardens being designated on Map 76, Queen Anne's County Tax Maps, consisting of four lots. Assessed value \$6,642.00, assessed to Eastern Bay Construction for \$178.67 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	178.67
Interest- - - - -		9.52
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	222.19
5% Treasurer's Commission - - - - -		550.00
	\$	772.19

The property was sold to Robert Wolcott at and for the sum of Eleven Thousand Dollars (\$11,000.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 12, Block J, Plat 3 Cloverfields being on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$200.00, assessed to First Fidelity Savings and Loan for \$5.38 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	5.38
Interest- - - - -		.29
Advertising - - - - -		17.00
Attorney- - - - -		10.00

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Auctioneer- - - - -	\$	5.00
Notary Public - - - - -		2.00
	\$	39.67
5% Treasurer's Commission - - - - -		15.00
	\$	54.67

The property was sold to Clarence Ouellette at and for the sum of Three Hundred Dollars (\$300.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lots 1 and 2, Block A Kentmoor Airpark being on Map 70, Queen Anne's County Tax Maps, consisting of two lots and improvements. Assessed value \$7,320.00, assessed to Joseph Giordana, et al, for \$196.91 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	196.91
Interest- - - - -		10.50
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	241.41
5% Treasurer's Commission - - - - -		50.00
	\$	291.41

The property was sold to Robert Wolcott at and for the sum of One Thousand Dollars (\$1,000.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 1, Block 17, Section 1, Bay City being on Map 56, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$870.00, assessed to George A. and Jundy Ann Illi for \$23.41 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	23.41
Interest- - - - -		1.25
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	58.66
5% Treasurer's Commission - - - - -		30.00
	\$	88.66

The property was sold to Charles Anthony, Jr. at and for the sum of Six Hundred Dollars (\$600.00) he being then and there the highest bidder thereof.

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CENTREVILLE, MD. 21617

758-0877

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 13, Block E, Section 1 Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$410.00, assessed to Edna E. Lynch and Elizabeth Ellis for \$11.03 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	11.03
Interest- - - - -		.59
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	45.62
5% Treasurer's Commission - - - - -		45.00
		90.62

The property was sold to Joseph Klyman and Julius Blades at and for the sum of Nine Hundred Dollars (\$900.00) they being then and there the highest bidders thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 3, Block A, Section 1, Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$395.00, assessed to Charles M. Sr. and Myrtle J. Nace for \$10.63 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	10.63
Interest- - - - -		.57
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	45.20
5% Treasurer's Commission - - - - -		47.50
	\$	92.70

The property was sold to Hollis Cantwell at and for the sum of Nine Hundred Fifty Dollars (\$950.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 38, Block B, Plat 5 Cloverfields being on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assesed value \$425.00, assessed to Lloyd E. and Betty L. Parn for \$11.43 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	11.43
Interest- - - - -		.61
Advertising - - - - -		17.00
Attorney- - - - -		10.00

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0877

Auctioneer - - - - -	\$	5.00
Notary Public- - - - -		2.00
	\$	<u>46.04</u>
5% Treasurer's Commission- - - - -		30.00
	\$	<u>76.04</u>

The property was sold to Eugene F. Deems, Jr. at and for the sum of Six Hundred Dollars (\$600.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland Lot 11, Block FF, Plat 6 Cloverfields being on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$425.00, assessed to Karl F. Peters, Jr. for \$11.43 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	11.43
Interest- - - - -		.61
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	<u>46.04</u>
5% Treasurer's Commission - - - - -		25.00
	\$	<u>71.04</u>

The property was sold to Eugene F. Deems, Jr. at and for the sum of Five Hundred Dollars (\$500.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 2, Block AA and Lot 17, Block FF, Plat 6 Cloverfields being on Map 49, Queen Anne's County Tax Maps, consisting of two lots. Assessed value \$991.00, assessed to Thomas R. Phillips for \$26.66 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	26.66
Interest- - - - -		1.42
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	<u>62.08</u>
5% Treasurer's Commission - - - - -		50.00
	\$	<u>112.08</u>

The property was sold to Robert Wolcott at and for the sum of One Thousand Dollars (\$1,000.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth

Election District of Queen Anne's County, Maryland, Lot 12, Block L, Section 2, Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$535.00, assessed to David A. and Barbara A. Poston for \$14.39 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	14.39
Interest- - - - -		.77
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	49.16
5% Treasurer's Commission - - - - -		50.00
	\$	99.16

The property was sold to Joseph Klyman and Julius Blades at and for the sum of One Thousand Dollars (\$1,000.00) they being then and there the highest bidders thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, Lot 27, Block A, Section 2, Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$527.00, assessed to Gilbert and Eileen Yingling for \$14.18 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	14.18
Interest- - - - -		.76
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00
	\$	48.94
5% Treasurer's Commission		60.00
	\$	108.94

The property was sold to Arden and Mary Fields at and for the sum of One Thousand Two Hundred Dollars (\$1,200.00) they being then and there the highest bidders thereof.

SEVENTH DISTRICT

ALL that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located Route 544, South of Crumpton, being designated as Parcel 46, Block 18, on Map 5, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$4,540.00, assessed to Virginia S. Glanding for \$122.12 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	122.12
Interest- - - - -		6.51
Advertising - - - - -		17.00
Attorney- - - - -		10.00
Auctioneer- - - - -		5.00
Notary Public - - - - -		2.00

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617

758-0877

5% Treasurer's Commission

\$	162.63
	<u>325.00</u>
\$	487.63

The property was sold to George F and Diane V. Kruhm at and for the sum of Six Thousand Five Hundred Dollars (\$6,500.00) they being then and there the highest bidders thereof.

The Treasurer further reports that all purchasers have complied with the terms of sale.

Respectfully submitted

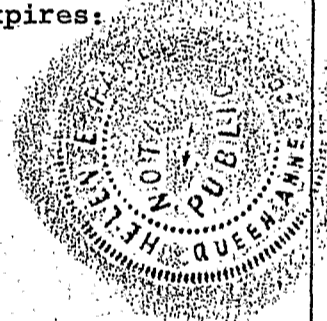
Oscar A. Schulz
 Oscar A. Schulz, Treasurer for
 Queen Anne's County, Maryland

STATE OF MARYLAND)
) TO WIT:
 QUEEN ANNE'S COUNTY)

I HEREBY CERTIFY, that on this 4th day of June, 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Oscar A. Schulz, Treasurer for Queen Anne's County and made oath in due form of law that the matters and facts set forth in the foregoing Report of Tax Sales are true to the best of his knowledge, information and belief.

WITNESS my hand and Notarial Seal.

Heber E. Parker
 Notary Public
 My Commission Expires:



FILED June 4, 1974

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD. 21617
 756-0877

2/

Queen Anne's



RECORD-OBSERVER

Centreville, Md., May 24 19 74

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of tax sales

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 21st day of May, 19 74, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 1st day of May, 19 74, and the last insertion on the 15th day of May, 19 74

THE RECORD-OBSERVER CORPORATION

By Anthony M. Monroe

FILED June 4, 19 74

QUEEN ANNE'S RECORD—OBSERVER
Page 16 May 15, 1974

TAX SALES

Under and by virtue of the authority vested in the undersigned by the laws of the State of Maryland, Acts of the General Assembly of Maryland for the year 1957, Chapter 305, applicable to the collection of State and County Taxes within Queen Anne's County, THE COUNTY TREASURER FOR QUEEN ANNE'S COUNTY hereby gives notice that the following taxes are due and owing for the State, County and Town for the years 1971-72 thru June 30, 1974 inclusive, there will be added to each of the following amounts, interest, fees and costs.

Unless payment be made in full of said taxes together with all interests and costs accrued thereon before the third Tuesday in May of 1974 to wit:

**TUESDAY
MAY 21, 1974**

the said County Treasurer for Queen Anne's County will proceed at 10:00 A.M. (D.S.T.)

ON THAT DAY at the COURT HOUSE in CENTREVILLE, QUEEN ANNE'S COUNTY, MARYLAND, to offer for sale, to the highest bidder, For Cash, all of said property upon which taxes, interest, costs, fees or expenses are in arrears, and shall continue said sale on each day thereafter, legal holidays excepted, from 10 A.M. until 3 P.M. until all of said property shall have been offered and disposed of.

The said COUNTY TREASURER shall be entitled to receive a commission of five per centum on the amount of all sales made by him in pursuance of the provision of said Act, to be computed and charged as part of the expenses of such sales, and if before sale but after advertisement, the taxes, interest, and expenses chargeable to any property are paid, then the said COUNTY TREASURER shall be entitled to receive a commission of two per cent on the cost of collecting same.

All properties will be sold

to John D. Mickey, Sr., for \$13.45 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located in Church Hill being designated as Parcel 129, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$400, assessed to John W. Thomas for \$10.76 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 9

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located in Church Hill being designated as Parcel 139, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$229, assessed to John W. Thomas and Mary T. Gibbs for \$6.16 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 10

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, Lots 626-627, Section 2, Chester Harbor, being designated as Parcel 46, on Map 10, Queen Anne's County Tax Maps, consisting of 2 lots. Assessed value \$500, assessed to Donald E. and Leilani Zeiger for \$13.45 taxes in arrears plus interest, costs, and expenses to day of sale.

THIRD DISTRICT

No. 1

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 109, Block 15, on Map 28, Queen Anne's County Tax Maps, consisting of 3 acres of land, more or less. Assessed value \$100, assessed to Daniel Bonds Heirs for \$2.69 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 2

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 112, Block 9, on Map 28, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$800, assessed to Samuel Bonds for

interest, costs, and expenses to day of sale.

FOURTH DISTRICT

No. 2

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 20, Block M, Plat 2, Cldvs., being designated on Map 49, Queen Anne's County Maps, consisting of a lot. Assessed value \$754, assessed to B. Bentley Bell & Asso., Inc., for \$20.28 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lots 6 and 7, Block EE, Plat 6, Cldvs., being designated on Map 49, Queen Anne's County Tax Maps, consisting of 2 lots. Assessed value \$708, assessed to Mike L. Doman for \$19.05 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 8

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lots 15, 16, 17, 18, Block H, Tower Gardens, being designated on Map 76, Queen Anne's County Tax Maps, consisting of 4 lots. Assessed value \$6,642, assessed to Eastern Bay Construction for \$178.67 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 9

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 12, Block J, Plat 3, Cldvs., being on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$200, assessed to First Fidelity Savings & Loan for \$5.38 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 10

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 11, Block P, Section 2, Kent Island Estates, being on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$756, assessed to Anthony, Jr., and Lena Fontello for \$20.34 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 11

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lots 1 and 2, Block A, Kentmoor Airpark, being on Map 70,

expenses to day of sale.

No. 20

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 8, Block B, Chesapeake Estates being on Map 63, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$11,627, assessed to Raymond H. and Nancy Meisenholdes for \$312.77 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 21

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Stevensville being designated as Parcel 59, Block 8, on Map 63, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$2,640, assessed to Henry Morgan for \$71.01 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 22

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 3, Block A, Section 1, Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$395, assessed to Charles M., Sr., and Myrtle J. Nace for \$10.63 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 23

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 38, Block B, Plat 5, Cldvs., being on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$425, assessed to Lloyd E. and Betty L. Farn for \$11.43 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 24

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 11, Block FF, Plat 6, Cldvs., being on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$425, assessed to Karl F. Peters, Jr., for \$11.43 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 25

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 2, Block AA and Lot 17, Block B, Cldvs., being on Map 49, Queen Anne's County Tax Maps, consisting of a lot.

Please Note:

For the remainder of the columns, please see next page.

Charles W. Cecil, Clerk

without warranty of title or representation as to compliance with zoning or health regulations.

The names of the person or persons to whom the respective parcels or lots of land and improvements, if any, are assessed with a brief description thereof, the District in which the same is located, together with the amount of taxes due and in arrears are as follows: INTERESTS, COSTS, FEES AND EXPENSES TO BE ADDED.

FIRST DISTRICT

No. 2

All that lot or parcel of land lying and being in the 1st Election District of Queen Anne's County, Maryland, located near Sudlersville being designated as Parcel 12, Block 22, on Map 12, Queen Anne's County Tax Maps, consisting of 5 acres of land, more or less and improvements. Assessed value \$1,900, assessed to Genevieve Potts for \$51.11 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 3

All that lot or parcel of land lying and being in the 1st Election District of Queen Anne's County, Maryland, located near Barclay being designated as Parcel 28, Block 24, on Map 19, Queen Anne's County Tax Maps, consisting of 45 acres of land, more or less and improvements. Assessed value \$7,300, assessed to Henry B. and Doris L. Reczek for \$196.37 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 4

All that lot or parcel of land lying and being in the 1st Election District of Queen Anne's County, Maryland, located near Sudlersville being designated as Parcel 233, Block 22, on Map 12, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less and improvements. Assessed value \$5,740, assessed to Horace and Emily Winchester for \$154.41 taxes in arrears plus interest, costs, and expenses to day of sale.

SECOND DISTRICT

No. 7

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, Lots 42-43, Chester Harbor, being designated as Parcel 46, on Map 10, Queen Anne's County Tax Maps, consisting of 2 lots. Assessed value \$500, assessed

\$21.52 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 3

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 111, Block 15, on Map 28, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$100, assessed to John W. Brown for \$2.69 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 6

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located Lot 5, Jones Subdivision, being designated as Parcel 37, on Map 18, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$10,470, assessed John L. and Anna M. Johnson for \$281.65, \$124.69 (1972-73) taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Centreville being designated as Parcel 94, Block 8, on Map 29, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$440, assessed to Theodore B. and Laura B. Moore for \$11.83 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 8

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Brownsville being designated as Parcel 23, Block 1, on Map 44, Queen Anne's County Tax Maps, consisting of 2½ acres of land, more or less and improvements. Assessed value \$3,930, assessed to William and Gertrude Ryans for \$105.71 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 9

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Burrisville being designated as Parcel 110, Block 15, on Map 28, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less. Assessed value \$100, assessed to Carrie Walker for \$2.69 taxes in arrears plus

Queen Anne's County Tax Maps, consisting of 2 lots and improvements. Assessed value \$7,320, assessed to Joseph Glordano, et al, for \$183.91 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 13

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 1, Block 17, Section 1, Bay City, being on Map 56, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$870, assessed to George A. and Judy Ann Hill for \$23.41 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 15

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Stevensville being designated as Parcel 244, Block 6, on Map 56, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$35,625, assessed to K. & M. Inc. for \$950.31 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 17

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 31, Block D, Section 1, Kent Island Estates being on Map 70, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$8,900, assessed to Edward F. Kelly for \$239.41 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 18

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 5, Block H, Queen Anne Colony being on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$4,687, assessed to Harry R. and Alice M. Lohman for \$125.54 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 19

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 13, Block E, Section 1, Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$410, assessed to Edna E. Lynch and Elizabeth Ellis for \$11.03 taxes in arrears plus interest, costs, and

Assessed value \$991, assessed to Thomas R. Phillips for \$26.06 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 25

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 12, Block L, Section 2, Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$535, assessed to David A. and Barbara A. Poston for \$14.39 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 28

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 9, Block B, Section 1, Kent Island Estates, being on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$945, assessed to George J., Jr., and Martha Smith for \$25.42 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 30

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lots 26, 28, 30, Block H, Section 2, Kent Island Estates, being on Map 70, Queen Anne's County Tax Maps, consisting of 3 lots. Assessed value \$1,630, assessed to Walter R. and Audrey P. Starr for \$43.84 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 37

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, Lot 27, Block A, Section 2, Romancoke being on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$527, assessed to Gilbert and Eileen Yingling for \$14.18 taxes in arrears plus interest, costs, and expenses to day of sale.

FIFTH DISTRICT

No. 1

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located Lot 9, R&R Dev., being designated as Parcel 726, Block 24, on Map 53, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$3,070, assessed to John E. and Mable Addison for \$217.09

taxes in arrears plus interest, costs, and expenses to day of sale.

No. 4

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located near Grasonville being designated as Parcel 43, Block 23, on Map 58, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$2,270, assessed to Monroe Bouldin, et al, for \$61.07 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 5

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located near Grasonville being designated as Parcel 247, Block 22, on Map 58, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$1,195, assessed to Gladys C. Cole for \$32.15 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located near Wye Mills being designated as Parcel 79, Block 14, on Map 60, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$5,030, assessed to Frances L. Ford for \$135.30 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 17

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located Lot 10, Gouldtown-Blakeford Rd. being designated as Parcel 66, Block 15, on Map 43, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$1485, assessed to Harrison and Betty E. Smith for \$39.95 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 18

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located near Grasonville being designated as Parcel 587, Block 23, on Map 58, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$2,465, assessed to Thomas and Vera M. Smith for \$63.31 taxes in arrears plus interest, costs, and expenses to day of sale.

V. Green, Heirs, for \$25.56 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 9

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located near Ewingtown being designated as Parcel 90, Block 7, on Map 11, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less and improvements. Assessed value \$7,223, assessed to George E. Holloway for \$194.30 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 10

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Lot 11, Block E, Char-Nor Manor being designated as Parcel 76, Block 6, on Map 4, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$450, assessed to Jo-Al Leisure Homes Corp. for \$24.87 (1971-72) and \$12.11 (1972-73) and \$12.11 (1973-74) taxes in arrears plus interest, costs, and expenses to day of sale.

No. 12

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Char-Nor Manor, 31 Lots being designated as Parcel 76, Block 6, on Map 4, Queen Anne's County Tax Maps, consisting of 31 lots. Assessed value \$3,100, assessed to Orelco Corporation for \$83.39 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 13

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Lot 13, Block E, Char-Nor Manor being designated as Parcel 76, Block 6, on Map 4, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$450, assessed to Orelco Corporation for \$12.11 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 15

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Lot 19, Block D, Char-Nor Manor being designated as Parcel 76, Block 6, on Map 4, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$450, assessed to Galen E. and Virginia

Please Note:

For the remainder of the columns, please see next page.

Charles W. Cecil, Clerk

No. 21
All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located near Grasonville being designated as Parcel 465, Block 22, on Map 53, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$3,640, assessed to Ernest L. and Dorothy E. Warrick for \$97.91 taxes in arrears plus interest, costs, and expenses to day of sale.

SEVENTH DISTRICT

No. 2
All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located in Ewingtown being designated as Parcel 55, Block 7, on Map 11, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less and improvements. Assessed value \$8,350, assessed to Marcellus H. Beck for \$221.62 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 4
All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Rt. 544, south of Crumpton being designated as Parcel 46, Block 18, on Map 5, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$4,540, assessed to Virginia S. Glanding for \$122.12 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 6
All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located in Ewingtown being designated as Parcel 34, Block 7, on Map 11, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less. Assessed value \$150, assessed to Joseph and Mary V. Green Heirs, for \$4.04 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7
All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located in Ewingtown being designated as Parcel 137, Block 7, on Map 11, Queen Anne's County Tax Maps, consisting of 1½ acres of land, more or less and improvements. Assessed value \$950, assessed to Joseph and Mary

royalty for \$12.11 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 16
All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, lots 8 and 9, Block E, located in Char-Nor Manor being designated as Parcel 76, Block 6, on Map 4, Queen Anne's County Tax Maps, consisting of 2 lots. Assessed value \$900, assessed to Charles S. and Lillian R. Teague for \$24.21 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 17
All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Lots 42-43, Block C, Char-Nor Manor being designated as Parcel 76, Block 6, on Map 4, Queen Anne's County Tax Maps, consisting of 2 lots. Assessed value \$900, assessed to Charles S. and Lillian R. Teague for \$24.21 taxes in arrears plus interest, costs, and expenses to day of sale.

OSCAR A. SCHULZ
Treasurer
FOR
QUEEN ANNE'S COUNTY.

3
 IN THE MATTER OF THE TAX SALES *
 IN QUEEN ANNE'S COUNTY, MARYLAND, *
 FOR THE YEAR 1974, OF PROPERTIES *
 ASSESSED TO THE FOLLOWING: *
 HORACE AND EMILY WINCHESTER; *
 JOHN W. THOMAS; JOHN W. THOMAS *
 AND MARY T. GIBBS; DONALD E. *
 AND LEILANI ZEIGER; DANIEL BONDS *
 HEIRS; SAMUEL BONDS; JOHN W. *
 BROWN; THEODORE B. AND LAURA B. *
 MOORE; CARRIE WALKER; B. BENTLEY *
 BELL & ASSOC., INC.; MIKE L. DOUNAN; *
 EASTERN BAY CONSTRUCTION; FIRST *
 FIDELITY SAVINGS & LOAN; JOSEPH *
 GIORDANA, ET AL; GEORGE A. AND *
 JUDY ANN ILLI; EDNA E. LYNCH *
 AND ELIZABETH ELLIS; CHARLES M. SR.*
 AND MYRTLE J. NACE; LLOYD E. AND *
 BETTY L. PARN; KARL F. PETERS, JR.;*
 THOMAS R. PHILLIPS; DAVID A. AND *
 BARBARA A. POSTON; GILBERT AND *
 EILEEN YINGLING; VIRGINIA S. *
 GLANDING. *

IN
 THE
 CIRCUIT COURT

FOR
 QUEEN ANNE'S COUNTY

IN EQUITY.

NO. 555

* * * * *

ORDERED, this 5th day of June, 1974, that the tax
 sale made and reported in this cause by Oscar A. Schulz, Treasurer
 for Queen Anne's County, State of Maryland, be ratified and con-
 firmed on or after the 5th day of August, 1974, unless
 cause to the contrary thereof be previously shown; provided a copy
 of this Order be inserted in some newspaper printed and published
 in Queen Anne's County, State of Maryland, once a week for four
 successive weeks commencing on the 12th day of June,
 1974, and ending on the 3rd day of July, 1974.

AND the report states amount of sale to be \$32,000.00

B. H. Turner, Jr.
 JUDGE

FILED: June 5, 1974

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD. 21617

750-0877

NOTICE

IN THE MATTER OF THE TAX SALES IN QUEEN ANNE'S COUNTY, MARYLAND, FOR THE YEAR 1974, OF PROPERTIES ASSESSED TO THE FOLLOWING:

HORACE AND EMILY WINCHESTER; JOHN W. THOMAS; JOHN W. THOMAS AND MARY T. GIBBS; DONALD E. AND LEILANI ZEIGER; DANIEL BONDS HEIRS; SAMUEL BONDS; JOHN W. BROWN; THEODORE B. AND LAURA B. MOORE; CARRIE WALKER; B. BENTLEY BELL & ASSOC., INC.; MIKE L. DUNNAN; EASTERN BAY CONSTRUCTION; FIRST FIDELITY SAVINGS & LOAN; JOSEPH GIORDANA, ET AL; GEORGE A. AND JUDY ANN ILLI; EDNA E. LYNCH AND ELIZABETH ELLIS; CHARLES M. SR. AND MYRTLE J. NACE; LLOYD E. AND BETTY L. PARN; KARL F. PETERS, JR.; THOMAS R. PHILLIPS; DAVID A. AND BARBARA A. POSTON; GILBERT AND EILEEN YINGLING; VIRGINIA S. GLANDING.

+++++
IN
THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY
NO. 5555
+++++

ORDERED, this 5th day of June, 1974, that the tax sale made and reported in this cause by Oscar A. Schulz, Treasurer for Queen Anne's County, State of Maryland, be ratified and confirmed on or after the 5th day of August, 1974, unless cause to the contrary thereof be previously shown; provided a copy of this Order be inserted in some newspaper printed and published in Queen Anne's County, State of Maryland, once a week for four successive weeks commencing on the 12th day of June, 1974, and ending on the 3rd day of July, 1974.

AND the report states amount of sale to be \$32,000.00.
B. HACKETT TURNER, JR.

JUDGE

FILED: June 5, 1974

TRUE COPY

TEST: Charles W. Cecil, Clerk

4-73

Queen Anne's

RECORD-OBSERVER

Centreville, Md., August 5, 1974.

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of Equity No. 5555

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 5th day of August, 1974, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 12th day of June, 1974, and the last insertion on the 3rd day of July, 1974.

THE RECORD-OBSERVER CORPORATION

By *Mattie M. Moore*

Filed Aug. 5, 1974

IN THE MATTER OF THE TAX SALES *
 IN QUEEN ANNE'S COUNTY, MARYLAND, * IN
 FOR THE YEAR 1974, OF PROPERTIES *
 ASSESSED TO THE FOLLOWING: *
 HORACE AND EMILY WINCHESTER; *
 JOHN W. THOMAS; JOHN W. THOMAS * THE
 AND MARY T. GIBBS; DONALD E. *
 AND LEILANI ZEIGER; DANIEL BONDS *
 HEIRS; SAMUEL BONDS; JOHN W. * CIRCUIT COURT
 BROWN; THEODORE B. AND LAURA B. *
 MOORE; CARRIE WALKER; B. BENTLEY *
 BELL & ASSOC., INC; MIKE L. DOUNAN; * FOR
 EASTERN BAY CONSTRUCTION; FIRST *
 FIDELITY SAVINGS & LOAN; JOSEPH *
 GIORDANA, ET AL; GEORGE A. AND * QUEEN ANNE'S COUNTY
 JUDY ANN ILLI; EDNA E. LYNCH *
 AND ELIZABETH ELLIS; CHARLES M. SR *
 AND MYRTLE J. NACE; LLOYD E. AND * IN EQUITY
 BETTY L. PARN; KARL F. PETERS, JR. *
 THOMAS R. PHILLIPS; DAVID A. AND *
 BARBARA A. POSTON; GILBERT AND *
 EILEEN YINGLING; VIRGINIA S. * NO. 5555
 GLANDING. *

* * * * *

ORDERED, this 6th day of August, 1974, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the following tax sales on the 21st day of May, 1974, of the properties therein described in said Report of Sales as assessed to the following parties and in the following Election Districts of Queen Anne's County, as follows, to wit:

- Horace and Emily Winchester - First Election District
- John W. Thomas - Second Election District
- John W. Thomas and Mary T. Gibbs - Second Election District
- Donald E. and Leilani Zeiger - Second Election District
- Daniel Bonds Heirs - Third Election District
- Samuel Bonds - Third Election District
- John W. Brown - Third Election District
- Theodore B. and Laura B. Moore - Third Election District
- Carrie Walker - Third Election District
- B. Bentley Bell & Assoc., Inc. - Fourth Election District
- Mike L. Dounan - Fourth Election District
- Eastern Bay Construction - Fourth Election District
- First Fidelity Savings & Loan - Fourth Election District
- Joseph Giordana, et al - Fourth Election District
- George A. and Judy Ann Illi - Fourth Election District
- Edna E. Lynch and Elizabeth Ellis - Fourth Election District
- Charles M. Sr. and Myrtle J. Nace - Fourth Election District
- Lloyd E. and Betty L. Parn - Fourth Election District

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD. 21617
 758-0877

Karl F. Peters, Jr. - Fourth Election District
Thomas R. Phillips - Fourth Election District
David A. and Barbara A. Poston - Fourth Election District
Gilbert and Eileen Yingling - Fourth Election District
Virginia S. Glanding - Seventh Election District

Reported sold in these proceedings on account of taxes in arrears
BE AND THE SAME ARE HEREBY FINALLY RATIFIED AND CONFIRMED, no
cause to the contrary thereof having been shown, although notice
appears to have been given as provided by the ORDER NISI passed
in these proceedings on the 5th day of June, 1974, a
Certificate of Publication of said ORDER NISI being filed in this
cause showing publication thereof in accordance with said ORDER.

B. Hechett Turner, Jr.
JUDGE

Filed August 6, 1974.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0877

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighth Day of November, in the year nineteen hundred and seventy-three, the following Bill of Complaint was brought to be recorded, to wit--

ESTELLA G. COOPER,
Chester, Maryland
PLAINTIFF,

vs.

BLANCHE COLEMAN, ~~et~~/a Blanche Young
725 George Street
Baltimore, Maryland and

RUSSELL SNOWDEN,
Little Creek
Chester, Maryland
DEFENDANTS

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In the Circuit Court for

Queen Anne's County,

in Equity.

Cause No. 5493

FD. \$25.00

Re 54536

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Oratrix complaining, says:

1. That Blanche E. Watkins, late of Queen Anne's County, Maryland, died intestate on September 23, 1940, leaving surviving her as her heirs Charles H. Watkins, her husband, who is now deceased, and five (5) children, namely: Estella G. Cooper, Plaintiff herein, Ethel Davis (now Ethel Royal), Mildred Watkins and James Frederick Watkins, and Mary W. Coleman, who is now deceased. Plaintiff, Estella G. Cooper, was her mother's Administratrix (for the real estate herein described) in Estate No. 2830 in the Orphans' Court of Queen Anne's County;

2. That said Blanche E. Watkins died seized and possessed of the following described improved residential real estate:

ALL that lot or parcel of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, in Coxes' Neck, and designated as Lot No. 6, having a frontage on Main Avenue of sixty (60') feet with a depth of one hundred fifty (150') feet, adjoining lands of or formerly of Georgianna Henry and Jeremiah Hazelton.

BEING the same and all of the land which was granted to Blanche E. Watkins by J. J. Bunch by deed dated December 17, 1901, and recorded among the land records of said Queen Anne's County in Liber J.E.G., No. 3, folio 251.

A photocopy of said deed record is filed herewith as part of this bill, marked "Plaintiff's Exhibit A".

3. That said Charles H. Watkins died intestate, a resident of Queen Anne's County, on March 9, 1948, leaving surviving him as his heirs the same five (5) children above named. Plaintiff, Estella G. Cooper, was her father's Administratrix (for his interest in said real estate) in Estate No. 2831 in the Orphans' Court of Queen Anne's County.

4. That said Mary W. Coleman died intestate, a resident of Baltimore City, State of Maryland, on or about May 30, 1967, leaving surviving her as her heirs two (2) children, Blanche Coleman and Russell Snowden, Defendants herein.

5. That Ethel Royal and James Frederick Watkins have conveyed their undivided interests in said real estate to Plaintiff by deed dated November 6, 1973, and recorded on November 8, 1973, among the land records of Queen Anne's County, a photocopy of which is filed herewith as part of this bill marked "Plaintiff's Exhibit B".

6. That Mildred Watkins has conveyed her undivided interest in said real estate to Plaintiff by deed dated November 5, 1973, and recorded on November 8, 1973, among the land records of Queen Anne's County, a photocopy of which is filed herewith as part of this bill marked "Plaintiff's Exhibit C".

7. That Plaintiff has paid the State and County property taxes on said real estate, and premiums on fire insurance policies covering the improvements on said real estate, for many years, from her funds, without any contribution or reimbursement from the other co-owners.

8. That said real estate cannot be divided without loss or injury to the parties entitled.

TO THE END, THEREFORE:

1. That a Trustee be appointed to sell said real estate and convey the same to the respective purchasers free and clear of all the claims of the parties to this cause and all those claiming by, from or under them or any of them.

2. That the proceeds of sale be divided among the parties entitled.

3. That a notice to the creditors of Mary W. Coleman, deceased, may be issued and published.

4. That in the division of the proceeds of sale, your Oratrix' lien for payment of taxes and insurance premiums be recognized and enforced.

5. That your Oratrix may have such other and further relief as her case may require.

And, as in duty bound, etc.,

Howard Wood

Howard Wood
Attorney for Plaintiff
119 Lawyers Row
Centreville, Maryland 21617
Telephone: 758-1460

Filed: November 8, 1973

Book of Deeds & Mortgages of the County of Queen Anne's
1796-1913

Queen Anne's County, to wit: As is remembered that on the twentieth day of May in the year thirteen hundred and seven the following deed was brought to be recorded, to wit:

This deed, made this 17th day of Dec 1901. by J. B. Burch of Rock Hall, West Va., Md. Witnesseth that in consideration of the sum of Fifty Dollars the said J. B. Burch do hereby grant and convey to Charles E. Watkins of Queen Anne's Co., State of Maryland. the following tract or parcel of land on South Island, in Parish of Oak, and being water adjoins to No. 1, a quantity of lots surveyed and sold by Samuel S. Peters Aug 30 1790. to Benjamin S. Williams conveyed by said Benjamin S. Williams unto the said J. B. Burch, said lots having a frontage on Queen's Cove of said lots of 60 ft, with a depth of 50 ft, in fee simple. Witness my hand and seal this day of Dec 1901.
J. B. Burch
Virginia Burch

State of Maryland, Queen Anne's County, W. Va.

I hereby certify that on this 17th day of Dec in the 17th year of said year and one 1901. before me the undersigned a Justice of the Peace of said county and for Queen Anne's County personally appeared J. B. Burch and returned and signed the foregoing deed to the his respects. act.

J. B. Burch

PLAINTIFF'S EXHIBIT A

Filed Nov 8, 1913

THIS DEED, made this *6th* day of *November*, 1973, by ETHEL ROYAL (formerly Ethel Davis) of Queen Anne's County, in the State of Maryland, and JAMES FREDERICK WATKINS, of Queen Anne's County, in the 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 of which is hereby acknowledged, the said Ethel Royal and James Frederick Watkins do hereby grant and convey unto ESTELLA G. COOPER, of Queen Anne's County, in the State of Maryland, all of their right, title, interest and estate of, in and to all of the following described real estate, to wit:

ALL that lot or parcel of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, in Coxes' Neck, and designated as Lot No. 6, having a frontage on Main Avenue of sixty (60') feet with a depth of one hundred fifty (150') feet, adjoining lands of or formerly of Georgianna Henry and Jeremiah Hazelton.

BEING the same and all of the land which was granted to Blanche E. Watkins by J. J. Bunch by deed dated December 17, 1901, and recorded among the land records of said Queen Anne's County in Liber J.E.G., No. 3, folio 251, and of which Blanche E. Watkins died seized and possessed, intestate, residing in Queen Anne's County, Maryland, on September 23, 1940, leaving surviving her as her heirs Charles H. Watkins, her husband, and five (5) children, namely: the said Estella G. Cooper, Ethel Davis (now Ethel Royal), James Frederick Watkins, parties to this deed, Mildred Watkins and Mary W. Coleman. The said Charles H. Watkins died intestate, residing in Queen Anne's County, Maryland, on March 9, 1948, leaving surviving him as his heirs the same five (5) children above named. The said Mary W. Coleman died intestate, residing in Baltimore City, Maryland, on or about May 30, 1967, leaving surviving her as her heirs two (2) children, Blanche Coleman and Russell Snowden.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

Filed November 8, 1973

-1-

PLAINTIFF'S EXHIBIT B
LIBER 9 67

TO HAVE AND TO HOLD the right title, interest and estate of the grantors in and to said real estate unto and to the use of the said Estella G. Cooper, her heirs and assigns, in fee simple, forever.

AND the said Ethel Royal and James Frederick Watkins do hereby covenant that they have not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted and conveyed, that they will warrant specially the property hereby granted and conveyed, and that they will give such other and further assurances of their respective undivided interests in said land and premises as may be requisite.

WITNESS the hands and seals of the grantors:

TEST:

Charlotte A. Severa Ethel Royal (SEAL)
(Ethel Royal)

Charlotte A. Severa James Frederick Watkins (SEAL)
(James Frederick Watkins)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On this the 6th day of November, 1973, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Ethel Royal, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Charlotte A. Severa
Notary Public
My Commission expires: July 1, 1974

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On this the 6th day of November, 1973, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared James Frederick Watkins, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Charlotte A. Severa
Notary Public
My Commission expires: July 1, 1974

Filed November 8, 1973

THIS DEED, made this *5th* day of *November*, 1973, by MILDRED WATKINS, of Baltimore City, in the 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 of which is hereby acknowledged, the said Mildred Watkins does hereby grant and convey unto ESTELLA G. COOPER, of Queen Anne's County, in the State of Maryland, all of her right, title, interest and estate of, in and to all of the following described real estate, to wit:

ALL that lot or parcel of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, in Coxes' Neck, and designated as Lot No. 6, having a frontage on Main Avenue of sixty (60') feet with a depth of one hundred fifty (150') feet, adjoining lands of or formerly of Georgianna Henry and Jeremiah Hazelton.

BEING the same and all of the land which was granted to Blanche E. Watkins by J. J. Bunch by deed dated December 17, 1901, and recorded among the land records of said Queen Anne's County in Liber J.E.G., No. 3, folio 251, and of which Blanche E. Watkins died seized and possessed, intestate, residing in Queen Anne's County, Maryland, on September 23, 1940, leaving surviving her as her heirs Charles H. Watkins, her husband, and five (5) children, namely: the said Estella G. Cooper, Mildred Watkins, parties to this deed, Ethel Davis (now Ethel Royal), James Frederick Watkins and Mary W. Coleman. The said Charles H. Watkins died intestate, residing in Queen Anne's County, Maryland, on March 9, 1948, leaving surviving him as his heirs the same five (5) children above named. The said Mary W. Coleman died intestate, residing in Baltimore City, Maryland, on or about May 30, 1967, leaving surviving her as her heirs two (2) children, Blanche Coleman and Russell Snowden.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

Filed November 8, 1973

-1-

PLAINTIFFS' EXHIBIT C

TO HAVE AND TO HOLD the right, title, interest and estate of the grantor in and to said real estate unto and to the use of the said Estella G. Cooper, her heirs and assigns, in fee simple, forever.

AND the said Mildred Watkins does hereby covenant that she has not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted and conveyed, that she will warrant specially the property hereby granted and conveyed, and that she will give such other and further assurances of her respective undivided interests in said land and premises as may be requisite.

WITNESS the hand and seal of the grantor:

TEST:

John Edward Hughes M.W. *Mildred Watkins* (SEAL)
(Mildred Watkins)

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

On this the 5th day of November, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, personally appeared Mildred Watkins, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

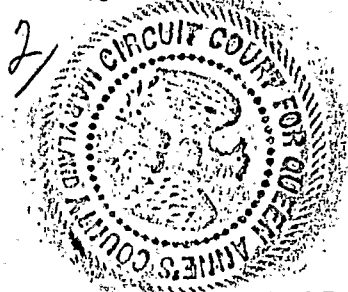
In Witness whereof, I hereunto set my hand and official seal.

John Edward Hughes
Notary Public
Commission expires:
July 1974

Filed Nov 8, 1973

Circuit Court For Queen Anne's County

EQUITY SUMMONS:



December Return Day

File No. 5493

Docket C.W.C. # 3 folio 161

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Russell Snowden
Little Creek
Chester, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

next, to answer an action at the suit of
Estella G. Cooper
Chester, Maryland

Issued the 8th day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

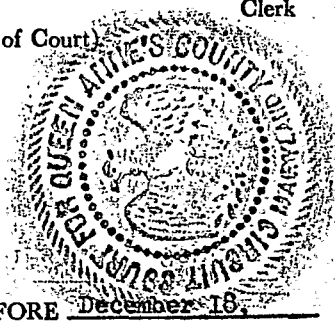
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18, 19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W. Cecil
Clerk
(Seal of Court)



Filed November 12, 1973

Summons served on Russell Snowden (Coleman) and a copy of the summons, bill of complaint and exhibits A thru C left with Russell Coleman Snowden this 9th day of November, 1973.

George B. Sharp
Sheriff for Queen Anne's County

Cly 5493

*Bill of Complaint
Exhibits A thru C*

ESTELLA G. COOPER

vs.

BLANCHE COLEMAN and
RUSSELL SNOWDEN

In the Circuit Court for Queen Anne's County

No. 5493 in Equity

Judgment

Int. from

Costs

Credits

Recorded in Liber _____ folio _____

Mr. Charles W. Cecil, Clerk

Clerk of the Circuit Court for Queen Anne's County.

You will please issue to December return day for Blanche Coleman also known as Blanche Young, and change titling of case accordingly, with no change of address.

Edward Wood
Attorney for Plaintiff

FILED Nov 30, 1973

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

4 /

December Return Day

File No. 5493

Docket C.W.C. #3 folio 161

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Blanche Coleman
725 George Street
Baltimore, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

next, to answer an action at the suit of

Estella G. Cooper
Chester, Maryland

Issued the 8th day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME:

ADDRESS:

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18, 19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W. Cecil

(Seal of Court)



FILED Dec 3, 19 73

LIBER 9 73

11/11
NEED ~~POST~~
NOW - ~~BY~~
AT KNOWN AT GIVEN
ADDRESS. ~~AND~~

Aug 54-93

Q1
Y2

1001 MR

Bill of Exchange
Charles A. Jones

13

NOW - EST AS TO BLANCHE COLEMAN - UNKNOWN
AT GIVEN ADDRESS. - John W. Linker

Frank J. Kelly
SHERIFF

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

December Return Day

File No. 5493

Docket C.W.C. No. 3, folio 161

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Blanche Coleman, a/k/a Blanche Young
725 George Street
Baltimore, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December
next, to answer an action at the suit of

Estella G. Cooper
Chester, Maryland

Issued the 30th day of November 19 73

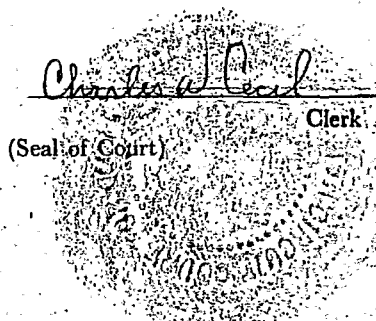
Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____



NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Post Boy

QA

RECEIVED
CLERK'S OFFICE
DEC 3 10 08 AM '73
BALTIMORE CITY, MD.

13

*NON-EST
John W. Anderson*

*Frank J. Kelly
SHERIFF*

Chy 720 5493

6, Estella G. Cooper

*vs.
Blanche Coleman a/k/a
Blanche Young
and
Russell Snowden*

In the Circuit Court for Queen Anne's County
No. 5493 in Equity
Judgment
Int. from
Costs
Credits
Recorded in Liber _____ folio _____

Mr.
Clerk of the Circuit Court for Queen Anne's County.

You will please reissue for Blanche Coleman a/k/a
Blanche Young at the same address, 12th Floor, Apt E.

Howard Wood

Attorney for Plaintiff

Filed Dec. 11, 1973

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

January Return Day

File No. 5493

Docket C.W.C. No. 3, folio 161

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Blanche Coleman, a/k/a Blanche Young
12th Floor, Apartment E
725 George Street
Baltimore, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of January

_____, next, to answer an action at the suit of

Estelle G. Cooper
Chester, Maryland

Issued the 11th day of December 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

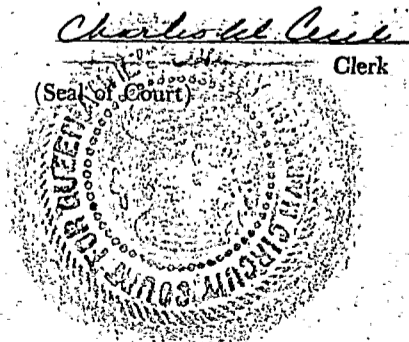
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE January 22,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED Dec 21, 19 73



LIBER

9 78

RECEIVED
SHERIFF'S OFFICE
DEC 12 3 31 PM '73
BALTIMORE CITY, MD.

705 GERRARD ST
12 E - 12/14/73
91 38 11

Chy No 5493
D 12

Pro & Ref

13

Summoned BLANCHE Coleman and BLANCHE YOUNG
and a Copy of the Process with a Copy of the Bill of Complaint left
with the Defendant, at 95 GERRARD STREET, at 8:30 clock
A. M. on the 15 day of December, in the presence
of John W. Anderson
V &
See 800
J. W. Anderson
SHERIFF

ESTELLA G. COOPER, * In the Circuit Court
 *
 Plaintiff *
 *
 vs. * for
 *
 BLANCHE COLEMAN * Queen Anne's County
 A/K/A *
 BLANCHE COLEMAN YOUNG and * in Equity
 RUSSELL SNOWDEN, *
 *
 Defendants * Cause No. 5493

MOTION FOR DECREE PRO CONFESSO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Estella G. Cooper, Plaintiff, by Howard Wood, her attorney, respectfully moves your Honors to pass a Decree Pro Confesso against the Defendants, Blanche Coleman, A/K/A Blanche Coleman Young, and Russell Snowden, for that both Defendants have been returned summoned and have failed to answer the Bill of Complaint although the time for their initial pleading has expired.

And for her statement of points, the Plaintiff cites Md. Rule No. 675.

And as in duty bound, etc.

Howard Wood
 Howard Wood
 Attorney for Plaintiff

FILED Jan 23, 1974
DECREE PRO CONFESSO

Upon the foregoing Motion, IT IS this 23rd day of January, 1974, ADJUDGED, ORDERED AND DECREED that the Bill of Complaint in this cause is hereby taken Pro Confesso against the Defendants and the Plaintiff is granted leave to take testimony before one of the standing examiners of this court in support of the allegations of her Bill of Complaint.

B. Hackett Turner Jr.
 Judge

Filed Jan. 23, 1974

10

ESTELLA G. COOPER,	*	In the Circuit Court
	*	
Plaintiff	*	
	*	for
vs.	*	
	*	Queen Anne's County
BLANCHE COLEMAN,	*	
A/K/A	*	
BLANCHE COLEMAN YOUNG and	*	in Equity
RUSSELL SNOWDEN,	*	
	*	
Defendants	*	Cause No. 5493

TESTIMONY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The solicitor for the Plaintiff, Howard Wood 3rd, having notified the subscriber, one of the regular examiners for this Honorable Court, of his desire to take testimony in this case, your examiner did attend on the 30th day of January, 1974, in the law office of Howard Wood 3rd, in the town of Centreville, Queen Anne's County, Maryland, at the hour of 11:00 o'clock A.M., there being present Estella G. Cooper, Plaintiff, Claude Lowery, a witness called by the plaintiff, Howard Wood 3rd, the solicitor for the plaintiff, and proceeded to take the following testimony, having sworn the witnesses and Cathy Nehring, stenographer, to wit:

Estella G. Cooper, the first witness of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

- Q. 1. Mrs. Cooper, will you please state your name and address.
- A. Estella G. Cooper, Chester, Maryland.
- Q. 2. Mrs. Cooper, what was your mother's name?
- A. Blanche Elizabeth Watkins.
- Q. 3. She was a resident of Queen Anne's County?
- A. Yes.
- Q. 4. When did she die?
- A. September 27, 1940.
- Q. 5. Who were her heirs?
- A. Myself, Estella G. Cooper, my sisters, Mary D. Coleman, Ethel Royal, at that time Ethel Davis, Mildred Watkins, and my brother, James Frederick Watkins.
- Q. 6. Did you mention Mary W. Coleman?
- A. Yes, Mary D. Coleman, or Mary Watkins Coleman.
- Q. 7. What was your father's name?
- A. Charles H. Watkins.
- Q. 8. Did he survive your mother?
- A. Yes.
- Q. 9. When did he pass?
- A. In 1947, I think.
- Q. 10. Did either of them leave a will?
- A. No, they did not.
- Q. 11. He was a resident of Queen Anne's County when he died?
- A. Yes.
- Q. 12. Could it have been in 1948?
- A. I think.
- Q. 13. Now, your sister, Mary W. Coleman, is she still living?
- A. No, she died. She's been dead about 7 years this coming Memorial Day.
- Q. 14. Where was she a resident at the time of her death?
- A. In Baltimore.
- Q. 15. Did she leave a will?
- A. No.

Q. 16. Who were her heirs?

A. Her son and daughter, Russell Snowden, and Blanche Coleman, or Blanche Coleman Young.

Q. 17. Now, at the time of your mother's death, what real estate did she own?

A. In Chester, Maryland, Cox Neck Road.

Q. 18. Is there a house?

A. The same house.

Q. 19. Do you live there?

A. Yes, sir.

Q. 20. Mrs. Cooper, I show you a paper marked "Plaintiff's Exhibit A", and ask you whether or not this is a copy of the deed to your mother?

A. Yes, that is it.

Q. 21. That is your mother's deed?

A. Yes.

(At this time, a photocopy of the deed from J. J. Bunch to Blanche E. Watkins dated December 17, 1901, marked "Plaintiff's Exhibit A" was admitted in evidence and marked "Examiner's Exhibit A".)

Q. 22. Mrs. Cooper, I show you a paper marked "Plaintiff's Exhibit B" and ask you whether or not this is a copy of a deed to you. Is this a deed to you or not?

A. Yes.

Q. 23. Who is it from?

A. Ethel Royal and James Frederick Watkins.

Q. 24. So that is a copy of a deed to you from your sister, Ethel Royal, formerly Ethel Davis, and your brother, James Frederick Watkins, for all their interest in this same property?

A. Yes.

Q. 25. Mrs. Cooper, I show you a copy of a paper marked "Plaintiff's Exhibit C" and ask you what is that a copy of?

A. (She reads deed)

Q. 26. So that is a copy of a deed from your sister Mildred Watkins for all her interest in this same real estate?

A. Yes.

(At this time, 2 papers just identified by the witness were entered in evidence and marked "Examiner's Exhibits B & C".)

Q. 27. Mrs. Cooper, state whether or not you have paid the taxes and insurance on this property for a number of years.

A. Yes, I have.

Q. 28. Have you executed and signed a statement that was prepared by me from your receipts showing you have made the payments on this property?

A. Yes.

Q. 29. Is this that statement?

A. Yes.

(At this time, the statement identified by the Plaintiff of taxes and insurance paid by the Plaintiff was entered in evidence and marked "Examiner's Exhibit D".)

E. C. Estrella H. Cooper

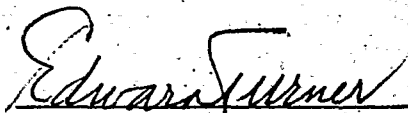
Claude Lowery, the second witness of lawful age, having been duly sworn, deposes and says:
(Questions by Mr. Howard Wood)

- Q. 1. Mr. Lowery, will you state your name and address for the record.
- A. Claude Lowery, Marling Farms, Chester, Maryland.
- Q. 2. How long have you been a resident of Kent Island?
- A. Seventy-two years.
- Q. 3. Are you a landowner?
- A. Yes, I own some land.
- Q. 4. You have been County Commissioner, and also County Treasurer, and also Supervisor of Assessments for Queen Anne's County.
- A. Yes, I have.
- Q. 5. State whether or not you are familiar with the property Mrs. Cooper has described in testimony known as the Blanche Watkins' heirs homestead.
- A. Yes, I was raised down Cox Neck, and I know it. I did go down there and inspect the property since I was going to tax a value on it, I thought I should look at it.
- Q. 6. When did you go there?
- A. It was the later part of 1973.
- Q. 7. What is your opinion of the fair market value at the present time of this real estate? and do you think it could be subdivided?
- A. I would say \$2,000.00 is, and I can say that it could not be subdivided. In my opinion, it would be impossible to subdivide the lot.
- Q. 8. What about the size of the lot?
- A. You could not build another house on it. I don't think it could be possibly divided.
- Q. 9. You checked the dimensions of the lot?
- A. I got mine from a card in the Assessments office and found it to be 60' by 150'; so that in my opinion, the property could not be divided.
- Q. 10. What about the house?
- A. No I don't think so. If you divide it up, the house is not big enough for each of them to take a part of it, and there isn't enough land to divide.

C.L. Claude Lowery

There being no other witnesses to be examined or further testimony to be taken, your Examiner now makes his return and certifies that he was engaged as such Examiner in taking this testimony one day and examined two witnesses, making the costs chargeable in this Cause as follows, to wit:

Edward Turner, Examiner	\$ 10.00
Witness waived fee	.00
Cathy Nehring, Stenographer for transcribing testimony	15.00
Total.....	25.00



Edward Turner
Examiner

FILED Feb 6, 1974

LIBER

Queen Anne's County, Md. I do hereby certify that on this 17th day of Dec 1901, by J. Q. Burch and myself, the undersigned, we have viewed the records of the Clerk of the County of Queen Anne's, Md., and we have seen the following and we certify that the same are correct and true.

1. That the said J. Q. Burch do hereby grant and convey to the said J. Q. Burch, the State of Maryland, the following tract or parcel of land in Queen Anne's County, Md., to-wit: a quantity of lots surveyed and sold by Samuel D. Williams on the 30th day of May 1890, to Benjamin D. Williams conveyed by said Benjamin D. Williams to the said J. Q. Burch, said lots having a frontage on Queen Anne's Bay of 60 ft., with a depth of 50 ft., in fee simple. Witness my hand and seal this day of Dec 1901.

J. Q. Burch
Benjamin D. Burch
Attorneys at Law
Queen Anne's County, Md.

2. I hereby certify that on this 17th day of Dec in the Nineteenth year of the said Queen Anne's County, personally appeared J. Q. Burch and acknowledged the foregoing deed to be his free and voluntary act.

J. Q. Burch
Benjamin D. Burch

Attest my hand and seal this day of Dec 1901.

PLAINTIFFS EXHIBIT A

FILED Feb 6 1914

THIS DEED, made this 6th day of November, 1973, by ETHEL ROYAL (formerly Ethel Davis) of Queen Anne's County, in the State of Maryland, and JAMES FREDERICK WATKINS, of Queen Anne's County, in the 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 of which is hereby acknowledged, the said Ethel Royal and James Frederick Watkins do hereby grant and convey unto ESTELLA G. COOPER, of Queen Anne's County, in the State of Maryland, all of their right, title, interest and estate of, in and to all of the following described real estate, to wit:

ALL that lot or parcel of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, in Coxes' Neck, and designated as Lot No. 6, having a frontage on Main Avenue of sixty (60') feet with a depth of one hundred fifty (150') feet, adjoining lands of or formerly of Georgianna Henry and Jeremiah Hazelton.

BEING the same and all of the land which was granted to Blanche E. Watkins by J. J. Bunch by deed dated December 17, 1901, and recorded among the land records of said Queen Anne's County in Liber J.E.G., No. 3, folio 251, and of which Blanche E. Watkins died seized and possessed, intestate, residing in Queen Anne's County, Maryland, on September 23, 1940, leaving surviving her as her heirs Charles H. Watkins, her husband, and five (5) children, namely: the said Estella G. Cooper, Ethel Davis (now Ethel Royal), James Frederick Watkins, parties to this deed, Mildred Watkins and Mary W. Coleman. The said Charles H. Watkins died intestate, residing in Queen Anne's County, Maryland, on March 9, 1948, leaving surviving him as his heirs the same five (5) children above named. The said Mary W. Coleman died intestate, residing in Baltimore City, Maryland, on or about May 30, 1967, leaving surviving her as her heirs two (2) children, Blanche Coleman and Russell Snowden.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

Chambers' Exhibit B

-1-

PLAINTIFFS' EXHIBIT B
LIBER 9 87

TO HAVE AND TO HOLD the right title, interest and estate of the grantors in and to said real estate unto and to the use of the said Estella G. Cooper, her heirs and assigns, in fee simple, forever.

AND the said Ethel Royal and James Frederick Watkins do hereby covenant that they have not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted and conveyed, that they will warrant specially the property hereby granted and conveyed, and that they will give such other and further assurances of their respective undivided interests in said land and premises as may be requisite.

WITNESS the hands and seals of the grantors:

TEST:

Charlotte A. Severis Ethel Royal (SEAL)
(Ethel Royal)

Charlotte A. Severis James Frederick Watkins (SEAL)
(James Frederick Watkins)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On this the 6th day of November, 1973, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Ethel Royal, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Charlotte A. Severis
Notary Public
My Commission expires: July 1, 1974

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On this the 6th day of November, 1973, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared James Frederick Watkins, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

Charlotte A. Severis
Notary Public
My Commission expires: July 1, 1974

FILED Feb 6, 1974

THIS DEED, made this *5th* day of *November*, 1973, by MILDRED WATKINS, of Baltimore City, in the 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 of which is hereby acknowledged, the said Mildred Watkins does hereby grant and convey unto ESTELLA G. COOPER, of Queen Anne's County, in the State of Maryland, all of her right, title, interest and estate of, in and to all of the following described real estate, to wit:

ALL that lot or parcel of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, in Coxes' Neck, and designated as Lot No. 6, having a frontage on Main Avenue of sixty (60') feet with a depth of one hundred fifty (150') feet, adjoining lands of or formerly of Georgianna Henry and Jeremiah Hazelton.

~~BEING the same and all~~ of the land which was granted to Blanche E. Watkins by J. J. Bunch by deed dated December 17, 1901, and recorded among the land records of said Queen Anne's County in Liber J.E.G., No. 3, folio 251, and of which Blanche E. Watkins died seized and possessed, intestate, residing in Queen Anne's County, Maryland, on September 23, 1940, leaving surviving her as her heirs Charles H. Watkins, her husband, and five (5) children, namely: the said Estella G. Cooper, Mildred Watkins, parties to this deed, Ethel Davis (now Ethel Royal), James Frederick Watkins and Mary W. Coleman. The said Charles H. Watkins died intestate, residing in Queen Anne's County, Maryland, on March 9, 1948, leaving surviving him as his heirs the same five (5) children above named. The said Mary W. Coleman died intestate, residing in Baltimore City, Maryland, on or about May 30, 1967, leaving surviving her as her heirs two (2) children, Blanche Coleman and Russell Snowden.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

-1-

Grantor's Exhibit C

PLAINTIFFS' EXHIBIT C

TO HAVE AND TO HOLD the right, title, interest and estate of the grantor in and to said real estate unto and to the use of the said Estella G. Cooper, her heirs and assigns, in fee simple, forever.

AND the said Mildred Watkins does hereby covenant that she has not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted and conveyed, that she will warrant specially the property hereby granted and conveyed, and that she will give such other and further assurances of her respective undivided interests in said land and premises as may be requisite.

WITNESS the hand and seal of the grantor:

TEST:

John Edward Hughes

M. W. Mildred Watkins (SEAL)
(Mildred Watkins)

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

On this the 5th day of November, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, personally appeared Mildred Watkins, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In Witness whereof, I hereunto set my hand and official seal.

John Edward Hughes
Notary Public
Commission expires:
July 1974

FILED *246*, 19 *74*

ESTELLA G. COOPER,
Plaintiff

vs.

BLANCHE COLEMAN
A/K/A
BLANCHE COLEMAN YOUNG and
RUSSELL SNOWDEN,

Defendants

*
*
*
*
*
*
*
*
*
*
*
*

In the Circuit Court

for

Queen Anne's County

in Equity

Cause No. 5493

STATEMENT OF TAXES AND INSURANCE PAID BY PLAINTIFF

1. Insurance premiums paid to William M. Freestate Agency on homestead of Blanche Watkins' heirs per attached receipt five (5) years, January 30, 1969-January 30, 1974 at \$25.00 per year.

\$ 125.00

2. State and County taxes paid on above mentioned real estate, as follows:

1973-74	\$23.06
1972-73	19.23
1971-72	18.82
1970-71	18.17
1969-70	35.77
1968-69	19.19
1967-68	32.48
1966-67	32.48
1965-66	32.20
1964-65	31.78
1963-64	31.08
1962	30.10
1961	24.17
1960	21.37
1959	19.32
1958	18.83
1957	18.83
1956	18.61
1955	18.81
1954	16.21
1952	4.99
1949	4.38
1946	3.60
1945	4.28
1944	4.08
1943	4.11
1942	4.16

510.11

TOTAL

\$ 635.11

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing instrument are true and correct to the best of my knowledge, information and belief.

*Gammie's
Contributed*

Estella G. Cooper
(Estella G. Cooper)

FILED *Sub 6* 1974

LIBER

9

91

DATE 12-7-1973

RECEIVED FROM Estella Cooper
One hundred twenty five DOLLARS \$ 125.00
FOR LWS Premiums \$25.00 per year from 1-30-69
AMOUNT OF ACCOUNT \$ 125.00
AMOUNT PAID \$ 125.00 THANK YOU.
BALANCE DUE \$ _____
CASH CHECK M. O. BY Wm Freestate Jurn

W. M. FREESTATE AGENCY 1-30-74

ESTELLA G. COOPER, * In the Circuit Court
*
Plaintiff *
* for
vs. *
*
BLANCHE COLEMAN * Queen Anne's County
A/K/A *
BLANCHE COLEMAN YOUNG and * in Equity
RUSSELL SNOWDEN, *
*
Defendants * Cause No. 5493

DECREE

This cause standing ready for hearing and being submitted without argument, the Bill of Complaint, exhibits, testimony and exhibits and other proceedings were read and considered, whereupon the Court finds as follows:

(a) That the real estate which is the subject of this proceeding cannot be divided without loss or injury to the parties entitled.

(b) That Plaintiff, Estella G. Cooper, has paid property taxes and insurance premiums for the protection of said property on behalf of herself and the other owners in the sum of \$635.11 and is entitled to a lien upon the interests of the other owners for their respective shares of these necessary expenses.

IT IS, therefore, this 26th day of February, 1974, by the Circuit Court for Queen Anne's County in Equity ADJUDGED, ORDERED and DECREED as follows:

1. That Howard Wood Eng is appointed Trustee to sell the real estate described in paragraph no. 2 of the Bill of Complaint as well as in the deed filed with the Bill as Plaintiff's Exhibit A and later marked "Examiner's Exhibit A".

2. That said real estate be sold at public sale to be conducted by said Trustee for the purpose of dividing the proceeds of sale among the parties entitled with recognition of the Plaintiff's lien for taxes and insurance costs as aforesaid.

3. That before the Trustee shall proceed to act as such, he shall file with the Clerk of this Court a bond to the State of Maryland, with corporate surety to be approved by said Clerk, in the penalty of Two Thousand and 00/100 Dollars (\$2,000.00).

4. That he shall advertise the time, place, manner and terms of sale in a newspaper printed and published in said Queen Anne's County, for at least three successive weeks, the first insertion to be at least fifteen (15) days before the sale, and the last insertion to be not more than seven (7) days before the sale, said notice to provide payment of the entire purchase price in cash, or one-fourth (1/4) of the purchase price in cash and three-fourths (3/4) upon the final ratification of said sale by this Court, the deferred payment to bear interest from the day of sale, and be secured to the Trustee's satisfaction, full possession to be given upon final ratification and final settlement, when taxes and public charges shall be adjusted.

5. That he shall then proceed to make such sale at the appointed time and place, upon the above terms, by public auction, to the highest bidder for said property.

6. That as soon as practicable after said sale and in no event more than thirty (30) days after the date thereof, the said Trustee shall render to the Court a full and particular report of the proceedings relative to such sale in the form required by the Maryland Rules.

7. That, upon the final ratification of said sale, and full payment of the purchase money, he shall convey unto the purchaser or purchasers thereof, by a good and sufficient deed to be executed and acknowledged agreeably to law, the property so sold to him, free, clear and discharged of all claims of the parties to this cause, or of those claiming by, through or under them or any of them.

8. That said trustee shall bring into this Court all of the money arising from said sale to be disposed of under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to said trustee as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

9. And that, at the time of the first insertion or publication of the advertisement of sale above required, he shall publish in the same newspaper a notice to the creditors of Mary W. Coleman, deceased, requiring them to file their claims against said deceased with the Clerk of this Court within ninety (90) days of the date of said first insertion or be excluded from participating in the proceeds of said sale.

10. That said trustee, in addition to the published notice of sale required by paragraph #4 above, is authorized to publish notices thereof in such other newspapers or by such other means as he shall decide are reasonable.

B. Heckel Turner Jr.

JUDGE

Filed Feb. 26, 1974

RECEIVED FOR RECORD Mar 19 1974 LIBER 1 PAGE 550

State of Maryland)
Queen Anne's County) To Wit:

12

KNOW ALL MEN BY THESE PRESENTS, That we, Howard Wood, of Queen Anne's County, State of Maryland, as principal, and the Fidelity Deposit Company of Maryland, a body corporate, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand Dollars (\$2,000.00) current money of the United States of America, to be paid to the said State of Maryland, or its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 19th day of March, 1974.

WHEREAS, the above bounden Howard Wood, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 25th day of February, 1974, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Estella G. Cooper, Plaintiff vs. Blanche Coleman A/K/A Blanche Coleman Young and Russell Snowden, Defendants", being Cause No. 5493 in the Circuit Court for Queen Anne's County in Equity;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Howard Wood, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation shall be void; other wise to be and remain in full force and virtue in law.

SIGNED, sealed and delivered in the presence of:

William M. Freestate Howard Wood (SEAL)

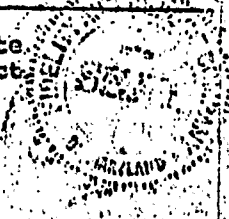
AND FIDELITY/DEPOSIT COMPANY OF MARYLAND

By: William M. Freestate
William M. Freestate
Its Attorney-in-fact

ATTEST:

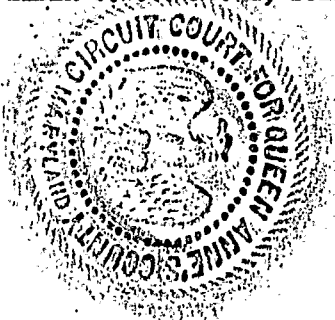
Susan W. Martinez

Seal Approved and Said Filed March 19, 1974
Charles W. Cecil



STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from LIBER C.W.C. No. 1, folio 550, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this nineteenth day of March, Nineteen Hundred and Seventy-four.

Charles W. O'Neil
Clerk of the Circuit Court for
Queen Anne's County

13
Queen Anne's
RECORD-OBSERVER

Centreville, Md., March 20 19 74

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Trustee Sale

in the case/estate of Estella G. Cooper

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 19th day of March, 19 74, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 27th day of Feb 19 74, and the last insertion on the 13th day of March, 19 74.

THE RECORD-OBSERVER CORPORATION

Trustee's Exhibit A

By Anthony M. Moore

FILED Mar 20, 1974

TRUSTEE SALE

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed February 26, 1974, in Cause No. 5493 in said Court, entitled "ESTELLA G. COOPER, Plaintiff, vs. BLANCHE COLEMAN A-K-A BLANCHE COLEMAN YOUNG and RUSSELL SNOWDEN, Defendants", will sell at public sale to the highest bidder, in front of the Court House door in Centreville, Maryland, on

TUESDAY, MARCH 19, 1974

commencing at 1:30 P.M.,

ALL that lot or parcel of land situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, in the State of Maryland, in Coxes' Neck, and designated as Lot No. 6, having a frontage on Main Avenue of sixty (60) feet with a depth of one hundred fifty (150) feet, adjoining lands of or formerly of Georgianna Henry and Jeremiah Hazelton.

BEING the same and all of the land which was granted to Blanche E. Watkins by J.J. Bunch by deed dated December 17, 1901, and recorded among the land records of said Queen Anne's County in Liber J.E.G. No. 3, folio 251. This property is designated on County Tax Map No. 57 as Parcel No. 124, and is occupied by Mrs. Estella G. Cooper.

Improvements consist of a frame dwelling house, 2-story, with fabricated brick siding, and a small storage shed.

TERMS OF SALE: Whole price may be paid in cash on day of sale, or one-fourth of purchase price shall be payable in cash on day of sale, the balance on final ratification of sale by said Court, said balance to bear interest from day of sale and to be secured, to the Trustee's satisfaction, title papers and costs of recording deed, including transfer tax and tax stamps, to be at purchaser's expense. Taxes will be pro-rated as of day of final ratification and settlement, when full possession will be given.

HOWARD WOOD, TRUSTEE

JOSEPH A. JACKSON, JR.,

Auctioneer

3 3 13

14

ESTELLA G. COOPER, Plaintiff	*	In the Circuit Court for
vs.	*	Queen Anne's County
BLANCHE COLEMAN, etc., et al.,	*	in Equity
Defendants	*	Cause No. 5493

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of real estate made in this cause by Howard Wood, the Trustee appointed to make such sale, unto your Honors, respectfully shows:

1. That pursuant to the Decree of this Honorable Court passed on the 25th day of February, 1974, your Trustee filed in this Cause a Bond in the penalty of Two Thousand Dollars (\$2,000.00) with corporate surety thereon which said bond was duly approved by the Clerk of this Court.

2. That thereupon pursuant to said Decree your Trustee advertised the property to be sold at public auction, in the Queen Anne's Record Observer, a newspaper printed and published in Queen Anne's County for three successive weeks, the publication dates being February 27, 1974, March 6, 1974 and March 13, 1974, as appears by the certificate of publication filed with this Report of Sale, and marked "Trustee's Exhibit A".

3. That pursuant to said notice your Trustee attended in front of the Court House door in Centreville, Maryland, at 1:30 P.M., on Tuesday, March 19, 1974, and having read aloud the notice as published in the Queen Anne's Record Observer then and there offered the property described in the notice for sale by Joseph A. Jackson, Jr., Auctioneer; and that the only bid received was that of Murrell T. Watkins and Earl E. Watkins in the sum of Five Hundred Dollars (\$500.00), which your Trustee decided to accept as adequate in the light of the lack of response to said advertising and the prevailing scarcity of residential mortgage loan money; and your Trustee then and there sold said property to the abovenamed Buyers for the price of Five Hundred Dollars (\$500.00).

4. That the Buyers have complied with the terms of sale.

Respectfully submitted,

Howard Wood

(Howard Wood) Trustee

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this *20th* day of *March*, 1974, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Howard Wood, the trustee in the above entitled cause, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true and bona fide as therein stated and that the sale was fairly made.

Charles W. Cecil
 Clerk of the Circuit Court for
 Queen Anne's County

FILED *Mar 20, 1974*

ORDER NISI ON SALE

ESTELLA G. COOPER
vs.
BLANCHE COLEMAN, a/k/a BLANCHE YOUNG
and
RUSSELL SNOWDEN

In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5493

ORDERED, this 20th day of March, 1974, that
the sale of the real property, made and reported in this cause by
Howard Wood, Trustee, be ratified and confirmed,
on or after the 22nd day of April, 1974, unless
cause to the contrary thereof be previously shown; provided a copy of this order be inserted
in some newspaper published in Queen Anne's County, Maryland, once in each of three suc-
cessive weeks before the 15th day of April, 1974.

The report states the amount of sales to be \$ 500.00

Charles W. Cecil Clerk

Filed March 20, 1974

ORDER NISI ON SALE
ESTELLA G. COOPER
vs.
BLANCHE COLEMAN,
A-K-A BLANCHE YOUNG
and
RUSSELL SNOWDEN

In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5493

ORDERED, this 20th day of
March, 1974, that the sale of
the real property, made and
reported in this cause by
Howard Wood, Trustee, be
ratified and confirmed, on or
after the 22nd day of April,
1974, unless cause to the
contrary thereof be previously
shown; provided a copy of this
order be inserted in some
newspaper published in Queen
Anne's County, Maryland, once
in each of three successive
weeks before the 15th day of
April, 1974.

The report states the amount
of sales to be \$500.00.

CHARLES W. CECIL,
Clerk

Filed: March 20, 1974

TRUE COPY

TEST: Charles W. Cecil, Clerk
3t-4-10

Queen Anne's

RECORD-OBSERVER

Centerville, Md., May 2, 1974

THE RECORD-OBSERVER CORPORATION, a body cotpotate, does hereby certify
that the Order Nisi

in the case/estate of Cause No. 5493 Estella G. Cooper

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S
RECORD-OBSERVER, a weekly newspaper published in Centerville, in Queen Anne's
County, Maryland, once a week for 3 successive weeks before the 15th day
of April, 1974, and that the first insertion of said advertisement
in said QUEEN ANNE'S RECORD-OBSERVER was on the 27th day of March
1974, and the last insertion on the 10th day of April, 1974.

THE RECORD-OBSERVER CORPORATION

By Dorothy M. Thomas

FILED May 3, 1974

17/

ESTELLA G. COOPER, Plaintiff	*	In the Circuit Court for
	*	
vs.	*	Queen Anne's County
	*	
BLANCHE COLEMAN, etc., et al.,	*	in Equity
	*	
Defendants	*	Cause No. 5493

FINAL RATIFICATION OF SALE

The above entitled matter coming before this Court, the proceedings having been read and considered by this Court, and this Court being satisfied that the sale of the real estate made and reported in this cause by Howard Wood, Trustee, was fairly and properly made, and no exceptions having been filed to the report of sale, IT IS ORDERED by the Circuit Court for Queen Anne's County, in Equity, this *8th* day of *May*, 1974, that the sale of the real estate made and reported in this cause by Howard Wood, Trustee, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although due notice thereof appears to have been given as required by the preceding order nisi; and the said trustee is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers therefor to the Auditor.

B. Hackett Turner Jr.

JUDGE

FILED *May 8, 1974*

ESTELLA G. COOPER, Plaintiff * In the Circuit Court for
 vs. * Queen Anne's County
 BLANCHE COLEMAN, etc., et al., * in Equity
 Defendants Cause No. 5493

—
 AFFIDAVIT BY PURCHASERS
 —

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, ss:

We, the undersigned, Murrell T. Watkins and Earl E. Watkins, being first duly sworn according to law, do hereby depose and say as follows:

1. That we are the purchasers of the real estate sold by Howard Wood, Trustee in the above cause on this date, and that we are acting on our own account and not as agents for any one.
2. That we have not directly or indirectly discouraged any one from bidding for the said property.

Witness our hands, this 19th day of March, 1974:

Murrell T. Watkins

 (Murrell T. Watkins)

Earl E. Watkins

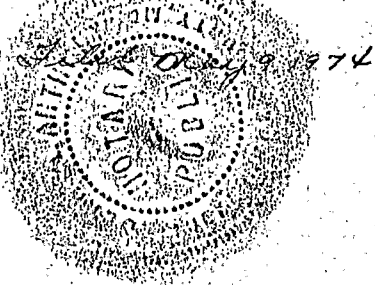
 (Earl E. Watkins)

SUBSCRIBED and SWORN TO before me, a Notary Public of the State of Maryland, in and for Queen Anne's County, on this 19th day of March, 1974. Witness my hand and official seal:

James H. Anthony

 Notary Public

My commission expires July 1, 1974



ESTELLA G. COOPER
Chester, Maryland 21619
Plaintiff

vs

BLANCHE COLEMAN, et. al.
725 George Street
Baltimore, Maryland
Defendants

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY NO. 5493

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto your Honor respectfully represents:

1. That this account is stated at the request of Howard Wood, III, Trustee, wherein it appears that the proceeds are sufficient to pay the expenses of the sale, however, were insufficient to pay the amount of taxes and insurance premiums claimed by Estella G. Cooper.

2. That in the within account, Howard Wood, III, Trustee and vendor, is charged with the proceeds of sale made by him, and he is allowed thereafter a sum for commission, several court costs, the premium on the corporate bond, the several advertising costs, an amount for auctioneer's fee for crying sale, an amount paid to a Notary Public, and the fee of your auditor, and the balance was credited toward the amount of taxes and insurance premiums claimed by the said Estella G. Cooper.

Respectfully submitted,

J. Thomas Clark
Auditor

September 16, 1974

Cause No. 5493

The proceeds of the sale of land reported in this cause,
in account with Howard Wood, III, Trustee, of the mortgage foreclosed
in these proceedings (and vendor of said land)

Cr.

1974

May 8 By gross proceeds of the sale of said land, per report
of said vendor, to wit: ----- \$500.00

Dr.

To Howard Wood, III, Trustee, Trustee's commission for making sale, per Decree of sale	\$ 50.00
To do., for an amount paid Charles W. Cecil, Clerk, for advanced court costs, per receipt exhibited, to wit:	25.00
To Do., for an amount paid Charles W. Cecil, Clerk, for court costs, per statement exhibited, to wit:	
1. Costs of Charles W. Cecil, Clerk	\$130.00
2. Appearance fee of Howard Wood, III	10.00
3. Stenographer's fee	15.00
4. Examiner's fee	10.00
5. Sheriff (Baltimore City)	8.00
6. Sheriff	<u>2.00</u>
	175.00
To Do., for an amount paid W. M. Freestate Agency for Trustee's bond, per receipt exhibited, to wit:	10.00
To Do., Queen Anne's Record Observes, per receipt exhibited, to wit:	
1. Advertising sale	\$57.00
2. Order Nisi	<u>14.00</u>
	71.00
To Do., for amount paid Joseph A. Jackson, Jr., Auctioneer, for fee for crying sale	25.00
To Do., for amount paid Jean G. Anthony, notary fee	1.00

September 16, 1974

Johnnie Clark
Auditory

To Do., J. Thomas Clark, Auditor as follows:
Fee for stating audit

\$ 45.00

To Estella G. Cooper, on account of her lien
for taxes and insurance premiums, per
Decree for sale passed on February 25,
1974

\$ 99.00

\$500.00

\$500.00

September 16, 1974

J. Thomas Clark
Auditory

Filed Sept. 16, 1974

ESTELLA G. COOPER,
Chester, Maryland 21619
Plaintiff

IN THE CIRCUIT COURT FOR

20
vs

QUEEN ANNE'S COUNTY

BLANCHE COLEMAN, et. al.
725 George Street
Baltimore, Maryland

IN EQUITY NO. 5493

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The undersigned Court Auditor hereby certifies that on September 16, 1974, the date the audit in the above entitled cause was filed in this Court, that he did, by U. S. First Class Mail, notify the following interested parties to this cause, to wit:

Estella G. Cooper
Chester, Maryland 21619

Blanche Coleman
a/k/a Blanche Young
725 George Street
Baltimore, Maryland

Russell Snowden
Little Creek
Chester, Maryland

Howard Wood, III, Esquire
Centreville, Maryland 21617

Pursuant to Rule 12d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned, was mailed to each of the above named persons at the above stated addresses, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, notify each of them that said account was filed on September 16, 1974, with the Clerk of the Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before October 1, 1974, and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on October 2, 1974.

J. Thomas Clark
J. Thomas Clark, Auditor

Filed Sept. 16, 1974

QUEEN ANNE'S COUNTY, TO WIT:--Be it remembered that on this Nineteenth Day of June, in the year nineteen hundred and seventy-two, the following Petition to Sell for Benefit and Advantage was brought to be recorded, to wit -----

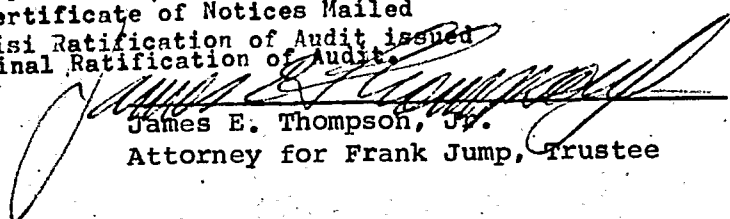
FRANK C. JUMP, TRUSTEE * IN THE CIRCUIT COURT FOR
 *
 vs * QUEEN ANNE'S COUNTY
 *
 EIMER BURTON JUMP, ET AL * EQUITY NO. 4642

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MR. CLERK:

Please record the following papers among the Judgment in Extenso Records of Queen Anne's County:

<u>DOCKET NO.</u>	<u>DOCKET</u>
70	Petition to Sell for Benefit and Advantage
71	Order of Publication
72 - 91	Summons and Return
92	Petition for Guardian ad Litem
93	Petition for Guardian ad Litem
94	Affidavit of Service of Process
95	Order of Court
96	Order of Court
98	Answer of Guardian ad Litem
99	Answer of Guardian ad Litem
101	Decree Pro Confesso
104	Testimony
105	Decree for Sale
106	Bond
107	Certificate of Publication
108	Report of Sale
109	Purchaser's Affidavit
110	Order Nisi
111	Certificate of Publication
112	Final Order of Ratification
113	Order for Recording Designated Papers
114	Petition To File Bond Nunc Pro Tunc
115	Order of Court
116	Report and Account of Auditor
117	Certificate of Notices Mailed
118	Nisi Ratification of Audit issued
119	Final Ratification of Audit.


 James E. Thompson, Jr.
 Attorney for Frank Jump, Trustee

FILED Aug 27, 1974

70

FRANK C. JUMP, TRUSTEE
IN EQUITY NO. 4642 IN THE
CIRCUIT COURT FOR QUEEN
ANNE'S COUNTY
Easton, Maryland

Plaintiff *

vs. *

ELMER BURTON JUMP
Ridgely, Maryland
(Serve on Sydney Ashley
Guardian of Elmer Burton
Jump, Centreville, Maryland)

and *

RUSSELL J. EMORY and
LOUISE S. EMORY, his wife
Milford, Delaware

HOWARD EMORY, JR. and
HELEN TODD EMORY, his wife
Queenstown, Maryland

S. CARLTON JUMP
2401 Pennsylvania Avenue
Wilmington, Delaware

JOHN JUMP and
MILDRED JUMP, his wife
Ridgely, Maryland

FLORENCE COUNCIL and
PALMER COUNCIL, her husband
Price, Maryland

CATHERINE GLANDING and
EARL GLANDING, her husband
Millington, Maryland

DOROTHY HAMMER and
CHARLES HAMMER, her husband
Greensboro, Maryland

ELIZABETH RHODES and
TILGHMAN RHODES, her husband
Centreville, Maryland

MARY A. JUMP
Centreville, Maryland

BRUCE E. JUMP, minor
Centreville, Maryland

IN

THE

CIRCUIT

COURT

FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 4642

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
756-0877

WILLIAM PAUL JUMP, JR. and *
JANICE K. JUMP, his wife *
Centreville, Maryland ✓

PATRICIA J. ANTHONY and *
MILTON ANTHONY, her husband *
Queenstown, Maryland

ELIZABETH L. CREIGHTON and *
CARROLL CREIGHTON, her husband *
Centreville, Maryland

CHARLES M. JUMP *
Centreville, Maryland *

MARGARET J. SEWARD and *
JAMES R. SEWARD, her husband *
Centreville, Maryland *

RUTH WISE JUMP *
207 South Aurora Street ✓ *
Easton, Maryland *

FRANK C. JUMP and *
MARY J. JUMP, his wife *
717 Elizabeth Street ✓ *
Easton, Maryland *

FRANCIS W. JUMP and *
SALLY E. JUMP, his wife *
R.F.D. ✓ *
Easton, Maryland *

BARBARA J. SAYLES and *
WILLIAM FRANCIS SAYLES, her *
husband *
5904 Crawford Drive *
Rockville, Maryland *

and *

THE UNKNOWN HEIRS-AT-LAW *
OF HARRY M. JUMP, DECEASED *
Defendants *
* * * * *

PETITION TO SELL FOR
BENEFIT AND ADVANTAGE

The Petition of Frank C. Jump, Trustee in Equity No. 4642
in the Circuit Court for Queen Anne's County, Easton, Maryland,
by James E. Thompson, Jr., his attorney, unto your Honors
respectfully represents:

1. That at the time of his death, Harry M. Jump late of
Queen Anne's County, State of Maryland, was seized and possessed

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
758-0877

of the following described property:

"ALL that piece or parcel of ground, situate in the village of Ruthsburg in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the street or road leading out of said village in the direction of Centreville, commonly known as the Dr. Fenby Property, and being the same and all of the property granted and conveyed to Harry M. Jump by J. Charles Barcus and wife, by deed dated September 28, 1912, recorded September 30, 1912, in Liber W.F.W. No 2, folio 160, a Land Record Book for Queen Anne's County, Maryland."

A certified copy of the said deed is attached hereto as a part hereof.

2. That Harry M. Jump departed this life leaving a Last Will and Testament dated January 10, 1948, admitted to probate on October 15, 1960, which said will is recorded among the Will Records of Queen Anne's County in Liber E.C.W. No. 1, folio 139; under which said will the said Harry M. Jump, deceased, left the above described property in trust for the purpose of providing a home for three of his four children, to wit, William Carter Jump, Lillian May Jump and Elmer Burton Jump. A certified copy of the said will is attached hereto as a part hereof.

3. That three of the four children of Harry M. Jump referred to in said will, to wit, Harry A. Jump, William Carter Jump and Lillian May Jump have all departed this life unmarried and without issue (children).

4. That Elmer Burton Jump (the sole surviving child of Harry M. Jump) who is not married and is without issue (children) is fifty-eight years of age and resides at DeFord's Nursing Home, Ridgely, Maryland, he having been declared an incompetent by this court on January 14, 1970, in a proceeding entitled "In the Matter of Elmer Burton Jump, a Person alleged to be Under Disability", the same being Equity No. 5094.

5. The aforesaid will of Harry M. Jump further provides:

"Upon the death of the last of my children, the Trust Estate herein created shall cease and terminate and I hereby give, grant, bequeath and devise my entire estate to the issue then living of my said four children, per stirpes and not per capita, but should there be no issue then living, I do hereby give, grant, bequeath and devise my said entire estate to those parties who would take had I died intestate."

6. The living heirs-at-law of Harry M. Jump are: the children of Gurney Jump, a deceased brother of Harry M. Jump, namely, Charles J. Jump, unmarried; Margaret J. Seward who is married to James R. Seward; Ruth Wise Jump, widow of Frank Jump, who departed this life on July 1, 1967, and his children Frank C. Jump who is married to Mary J. Jump, Francis W. Jump who is

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
786-0877

married to Sally E. Jump and Barbara J. Sayles who is married to William Francis Sayles, Jr.; the children of Sadie Emory, a deceased sister of Harry M. Jump, namely, Russell J. Emory who is married to Louise S. Emory and Howard Emory, Jr. who is married to Helen Todd Emory; the children and their issue of Barcus Jump, a deceased brother of Harry M. Jump, namely, Elizabeth J. Rhodes who is married to Tilghman Rhodes, Dorothy Hammer who is married to Charles Hammer, Catherine Glanding who is married to Earl Glanding, Florence Council who is married to Palmer Council, John Jump who is married to Mildred Jump, S. Carlton Jump who is the only issue of Samuel Carlton Jump, a deceased child of Barcus Jump, and Mary A. Jump widow of William Paul Jump, a deceased child of said Barcus Jump, and the following children of the said William Paul Jump, to wit: William Paul Jump, Jr. who is married to Janice K. Jump, Patricia J. Anthony who is married to Milton Anthony, Elizabeth L. Creighton who is married to Carroll Creighton and Bruce E. Jump, minor.

7. That the aforesaid house and lot in the village of Ruthsburg in the Sixth Election District of Queen Anne's County, Maryland, is not at the present time and has not for the past several years been used as a home for the children of the late Harry M. Jump for the reason that three of said children are deceased as aforesaid and the fourth child is incompetent and residing in a nursing home.


8. That because of being vacant the aforesaid home is rapidly deteriorating and further it has not been practicable to rent said home because it is not equipped with bath, central heat or other necessary conveniences to make it suitable for good tenants.

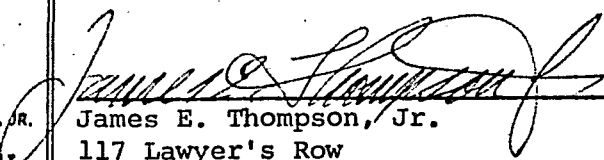
9. That your Petitioner believes and alleges that it will be to the benefit and advantage of all parties in interest to sell the aforesaid house and lot at either public or private sale and reinvest the proceeds therefrom for the purpose of maintaining Elmer Burton Jump in a proper nursing home, and upon the termination of said trust to distribute the proceeds among those persons then entitled thereto.

WHEREFORE, your Petitioner prays this Honorable Court:

a. Pass a decree finding it to the benefit and advantage of all parties concerned to dispose of the aforesaid parcel of land and authorizing and directing your trustee to dispose of said property at either public or private sale upon such terms and conditions as the court may establish.

Respectfully submitted


Frank C. Jump, Trustee in Equity
No. 4642 in the Circuit Court for
Queen Anne's County


James E. Thompson, Jr.
117 Lawyer's Row
Centreville, Maryland
Telephone No. 758-0877
Attorney for Plaintiff

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
758-0877

Filed June 19, 1972
LIBER 9 109

#3276.

QUEEN ANNE'S COUNTY, to wit: be it remembered that on the thirtieth day of September in the year nineteen hundred and twelve, the following DEED was brought to be recorded, to wit:-

THIS DEED, made this 28th. day of September, in the year nineteen hundred and twelve, by J.Charles Barcus and Mary E.Barcus, his wife, of Queen Anne's County, in the State of Maryland,

WITNESSETH, that in consideration of the sum of Seven Hundred and Sixty. (\$760.00) the receipt whereof is hereby acknowledged, the said J.Charles Barcus and Mary E.Barcus, his wife, do grant and convey unto Harry M.Jump, of said Queen Anne's County, in the said State of Maryland, in fee simple, all that piece or parcel of ground situate in the village of Ruthsburg in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the street or road leading out of said village in the direction of Centreville, adjoining the property of William Jester on the one side, and on another side the property of Miss Eleanora Turner, and being the same property conveyed to the said J.Charles Barcus in the deed from Thomas J.Keating and J.Frank Harper, Trustees, and is the same property described in the deed from McRandall Warner to Dr. Walter H.Fenby, and is commonly known as the Dr.Fenby property, to both of which deeds especial reference is hereby made for an accurate description of the property hereintended to be conveyed:

TOGETHER with the buildinge and improvemente thereupon, and all the rights, roads, alleys, ways, waters, privileges, appurtenancee and advantages to the same belonging or in anywise appertaining.

AND the said J.Charles Barcus and Mary E.Barcus, his wife, covenant that they will warrant especially the property hereby conveyed and that they will execute such other and further measures of title thereto as may be requisite.

Witness their hands and seals.

Test: Ray Turner.

J.CHARLES BARCUS. (SEAL).

MARY E.BARCUS. (SEAL).

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:-

I hereby certify that on this 28th. day of September, in the year nineteen hundred and twelve, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's county, aforesaid, personally appeared J.Charles Barcus and Mary E.Barcus, his wife, and did each acknowledge the foregoing Deed to be their respective act.

RAY TURNER.

Justice of the Peace.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from LIBER _____, folio _____, Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this _____ day of _____, Nineteen Hundred and Seventy-two.

Clerk of the Circuit Court for Queen Anne's County.

1977/12-Original rec'd. to Justice.

I, HARRY E. JUMP, of Queen Anne's County, State of Maryland, being of a sound and disposing mind, memory and understanding, hereby make this as and for my Last Will and Testament, revoking hereby all Wills by me heretofore made.

1. I hereby constitute and appoint William Paul Jump to be sole executor of this Will and direct him to pay my funeral expenses and just debts as soon after my death as he can legally do so.

2. I hereby give, grant, bequeath and devise all the rest, residue and remainder of my estate, both real and personal property, whosoever located or situate, to William Paul Jump, To have and To hold in trust and confidence nevertheless for the following purposes, to wit: To take possession thereof, to bargain and sell any or all of my personal property, without the purchaser or purchasers thereof assuming any liability for the application of the proceed or proceeds of sale or sales; to change or alter any of my personal property investments and to invest and re-invest any monyes derived therefrom; to manage, farm, farm rent and rent any and all of my real estate; to collect all rents, interest, issue, income and profits from said real and personal estate and to pay there out of all expenses in the maintenance of same and all expenses incident to this trust, including reasonable compensation to said Trustee, and to use said rents, interest, issue, income, profits in the maintenance of a home for three of my four children, namely, William Carter Jump, Lillian May Jump and Elmer Burton Jump (except as hereinafter provided) or any of them living at the time of my death, and to pay all necessary expenses in the upkeep of said home, and to provide the said Lillian May Jump with sufficient money run the same, that is to furnish food and clothes and other essentials for herself and the other children, so long as the said Lillian May Jump may be physical ly and mentally ~~XXXXXX~~ capable of performing said task, but should she become incapable, either physically or mentally, then to employ a house keeper to perform said tasks; after which to distribute said balance of said rents, issue, interest, income and profits equally semi-annually among my said three children; provided that should any one or more of my said children die without leaving issue then his, her or their share shall devolve upon the survivors or survivor, but should the one or more of my said children die leaving issue, then said issue shall receive the share of said rents, issue, interest, income and profits that his, her or their parents had so received; that this trust estate shall continue until the death of the survivor of all my children.

3.

3. I have eliminated my son, Harry A. Jump, from the home created by Item 2 of this Will and from sharing in the rents, issues, interest, income and profits of my estate because that he is addicted to the use of alcoholic liquors, and any benefits that he ~~XXXXX~~ should receive under this will would simply encourage him in the use thereof, and I hereby direct that my Executor shall at once upon my death remove him from the home to be so provided; but should my said son, Harry A. Jump, refrain from the use of alcoholic liquors or become incapacitated to work then in either event I hereby give, grant and bequeath to him the same share in said home and trust estate as if his name had been set forth with my other children provided also that should my said son, Harry A. Jump, survive me and die leaving ^{share} issue, then said issue shall take, per stirpes, such an ~~issue~~ in said trust estate as if the said Harry A. Jump had been fully included in all the provisions as set forth in Item 2 of this Will.

4. I desire the Trust estate herein created to be administered without the jurisdiction of a Court of Equity but I give to the beneficiaries of said Trust estate the right to remove said Trustee at their pleasure and to select his successor or successors in said trust Estate and I further direct my Trustee to have an annual audit made by competent auditor of the rents, issues, interest, income and profits of my estate and all expenses involved in the handling thereof and to settle as herein provided with said beneficiaries in accordance therewith.

5. Upon the death of the last of my children the Trust Estate herein created shall cease and terminate and I hereby give, grant, bequeath and devise my entire estate to the issue then living of my said four children, per stirpes and not per capita, but should there be no issue then living, I do hereby give, grant, bequeath and devise my said entire estate to those parties who would take had I died intestate.

In witness whereof I have hereunto subscribed my name and affixed my seal this
10th. day of January, 1948.

Harry M. Jump (SEAL)
Harry M. Jump.

Signed, sealed, published and declared by Harry M. Jump, the above named testator, as and for his last Will and Testament, who in our presence and at his request and in the presence of each other, have hereunto subscribed our names as witnesses hereto.

William Meredith
Paul B. Smith

State of Maryland, Queen Anne's County, to wit:

On the 15th day of October A. D., 1960, came William P. Jump of Centreville, Maryland, Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of HARRY M. JUMP, late of Queen Anne's County, deceased, and made oath in due form of law, that the foregoing is the true and whole Will of said deceased, that has come to his hand and possession, and that he do not know nor has he heard of any other and that he received the same from a safe in the home of the Testator

on or about the 12th day of October A. D., 1960.

Sworn before

E. Elmer Hall

Register of Wills of Queen Anne's County, Md.

Form 7

State of Maryland, Queen Anne's County, to wit;

On the 15th day of October 1960, came Paul B. Smith of Chestertown, Maryland, one of the subscribing witnesses to the foregoing last Will and Testament of HARRY M. JUMP, late of Queen Anne's County, deceased, and made oath in due form of law, that he did see the Testator sign and seal said Will, that he heard him publish, pronounce and declare the same to be his last Will and Testament, and at the time of his so doing he was to the best of his apprehension, of sound and disposing mind, memory and understanding; and that he together with L. Herman Meredith subscribed his name as witness to said Will at his request in his presence and in the presence of each other.

Sworn in open court.

Test:

E. Elmer Hall

Register of Wills of Queen Anne's County, Md.

FORM 6

LIBER

9 113

State of Maryland, Queen Anne's County, to wit;

On the 15th day of October 1960, came L. Herman Meredith of Centreville, Maryland, one of the

of subscribing witnesses to the foregoing last Will and Testament of HARRY M. JUMP, late of Queen Anne's County, deceased, and made oath in due form of law, that he did see the Testator sign and seal said Will, that he heard him publish, pronounce and declare the same to be his last Will and Testament, and at the time of his so doing he was to the best of his apprehension, of sound and disposing mind, memory and understanding; and that he together with Paul B. Smith subscribed his name as witness to said Will at his request in his presence and in the presence of each other.

Sworn in open court. Test:

E. Elmer Hall

Register of Wills of Queen Anne's County, Md.

FORM 6

State of Maryland, In the Orphans' Court For Queen Anne's County:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of HARRY M. JUMP, late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Court, after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this 15th day of October, A. D., 1960, that the same be admitted in this Court as the true and genuine last Will and Testament of the said HARRY M. JUMP, deceased.

E. Elmer Hall

Register of Wills of Queen Anne's County.

Judges of the Orphans' Court of Queen Anne's County, Maryland

Form # 2

In the Orphans' Court for Queen Anne's County, Maryland, Se

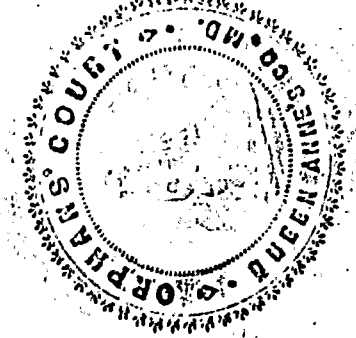
The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and afore-
going is a true copy of Last Will and Testament of HARRY M. JUMP, late of
Queen Anne's County, deceased,

as filed and passed in this office on October 15, 1960

and recorded in Liber E.C.W. No. 1 Folio 139

in Record Book of WILLS

in the Orphans' Court for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF I hereunto subscribe my
name and affix the seal of my office this 15th
day of June 19 72.

Madge E. Walters
Register of Wills for Queen Anne's County, Maryland

Plaintiff's Exhibit No. 2

41

FRANK C. JUMP, TRUSTEE * IN
 IN EQUITY NO. 4642 IN THE *
 CIRCUIT COURT FOR QUEEN *
 ANNE'S COUNTY *
 EASTON, MARYLAND *
 Plaintiff *
 vs. *
 ELMER BURTON JUMP *
 Ridgely, Maryland *
 (Serve on Sydney Ashley *
 Guardian of Elmer Burton *
 Jump, Centreville, Maryland) *
 and *
 RUSSELL J. EMORY and * FOR
 LOUISE S. EMORY, his wife *
 Milford, Delaware *
 HOWARD EMORY, JR. and *
 HELEN TODD EMORY, his wife *
 Queenstown, Maryland *
 S. CARLTON JUMP *
 2401 Pennsylvania Avenue *
 Wilmington, Delaware *
 JOHN JUMP and *
 MILDRED JUMP, his wife *
 Ridgely, Maryland *
 FLORENCE COUNCIL and *
 PALMER COUNCIL, her husband *
 Price, Maryland *
 CATHERINE GLANDING and *
 EARL GLANDING, her husband *
 Millington, Maryland *
 DOROTHY HAMMER and *
 CHARLES HAMMER, her husband *
 Greensboro, Maryland *
 ELIZABETH RHODES and *
 TILGHMAN RHODES, her husband *
 Centreville, Maryland *
 MARY A. JUMP *
 Centreville, Maryland *
 BRUCE E. JUMP, minor *
 Centreville, Maryland *

EQUITY NO. 4642

QUEEN ANNE'S COUNTY

CIRCUIT COURT

THE

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD. 21017
 780-0677

WILLIAM PAUL JUMP, JR. and *
JANICE K. JUMP, his wife *
Centreville, Maryland *

PATRICIA J. ANTHONY and *
MILTON ANTHONY, her husband *
Queenstown, Maryland *

ELIZABETH L. CREIGHTON and *
CARROLL CREIGHTON, her husband *
Centreville, Maryland *

CHARLES M. JUMP *
Centreville, Maryland *

MARGARET J. SEWARD and *
JAMES R. SEWARD, her husband *
Centreville, Maryland *

RUTH WISE JUMP *
207 South Aurora Street *
Easton, Maryland *

FRANK C. JUMP and *
MARY J. JUMP, his wife *
717 Elizabeth Street *
Easton, Maryland *

FRANCIS W. JUMP and *
SALLY E. JUMP, his wife *
R.F.D. *
Easton, Maryland *

BARBARA J. SAYLES and *
WILLIAM FRANCIS SAYLES, her *
husband *
5904 Crawford Drive *
Rockville, Maryland *

and *

THE UNKNOWN HEIRS-AT-LAW *
OF HARRY M. JUMP, DECEASED *

Defendants *

* * * * *

ORDER OF PUBLICATION

The object of this Bill of Complaint is to obtain a decree for the sale of real estate, hereinafter described, for the benefit and advantage of all persons in interest.

The bill recites:

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
758-0877

1. That at the time of his death, Harry M. Jump late of Queen Anne's County, State of Maryland, was seized and possessed of the following described property:

"ALL that piece or parcel of ground, situate in the village of Ruthsburg in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the street or road leading out of said village in the direction of Centreville, commonly known as the Dr. Fenby Property, and being the same and all of the property granted and conveyed to Harry M. Jump by J. Charles Barcus and wife, by deed dated September 28, 1912, recorded September 30, 1912, in Liber W.F.W. No. 2, folio 160, a Land Record Book for Queen Anne's County, Maryland."

A certified copy of the said deed is attached hereto as a part hereof.

2. That Harry M. Jump departed this life leaving a Last Will and Testament dated January 10, 1948, admitted to probate on October 15, 1960, which said will is recorded among the Will Records of Queen Anne's County in Liber E.C.W. No. 1, folio 139; under which said will the said Harry M. Jump, deceased, left the above described property in trust for the purpose of providing a home for three of his four children, to wit, William Carter Jump, Lillian May Jump and Elmer Burton Jump. A certified copy of the said will is attached hereto as a part hereof.

3. That three of the four children of Harry M. Jump referred to in said will, to wit, Harry A. Jump, William Carter Jump and Lillian May Jump have all departed this life unmarried and without issue (children).

4. That Elmer Burton Jump (the sole surviving child of Harry M. Jump) who is not married and is without issue (children) is fifty-eight years of age and resides at DeFord's Nursing Home, Ridgely, Maryland, he having been declared an incompetent by this court on January 14, 1970, in a proceeding entitled "In the Matter of Elmer Burton Jump, a Person alleged to be Under Disability", the same being Equity No. 5094.

5. The aforesaid will of Harry M. Jump further provides:

"Upon the death of the last of my children, the Trust Estate herein created shall cease and terminate and I hereby give, grant, bequeath and devise my entire estate to the issue then living of my said four children, per stirpes and not per capita, but should there be no issue then living, I do hereby give, grant, bequeath and devise my said entire estate to those parties who would take had I died intestate."

6. The living heirs-at-law of Harry M. Jump are: the children of Gurney Jump, a deceased brother of Harry M. Jump, namely, Charles J. Jump, unmarried; Margaret J. Seward who is married to James R. Seward; Ruth Wise Jump, widow of Frank Jump,

who departed this life on July 1, 1967, and his children, Frank C. Jump who is married to Mary J. Jump, Francis W. Jump who is married to Sally E. Jump and Barbara J. Sayles who is married to William Francis Sayles, Jr.; the children of Sadie Emory, a deceased sister of Harry M. Jump, namely, Russell J. Emory who is married to Louise S. Emory and Howard Emory, Jr., who is married to Helen Todd Emory; the children and their issue of Barcus Jump, a deceased brother of Harry M. Jump, namely, Elizabeth J. Rhodes who is married to Tilghman Rhodes, Dorothy Hammer who is married to Charles Hammer, Catherine Glanding who is married to Earl Glanding, Florence Council who is married to Palmer Council, John Jump who is married to Mildred Jump, S. Carlton Jump who is the only issue of Samuel Carlton Jump, a deceased child of Barcus Jump, and Mary A. Jump widow of William Paul Jump, a deceased child of said Barcus Jump, and the following children of the said William Paul Jump, to wit: William Paul Jump, Jr. who is married to Janice K. Jump, Patricia J. Anthony who is married to Milton Anthony, Elizabeth L. Creighton who is married to Carroll Creighton, and Bruce E. Jump, a minor.

7. That the aforesaid house and lot in the village of Ruthsburg in the Sixth Election District of Queen Anne's County, Maryland, is not at the present time and has not for the past several years been used as a home for the children of the late Harry M. Jump for the reason that three of said children are deceased as aforesaid and the fourth child is incompetent and residing in a nursing home.

8. That because of being vacant the aforesaid home is rapidly deteriorating and further it has not been practicable to rent said home because it is not equipped with bath, central heat or other necessary conveniences to make it suitable for good tenants.

9. That your Petitioner believes and alleges that it will be to the benefit and advantages of all parties in interest to sell the aforesaid house and lot at either public or private sale and reinvest the proceeds therefrom for the purpose of maintaining Elmer Burton Jump in a proper nursing home, and upon the termination of said trust to distribute the proceeds among those persons then entitled thereto.

IT IS THEREUPON this 19th. day of June, 1972, ORDERED, by the Circuit Court for Queen Anne's County, in Equity, that the Plaintiff by causing a copy of this Order to be inserted in some newspaper published in Queen Anne's County, State of Maryland, once a week in each of four successive weeks before the 20th. day of July, 1972, shall give notice to Russell J. Emory and Louise S. Emory, his wife, S. Carlton Jump who are non-residents and the Unknown Heirs-at-law of Harry M. Jump, deceased, of the object and substance of the Bill of Complaint warning them and each of them to appear in this Court in person or by attorney on or before the 21st day of August, 1972, and show cause if any they or any of them may have why a Decree should not be passed as prayed.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
730-0877

Charles W. Cecil
Clerk

Filed June 19, 1972
For Plaintiff's Exhibit No. 1 See Liber # 9, folio 110. Exhibit No. 2,
See Liber 9, folio 111. LIBER 9 119

Circuit Court For Queen Anne's County

72

EQUITY SUMMONS:

July Return Day

File No. 4642

Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Dorothy Hammer and Charles Hammer, her husband Greensboro, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____

July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for Queen Anne's County Easton, Maryland

Issued the 19th day of June 1972

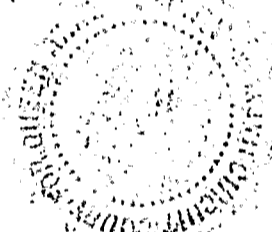
Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr. 117 Lawyer's Row ADDRESS: Centreville, Md. 758-0877

Charles W. Cecil Clerk

(Seal of Court)



NAME: ADDRESS:

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18 1972, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 23, 1972

Received and forthwith delivered
to the Sheriff of Caroline County 6/21/72
Mildred C. Butler

Served on June 21, 1972
and copy's left with
Dorothy Hammer, and
Charles Hammer.

Louis C. Andrew
Sheriff

Mr. Clark.

Mr. John Jump & Mildred
lives in Talbot County
around Queen Ann.
So returning nearest.

Louis C. Andrew
Sheriff

LIBER 9 122
Circuit Court For Queen Anne's County

73 EQUITY SUMMONS:

_____ July _____ Return Day

File No. 4642

Docket C.A.C.#1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: John Jump and Mildred Jump, his wife
Ridgely, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July _____, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court
for Queen Anne's County
Easton, Maryland

Issued the 19th day of June 1972

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Maryland
758-0877

NAME: _____

ADDRESS: _____

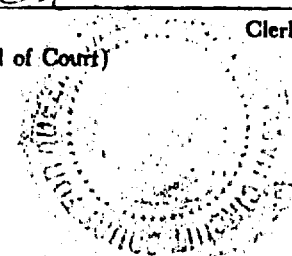
NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
1972, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 23, 1972

Charles W. Cecil

Clerk
(Seal of Court)



Received and forthwith delivered
to the Sheriff of Caroline County. 6/21/72

To: *William C. Butler* Clerk

*For Est
Louis Andrew
Sheriff. 6-21-72*

STATE OF MARYLAND
CLERK OF THE COURT
JUN 21 AM 9:11 1972
RECORDED & INDEXED

74

FRANK C. JUMP, Trustee * IN THE CIRCUIT COURT FOR
vs. * QUEEN ANNE'S COUNTY
ELMER BURTON JUMP, ET AL * EQUITY NO. 4642
* * * * *

MR. CLERK:

Please reissue the summons for John Jump and Mildred Jump,
his wife, to Queen Anne, Talbot County, Maryland.

James E. Thompson, Jr.
James E. Thompson, Jr.
Attorney for Plaintiff

Filed June 23, 1972

Circuit Court For Queen Anne's County

4/2

EQUITY SUMMONS:

July Return Day

File No. 4642

Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Elizabeth L. Creighton and
Carroll Creighton, her husband
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of
July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 19th day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Maryland
758-0877

NAME: _____

ADDRESS: _____

Charles H. Coe
Clerk
(Seal of Court)

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 26, 1972

Summons served on Elizabeth J. Creighton and Carroll Creighton, her husband and a copy of the summons and petition to sell left with each of them this 21st day of June, 1972.

Deirdre M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

76

EQUITY SUMMONS:

July Return Day
File No. 4642
Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Margaret J. Seward and James R. Seward, her husband
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 19th day of June 1972

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Maryland
758-0877

Charles W. Cecil
Clerk
(Seal of Court)

NAME: _____
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
1972, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 26, 1972

Summons served on Margaret J. Seward and James R. Seward, her husband and a copy of the summons and petition to sell left with each of them this 21st day of June, 1972.

Deputy M. Butler
Deputy Sheriff for Queen Anne's County

77
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

July Return Day

File No. 4642

Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: William Paul Jump Jr. and
Janice K. Jump, his wife
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 19th. day of June 19 72.

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Md.
758-0877

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 26 1972

Charles W. Coak
Clerk
(Seal of Court)

Summons served on William Paul Jump, Jr. and Janice K. Jump, his wife and a copy of the summons and petition to sell left with each of them this 21st day of June, 1972.

Alysis M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

7/8
EQUITY SUMMONS:

July Return Day
File No. 4642
Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO:
Mary A. Jump
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court
for Queen Anne's County
Easton, Maryland

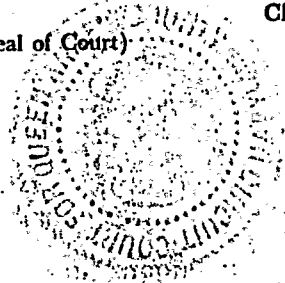
Issued the 19th. day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: ~~Centreville, Maryland~~
Centreville, Maryland
758-0877
NAME: _____
ADDRESS: _____

Charles W. Coel
Clerk
(Seal of Court)



NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Saled June 26. 1972

Summons served on Mary A. Jump and a copy of the summons and petition to sell left with Mary A. Jump this 21st day of June, 1972.

Philip M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

79 EQUITY SUMMONS:

July Return Day

File No. 4642

Docket C.W.C.#1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Catherine Glanding and Earl Glanding, her husband
Millington, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 29th. day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
Centreville, Md. 21617
ADDRESS: 758-0877

NAME: _____

ADDRESS: _____

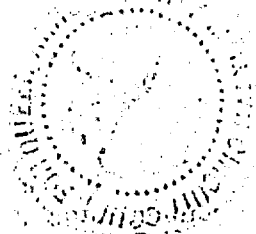
NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 26, 1972

Charles W. Cecil
Clerk

(Seal of Court)



Summons served on Catherine Glanding and Earl Glanding, her husband and a copy of the summons and petition to sell left with each of them this 21st day of June, 1972.

Alexis M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

80/1

EQUITY SUMMONS:

_____ July _____ Return Day
File No. 4642
Docket C.W.C. #1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Florence Council and
Palmer Council, her husband
Price, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 19th day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr;
117 Lawyers' Row
ADDRESS: Centreville, Maryland 21617
758-0877

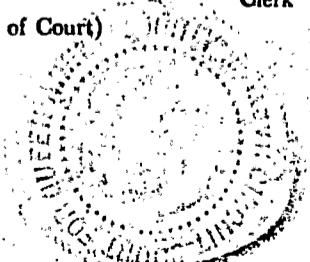
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W. Cecil
Clerk
(Seal of Court)



Filed June 26-1972

Summons served on Florence Council and Palmer Council, her husband and a copy of X the summons and petition to sell left with each of them 21st day of June, 1972.

Alvin M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

81
EQUITY SUMMONS:

July Return Day
File No. 4642
Docket C.W.C. #1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Elmer Burton Jump
Ridgely, Maryland
(Serve on Sydney Ashley, Guardian of
Elmer Burton Jump, Centreville, Maryland)

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of
July, next, to answer an action at the suit of
Frank C. Jump, Trustee in Equity No. 4642 In the Circuit Court for Queen
Anne's County, Easton, Maryland,

Issued the 19th day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

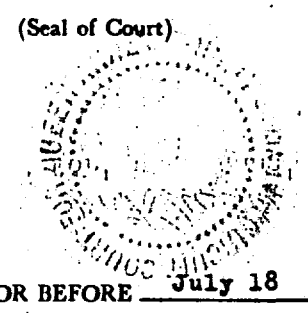
NAME: James E. Thompson Jr.
117 Lawyer's Row
ADDRESS: Centreville, Maryland
758-0877

NAME: _____
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W. Cecil
Clerk



Filed June 26 1972

Summons served on Sydney G. Ashley, Guardian of Elmer Burton Jump and a copy of the summons and petition to sell left with Sydney G. Ashley this 23 day of June, 1972.

Alvin M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

82

EQUITY SUMMONS:

July Return Day
File No. 4642
Docket C.W.C.#1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Howard Emory, Jr. and
Helen Todd Emory, his wife
Queenstown, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642
in the Circuit Court for Queen Anne's County
Easton, Maryland

Issued the 19th. day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

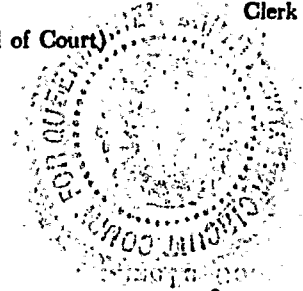
ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Maryland
758-0877

NAME: _____

ADDRESS: _____

Charles W. Coel
Clerk
(Seal of Court)



NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18 19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 26, 1972

Summons served on Howard Emory, Jr. and Helen Todd Emory, his wife and a copy of the summons and Petition to sell left with each of them this 22 day of June, 1972.

Walter Clough
Deputy Sheriff for Queen Anne's County

Queenstown, Md

Circuit Court For Queen Anne's County

83 / EQUITY SUMMONS:

July Return Day

File No. 4642

Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Patricia J. Anthony and
Milton Anthony, her husband
Queenstown, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
_____ July _____, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court
for Queen Anne's County
Easton, Maryland

Issued the 19th day of June 1972

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Maryland

Charles W. Cecil
Clerk
(Seal of Court)

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
1972, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 26, 1972

Summons served on Patricia J. Anthony and Milton Anthony, her husband and a copy of the summons and petition to sell ~~KNM~~ left with each of them this 22 day of June, 1972.

Walter Clough
Deputy Sheriff for Queen Anne's County

84
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

July Return Day

File No. 4642

Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Elizabeth Rhodes and
Tilghman Rhodes, her husband
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for Queen Anne's County
Easton, Maryland

Issued the 19th. day of June 1972

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
~~117 Lawyer's Row~~
Centreville, Maryland 21617
ADDRESS: ~~758-0877~~

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18 1972, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W Cecil
Clerk

(Seal of Court)



Filed June 26, 1972

Summons served on Elizabeth Rhodes and Tilghman Rhodes, her husband and a copy of the summons and petition to sell left with each of them this 22nd day of June, 1972

George B. Sharp
~~XXXXXX~~ Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

80 / EQUITY SUMMONS:

July Return Day
File No. 4642
Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Charles M. Jump
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July, next, to answer an action at the suit of
Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for Queen Anne's County
Easton, Maryland

Issued the 19th day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Md. 21617
758-0877

Charles W. Cecil
Clerk
(Seal of Court)

NAME: _____
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18 19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 26, 1972

Summons served on Charles M. Jump and a copy of the summons and petition to sell left with Charles M. Jump this 21st day of June, 1972.

Philip M. Butler
Deputy Sheriff for Queen Anne's County

113

Circuit Court For Queen Anne's County

86 EQUITY SUMMONS:

.....
_____ July _____ Return Day
File No. 4642
Docket C.W.C. #1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Francis W. Jump and Sally E. Jump, his wife
R.F.D.
Easton, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July, next, to answer an action at the suit of
Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 19th. day of June 1972

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Md.
758-0877

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
1972, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 27, 1972

Charles W. Coal
Clerk
(Seal of Court)

Summoned Francis W. Jump and Sally E. Jump this 23rd day of June 1972 and copy of summons left with each.

T.O. Meredith.....
T. O. Meredith
Sheriff of Talbot County, Md.

Received the 23rd day of June 1972
and forthwith delivered to the Sheriff of
Talbot County for service.
Test *[Signature]*
Clerk

Circuit Court For Queen Anne's County

87 EQUITY SUMMONS:

_____ July _____ Return Day
File No. 4642
Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Frank C. Jump and Mary J. Jump, his wife
717 Elizabeth Street
Easton, Maryland

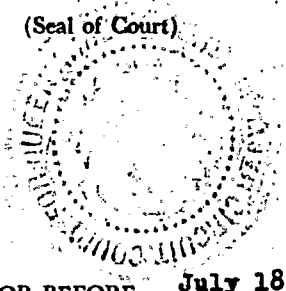
You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July, next, to answer an action at the suit of
Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 19th. day of June 19 72.

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)
NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Md.
758-0877

Charles W. Cecil
Clerk



NAME: _____
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 27, 1972

Summoned Frank C. Jump and Mary J. Jump this 23rd day of June 1972 and copy of summons left with e. n.

T. O. Meredith
T. O. Meredith
Sheriff of Talbot County, Md.

Received the 23 day of June 1972
and forthwith delivered to the Sheriff of
Talbot County for service.
[Signature]
Tess [Signature]
Clerk

113

Circuit Court For Queen Anne's County

99 EQUITY SUMMONS:

..... July Return Day
File No. 4642
Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO:
Ruth Wise Jump
207 South Aurora Street
Easton, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____
July

next, to answer an action at the suit of
Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court
for Queen Anne's County
Easton, Maryland

Issued the 19th day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Md.
758-0877

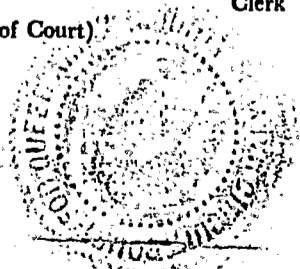
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W. Coak
Clerk
(Seal of Court)



July June 27 1972

Summoned Ruth Wise Jump this 23rd day of June 1972 and copy of summons left with her.

T. O. Meredith
.....
T. O. Meredith
Sheriff of Talbot County, Md

Received this 21 day of June 1972
T. O. Meredith
Sheriff of Talbot County, Md
Test *Ruth Wise Jump*

Circuit Court For Queen Anne's County

89

EQUITY SUMMONS:

July Return Day

File No. 4642

Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Bruce E. Jump, minor
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July

next, to answer an action at the suit of
Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court for
Queen Anne's County
Easton, Maryland

Issued the 19th. day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

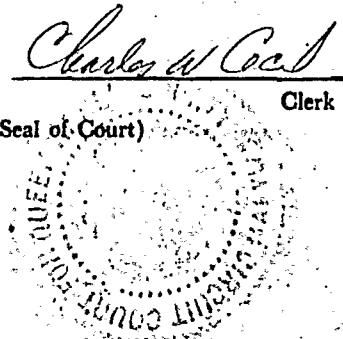
NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Md. 21617
758-0877

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.



Filed June 27, 1972

Summons served on Bruce E. Jump, Minor and a copy of the summons and petition to sell left with him this 21st day of June, 1972.

Copy of summons also left with Mary A. Jump, mother of Bruce E. Jump, minor.

Deputy Sheriff for Queen Anne's County
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

90
 EQUITY SUMMONS:

_____ July _____ Return Day

File No. 4642

Docket C.W.C. No. 1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Barbara J. Sayles and
 William Francis Sayles, her husband
 5904 Crawford Drive
 Rockville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____

_____ July _____, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court
 for Queen Anne's County
 Easton, Maryland

Issued the 19th. day of June 1972

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson Jr.
117 Lawyer's Row
 ADDRESS: Centreville, Md.
758-0877

NAME: _____

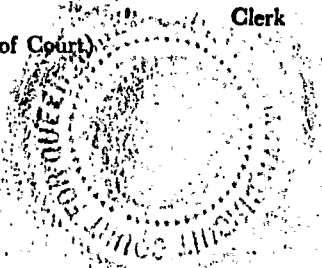
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
 1972, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed June 28, 1972

Charles W. Coak
 Clerk
 (Seal of Court)



SHERIFF'S OFFICE
RECEIVED
JUN 21 1972
MONTGOMERY COUNTY, MD

Summonsed Barbara J. Sayles & William Francis Sayles

By delivering thereto copies of Subpoena

this 26 day of June 1972

George W. Rasin
Sheriff of Montgomery County
Maryland

116

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

91

_____ July _____ Return Day

File No. 4642

Docket C.W.C. #1, fol. 29

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: John Jump and Mildred Jump, his wife
Queen Anne, Talbot County, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____

_____ July _____, next, to answer an action at the suit of

Frank C. Jump, Trustee in Equity No. 4642 in the Circuit Court
for Queen Anne's County
Easton, Maryland

Issued the 23rd. day of June 19 72

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyer's Row
ADDRESS: Centreville, Maryland
758-0877

NAME: _____

ADDRESS: _____

Charles W. Covert
Clerk

(Seal of Court)



NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 18
19 72, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed July 6, 1972

Summoned John Jump and Mildred Jump this 26th day of June 1972 and copy of Summons left with each.

T. O. Meredith
.....
T. O. Meredith
Sheriff of Talbot County, Md.

Received the 26 day of July 1972
and forthwith delivered to the Sheriff of
Talbot County for service.

Test: *John J. Raymond*
Clerk

92 /

FRANK C. JUMP, TRUSTEE	*	IN THE CIRCUIT COURT FOR
	*	
Plaintiff	*	QUEEN ANNE'S COUNTY
	*	
vs.	*	
	*	
EIMER BURTON JUMP, ET AL	*	EQUITY NO. <u>4642</u>
	*	
Defendants	*	

* * * * *

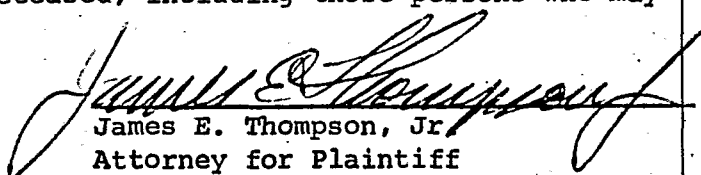
PETITION FOR GUARDIAN AD LITEM FOR UNKNOWN HEIRS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Frank C. Jump, Plaintiff, by James E. Thompson, Jr., his attorney, unto your Honors respectfully represents:

1. That as will appear by reference to the Bill of Complaint the Unknown Heirs-at-Law of Harry M. Jump, deceased, are named as Defendants.
2. That service has been had against the Unknown Heirs-at-Law of Harry M. Jump, deceased, as will more fully appear by reference to the Order of Publication and the Certificate attached thereto.
3. That some of the Unknown Heirs-at-Law of Harry M. Jump, deceased, may not be in being.

WHEREFORE your Petitioner prays this Honorable Court, pursuant to Rule 275, to appoint an attorney to investigate the facts of this case, file an answer or take such other action as justice may require to protect the interests of the Unknown Heirs-at-Law of Harry M. Jump, deceased, including those persons who may not be in being.


 James E. Thompson, Jr.
 Attorney for Plaintiff

Filed Sept 7, 1972

93

FRANK C. JUMP, TRUSTEE	*	IN THE CIRCUIT COURT FOR
Plaintiff	*	QUEEN ANNE'S COUNTY
vs.	*	
ELMER BURTON JUMP, ET AL	*	EQUITY NO. <u>4642</u>
Defendants	*	

* * * * *

PETITION FOR APPOINTMENT OF A GUARDIAN AD LITEM

TO THE HONORABLE, THE JUDGES OF SAID COURT:

1. The Plaintiff filed a Bill of Complaint in the above-entitled case to obtain a decree for the sale of certain real estate.
2. That process was issued for Bruce E. Jump, minor, Centreville, Maryland, and duly returned served June 27, 1972.
3. That no one has appeared on behalf of the Defendant, Bruce E. Jump, minor.

WHEREFORE your Petitioner prays this Honorable Court pass an Order appointing some suitable person within the jurisdiction of this Court as guardian ad litem for Bruce E. Jump, minor, with instructions to said guardian ad litem to answer and defend said suit for said infant.

James E. Thompson, Jr.

 James E. Thompson, Jr.
 Attorney for Plaintiff

Filed Sept 7, 1972

<i>Facul Downes well</i>
<i>serve</i>

94

FRANK C. JUMP	*	IN THE CIRCUIT COURT FOR
Plaintiff	*	QUEEN ANNE'S COUNTY
vs.	*	
ELMER BURTON JUMP, ET AL	*	EQUITY NO. <u>4642</u>
Defendants	*	
	*	
	*	
	*	

AFFIDVAIT OF SERVICE OF PROCESS

I HEREBY CERTIFY, that I served a copy of the Bill of Complaint and Order of Publication on Russell J. Emory and Louise S. Emory, his wife, Milford, Delaware, and S. Carlton Jump, 2401 Pennsylvania Avenue, Wilmington, Delaware, by mailing a copy of the same to them and each of them by Certified Mail, Deliver to Addressee Only, Return Receipt Requested.

A copy of the Return Receipt Requested is attached hereto as a part hereof.

James E. Thompson, Jr.
 James E. Thompson, Jr.
 Attorney for Plaintiff

Filed Sept 7, 1972

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

Show to whom, date and address where delivered Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. <u>727662</u>	① ② ③	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) <i>Louis S. Emory</i>
CERTIFIED NO. <u>727662</u>		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Deliver to addressee only
INSURED NO.		
DATE DELIVERED <u>6-22-72</u>		SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) <u>Filed Sept 7, 1972</u>

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

Show to whom, date and address where delivered Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. <u>727663</u>	① ② ③	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) <i>Louis S. Emory</i>
CERTIFIED NO. <u>727663</u>		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Deliver to addressee only
INSURED NO.		
DATE DELIVERED <u>6-22-72</u>		SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) <u>Filed Sept 7, 1972</u>

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

Show to whom, date and address where delivered Deliver ONLY to addressee


RECEIPT
Received the numbered article described below

REGISTERED NO. <u>727664</u>	① ② ③	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) <i>Carlton</i>
CERTIFIED NO. <u>727664</u>		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Deliver to addressee only
INSURED NO.		
DATE DELIVERED <u>JUN 28 1972</u>		SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) <u>Filed Sept 7, 1972</u>

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

45-16-81277-1
Nov. 1970
PS Form 3811

Postmark of Delivering Office



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.

RETURN TO


JAMES E. THOMPSON JR Esq.

CENTREVILLE, MARYLAND 21611

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

45-16-81277-1
Nov. 1970
PS Form 3811

Postmark of Delivering Office



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.

RETURN TO


JAMES E. THOMPSON, JR. Esq.

CENTREVILLE, MARYLAND 21617

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

45-16-81277-1
Nov. 1970
PS Form 3811

Postmark of Delivering Office



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.

RETURN TO

JAMES E. THOMPSON JR. Esq.

CENTREVILLE, MARYLAND 21611

ORDER

95

UPON the foregoing Petition it is this 14th day of Sept, 1972, by the Circuit Court for Queen Anne's County, ORDERED that John Clark, Esq., Attorney at Law, is hereby appointed as attorney for the Unknown Heirs-at-Law of Harry M. Jump, deceased, including those which may not be in being, with instructions to investigate the facts of the case, file an answer or take such other action as justice may require to protect the interests of the Unknown Heirs-at-Law of Harry M. Jump, deceased, including those not in being.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
780-0877

B. Hackett Turner, Jr.
JUDGE

Filed Sept 14, 1972

ORDER OF COURT

96

UPON the foregoing Petition it is this 14th day of Sept, 1972, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that Wachal Downes, Esq. be and he is hereby appointed guardian ad litem with instructions to him to answer and defend the suit instituted against Bruce E. Jump, minor by the Bill of Complaint filed in the above-entitled cause.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
780-0877

B. Hackett Turner, Jr.
JUDGE

Filed Sept 14, 1972

98
FRANK C. JUMP, TRUSTEE
Plaintiff

vs

ELMER BURTON JUMP, ET AL
Defendants

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY
NO. 4642

ANSWER OF GUARDIAN AD LITEM

TO THE HONORABLE, THE JUDGES OF SAID COURT:

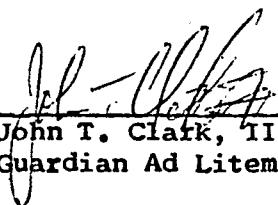
The Answer of John T. Clark, III, Attorney-at-Law, who was appointed attorney for the unknown heirs-at-law of Harry M. Jump, deceased, on September 14, 1972 says:

1. That he has investigated the facts contained in the Petition of Frank C. Jump, Trustee, in Equity #4642, and admits the facts contained in Paragraphs 1, 2, 3, 4, 5, 6, 7, 8, & 9 of the Petition.

2. That John T. Clark, III, the Guardian Ad Litem, thinks that it is to the best interest of the unknown heirs-at-law of the deceased, Harry M. Jump, that the sale of the property take place.

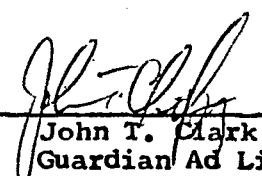
3. That John T. Clark, III, Guardian Ad Litem, requests that the Court look after the best interests for the unknown heirs-at-law of the deceased, Harry M. Jump.

Respectfully submitted,



John T. Clark, III
Guardian Ad Litem

I HEREBY CERTIFY, that a copy of the foregoing Answer was delivered to the office of James E. Thompson, Jr., Esquire, Centreville, Maryland 21617, Attorney for Plaintiff, on this 15th day of August, 1973.



John T. Clark, III
Guardian Ad Litem

Filed Aug 1, 1973

99

FRANK C. JUMP, TRUSTEE * IN THE CIRCUIT COURT FOR
 Plaintiff *
 QUEEN ANNE'S COUNTY
 vs *
 ELMER BURTON JUMP, ET AL * EQUITY NO. 4642
 Defendants * *

* * * * *

ANSWER OF GUARDIAN AD LITEM

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Vachel A. Downes, Jr., Attorney at Law, who was appointed attorney for Bruce E. Jump, minor, on behalf of Harry M. Jump, deceased, on September 14, 1972, says:

1. That he has investigated the facts contained in the Petition of Frank C. Jump, Trustee, in Equity No. 4642, and admits the facts contained in Paragraphs 1, 2, 3, 4, 5, 6, 7, 8, and 9 of the Petition.
2. That Vachel A. Downes, Jr., Guardian Ad Litem, thinks that it is the best interest of the minor, Bruce E. Jump, of the deceased, Harry M. Jump, that the sale of the property take place.
3. That Vachel A. Downes, Jr., Guardian Ad Litem, requests that the Court look after the best interests for the minor, Bruce E. Jump, of the deceased, Harry M. Jump.

Respectfully submitted

Vachel A. Downes, Jr.

 Vachel A. Downes, Jr.
 Guardian Ad Litem

I HEREBY CERTIFY, that a copy of the foregoing Answer was delivered to the office of James E. Thompson, Jr., Esquire, Centreville, Maryland 21617, Attorney for Plaintiff, on this 11 day of December, 1973.

Vachel A. Downes, Jr.

 Vachel A. Downes, Jr.
 Guardian Ad Litem

Filed December 11, 1973

D E C R E E

101

The proceedings heretofore had in this cause having been read and considered, IT IS THEREUPON this 13th day of December, 1973, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED, that the Petition to Sell for Benefit and Advantage heretofore filed be and the same is hereby taken Pro Confesso as against the Defendants, to wit: Elmer Burton Jump; Russell J. Emory and Louise S. Emory, his wife, Howard Emory, Jr. and Helen Todd Emory, his wife, S. Carlton Jump; John Jump and Mildred Jump, his wife, Florence Councill and Palmer Councill, her husband; Catherine Glanding and Earl Glanding, her husband; Dorothy Hammer and Charles Hammer, her husband; Elizabeth Rhodes and Tilghman Rhodes, her husband; Mary A. Jump; William Paul Jump, Jr. and Janice K. Jump, his wife; Patricia J. Anthony and Milton Anthony, her husband; Elizabeth L. Creighton and Carroll Creighton, her husband; Charles M. Jump; Margaret J. Seward and James R. Seward, her husband; Ruth Wise Jump; Frank C. Jump and Mary J. Jump, his wife; Francis W. Jump and Sally E. Jump, his wife; and Barbara J. Sayles and William Francis Sayles, her husband, but because it does not certainly appear to what relief the Plaintiff is entitled, IT IS FURTHER ADJUDGED, ORDERED and DECREED, by this Court that leave be and the same is hereby given unto the Plaintiff to take testimony before this Court to support the allegations contained in the Petition to Sell for Benefit and Advantage.

B. Hackett Turner, Jr.
J U D G E

FILED Dec 13, 1973

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

788-0877

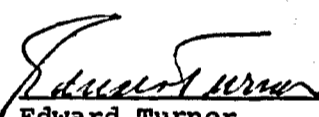
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104

FRANK C. JUMP, TRUSTEE, IN * IN THE CIRCUIT COURT FOR
 EQUITY NO. 4642 *
 *
 vs * QUEEN ANNE'S COUNTY
 *
 *
 ELMER BURTON JUMP, ET AL * EQUITY NO. 4642

The undersigned, one of the standing Rxaminers for the Circuit Court for Queen Anne's County, at the request of James E. Thompson, Jr., Solicitor for the Complainant, did, at the office of James E. Thompson, Jr., 117 Lawyers Row, Centreville, Maryland 21617, on Friday, April 19, 1974, at 10:50 a.m. and Tuesday, April 23, 1974, at 10:40 a.m., after swearing the witnesses and the stenographer, proceeded to take their testimony, and I do hereby further certify that I was present during the taking of said testimony, that the examination was properly conducted, and that I did not deem it necessary for me to examine any of the witnesses, there being no irregular or unusual circumstances in the taking of said testimony or in the conduct of the proceedings. Those present, in addition to Frank C. Jump, Trustee, Complainant, was Margaret J. Seward, Charles E. Anthony, Jr. and Joe Jackson, Jr.


 Edward Turner
 Examiner

Filed April 25, 1974

The first witness, Frank C. Jump, being duly sworn, did
depose and say:

QUESTIONS BY THE EXAMINER:

Q: Please state your name, age, address and occupation?

A: Frank C. Jump, age 45, Route #5, Box 89, Easton, Maryland,
and I work at Eley Lumber Company.

QUESTIONS BY MR. THOMPSON:

Q: Now you are presently Trustee in Equity No. 4642, are you
not?

A: That is correct.

Q: And that is a trust which was established under the Last
Will and Testament of one Harry Jump, correct?

A: That is also correct.

Q: Were you related to the late Harry Jump?

A: He was my great uncle.

Q: I show you this paper writing and ask if you can identify
it?

A: Yes, that is a copy of the deed of the property in Ruthsburg
that my uncle Harry Jump owned.

Mr. Examiner, I would like to offer this into evidence as
Plaintiff's Exhibit No. 1.

Q: Can you describe this particular property in Ruthsburg?

A: This is a small lot in the frontage with a depth of approximately 300 feet, the house is a frame dwelling in very poor condition.

Q: Do you know whether or not Harry Jump died with or without a Will?

A: Yes, he died with a Will.

Q: I show you this paper writing and ask if you can identify it?

A: Yes, that is a copy of Harry Jump's Last Will and Testament.

Mr. Examiner, I would like to have this marked as Plaintiff's Exhibit No. 2.

Q: Now this is the property in Ruthsburg the home to which Harry Jump referred to in his Last Will and Testament?

A: That is correct.

Q: At the time of Harry Jump's death is it true that three of his four children were living in that house, William Carter Jump, Lillian May Jump and Elmer Burton Jump?

A: That is correct.

Q: What, if anything, has happened to William Carter Jump?

A: He has deceased.

Q: And Lillian May Jump?

A: She also has deceased.

Q: And where is Elmer Burton Jump?

A: He is in a nursing home in Ridgely, Maryland.

Q: Then no one is presently occupying the home in Ruthsburg?

A: That is correct.

Q: When was it last occupied?

A: It was last occupied by Elmer Burton Jump when his sister died between three and four years ago.

Q: Is there any likelihood that Elmer Burton Jump could ever return to the Ruthsburg home?

A: Not by himself no.

Q: What do you mean, not by himself?

A: He is not mentally competent and not physically in condition to take care of himself.

Q: There was also another child, Harry A. Jump, was there not?

A: That is correct.

Q: And is he living or dead?

A: Harry A. Jump died several years before uncle Harry Jump died.

Q: Now you mention that Elmer Burton Jump is in a nursing home, is he married?

A: No sir.

Q: Does he have any children?

A: Not to my knowledge.

Q: Do you know how old he is?

A: He is in his sixties, about sixty-two.

Q: Are you familiar with the fact that Elmer Burton Jump was declared mentally incompetent by the Circuit Court for Queen Anne's County in Equity No. 5094?

A: Yes, I know that Sydney Ashley was appointed his guardian.

Q: Were any children of Harry M. Jump, to wit, Harry A. Jump, William Carter Jump, Lillian May Jump or Elmer Burton Jump, ever married?

A: No sir.

Q: So the only direct descendent at the present time of Harry M. Jump would be Elmer Burton Jump?

A: That is correct.

Q: Are you familiar with the present living heirs-at-law of Harry M. Jump?

A: I am.

Q: Who are they?

A: The children of Gurney Jump, a deceased brother of Harry M. Jump, who are Charles J. Jump, unmarried, Margaret J. Seward married to James R. Seward; Frank Jump's widow, Ruth Wise Jump, and his children, Frank C. Jump married to Mary J. Jump, Francis W. Jump married to Sally E. Jump, Barbara J. Sayles

married to William Francis Sayles, Jr.; the children of Sadie Emory, a deceased sister of Harry M. Jump, who are Russell J. Emory married to Louise S. Emory, Howard Emory Jr. married to Helen Todd Emory; the children and their issue of Barcus Jump, a deceased brother of Harry M. Jump, who are Elizabeth J. Rhodes married to Tilghman Rhodes, Dorothy Hammer married to Charles Hammer, Catherine Glanding married to Earl Glanding, Florence Councill married to Palmer Councill, John Jump married to Mildred Jump, S. Carlton Jump who is the only issue of Samuel Carlton Jump, a deceased child of Barcus Jump, and Mary A. Jump, widow of William Paul Jump, a deceased child of Barcus Jump, and the following children of William Paul Jump who are William Paul Jump, Jr. married to Janice K. Jump, Patricia J. Anthony married to Milton Anthony, Elizabeth L. Creighton married to Carroll Creighton, and Bruce E. Jump, who at the time of filing was a minor but at this time is an adult.

Q: Now you already stated that the house in Ruthsburg is deteriorating and is in poor condition, is that correct?

A: That is absolutely correct.

Q: Will you state whether or not it is equipped with a bath and/or running water.

A: It has no bath facilities in the house, the water system,

I'll say, is so obsolete it can't be used for there is no water pump in the house.

Q: Does it have central heat?

A: No sir.

Q: In your opinion is this property readily rentable?

A: Not without spending several thousand dollars on it. To elaborate on that, the plaster has fallen in three or four of the rooms, the roof is leaking very badly, there are several windows which are broken out, the floors are in terrible condition and I believe termites have been in there.

Q: Do you feel it would be to the benefit and advantage of this trust estate to spend money to rehabilitate this property and thereafter rent it?

A: No sir.

Q: Do you then feel that it would be to the benefit and advantage of this trust to sell the property and use the money for other investments?

A: That I would.

Q: If the property is not likely to again be used for Elmer Burton Jump, the only surviving child of Harry M. Jump, and is not readily rentable, can you think of any use to which it might be put in order to make a profit for the care and maintenance of Elmer Burton Jump except by way of sale?

A: That would be the only way I could think of.

Q: Now I realize that you're not an appraiser but you are in the lumber business and I assume have some knowledge of sales. Based on your knowledge and experience do you have any estimate of the fair market value of this property at the present time?

A: I would judge that it would be worth between \$2,500 and \$3,000.

Q: And you are speaking primarily of the value of the lot, is that correct?

A: That is correct.

The second witness, Margaret J. Seward, being duly sworn, did depose and say:

Q: Now will you state your name, address, age and occupation please?

A: Margaret J. Seward, 103 North Liberty Street, Centreville, Maryland, housewife, and I am 67 years of age.

Q: Now Mrs. Seward are you related to Harry M. Jump, late of Queen Anne's County?

A: Yes, he was my uncle.

Q: Then you are the Margaret Seward who is married to James R. Seward that was referred to in Mr. Frank Jump's testimony?

A: I am.

Q: Mrs. Seward are you familiar with the property that your late uncle, Harry M. Jump, owned, which was located in Ruthsburg?

A: I am.

Q: And that was occupied by him as his home, was it not?

A: that is right.

Q: Following his death did his three surviving children, William Carter Jump, Lillian May Jump and Elmer Burton Jump, continue to reside in that home?

A: That is right.

Q: Since that time two of those children have died, have they not?

A: That is right, William and Lillian.

Q: Do you know where the other son, Elmer Burton Jump, is located?

A: He is in a nursing home in Ridgely.

Q: Do you know anything about his mental or physical condition?

A: He has been declared incompetent by the court and he is also physically unable to take care of himself.

Q: Do you know how long it has been since Elmer Burton Jump has lived in the home at Ruthsburg?

A: About four years or so.

Q: And the home has been unoccupied all that time?

A: That is right.

Q: Have you seen the home recently?

A: I have been past it and about two or three years ago was in it.

Q: Can you describe its condition?

A: Terrible.

Q: You say you were in it several years ago then do you know whether or not it has central heat?

A: It doesn't have central heat.

Q: Does it have bathrooms?

A: No bathrooms.

Q: Were any of Harry M. Jump's children, to wit, Harry A. Jump, William Carter Jump, Lillian May Jump or Elmer Burton Jump, ever married or do any of them have surviving children?

A: No they don't, they don't have any children and they were never married.

Q: Can you give me the surviving heirs-at-law of Harry M. Jump other than his one surviving child, Elmer Burton Jump?

A: Yes, I can. The children of Gurney Jump, a deceased brother of Harry M. Jump, who are Charles J. Jump, unmarried, me, Margaret J. Seward and my husband James R. Seward; Frank Jump's widow, Ruth Wise Jump, and his children, Frank

C. Jump married to Mary J. Jump, Francis W. Jump married to Sally E. Jump, Barbara J. Sayles married to William Francis Sayles, Jr.; the children of Sadie Emory, a deceased sister of Harry M. Jump, who are Russell J. Emory married to Louise S. Emory, Howard Emory Jr. married to Helen Todd Emory; the children and their issue of Barcus Jump, a deceased brother of Harry M. Jump, who are Elizabeth J. Rhodes married to Tilghman Rhodes, Dorothy Hammer married to Charles Hammer, Catherine Glanding married to Earl Glanding, Florence Councell married to Palmer Councell, John Jump married to Mildred Jump, S. Carlton Jump who is the only issue of Samuel Carlton Jump, a deceased child of Barcus Jump, and Mary A. Jump, widow of William Paul Jump, a deceased child of Barcus Jump, and the following children of William Paul Jump who are William Paul Jump, Jr. married to Janice K. Jump, Patricia J. Anthony married to Milton Anthony, Elizabeth L. Creighton married to Carroll Creighton, and Bruce E. Jump, who at the time of filing was a minor but at this time is an adult.

Q: In your opinion is it practical to rent or otherwise use the home in Ruthsburg as an income producing property?

A: No I don't.

Q: In your opinion would it be to the benefit and advantage of

Elmer Burton Jump, as well as the other heirs-at-law of Harry M. Jump, to sell the property in Ruthsburg and invest the money?

A: I believe it is wise to sell it and invest the money.

The third witness, Charles E. Anthony, Jr., being first duly sworn, did depose and say:

Q: Please state your name, address, age and occupation please?

A: Charles E. Anthony, Jr., 106 South Liberty Street, Centreville, Maryland, 45 years of age, and my occupation is Supervisor of Assessments for Queen Anne's County.

Q: Mr. Anthony will you give a brief resume of your experience in the field of real estate particularly as to appraisals and the evaluations.

A: From 1956 until 1961 I served as a real estate salesman and from 1961 until 1971 I was a licensed real estate broker in Maryland, during that time I had occasion to be employed by the State of Maryland for acquisition of Tuckahoe State Park. I did numerous appraisals for attorneys, the Register of Wills, and for companies in lending institutions.

Q: Have you ever qualified as an expert witness in the courts, particularly the Circuit Court for Queen Anne's County, in the field of real estate appraisals?

A: I qualified on several occasions as an expert real estate

witness in the Circuit Court for Queen Anne's County.

Q: Directing your attention particularly to a piece of property in the Village of Ruthsburg, Sixth Election District of Queen Anne's County, which formerly belonged to Harry M. Jump. Are you familiar with this parcel of land?

A: Yes I am.

Q: Could you give me a brief description of the property and any improvements which are located on it?

A: This property is approximately 56 feet of frontage by 300 feet of depth, fronting on the Ruthsburg to Bridgetown Road on the South side. The improvements consist of a two story with attic frame home with a wood shingle roof and wood shingle siding. The home has four rooms down and four rooms on the second floor. There is a front and side porch. There is no bathroom and no central heat and the home is in dilapidated condition. Outbuildings consist of a corn crib and an old barn and a shed and a couple of other minor buildings of no value.

Q: Were you called upon recently to inspect the property and to evaluate the property for the purpose of this trial?

A: Yes I was, I made a personal inspection of this property February 1, 1974.

Q: And as a result of this inspection did you arrive at a fair market value for the property?

A: Yes I did.

Q: And what is that value?

A: In my opinion the fair market value of the property is \$3,000.

Q: Can you give me the basis for your evaluation?

A: The basis for my evaluation is my experience in the real estate field. There has been no comparable sale of property similar to subject because the subject is in a very dilapidated condition and could be practically un-saleable except to someone who was extremely handy with tools.

Q: Mr. Anthony you are aware, are you not, that this property is presently in a trust?

A: Yes I am.

Q: In your opinion, would it be to the benefit and advantage of the trust, as well as the residual beneficiaries, to sell this property and invest the money?

A: Yes I feel it would because the property is deteriorating more each day and will only get worse and I see no appreciation at all in the property in the future.

Q: Is it practical at the present time to rent the property in its present condition?

A: It is not.

Q: Is there any practical use at this time to which the property

can be put to make a reasonable return on the value thereof?

A: There is no way that any income could be received from the property in its present condition. It is unrentable and unlivable.

Q: Then this is the basis for your saying it would be to the benefit and advantage of the trust to dispose of the property at this time and invest the \$3,000 they could get for it?

A: Yes it is.

The fourth witness, Joe Jackson, Jr., being duly sworn, did depose and say:

Q: Please state your name, age, address and occupation?

A: Joe Jackson, Jr., Auctioneer-Real Estate Salesman, 47 years of age, and I live in Queen Anne, Maryland.

Q: Will you give some detail concerning your experience in the field of real estate and real estate appraisal?

A: I have been a real estate salesman for 14 years and I have appraised real property in this county and I am also an auctioneer.

Q: How long have you been an auctioneer?

A: For 18 years.

Q: Do you auction real estate as well as personal property?

A: I do.

Q: Are you familiar with a piece of property and the improvements thereon in the Village of Ruthsburg, Sixth Election District of Queen Anne's County, which belonged to the late Harry M. Jump?

A: I am.

Q: Would you give me a brief description of that property and the improvements that are on it?

A: It's approximately 56 foot frontage and a 300 foot depth lot, it is improved by a two story frame dwelling and in a bad state of repair, and there are several outbuildings in the back that have no value.

Q: With regard to the house does it have any improvements such as central heat, bathroom, running water, etc.?

A: It does not.

Q: In your opinion is the property at the present time livable or rentable?

A: It is not.

Q: Were you requested to appraise this property recently by Mr. Frank Jump, Trustee?

A: I was.

Q: Did you do so?

A: I did.

Q: In your opinion what is the fair market value of that property at this time?

A: \$2,600.

Q: You are aware, are you not, that the property is a part of a trust created under the Last Will and Testament of Harry M. Jump?

A: I am.

Q: In your opinion would it be to the benefit and advantage of the trust, both the present beneficiary and those residuary beneficiaries, to sell this property and invest the proceeds?

A: It would.

Q: Now what do you base this opinion?

A: Well this property at the present time is a non-income producing property and to make it livable would cost too much money, and the only way it could be fixed anyway reasonable is for a man to have to do all the work himself.

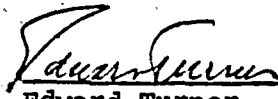
Q: And you do feel at the present time it is definitely to the benefit and advantage of all the beneficiaries of the trust to dispose of the property.

A: I really do.

There being no further witnesses to be examined, the Examiner makes his return to the testimony of the respective witnesses, and the costs chargeable as follows:

Jean G. Anthony, Stenographer, for taking
and transcribing the testimony. \$ 20.00
Edward Turner. 10.00

And I do further certify that said testimony was commenced at 10:50 a.m. on Friday, April 19, 1974, and was completed at 11:25 a.m., and I do hereby further certify that on Tuesday, April 23, 1974, said testimony was commenced at 10:40 a.m. and was completed at 11:10 a.m., or for a total period of 65 minutes.


Edward Turner
Examiner

105

FRANK C. JUMP, TRUSTEE * IN THE CIRCUIT COURT FOR
 Plaintiff *
 vs * QUEEN ANNE'S COUNTY
 *
 ELMER BURTON JUMP, ET AL * EQUITY NO. 4642
 Defendants *

* * * * *

The above Petition standing ready and being submitted, the proceedings were by the Court read and considered, and the Court having determined that it is to the benefit and advantage of the Trust Estate and the beneficiaries thereof.

IT IS THEREUPON, this 2nd day of May, 1974, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED and DECREED as follows:

That the hereinafter described real estate, to wit:

ALL that piece or parcel of ground situate in the Village of Ruthsburg in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the street or road leading out of said village in the direction of Centreville, adjoining the property of William Jester on the one side, and on another side the property of Miss Eleanora Turner, and being the same property conveyed to the said J. Charles Barcus in the deed from Thomas J. Keating and J. Frank Harper, Trustees, and is the same property described in the deed from McRandall Warner to Dr. Walter H. Fenby, and is commonly known as the Dr. Fenby property, to both of which deeds especial reference is hereby made for an accurate description of the property hereintended to be conveyed.

BEING the same and all of the land granted and conveyed unto Harry M. Jump by J. Charles Barcus and Mary E. Barcus, his wife, dated September 28, 1912, recorded September 13, 1912, in Liber W.F.W. No. 2, folio 160, a Land Record Book for Queen Anne's County, Maryland.

Be sold for the benefit and advantage of the Trust Estate and the beneficiaries thereof.

That Frank C. Jump, Trustee, be and he is hereby ORDERED to make sale thereof, but before he shall make the judicial sale, he shall file with the Clerk of Court a bond to the State of Maryland, in the penalty of Three Thousand Dollars (\$3,000.00), and with such surety as shall be approved pursuant to Maryland Rule H2 conditioned on faithful performance and execution of the Trust reposed in him; that before he shall make a public sale, he shall give notice by advertisement of the time, place and terms of sale in a newspaper published in Queen Anne's County; such notice shall be given at least once in each week for three (3) successive

weeks, the first such publication to be not less than fifteen (15) days prior to sale and the last such publication to be not more than one (1) week prior to sale, and shall describe the property to be sold to such extent as to make it readily recognizable.

That the terms of the sale shall be determined by the Trustee.

That said Trustee shall comply with Maryland Rules BR6a and BR6b (2) and (3).

That upon the Court's ratification of said sale, and on payment of the whole of the purchase money, and not before, the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged, and recorded according to law, convey the real estate so sold to the purchaser or purchasers, his, her, or their heirs, free, clear and discharged from all claims of the parties to this cause.

That said Trustee shall bring into this Court all of the money arising from said sale to be distributed under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to such Trustee as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his Trust.

B. Hackett Turner Jr.
JUDGE

FILED May 2 .19 74

ch-4642

LIBER 9 174

RECEIVED FOR RECORD June 13 1974

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

Bond No. 882 1609

106

KNOW ALL MEN BY THESE PRESENTS:

That we, Frank C. Jump, Box 89, Easton, Maryland
and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Three Thousand and 00/100 (\$3,000.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Scaled with our seals and dated this 7th day of May
in the year of our Lord one thousand nine hundred and seventy-four

WHEREAS, the above bounden Frank C. Jump
by virtue of a decree of the Honorable the Judge of the Circuit Court of Queen Anne's County
has been appointed Trustee to sell Certain Property in the village of Røthsburg,
Queen Anne's county, Md.

mentioned in the proceedings in the case of Frank C. Jump

vs:

Elmer Burton Jump, etal

now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Frank C. Jump

do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

Frank C. Jump (SEAL)
Frank C. Jump (SEAL)

WITNESS: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Gloria Schlosser As to Surety
Gloria Schlosser

By Clinton A. Killam, Jr. Attorney in Fact
Clinton A. Killam, Jr.

MD3116-1M, 12-72, 192049
Trustee's Bond

Security approved and Seal
Filed June 13, 1974

LIBER 1 569

Certified Copy of Power of Attorney Attached

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from Liber C.W.C. No. 1, folio 569, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 13th day of June, Nineteen Hundred and Seventy-four.

Charles W. Coil

Clerk of the Circuit Court for
Queen Anne's County

107

Queen Anne's

RECORD-OBSERVER

Centreville, Md., June 13 19 74

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of Trustee's Sale Cause No. 4642

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 1st day of June, 1974, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 15th day of May, 1974, and the last insertion on the 29th day of May, 1974.

THE RECORD-OBSERVER CORPORATION

By *Walter M. Moore*

Filed June 16, 1974

107
OF
DC
18

**TRUSTEE'S SALE
OF RESIDENTIAL PROPERTY**

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed on May 2, 1974, in Cause No. 4642 in said Court, will sell at public sale to the highest bidder on the premises in Ruthsburg, Queen Anne's County, Maryland, on

SATURDAY, JUNE 1, 1974

commencing at 10:30 A.M. the following described property:

ALL that piece or parcel of ground situate in the Village of Ruthsburg in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the street or road leading out of said village in the direction of Centreville, adjoining the property of William Jester on the one side, and on another side the property of Miss Eleanora Turner, and being the same property conveyed to the said J. Charles Barcus in the deed from Thomas J. Keating and J. Frank Harper, Trustees, and is the same property described in the deed from McRandall Warner to Dr. Walter H. Fenby, and is commonly known as the Dr. Fenby property, to both of which deeds especial reference is hereby made for an accurate description of the property hereintended to be conveyed.

BEING the same and all of the land granted and conveyed unto Harry M. Jump by J. Charles Barcus and Mary E. Barcus, his wife, dated September 28, 1912, recorded September 13, 1912, in Liber W.F.W. No. 2, folio 160, a Land Record Book for Queen Anne's County, Maryland.

IMPROVEMENTS: 2 story frame dwelling house, 4 rooms on first floor, 4 rooms on second floor, front and side porch.

OUTBUILDINGS: Corn crib, barn and shed.

TERMS: \$500.00 in cash or by certified check on day of sale, balance in cash or by certified check at settlement on or before thirty (30) days after ratification of said sale by the Court. Taxes and other public charges to be adjusted to day of sale. All title papers, deed, recordation tax stamps, titling tax, and other costs of transfer to be at purchaser's expense. Possession will be given at time of final settlement and upon payment of the purchase price in full.

**FRANK C. JUMP
TRUSTEE**

**JAMES E. THOMPSON, JR.,
Attorney
JOE JACKSON, AUCTIONEER**

108
FRANK C. JUMP, TRUSTEE * IN THE CIRCUIT COURT FOR
*
vs * QUEEN ANNE'S COUNTY
*
ELMER BURTON JUMP, ET AL * EQUITY NO. 4642

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate in this cause by Frank C. Jump, the Trustee appointed to make such sale, unto your Honors respectfully represents:

1. That pursuant to the decree of this Honorable Court passed on the 2nd day of May, 1974, your Trustee filed a bond in this cause in the penal sum of Three Thousand Dollars (\$3,000.00) with corporate surety thereon, which said bond was duly approved by the Clerk of this Court.
2. That thereupon pursuant to said decree, your Trustee advertised the time, place, manner and terms of sale in the Queen Anne's Record Observer, a newspaper published in Queen Anne's County, Maryland, for more than three successive weeks prior to June 1, 1974, as will appear by reference to the certificate of advertisement of sale which is attached hereto as a part hereof.
3. That your Trustee, pursuant to said advertisement, at 10:30 A.M. on Saturday, June 1, 1974, on the premises in the Village of Ruthsburg, Queen Anne's County, Maryland, offered the real estate described in said advertisement for sale at public auction by Joe Jackson, Jr., auctioneer, after first having read said advertisement of sale.
4. That at the time and place aforesaid, the property was sold to Sudler B. Tolson and Clara P. Tolson, his wife, at and for the sum of Five Thousand Two Hundred Dollars (\$5,200.00), and the said Sudler B. Tolson and Clara P. Tolson, his wife, have complied with the terms of sale by paying your Trustee the sum of Five Hundred Dollars (\$500.00) and executing a Memorandum of Sale, a photocopy of which is attached hereto as a part hereof.
5. That your Trustee believes that the price obtained for said parcel of land, to wit, Five Thousand Two Hundred Dollars (\$5,200.00), is the best price obtainable for said property.

Respectfully submitted

Frank C. Jump

Frank C. Jump
Trustee

James E. Thompson, Jr.
James E. Thompson, Jr.
117 Lawyers Row
Centreville, Maryland 21617
Telephone No. 758-0877
Attorney for Plaintiff

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
758-0877

STATE OF MARYLAND)
) TO WIT:
QUEEN ANNE'S COUNTY)

I HEREBY CERTIFY, that on this 13th day of June, 1974, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Frank C. Jump, Trustee, and made oath in due form of law that the matters and facts set forth in the foregoing REPORT OF SALE are true and bona fide as therein set forth, and that the sale therein reported was fairly made.

Charles W. Cecil
Clerk of the Circuit Court for
Queen Anne's County

Filed June 14, 1974

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
736-0877

MEMORANDUM OF SALE

I HEREBY CERTIFY, that on this 1st day of June, 1974, the undersigned auctioneer did attend on the premises in Ruthsburg, Maryland, at the hour of 10:30 A.M., and after the notice of the sale and terms thereof were announced by James E. Thompson, Jr., attorney for Frank C. Jump, Trustee, the premises described in the attached advertisement was offered for sale and I did sell the same unto Sudder B. Tolson and Clara P. Tolson

being then and there the highest bidder 5 therefor at and for the sum of \$ 5,300.00.

Joe Jackson
Auctioneer

RECEIPT

RECEIVED OF Sudder B. and Clara P. Tolson this 1st day of June, 1974, the sum of \$ 500.00 by check representing deposit on the purchase price of the hereinabove mentioned property.

Frank C. Jump
Frank C. Jump
Trustee Trustee

ACKNOWLEDGEMENT

The undersigned purchaser 2 of the hereinabove mentioned property, do hereby acknowledge the foregoing Memorandum of Sale and Receipt to be true and correct and do acknowledge receipt of a completed copy of the same.

Sudder B. Tolson
Clara P. Tolson

TRUSTEE'S SALE
OF RESIDENTIAL PROPERTY

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed on May 2, 1974, in Cause No. 4642 in said Court, will sell at public sale to the highest bidder on the premises in Ruthsburg, Queen Anne's County, Maryland, on

SATURDAY, JUNE 1, 1974

commencing at 10:30 A.M. the following described property:

ALL that piece or parcel of ground situate in the Village of Ruthsburg in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the street or road leading out of said village in the direction of Centreville, adjoining the property of William Jester on the one side, and on another side the property of Miss Eleanor Turner, and being the same property conveyed to the said J. Charles Boreus in the deed from Thomas J. Keating and J. Frank Harper, Trustees, and is the same property described in the deed from McRandall Warner to Dr. Walter H. Fenby, and is commonly known as the Dr. Fenby property, to both of which deeds especial reference is hereby made for an accurate description of the property hereintended to be conveyed.

BEING the same and all of the land granted and conveyed unto Harry M. Jump by J. Charles Boreus and Mary E. Boreus, his wife, dated September 28, 1912, recorded September 13, 1912, in Liber W.F.W. No. 2, folio 160, a Land Record Book for Queen Anne's County, Maryland.

IMPROVEMENTS: 2 story frame dwelling house, 4 rooms on first floor, 4 rooms on second floor, front and side porch.

OUTBUILDINGS: Corn crib, barn and shed.

TERMS: \$500.00 in cash or by certified check on day of sale, balance in cash or by certified check at settlement on or before thirty (30) days after ratification of said sale by the Court. Taxes and other public charges to be adjusted to day of sale. All title papers, deed, recordation tax stamps, titling tax, and other costs of transfer to be at purchaser's expense. Possession will be given at time of final settlement and upon payment of the purchase price in full.

FRANK C. JUMP
TRUSTEE

JAMES E. THOMPSON, JR.,
Attorney
JOE JACKSON, AUCTIONEER

31-5-29

Sold June 14, 1974

109

FRANK C. JUMP, TRUSTEE

vs

ELMER BURTON JUMP, ET AL

* IN THE CIRCUIT COURT FOR
*
* QUEEN ANNE'S COUNTY
*
* EQUITY NO. 4642

STATE OF MARYLAND)
) TO WIT:
QUEEN ANNE'S COUNTY)

I HEREBY CERTIFY, that on this 13th day of June, 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Sudler B. Tolson and Clara P. Tolson, his wife, and made oath in due form of law that they purchased

ALL that piece or parcel of ground situate in the Village of Ruthsburg in the Sixth Election District of Queen Anne's County, State of Maryland, on the left side of the street or road leading out of said village in the direction of Centreville, adjoining the property of William Jester on the one side, and on another side the property of Miss Eleanora Turner, and being the same property conveyed to the said J. Charles Barcus in the deed from Thomas J. Keating and J. Frank Harper, Trustees, and is the same property described in the deed from McRandall Warner to Dr. Walter H. Fenby, and is commonly known as the Dr. Fenby property, to both of which deeds especial reference is hereby made for an accurate description of the property hereintended to be conveyed.

BEING the same and all of the land granted and conveyed unto Harry M. Jump by J. Charles Barcus and Mary E. Barcus, his wife, dated September 28, 1912, recorded September 30, 1912, in Liber W.F.W. No. 2, folio 160, a Land Record Book for Queen Anne's County, Maryland,

for their own interest. And further that they did not directly or indirectly discourage anyone from bidding for said property.

James H. Quirk
Notary Public
My Commission Expires: July 1, 1974

Filed June 14, 1974



JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
756-0877

100

ORDER NISI ON SALE

FRANK C. JUMP, TRUSTEE
VS.
ELMER BURTON JUMP, ET AL

In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 4642

ORDERED, this 14th day of June, 1974, that the sale of the real property, made and reported in this cause by Frank C. Jump, Trustee, be ratified and confirmed, on or after the 15th day of July, 1974, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of three successive weeks before the 8th day of July, 1974.

The report states the amount of sales to be \$ 5,200.00

Charles W. Cecil Clerk

Filed June 14, 1974

ORDER NISI ON SALE
FRANK C. JUMP, TRUSTEE
VS.
ELMER BURTON JUMP,
ET AL

+++++
In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 4642
+++++

ORDERED, this 14th day of June, 1974, that the sale of the real property, made and reported in this cause by Frank C. Jump, Trustee, be ratified and confirmed, on or after the 15th day of July, 1974, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of three successive weeks before the 8th day of July, 1974.

The report states the amount of sales to be \$5,200.00.
CHARLES W. CECIL, Clerk
Filed June 14, 1974
TRUE COPY
TEST: Charles W. Cecil, Clerk
3-73

Queen Anne's

RECORD-OBSERVER

Centreville, Md., August 1, 1974

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Order Nisi on sale

in the case/estate of Equity Cause No. 4642

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 8th day of July, 1974, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 19th day of June, 1974, and the last insertion on the 3rd day of July, 1974.

THE RECORD-OBSERVER CORPORATION

By Matthew T. Moore

Filed Aug 1, 1974

112

FRANK C. JUMP, TRUSTEE

vs

ELMER BURTON JUMP, ET AL

* IN THE CIRCUIT COURT FOR

* QUEEN ANNE'S COUNTY

* EQUITY NO. 4642

FINAL ORDER OF RATIFICATION

ORDERED this 2nd day of August, 1974, by the Circuit Court for Queen Anne's County, in Equity, that the sale of real estate made and reported in this cause by Frank C. Jump, Trustee, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been given as required by the preceding Order Nisi, and the Trustee is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers for to the auditor.

B. Herbert Turner Jr.

JUDGE

Filed Aug 2, 1974

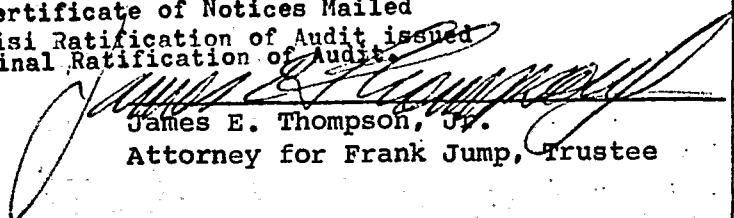
113

FRANK C. JUMP, TRUSTEE * IN THE CIRCUIT COURT FOR
 *
 vs * QUEEN ANNE'S COUNTY
 *
 ELMER BURTON JUMP, ET AL * EQUITY NO. 4642

MR. CLERK:

Please record the following papers among the Judgment in
 Extenso Records of Queen Anne's County:

<u>DOCKET NO.</u>	<u>DOCKET</u>
70	Petition to Sell for Benefit and Advantage
71	Order of Publication
72 - 91	Summons and Return
92	Petition for Guardian ad Litem
93	Petition for Guardian ad Litem
94	Affidavit of Service of Process
95	Order of Court
96	Order of Court
98	Answer of Guardian ad Litem
99	Answer of Guardian ad Litem
101	Decree Pro Confesso
104	Testimony
105	Decree for Sale
106	Bond
107	Certificate of Publication
108	Report of Sale
109	Purchaser's Affidavit
110	Order Nisi
111	Certificate of Publication
112	Final Order of Ratification
113	Order for Recording Designated Papers
114	Petition To File Bond Nunc Pro Tunc
115	Order of Court
116	Report and Account of Auditor
117	Certificate of Notices Mailed
118	Nisi Ratification of Audit issued
119	Final Ratification of Audit.


 James E. Thompson, Jr.
 Attorney for Frank Jump, Trustee

FILED Aug 27, 1974

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD 21617

755-0677

FRANK C. JUMP, TRUSTEE * IN THE CIRCUIT COURT FOR
vs * QUEEN ANNE'S COUNTY
ELMER BURTON JUMP, ET AL * EQUITY NO. 4642

PETITION TO FILE
BOND NUNC PRO TUNC

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Frank C. Jump by James E. Thompson, Jr., his attorney, unto your Honors respectfully represents:

1. That by its decree dated May 2, 1974, this Court decreed a sale of certain property with one of the conditions being that the Trustee file an additional bond in the amount of Three Thousand Dollars (\$3,000.00).
2. That immediately thereafter the Trustee, through his attorney, promptly purchased a bond from Fidelity and Deposit Company of Maryland, which bond was issued on May 7, 1974.
3. That immediately thereafter the Trustee proceeded to extensively advertise said property for sale on June 1, 1974.
4. That because of certain internal administrative problems the Fidelity and Deposit Company of Maryland did not forward the bond to the Trustee in time to be filed prior to the sale, and was not received and filed until June 13, 1974.
5. That even though said bond was actually issued three weeks prior to sale the purchaser's attorney has requested an order filing said bond nunc pro tunc prior to the day of sale.

WHEREFORE your Petitioner prays this Honorable Court pass an Order filing said bond nunc pro tunc as of May 31, 1974.

Respectfully submitted

James E. Thompson, Jr.
James E. Thompson, Jr.
Attorney for Frank C. Jump,
Trustee

Filed Sept. 9, 1974

ORDER OF COURT

UPON the foregoing Petition it is this 9th day of Sept 1974, by the Circuit Court for Queen Anne's County,

ORDERED, that the bond for Three Thousand Dollars (\$3,000.00) issued May 7, 1974, by Fidelity and Deposit Company of Maryland, and actually filed in these proceedings on June 13, 1974, be filed nunc pro tunc as of May 31, 1974.

B. Herbert Turner Jr.
JUDGE

Filed Sept 9, 1974

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
736-0877

115

114

FRANK C. JUMP, TRUSTEE

VS

ELMER BURTON JUMP, et. al.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY NO. 4642

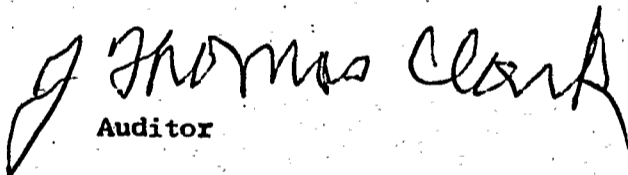
116 TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto your Honor respectfully represents:

1. That this account is stated at the request of James E. Thompson, Jr., Attorney for Frank C. Jump, Trustee, and wherein it appears that the proceeds of the sale are sufficient to pay the expenses of the sale. The remaining proceeds were disbursed to Frank C. Jump, Trustee.

2. That in the within account, Frank C. Jump, Trustee, is charged with the proceeds of sale made by him, and he is allowed thereafter his commissions for making said sale, the several court costs, appraisal fee of Charles E. Anthony, Jr., premium on the corporate surety bond filed in this cause, the appraisal fee of Joe Jackson, Jr., the auctioneer's fee for crying sale, the advertising costs, the fee and expenses of your auditor, and the balance was disbursed to Frank C. Jump, Trustee.

Respectfully submitted,


Auditor

October 10, 1974

Cause No. 4642

The proceeds of the sale of land reported in this cause, in account with Frank C. Jump, Trustee, and vendor of said land

Cr.

1974

Aug. 2 By gross proceeds of the sale of said land, per report of said vendor, to wit:

\$5,200.00

Dr.

To Frank C. Jump, Trustee, Commission for making sale, to wit:	\$ 410.00
To do., for an amount paid Charles W. Cecil, Clerk, for Court costs, per receipt exhibited, to wit:	
1. Clerk's costs	\$256.00
2. Shff. QA's Co.	40.00
3. Shff. Montgomery Co.	10.00
4. Shff. Talbot Co.	14.00
5. Shff. Caroline Co.	4.00
6. Gdn. Ad Litem	9.00
	333.00
To do., Bay Times, per receipt exhibited, to wit: (Advertising Show Cause Order)	260.00
To do., Jean G. Anthony, stenographer's fee, to wit:	20.00
To do., Edward Turner, Esquire, Examiner's fee, to wit:	10.00
To do., Record-Observer, for advertising sale, per receipt exhibited, to wit:	66.50
To do., Fidelity & Deposit Co., for Trustee's bond, per receipt exhibited, to wit:	12.00
To do., Joe Jackson, Jr., for appraisal fee, per receipt exhibited, to wit:	35.00
To do., Charles E. Anthony, Jr., for appraisal fee, per receipt exhibited, to wit:	35.00

October 10, 1974

J Thomas Clark
Auditor

To do., for an amount paid Joe Jackson, Jr., Auctioneer, for fee for crying sale, to wit:	\$ 25.00	
To do., for an amount paid Record-Observer, for Order Nisi, per receipt exhibited, to wit:	14.00	
To do., Oscar A. Schulz, Treasurer, for two (2) months and 20 days taxes paid at settlement, to wit:	16.98	
To J. Thomas Clark, Auditor, as follows:		
1. His fee for stating audit \$45.00		
2. His expenses involved in stating audit and notifying parties	<u>15.00</u>	60.00
To Frank C. Jump, Trustee, the sum of, to wit:	<u>3,902.52</u>	<u>\$5,200.00</u>
	\$5,200.00	\$5,200.00

October 10, 1974

J Thomas Clark
 Auditor

FILED Oct 10, 1974

117
FRANK C. JUMP, TRUSTEE

VS

ELMER BURTON JUMP, et. al.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY NO. 4642

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned Court Auditor hereby certifies that on October 10, 1974, the date the audit in the above entitled cause was filed in this Court, that he did, by U. S. First Class Mail, notify the following interested parties to this cause, to wit:

Russell J. Emory and Louise S. Emory
Milford, Delaware 06460

Howard Emory, Jr., and Helen Todd Emory
Queenstown, Maryland 21658

S. Carlton Jump
2401 Pennsylvania Avenue
Wilmington, Delaware 19899

John Jump and Mildred Jump, his wife
Ridgely, Maryland 21660

Palmer Council and Florence Council, his wife
Price, Maryland 21656

Catherine Glanding and Earl Glanding, her husband
Millington, Maryland 21651

Dorothy Hammer and Charles Hammer, her husband
Greensboro, Maryland 21639

Elizabeth Rhodes and Tilghman Rhodes
Centreville, Maryland 21617

Mary A. Jump
Centreville, Maryland 21617

Bruce E. Jump
Centreville, Maryland 21617

William Paul Jump, Jr. and Janice K. Jump, his wife,
Centreville, Maryland 21617

Milton Anthony and Patricia J. Anthony, his wife
Queenstown, Maryland 21658

Elizabeth L. Creighton and Carroll Creighton, her husband
Centreville, Maryland 21617

Charles M. Jump
Centreville, Maryland 21617

Margaret J. Seward and James R. Seward, her husband
Centreville, Maryland 21617

Ruth Wise Jump
207 S. Aurora Street
Easton, Maryland 21601

Frank C. Jump and Sally E. Jump, his wife,
R.F.D.
Easton, Maryland 21601

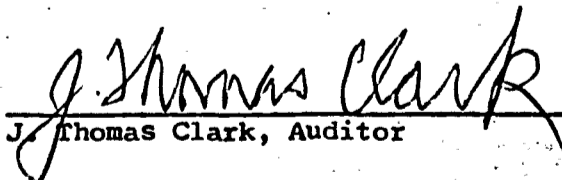
Barbara J. Sayles and William Francis Sayles, her husband
5904 Crawford Drive
Rockville, Maryland 20850

James E. Thompson, Jr., Esquire
Lawyers Row
Centreville, Maryland 21617

Frank C. Jump, Trustee
Easton, Maryland 21601

Sydney G. Ashley, for Elmer Burton Jump
Commerce Street
Centreville, Maryland 21617

Pursuant to Rule 12d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned, was mailed to each of the above named persons at the above stated address, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, notifying each of them that said account was filed on October 10, 1974, with the Clerk of the Circuit Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before October 25, 1974, and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on October 28, 1974.



J. Thomas Clark, Auditor

FILED Oct 10, 1974

NOVEMBER 9 1974
NISI RATIFICATION OF AUDIT

118

FRANK C. JUMP, TRUSTEE

vs.

ELMER BURTON JUMP, ET AL

In the Circuit Court
for Queen Anne's County
In Equity

Cause No. 4642

ORDERED, this 10th day of October, 1974, that the report and account filed in these proceedings by J. Thomas Clark, Auditor, be ratified on or after the 28th day of October, 1974, unless cause to the contrary thereof be previously shown; provided, notice is given in manner provided by Rule 595 g to persons entitled thereto. ~~A copy of this order be inserted in some news paper published in Queen Anne's County, Maryland, once in each of two successive weeks before the 10th day of October, 1974.~~

Charles W Cecil Clerk

Filed Oct. 10, 1974

119

SAMUEL T. RHODES, Jr., Trustee
et al

vs.

JOHN CANNON et al,
Removed Trustees et al.

) IN THE CIRCUIT COURT FOR
)
) QUEEN ANNE'S COUNTY
)
) IN EQUITY
)
) Cause No. 4642
)
)
)

FINAL RATIFICATION OF AUDIT

ORDERED, by the Court that the account of the Auditor is finally ratified and confirmed, and Frank C. Jump, Trustee, is directed to apply the proceeds accordingly, with a due proportion of interest as the same has been or may be received.

Date: Oct. 28, 1974

Charles W Cecil
Clerk of the Circuit Court for Queen
Anne's County

Filed Oct 28, 1974

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourteenth Day of June, in the year nineteen hundred and seventy-four, the following Bill of Complaint for Partition By Sale was brought to be recorded, to wit: -----

KATHERINE EMALA
Centreville, Maryland 21617

and

KATHERINE EMALA as custodian
for LINDA EMALA under the
Maryland Uniform Gifts to
Minors Act
Centreville, Maryland 21617

Plaintiffs

vs

ROBERT F. EMALA
Box 448B University Drive
Baltimore, Maryland 21220

and

BETTY REESEY
3044 Parktowne Road
Baltimore, Maryland 21234

and

JOYCE SWECKER
325 Homberg Avenue
Baltimore, Maryland 21221

and

JANE WEBSTER
7880 Stansbury Road
Baltimore, Maryland 21222

and

JAMES EMALA
Centreville, Maryland 21617

and

KATHERINE EMALA as custodian
for JAMES EMALA under the
Maryland Uniform Gifts to
Minors Act
Centreville, Maryland 21617

Defendants

* * * * *

IN

THE

CIRCUIT

COURT

FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5560

JUN 14-74 * 24456 *****25.00
JUN 14-74 A 224456 *****25.00

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
756-0677

BILL OF COMPLAINT
FOR PARTITION BY SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Plaintiffs complaining say:

1. The Plaintiffs and the Defendants are seized and possessed of the following tracts of land, to wit:

PARCEL ONE:

ALL that tract of land or farm known as "The Well Done Division of Landsdowne" and more recently known as the "Wrightson L. Lowe Farm", or by whatsoever other name or names the same may be called or known situate, lying and being in the Sixth Election District of Queen Anne's County, State of Maryland, on the right side of the public road leading from Centreville to Hope adjoining the lands of the late Sudler C. Tolson and the lands of the devisees of the late William McKenney, and described as follows, to wit: BEGINNING for the same in the aforesaid public road opposite a stone placed where the said land of the late Sudler C. Tolson joins the land hereby conveyed, and running with said road South 67° East 53 perches, thence South 57° East, 52 perches, thence South 58° East, 47 3/4 perches, thence South 74° East 41 1/2 perches, thence South 77° East, 12 perches, thence South 11° 30' West, 146 perches to a stone, thence South 67° 30' East, 19 1/2 perches, thence South 15° West, 13 perches, thence South 42° 30' West, 156 perches to a stone, thence North 72° West 57 perches to a marked oak tree, a corner of the land of the late Sudler C. Tolson, thence with said land North 3° 30' West, 161 perches, thence North 8° West 54 perches, thence North 71° East, 13 1/2 perches, and thence North 1° West, 131 1/2 perches to said place of beginning, containing 298 acres of land, more or less.

SAVING AND EXCEPTING therefrom the following property:

1. That part of the land designated and described as "Secondly" containing 7.4 acres conveyed by deed from Robert E.C. Lowe, et al, to Sudler C. Tolson, dated February 5, 1913, and recorded in W.F.W. No. 3, folio 10, of the Land Records of Queen Anne's County.

2. That part of a tract containing 28 acres, more or less, more particularly described by metes and bounds in deed from Robert E.C. Lowe and wife to Archie Roe dated June 15, 1927, and recorded in Liber B.H.T. No. 6, folio 565, of the Land Records aforesaid.

SUBJECT, to the legal operation and effect of a right of way from James Ferrick, et al, to the Town Commissioners of Centreville, dated February 4, 1950, and recorded in Liber N.B.W. No. 8, folio 112, of the Land Records aforesaid.

BEING the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
756-0877

Liber T.S.P. No. 58, folio 538, was granted and conveyed by James Ferrick and James W. Moore, Trustees of the Estate of Matthew Ferrick, Incompetent, et al, unto Frank J. Emala.

PARCEL TWO:

ALL that farm or plantation, situate, lying and being on the public road leading from Centreville to Roesville, in the Sixth Election District of Queen Anne's County, State of Maryland, which is composed of two tracts or parts of two tracts of land, one called "Upper Deal" containing 221 acres, 3 roods and 18 perches of land, more or less, and the other called "Wright's Chance containing 107. acres 3 roods and 36 perches of land, more or less, and secondly, all that tract of land situate on the south side of the public road between Carville Station and Hope, it being a part of the "Wilmer Farm" of the late Wrightson L. Lowe and containing 7.4 acres of land, more or less.

SAVING AND EXCEPTING therefrom, however, those parts of said land described in the following deeds:

1. Deed from Wrightson Lowe, et ux, to Queen Anne's and Kent Railroad Company, dated October 31, 1872, and recorded in Liber J.W. No. 6, folio 358, of the Land Records of Queen Anne's County.
2. Deed from Robert E. C. Lowe, et al, to John E. George, et al, dated May 14, 1912, and recorded in Liber W.F.W. No. 1, folio 409, of the Land Records of Queen Anne's County.
3. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife to Handy Robinson, dated April 30, 1917, and recorded in Liber W.F.W. No. 11, folio 527, etc., a Land Record Book for Queen Anne's County.
4. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to William T. Hufnal, dated April 22, 1918, and recorded in Liber J.F.R. No. 2, folio 322 of the Land Records of Queen Anne's County.
5. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated June 10, 1929, and recorded in Liber B.H.T. No. 9, folio 541, of the Land Records of Queen Anne's County.
6. Deed from Mary C. Tolson Morris, et al, to the State of Maryland to the use of the State Roads Commission of Maryland, dated November 19, 1954, and recorded in Liber T.S.P. No. 19, folio 180, of the Land Records of Queen Anne's County.
7. Grant from M. Tolson Morris to the County Commissioners of Queen Anne's County dated September 11, 1957, and recorded in Liber T.S.P. No. 37, folio 15, of the Land Records of Queen Anne's County.

SUBJECT to the legal operation and effect of the following

viz:

1. The rights and easements granted to the Chesapeake and Potomac Telephone Company by an indenture dated August 14, 1920, from Sudler C. Tolson and Minnie L. Tolson, his wife, and recorded in Liber J.F.R. No. 5, folio 272, of the Land Records of Queen Anne's County.

2. The rights and easements granted to the State of Maryland to the use of the State Roads Commission of Maryland, in the deed dated November 19, 1954, above set out.

3. The rights and easements, granted to the County Commissioners of Queen Anne's County, in deed dated September 11, 1957, above set out.

4. The rights and easements granted to the Eastern Shore Public Service Company of Maryland by an indenture dated January 10, 1951, from Minnie L. Tolson, et al, recorded in Liber T.S.P. No. 1, folio 323, of the Land Records of Queen Anne's County.

BEING the same property which by Deed dated January 9, 1961; and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 552, was granted and conveyed by Mary Catherine Tolson Morris unto Frank J. Emala.

ALSO, SAVING AND EXCEPTING therefrom, all that lot of ground described in a Deed from Frank J. Emala to Paul Reese and wife dated October 1, 1970, and which Deed is recorded among the Land Records of Queen Anne's County in Liber C.W.C. No. 52, folio 560.

in fee simple, as tenants in common, in the proportions following:

(a) Katherine Emala six-twelfth (6/12) or one-half ($\frac{1}{2}$). She having acquired an undivided five-twelfth (5/12) interest by virtue of a deed from Helen Ziemski, Personal Representative of the Estate of Frank J. Emala dated April 24, 1974, recorded April 25, 1974, in Liber C.W.C. No. 83, folio 281, a Land Record Book for Queen Anne's County and she also having acquired an additional one-twelfth (1/12) undivided interest by virtue of a deed from Judith Whitby dated April 26, 1974, recorded April 26, 1974, in Liber C.W.C. No. 83, folio 326, a Land Record Book for Queen Anne's County, Maryland. The foregoing deeds are attached hereto as a part hereof marked "Plaintiff's Exhibit No. 1" and "Plaintiff's Exhibit No. 2" respectively.

(b) The remaining Plaintiffs, Linda Emala, a minor, (Katherine Emala custodian for Linda Emala under the Maryland Uniform Gifts to Minors Act), and the five Defendants, Robert F. Emala, Betty Reese, Joyce Swecker, Jane Webster and James Emala (Katherine Emala custodian for James Emala under the Maryland Uniform Gifts to Minors Act) are each seized and possessed of one undivided one-

twelfth (1/12) interest by virtue of the foregoing deed marked "Plaintiff's Exhibit No. 1".

2. That James Emala is twenty (20) years of age having been born on the 24th day of September, 1953, and is of lawful age to sue and be sued, however, based on an opinion of the Attorney General of Maryland the property was conveyed to Katherine Emala as custodian for James Emala under the Maryland Uniform Gifts to Minors Act because the age of majority at the time of death of Frank J. Emala was twenty-one (21) years.

3. The Plaintiffs and the Defendants have been unable to agree on the operation of said farm so that there will be no income derived therefrom with which to defray the taxes, insurance, and other expenses, or proceeds to divide as profit on the investment.

4. That said real estate is of such nature that it will not admit of being divided among the parties entitled thereto as aforesaid without loss or injury to said parties, and that in order to make division of said interests it will be necessary that said real estate be sold and the proceeds thereof divided among the parties according to their several interests.

5. That the Plaintiffs desire said property partitioned by sale so that they and each of them may have and enjoy their and each of their undivided interest in severalty and the Plaintiffs further aver, for the reasons set forth in Paragraph 3, that said partition will be to the benefit and advantage of all parties in interest.

TO THE END, THEREFORE:

(1) That a decree may be passed for partition by sale of the aforesaid real estate.

(2) That a Trustee may be appointed to carry out said sale and partition.

(3) That your Plaintiffs may have such other and further relief in the premises as the nature of the case may require.

Respectfully submitted

Katherine Emala
Katherine Emala

Katherine Emala
Katherine Emala, Custodian for
Linda Emala under the Maryland
Uniform Gifts to Minors Act.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0877

James E. Thompson, Jr.
James E. Thompson, Jr.
117 Lawyers Row
Centreville, Maryland 21617
Telephone No. 758-0877
Attorney for Plaintiffs

Filed June 14, 1974

LNER

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195

RECEIVED FOR RECORD *Apr. 25, 1974 9:30 AM*

THIS DEED, Made this *24* day of *April*, 1974, by and between HELEN ZIEMSKI, Personal Representative of the Estate of Frank J. Emala, party of the first part, and KATHERINE EMALA, ROBERT F. EMALA, BETTY REESEY, JOYCE SWECKER, JUDITH WHITBY, JANE WEBSTER, and KATHERINE EMALA, as custodian for JAMES EMALA under the Maryland Uniform Gifts to Minors Act, and KATHERINE EMALA as custodian for LINDA EMALA under the Maryland Uniform Gifts to Minors Act, parties of the second part,

APR 25-74 * 22723 *****28 00
APR 25-74 A #22723 *****28 00

WHEREAS, the said Frank J. Emala departed this life on October 12, 1972, intestate, and Helen Ziemski has been appointed as Personal Representative of his Estate; see proceedings in Estate No. 4322 in the Orphans' Court of Queen Anne's County; and

WHEREAS, by the First Not Final Administration Account filed in the above Estate, the hereinafter described lots of ground were distributed to the parties of the second part,

NOW, THEREFORE, THIS DEED WITNESSETH, that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, and pursuant to and in accordance with Article 93 of the Annotated Code of Maryland, the said party of the first part does hereby grant and convey unto KATHERINE EMALA, an undivided five-twelfths (5/12) interest; ROBERT F. EMALA, an undivided one-twelfth (1/12) interest; BETTY REESEY, an undivided one-twelfth (1/12) interest; JOYCE SWECKER, an undivided one-twelfth (1/12) interest; JUDITH WHITBY, an undivided one-twelfth (1/12) interest; JANE WEBSTER, an undivided one-twelfth (1/12) interest; KATHERINE EMALA, as custodian for JAMES EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest; and KATHERINE EMALA, as custodian of LINDA EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest, their heirs and assigns, as tenants in common and not as tenants by the entireties, in fee simple, all those lots of ground situated, lying and being in Queen Anne's County, Maryland, and described as follows:

PARCEL ONE:

All that tract of land or farm known as "The Well Done Division of Landsdowne" and more recently known as the "Wrightson Lowe Farm", or by whatsoever other name or names the same may be called or known situate, lying and being in the Sixth Election

ROBERT J. ROMADKA
ATTORNEY AT LAW
ESSEX, MARYLAND

2
"Plaintiffs' Exhibit No 1"

District of Queen Anne's County, State of Maryland, on the right side of the public road leading from Centreville to Hope adjoining the lands of the late Sudler C. Tolson and the lands of the devisees of the late William McKenney, and described as follows, to wit: BEGINNING for the same in the aforesaid public road opposite a stone placed where the said land of the late Sudler C. Tolson joins the land hereby conveyed, and running with said road South 67° East 53 perches, thence South 57° East, 52 perches, thence South 58° East, 47 3/4 perches, thence South 74° East 41 1/4 perches, thence South 77° East, 12 perches, thence South 11° 30' West, 146 perches to a stone, thence South 67° 30' East, 19 1/2 perches, thence South 15° West, 13 perches, thence South 42° 30' West, 156 perches to a stone, thence North 72° West 57 perches to a marked oak tree, a corner of the land of the late Sudler C. Tolson, thence with said land North 3° 30' West, 161 perches, thence North 8° West 54 perches, thence North 71° East, 13 1/2 perches, and thence North 1° West, 131 1/2 perches to said place of beginning, containing 298 acres of land, more or less.

SAVING AND EXCEPTING therefrom the following parcels:

1. That part of the land designated and described as "Secondly" containing 7.4 acres conveyed by deed from Robert E.C. Lowe, et al, to Sudler C. Tolson, dated February 5, 1913, and recorded in W.F.W. No. 3, folio 10 of the Land Records of Queen Anne's County, and

2. That part of a tract containing 28 acres, more or less, more particularly described by metes and bounds in deed from Robert E. C. Lowe and wife to Archie Roe dated June 15, 1927, and recorded in Liber B.H.T. No. 6, folio 565, of the Land Records aforesaid.

SUBJECT, to the legal operation and effect of a right of way from James Ferrick, et al, to the Town Commissioners of Centreville, dated February 4, 1950, and recorded in Liber N.B.W. No. 8, folio 112, of the Land Records aforesaid,

BEING the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 538, was granted and conveyed by James Ferrick and James W. Moore, Trustees of the Estate of Matthew Ferrick, Incompetent, et al, unto Frank J. Emala.

PARCEL TWO:

All that farm or plantation, situate, lying and being on the public road leading from Centreville to Roesville, in the Sixth Election District of Queen Anne's County, State of Maryland, which is composed of two tracts or parts of two tracts of land, one called "Upper Deal" containing 221 acres, 3 roods and 18 perches of land, more or less, and the other called "Wright's Chance" containing 107 acres 3 roods and 36 perches of land, more or less, and secondly, all that tract of land situate on the south side of the public road between Carville Station and Hope, it being a part of the "Wilmer Farm" of the late Wrightson L. Lowe and containing 7.4 acres of land, more or less.

SAVING AND EXCEPTING therefrom, however, those parts of said land described in the following deeds:

1. Deed from Wrightson Lowe, et ux, to Queen Anne's and Kent Railroad Company, dated October 31, 1872, and recorded in Liber J.W. No. 6, folio 358, of the Land Records of Queen Anne's County,

2. Deed from Robert E. C. Lowe, et al, to John E. George,

ROBERT J. ROMADKA
ATTORNEY AT LAW
ESSEX, MARYLAND

et al, dated May 14, 1912, and recorded in Liber W.F.W. No. 1, folio 409, of the Land Records of Queen Anne's County.

3. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated April 30, 1918, and recorded in Liber W.F.W. No. 11, folio 527, etc., a Land Record Book for Queen Anne's County.

4. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to William T. Hufnal, dated April 22, 1918, and recorded in Liber J.F.R. No. 2, folio 322 of the Land Records of Queen Anne's County.

5. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated June 10, 1929, and recorded in Liber B.H.T. No. 9, folio 541, of the Land Records of Queen Anne's County.

6. Deed from Mary C. Tolson Morris, et al, to the State of Maryland to the use of the State Roads Commission of Maryland, dated November 19, 1954, and recorded in Liber T.S.P. No. 19, folio 180, of the Land Records of Queen Anne's County.

7. Grant from M. Tolson Morris to the County Commissioners of Queen Anne's County dated September 11, 1957, and recorded in Liber T.S.P. No. 37, folio 15 of the Land Records of Queen Anne's County.

SUBJECT to the legal operation and effect of the following, viz:

1. The rights and easements granted to the Chesapeake and Potomac Telephone Company by an indenture dated August 14, 1920, from Sudler C. Tolson and Minnie L. Tolson, his wife, and recorded in Liber J.F.R. No. 5, folio 272, of the Land Records of Queen Anne's County,

2. The rights and easements granted to the State of Maryland to the use of the State Roads Commission of Maryland, in the deed dated November 19, 1954, above set out,

3. The rights and easements granted to the County Commissioners of Queen Anne's County in deed dated September 11, 1957, above set out,

4. The rights and easements granted to the Eastern Shore Public Service Company of Maryland by an indenture dated January 10, 1951, from Minnie L. Tolson, et al, recorded in Liber T.S.P. No. 1, folio 323 of the Land Records of Queen Anne's County.

BEING the same property which by Deed dated January 9, 1961 and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 552, was granted and conveyed by Mary Catherine Tolson Morris unto Frank J. Emala,

ALSO, SAVING AND EXCEPTING therefrom, all that lot of ground described in a Deed from Frank J. Emala to Paul Reese and wife dated October 1, 1970 and which Deed is recorded among the Land Records of Queen Anne's County in Liber CWC No. 52, folio 560.

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.

ROBERT J. ROMADKA
ATTORNEY AT LAW
ESSEX, MARYLAND

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 KATHERINE EMALA, an undivided five-twelfths (5/12) interest; ROBERT F. EMALA, an undivided one-twelfth (1/12) interest; BETTY REESEY, an undivided one-twelfth (1/12) interest; JOYCE SWECKER, an undivided one-twelfth (1/12) interest; JUDITH WHITBY, an undivided one-twelfth (1/12) interest; JANE WEBSTER, an undivided one-twelfth (1/12) interest; KATHERINE EMALA, as custodian for JAMES EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest; and KATHERINE EMALA, as custodian of LINDA EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest, their heirs and assigns, as tenants in common and not as tenants by the entireties, in fee simple.

AS WITNESS the hand and seal of the said party of the first party as Personal Representative of the Estate of Frank J. Emala, deceased.

WITNESS:

Don S. Leonard
Don S. Leonard

Helen Ziemski (SEAL)
Helen Ziemski
Personal Representative of the
Estate of Frank J. Emala, deceased.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this _____ day of _____, 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared HELEN ZIEMSKI, Personal Representative of the Estate of Frank J. Emala, deceased, and she acknowledged the foregoing Deed to be her act.

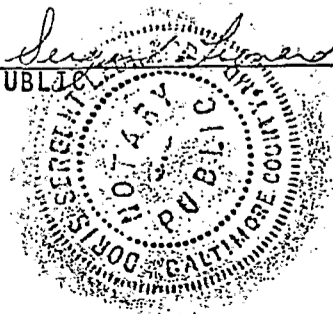
AS WITNESS my hand and Notarial Seal.

Don S. Leonard
NOTARY PUBLIC

My Commission Expires

Don S. Leonard

July 1, 1974



ROBERT J. ROMADKA
ATTORNEY AT LAW
ESSEX, MARYLAND

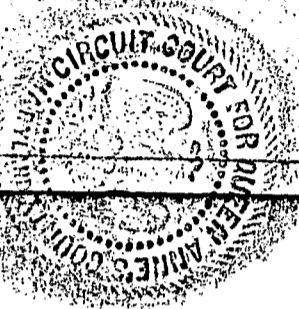
LIBER

- 4 -
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State of Maryland,
County of Queen Anne's, to wit: -

I Hereby Certify that the foregoing was truly taken and
copied from Liber CWC 83, folio 281, a Land
Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I have herunto subscribed
my name and affixed the Seal of the Circuit Court
for Queen Anne's County this 14th day of June,
197 4.



Charleston Cecil
Clerk of Circuit Court for Q A's Co.

Filed June 14, 1974

DOCUMENT NO. 14-19
RECEIVED FOR RECORD April 6, 1974 3:10 PM

3
THIS DEED, made this 26th day of April, 1974, by and between JUDITH WHITBY, party of the first part, hereinafter called "GRANTOR"; and KATHERINE EMALA, of Queen Anne's County, State of Maryland, party 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 of which is hereby acknowledged, the said party of the first part, JUDITH WHITBY, does hereby grant and convey unto the said party of the second part, KATHERINE EMALA, her heirs and assigns, in fee simple, all of the Grantor's undivided one-twelfth (1/12) interest in and to the following described property:

PARCEL ONE:

ALL that tract of land or farm known as "The Well Done Division of Landsdowne" and more recently known as the "Wrightson L. Lowe Farm", or by whatsoever other name or names the same may be called or known situate, lying and being in the Sixth Election District of Queen Anne's County, State of Maryland, on the right side of the public road leading from Centreville to Hope adjoining the lands of the late Sudler C. Tolson and the lands of the devisees of the late William McKenney, and described as follows, to wit:

BEGINNING for the same in the aforesaid public road opposite a stone placed where the said land of the late Sudler C. Tolson joins the land hereby conveyed, and running with said road South 67° East 53 perches, thence South 57° East, 52 perches, thence South 58° East 47 3/4 perches, thence South 74° East 41 1/4 perches, thence South 77° East, 12 perches, thence South 11° 30' West, 146 perches to a stone, thence South 67° 30' East, 19 1/2 perches, thence South 15° West, 13 perches, thence South 42° 30' West, 156 perches to a stone, thence North 72° West 57 perches to a marked oak tree, a corner of the land of the late Sudler C. Tolson, thence with said land North 3° 30' West, 161 perches, thence North 8° West 54 perches, thence North 71° East, 13 1/2

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0677

perches, and thence North 1° West, 131½ perches to said place of beginning, CONTAINING 298 acres of land, more or less.

SAVING AND EXCEPTING therefrom the following parcels:

1. That part of the land designated and described as "Secondly" containing 7.4 acres conveyed by deed from Robert E. C. Lowe, et al, to Sudler C. Tolson, dated February 5, 1913, and recorded in W.F.W. No. 3, folio 10 of the Land Records of Queen Anne's County, and

2. That part of a tract containing 28 acres, more or less, more particularly described by metes and bounds in deed from Robert E. C. Lowe and wife to Archie Roe dated June 15, 1927, and recorded in Liber B.H.T. No. 6, folio 565, of the Land Records aforesaid.

SUBJECT to the legal operation and effect of a right of way from James Ferrick, et al, to the Town Commissioners of Centreville, dated February 4, 1950, and recorded in Liber N.B.W. No. 8, folio 112, of the Land Records aforesaid.

BEING the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 538, was granted and conveyed by James Ferrick and James W. Moore, Trustees of the Estate of Matthew Ferrick, Incompetent, et al, unto Frank J. Emala.

PARCEL TWO:

ALL that farm or plantation, situate, lying and being on the public road leading from Centreville to Roesville, in the Sixth Election District of Queen Anne's County, State of Maryland, which is composed of two tracts or parts of two tracts of land, one called "Upper Deal" CONTAINING 221 acres, 3 roods and 18 perches of land, more or less, and the other called "Wright's Chance" CONTAINING 107 acres 3 roods and 36 perches of land, more or less, and secondly, all that tract of land situate on the south side of the public road between Carville Station and Hope, it being a part of the "Wilmer Farm" of the late Wrightson L. Lowe and CONTAINING 7.4 acres of land, more or less.

SAVING AND EXCEPTING therefrom, however, those parts of said land described in the following deeds:

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
758-0677

1. Deed from Wrightson Lowe, et ux, to Queen Anne's and Kent Railroad Company, dated October 31, 1872, and recorded in Liber J.W. No. 6, folio 358, of the Land Records of Queen Anne's County.

2. Deed from Robert E. C. Lowe, et al, to John E. George, et al, dated May 14, 1912, and recorded in Liber W.F.W. No. 1, folio 409, of the Land Records of Queen Anne's County.

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4. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to William T. Hufnal, dated April 22, 1918, and recorded in Liber J.F.R. No. 2, folio 322 of the Land Records of Queen Anne's County.

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7. Grant from M. Tolson Morris to the County Commissioners of Queen Anne's County dated September 11, 1957, and recorded in Liber T.S.P. No. 37, folio 15 of the Land Records of Queen Anne's County.

SUBJECT to the legal operation and effect of the following, viz:

1. The rights and easements granted to the Chesapeake and Potomac Telephone Company by an indenture dated August 14, 1920, from Sudler C. Tolson and Minnie L. Tolson, his wife, and recorded in Liber J.F.R. No. 5, folio 272, of the Land Records of Queen Anne's County.

2. The rights and easements granted to the State of Maryland to the use of the State Roads Commission of Maryland, in the deed dated November 19, 1954, above set out.

3. The rights and easements granted to the County Commissioners of Queen Anne's County in deed dated September 11, 1957, above set out.

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JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0877

Being the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 552, was granted and conveyed by Mary Catherine Tolson Morris unto Frank J. Emala, and

ALSO, SAVING AND EXCEPTING therefrom, all that lot of ground described in a Deed from Frank J. Emala to Paul Reese and wife dated October 1, 1970, and which Deed is recorded among the Land Records of Queen Anne's County in Liber C.W.C. No. 52, folio 560.

BEING the same and all of the undivided one-twelfth (1/12) interest granted and conveyed unto Judith Whitby by Helen Ziemski, Personal Representative of the Estate of Frank J. Emala, deceased, by deed dated April 24, 1974, recorded April 25, 1974, in Liber C.W.C. No. 83, folio 281, a Land Record Book for Queen Anne's County, Maryland.

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

TO HAVE AND TO HOLD the 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 Katherine Emala, her heirs and assigns, in fee simple forever.

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

WITNESS the hand and seal of said Grantor:

TEST:

James H. Anthony Judith Whitby (SEAL)
James H. Anthony Judith Whitby

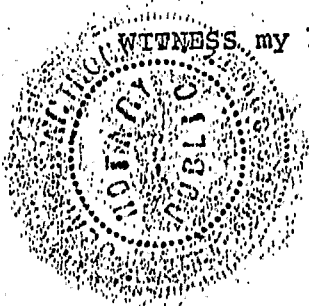
STATE OF MARYLAND)
) TO WIT:
QUEEN ANNE'S COUNTY)

APR 26-74 * 22791 ****227.8
APR 26-74 A 22791 ****137.0
APR 26-74 A 22790 *****09.9
APR 26-74 A 22799 *****17.0

I HEREBY CERTIFY, that on this 26th day of April, 1974, before me, the subscriber, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared Judith Whitby, and she acknowledged the foregoing Deed to be her act.

WITNESS my hand and Notarial Seal.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
788-0877



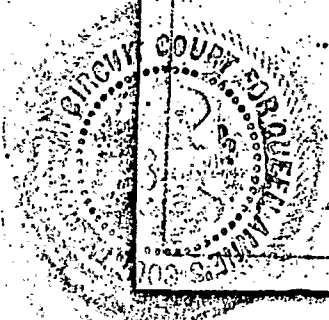
James H. Anthony
Notary Public
My Commission Expires: July 1, 1974

NO TITLE SEARCH

State of Maryland,
County of Queen Anne's, to wit: -

I Hereby Certify that the foregoing was truly taken and
copied from Liber CWC 83, folio 326, a. LAND
Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I have herunto subscribed
my name and affixed the Seal of the Circuit Court
for Queen Anne's County this 14th day of June,
1974 .


Charles W. Coile
Clerk of Circuit Court for Q A's Co.

Filed June 14, 1974

LIBER

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Circuit Court For Queen Anne's County

EQUITY SUMMONS:

4/1

July Return Day

File No. 5560

Docket C.W.C. No. 3, folio 229

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: James Emala
Centreville, Maryland 21617

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July

next, to answer an action at the suit of

Katherine Emala, Centreville, Maryland 21617 and
Katherine Emala, as custodian for Linda Emala under the Maryland
Uniform Gifts to Minors Act, Centreville, Maryland 21617

Issued the 14th day of June 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-0877

Charles H. Cecil
Clerk.

(Seal of Court)

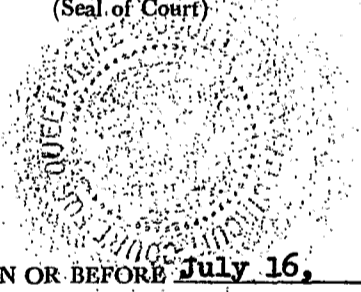
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 16,
19 74, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED June 17, 19 74



Summons served, copy of Summons, Bill Of Complaint and Exhibits 1 & 2 left with James Emala this 14th day of June 1974.

George B. Sharp
Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

131

July Return Day

File No. 5560

Docket C.W.C. No. 3, folio 229

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Katherine Emala as custodian
for James Emala under the
Maryland Uniform Gifts to
Minors Act
Centreville, Maryland 21617

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July

next, to answer an action at the suit of

Katherine Emala, Centreville, Maryland 21617 and
Katherine Emala, as custodian for Linda Emala under the Maryland
Uniform Gifts to Minors Act, Centreville, Maryland 21617

Issued the 14th day of June 1974

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-0877

Charles H. Crui
Clerk

(Seal of Court)

NAME: _____
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 16,
1974, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED June 17, 1974

Summons served, copy of Summons, Bill Of Complaint and Exhibits 1 & 2 left with Katherine Emala this 14th day of June 1974.

George B. Sharp
Sheriff For Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

6/

July Return Day

File No. 5560

Docket C.W.C. No. 3, folio 229

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Robert F. Emala
Box 448B University Drive
Baltimore, Maryland 21220

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July

next, to answer an action at the suit of
Katherine Emala, Centreville, Maryland 21617 and
Katherine Emala, as custodian for Linda Emala under the Maryland
Uniform Gifts to Minors Act, Centreville, Maryland 21617

Issued the 14th day of June 19 74

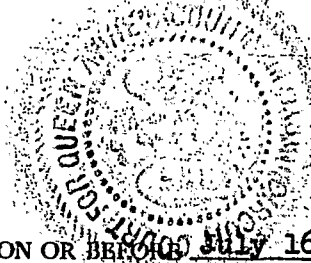
Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-0877

Charles H. Cecil
Clerk

(Seal of Court)



NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 16,
19 74, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED June 21, 1974

10.00

Subpoena, Bill of Complaint
served on deft. thru 17th day of
June 1974. Leonard M. Carpenter
Sheriff of Calto Co.

PAGE 92	RETURN DATE 7-1-74
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NON. EST. REASON	

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209

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 CALTO, CO.
 335-5119
 ROBERT EMMAA
 200 ST. LEFON
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 RT HARWOOD PARK Rd
 TRIPLE LEON E BREWER

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

7/

July Return Day

File No. 5560

Docket C.W.C. No. 3, folio 229

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Joyce Swecker
325 Homberg Avenue
Baltimore, Maryland 21221

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July

next, to answer an action at the suit of
Katherine Emala, Centreville, Maryland 21617 and
Katherine Emala, as custodian for Linda Emala under the Maryland
Uniform Gifts to Minors Act, Centreville, Maryland 21617

Issued the 14th day of June 1974

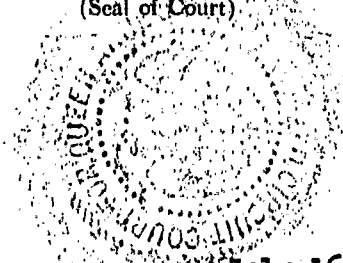
Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-0877

Charles H. Cecil
Clerk

(Seal of Court)



NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 16, 1974, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED June 21, 1974

\$ 10.00

Subpoena Bill of Complaint served
and left this 17th day of June 1974

Leonard M. Carpenter
Sheriff of Balto - Co.

PAGE 92	RETURN DATE 7-1-74
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DATE SERVED 6-17-74	DATE NON. EST.
NON. EST. REASON 6-17-74	

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8
KATHERINE EMALA, et.al.

IN THE CIRCUIT COURT

vs.

FOR

ROBERT F. EMALA, et.al.

QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5560

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Robert F. Emala to the Bill of Complaint filed on said cause respectfully represents:

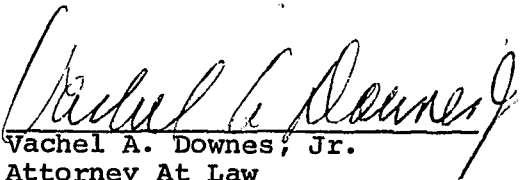
That he admits the allegations in the Bill of Complaint.

Having fully answered the Bill of Complaint, your Respondant prays:

a. That he may hence be dismissed with his costs.

b. That James E. Thompson, Jr., be appointed Trustee to make the sale in the premises.

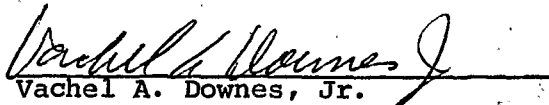
Respectfully submitted


Vachel A. Downes, Jr.
Attorney At Law


Robert F. Emala

115 Lawyer's Row
Centreville, Maryland 21617
Telephone: 758-0680

I HEREBY CERTIFY a copy of the foregoing Answer was delivered to James E. Thompson, Jr., by leaving the same at his law office, 117 Lawyer's Row, Centreville, Maryland, this 24 day of June, 1974.


Vachel A. Downes, Jr.

FILED June 24, 1974

9

KATHERINE EMALA, et.al.

IN THE CIRCUIT COURT

vs.

FOR

JAMES EMALA, et.al.

QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5560

* * * * *

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of James Emala to the Bill of Complaint filed on said cause respectfully represents:

That he admits the allegations in the Bill of Complaint.

Having fully answered the Bill of Complaint, your Respondant prays:

a. That he may hence be dismissed with his costs.

b. That James E. Thompson, Jr., be appointed Trustee to make the sale in the premises.

Respectfully Submitted

Vachel A. Downes, Jr.
Vachel A. Downes, Jr.
Attorney At Law
115 Lawyer's Row
Centreville, Maryland 21617
Telephone: 758-0680

James Emala
James Emala

I HEREBY CERTIFY a copy of the foregoing Answer was delivered to James E. Thompson, Jr., by leaving the same in his law office, 117 Lawyer's Row, Centreville, Maryland, this 24 day of June, 1974.

Vachel A. Downes, Jr.
Vachel A. Downes, Jr.

FILED June 24, 19 74

10

KATHERINE EMALA, et.al.

IN THE CIRCUIT COURT

vs.

FOR

JAMES EMALA, et.al.

QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5560

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Katherine Emala, as Custodian for James Emala under the Uniform Gifts To Minors Act to the Bill of Complaint filed in said cause respectfully represents:

That she neither admits nor denies any of the matters and facts alleged in the Bill of Complaint, but submits her rights to the protection of this Honorable Court.

Having fully answered the Bill of Complaint, your Respondant prays:

- a. That she may hence be dismissed with his costs.
- b. That James E. Thompson, Jr. be appointed Trustee to make the sale in the premises.

Respectfully submitted

Vachel A. Downes, Jr.

 Vachel A. Downes, Jr.
 Attorney At Law
 115 Lawyer's Row
 Centreville, Maryland 21617
 Telephone: 758-0680

Katherine Emala

 Katherine Emala
 As Custodian for James Emala
 under the Uniform Gifts To Minors
 Act

I HEREBY CERTIFY a copy of the foregoing Answer was delivered to James E. Thompson, Jr., by leaving the same at his law office, 117 Lawyer's Row, Centreville, Maryland, this 24 day of June, 1974.

FILED June 24, 1974

Vachel A. Downes, Jr.

 Vachel A. Downes, Jr.

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

July Return Day

File No. 5560

Docket C.W.C. No. 3, folio 229

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Betty Reeseey
3044 Parktowne Road
Baltimore, Maryland 21234

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July

_____, next, to answer an action at the suit of

Katherine Emala, Centreville, Maryland 21617 and
Katherine Emala, as custodian for Linda Emala under the Maryland
Uniform Gifts to Minors Act, Centreville, Maryland 21617

Issued the 14th day of June 1974

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-0877

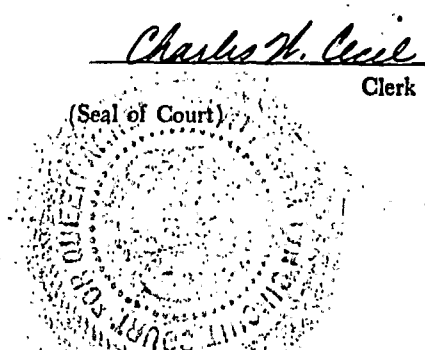
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 16,
19 74, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Siled June 24, 1974



10.00

Subpoena, bill of Complaint issued
and left this 20th. day of June 1974.

Leonard M. Carpenter
Sheriff of Baltimore Co.

PAGE	92	RETURN DATE	7-1-74
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 BALTO. CO.

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

12

July Return Day

File No. 5560

Docket C.W.C. No. 3, folio 229

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Jane Webster
7880 Stansbury Road
Baltimore, Maryland 21222

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of July

next, to answer an action at the suit of
Katherine Emala, Centreville, Maryland 21617 and
Katherine Emala, as custodian for Linda Emala under the Maryland
Uniform Gifts to Minor Act, Centreville, Maryland 21617

Issued the 14th day of June 1974

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: James E. Thompson, Jr.
117 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-0877

Charles H. Cecil

Clerk



NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE July 16,
1974, THE PLAINTIFF MAY OBTAIN A DEGREE PRO CONFESSO AGAINST YOU.

FILED June 28, 1974

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RETURN DATE <i>July 1, 1974</i>	PAGE <i>92</i>

Subpoena, Bill of complaint sd on
Jane Webster this 25th June 1974

Cost \$1000

Leonard M Carpenter
Sheriff Balto Co

13

KATHERINE EMALA, et al	*	
vs.	*	IN THE
BETTY REESEY	*	
and	*	CIRCUIT COURT FOR
JOYCE SWECKER	*	
and	*	QUEEN ANNE'S COUNTY
JANE WEBSTER, et al	*	File No. 5560
	*	Docket C.W.C. No. 3
	*	Folio 229
Defendants	*	

ANSWER TO BILL OF COMPLAINT FOR PARTITION BY SALE

Betty Reese, Defendant, by Alan M. Resnick, and Salkowski and Resnick, and Joyce Swecker and Jane Webster, by Jacob Josef Miliman, their attorneys, in answer to the Bill of Complaint for Partition by Sale, respectfully say:

1. They admit that there is a recorded Title as stated in Paragraph 1.
2. They admit paragraph 2.
3. They deny paragraph 3 and in further answering state that the farm has been placed under the Soil Bank provisions of the United States Government with sufficient income to pay taxes, insurance and expenses still leaving a profit.
4. They admit in paragraph 4 that the farm is not readily dividable but in further answering state that under the present extraordinary economic climate prevailing in the United States and more particularly in the State of Maryland, a partition sale of the premises at this time would be catastrophic and would result in a substantial loss to your Respondents.
5. They deny paragraph 5.

WHEREFORE, having answered said Bill of Complaint for Partition by Sale, your Defendants pray that same be dismissed with proper costs.

AND AS IN DUTY BOUND, ETC.

SALKOWSKI & RESNICK

Alan M. Resnick

ALAN M. RESNICK
714 INA Building, 303 E. Fayette Street
Baltimore, Maryland 21202
727-0555
Attorney for Betty Reese

Jacob Josef Miliman

JACOB JOSEF MILIMAN
500 Tower Building
Baltimore, Maryland 21202
727-0114
Attorney for Joyce Swecker & Jane Webster

WE do hereby certify that on this 12th day of July, 1974, a copy of the foregoing Answer to Bill of Complaint for Partition by Sale was mailed to James E. Thompson, Jr., Esquire, 117 Lawyers Row, Centreville, Maryland 21617, Attorney for Katherine Emala, Plaintiffs.

Alan M. Resnick

ALAN M. RESNICK

Jacob Josef Miliman

JACOB JOSEF MILIMAN

14

KATHERINE EMALA, ET AL * IN THE CIRCUIT COURT FOR
Plaintiffs *
vs * QUEEN ANNE'S COUNTY
ROBERT F. EMALA, ET AL * EQUITY NO. 5560
Defendants *
* * * * *

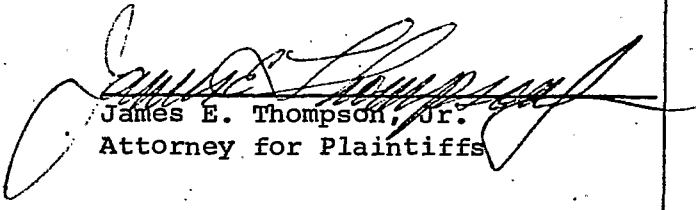
PETITION TO APPOINT SPECIAL EXAMINER

The Petition of Katherine Emala and Katherine Emala as custodian for Linda Emala, by James E. Thompson, Jr., their attorney, unto your Honors respectfully represents:

1. That referenced case is at issue and all counsel have agreed that the necessary testimony be taken before one of the Examiners of this Court at 10:00 a.m., Thursday, August 15, 1974.
2. That Vachel A. Downes, Jr., one of the standing Examiners, is counsel of record for some of the defendants in this cause and Edward Turner, the remaining standing Examiner, is out of the Circuit on vacation for the month of August.

WHEREFORE, your Petitioners pray this Honorable Court pass an Order appointing some other qualified person to act as Special Examiner for the purpose of taking the testimony in the above-entitled case.

Respectfully submitted


James E. Thompson, Jr.
Attorney for Plaintiffs

Filed Aug. 9, 1974

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

756-0877

O R D E R

15
UPON the foregoing Petition and Motion it is this 9
day of August, 1974, in the Circuit Court for Queen
Anne's County, ADJUDGED, ORDERED and DECREED that John T
Clark 3rd be and he is hereby appointed Special
Examiner for the purpose of taking the testimony in the case of
Katherine Emala, et al, vs Robert F, Emala, et al, Equity No
5560, and

UPON said John T. Clark 3rd duly
qualifying by taking the prescribed oath before the Clerk of
the Circuit Court for Queen Anne's County.

B. Hockett Turner Jr.
J U D G E

Filed August 9, 1974

I HEREBY CERTIFY, that on this 9th day of August
1974, copies of the foregoing Petition to Appoint Special
Examiner and Order were mailed to Alan M. Resnick, Esquire
714 INA Building, 303 East Fayette Street, Baltimore, Maryland
21202, Attorney for Betty Reese; Jacob Josef Miliman, Esquire,
500 Tower Building, Baltimore, Maryland 21202, Attorney for
Joyce Swecker and Jane Webster; and Vachel A. Downes, Jr., Esquire,
115 Lawyers Row, Centreville, Maryland 21617, Attorney for
James Emala, Robert F. Emala and Katherine Emala, as custodian
for James Emala.

James E. Thompson, Jr.
James E. Thompson, Jr.

Filed August 9, 1974

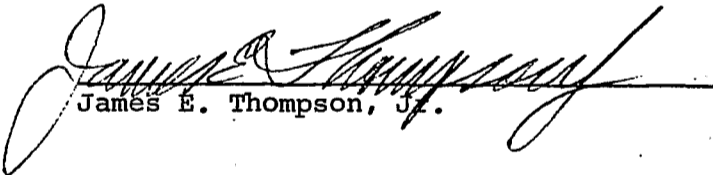
14

KATHERINE EMALA, ET AL * IN THE CIRCUIT COURT FOR
 Plaintiffs *
 vs * QUEEN ANNE'S COUNTY
 ROBERT F. EMALA, ET AL * EQUITY NO. 5560
 Defendants *

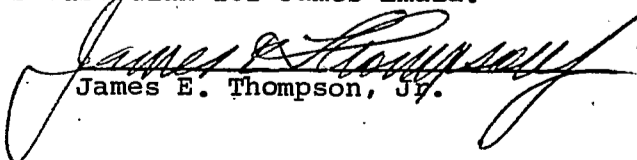
* * * * *

NOTICE OF TAKING OF TESTIMONY

Pursuant to our mutual agreement you are hereby notified that testimony in the above-entitled case will be taken before John T. Clark, III, Esquire, Special Examiner, at the law office of James E. Thompson, Jr., 117 Lawyers Row, Centreville, Maryland 21617, at 10:00 a.m., Thursday, August 15, 1974. Those proposed for examination are Katherine Emala, individually and as custodian for Linda Emala, Charles E. Anthony, Jr., appraisor, and Frank S. Dudley, Jr., real estate broker and appraisor.


 James E. Thompson, Jr.

I HEREBY CERTIFY, that on this 9th day of August, 1974, copies of the foregoing Notice of Taking of Testimony were mailed to Alan M. Resnick, Esquire, 714 INA Building, 303 East Fayette Street, Baltimore, Maryland 21202, Attorney for Betty Reese; Jacob Josef Miliman, Esquire, 500 Tower Building, Baltimore, Maryland 21202, Attorney for Joyce Swecker and Jane Webster; and Vachel A. Downes, Jr., Esquire, 115 Lawyers Row, Centreville, Maryland 21617, Attorney for James Emala, Robert F. Emala and Katherine Emala, as custodian for James Emala.


 James E. Thompson, Jr.

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD. 21617
 758-0877

FILED Aug 12, 1974

17

KATHERINE EMALA, ET AL * IN THE CIRCUIT COURT
 Plaintiffs * FOR QUEEN ANNE'S COUNTY
 vs. *
 ROBERT F. EMALA, ET AL * EQUITY NO. 5560
 Defendants *

PETITION TO STAY PARTITION PROCEEDING

Now comes Jane Webster by her attorney, Jacob Josef Miliman and Betty Reese, by her attorney Alan M. Resnick, Salkowski & Resnick, and respectfully represents unto this Honorable Court:

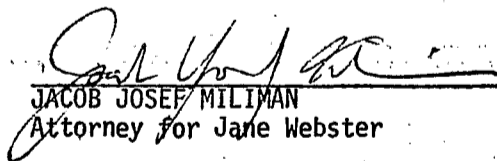
1. That a Partition Proceeding was filed in this Honorable Court by Katherine Emala, Plaintiff, et al, and that a Special Examiner was appointed by the Court to take necessary testimony pursuant to said Partition Proceeding.

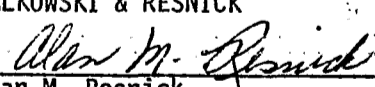
2. That at the deposition taken before the Special Examiner of Katherine Emala on August 15, 1974, the said Katherine Emala testified under oath that she was married to Frank J. Emala, deceased, on May 17, 1932 in Ellicott City, Howard County, Maryland.

3. That as a result of said testimony, a diligent search was made of the records of Howard County on August 16, 1974 which resulted in a Petition being filed in the Orphan's Court for Queen Anne's County requesting the return of improperly distributed property, a copy of which is attached hereto and prayed to be considered a part hereof.

WHEREFORE, it is prayed that this Honorable Court stay the Partition Proceeding until a determination is made as to whether Katherine Emala is a proper distributee of the Estate of Frank J. Emala and hence a proper Plaintiff in the Partition Proceedings involving the distribution of assets of the Estate of Frank J. Emala, deceased.

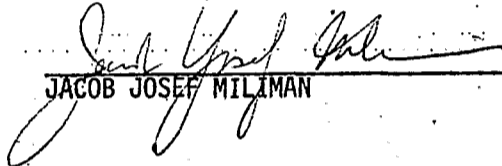
AND AS IN DUTY BOUND, ETC.


 JACOB JOSEF MILIMAN
 Attorney for Jane Webster

SALKOWSKI & RESNICK

 Alan M. Resnick
 Attorney for Betty Reese

- 2 -

I HEREBY CERTIFY that on this 19th day of August, 1974,
a copy of the foregoing Petition to Stay Partition Proceeding was mailed to
James E. Thompson, Jr., Esquire, 117 Lawyers Rowe, Centreville, Maryland
21617, Attorney for Katherine Emala and to Vachel A. Downes, Jr., Esquire,
Centreville, Maryland 21617.



JACOB JOSEF MILIMAN

FILED Aug 21, 1974

IN THE MATTER OF * IN THE ORPHAN'S COURT OF
 THE ESTATE OF * QUEEN ANNE'S COUNTY
 FRANK J. EMALA, DECEASED * ESTATE NO. 4322

PETITION TO RETURN IMPROPERLY DISTRIBUTED PROPERTY
 AND SHOW CAUSE ORDER

TO THE HONORABLE, THE JUDGES OF SAID COURT;

Now comes, Jane Webster, by Jacob Josef Miliman, her attorney, and Betty Reese, by Alan M. Resnick and Salkowski & Resnick, her attorney, and they respectfully represent unto this Honorable Court:

1. That a First Administration Account was filed in this Honorable Court in the above captioned estate by the Personal Representative of the Estate of Frank J. Emala, deceased, wherein Katherine J. Emala received one-third (1/3) of said distribution as the wife of the decedent, Frank J. Emala.
2. That subsequent to said distribution, the said Katherine J. Emala, filed a Partition Proceeding in the Circuit Court for Queen Anne's County requesting that the property which was the subject of the distribution in this Honorable Court, be sold.
3. That on August 15, 1974, at a deposition before a Special Examiner held in Centreville, Queen Anne's County, pursuant to an Order of the Circuit Court of Queen Anne's County, the Plaintiff, Katherine J. Emala, testified under oath, that she was married to the decedent, Frank J. Emala, on May 17, 1932, in Ellicott City, Howard County, Maryland.
4. That a search was made of the records of the Circuit Court for Howard County of the marriage licenses from May 17, 1921 to date, and that said search failed to disclose any marriage between Frank J. Emala and Katherine Schmincke (the alleged maiden name of Katherine Emala). See attached Petitioners' Exhibit No. 1 - Affidavit of the Clerk for the Circuit Court of Howard County and which is prayed to be made a part hereof.

PETITIONER'S EXHIBIT

#1

5. A certified copy of the Certificate of Birth of Betty Schmincke, now known as Betty Emala, one of the Petitioners herein, is attached hereto as Petitioner's Exhibit No. 2 and prayed to be considered a part hereof which states that her father was Franklin John Emala and her mother was Katherine Elizabeth Schmincke and that the birth was not legitimate.

6. That this Petition is brought pursuant to Article 93, Section 9-106 of the Annotated Code of Maryland for the return of property improperly distributed.

WHEREFORE, your Petitioners pray:

A. That the said distributee, Katherine Emala be ordered by this Honorable Court to return the property improperly distributed.

B. That the Personal Representative be ordered by this Honorable Court to proceed to obtain the return of all property so improperly distributed.

C. That the Personal Representative be required to make a proper distribution pursuant to, the Article 93 of the Annotated Code of Maryland.

D. And for such other and further relief as the nature of this cause may require.

AND AS IN DUTY BOUND, ETC.

Jane Webster
JANE WEBSTER, PETITIONER

Jacob Josef Miliman
JACOB JOSEF MILIMAN
Attorney for Petitioner
500 Tower Building
Baltimore, Maryland 21202

Betty Reese
BETTY REESEY, PETITIONER

SALKOWSKI & RESNICK
Alan M. Resnick
ALAN M. RESNICK
Attorney for Petitioner
714 INA Building, 303 E. Fayette Street
Baltimore, Maryland 21202
727-0555

FILED Aug 21, 1974

IN THE MATTER OF * IN THE ORPHAN'S COURT OF
THE ESTATE OF * QUEEN ANNE'S COUNTY
FRANK J. EMALA, DECEASED * ESTATE NO. 4322

SHOW CAUSE ORDER

It is this _____ day of _____, 1974, by the Orphan's Court of Queen Anne's County, ORDERED, that Helen Ziemiński, Personal Representative of the Estate of Frank J. Emala, deceased, and Katherine Emala, be required to show cause within _____ days from this date why the relief prayed in the foregoing Petition should not be granted, Provided a copy of this Order, together with a copy of the Aforegoing Petition be served on them or their counsel of record on or before the _____ day of _____, 1974.

JUDGE

I HEREBY CERTIFY that on this _____ day of _____, 1974, a copy of the foregoing Petition and Order was mailed to Robert J. Romadka, Esquire, Attorney for Helen Ziemiński, Personal Representative of the Estate of Frank J. Emala, deceased, 809 Eastern Boulevard, Baltimore, Maryland 21221 and to James E. Thompson, Jr., Esquire, 117 Lawyers Rowe, Centreville, Maryland 21617, Attorney of Record for Katherine Emala, by certified mail.

JACOB JOSEF MILIMAN

FILED *Aug 21, 1974*


18

KATHERINE EMALA, ET AL	*	IN THE CIRCUIT COURT FOR
Plaintiffs	*	QUEEN ANNE'S COUNTY
vs	*	
ROBERT F. EMALA, ET AL	*	EQUITY NO. <u>5560</u>
Defendants	*	

* * * * *

The undersigned, a Special Examiner appointed by the Circuit Court for Queen Anne's County, at the request of James E. Thompson, Jr., Solicitor for the Plaintiffs, did, at the office of Vachel A. Downes, Jr., 115 Lawyers Row, Centreville, Maryland, on Thursday, August 15, 1974, at 10:00 a.m., after swearing the witnesses and the stenographer, proceeded to take their testimony, and I do hereby further certify that I was present during the taking of said testimony, that the examination was properly conducted, and that I did not deem it necessary to examine any of the witnesses, there being no irregular or unusual circumstances in the taking of said testimony or in the conduct of the proceedings. Those present were:

Katherine Emala
 Charles E. Anthony, Jr.
 Frank S. Dudley, Jr.
 Alan M. Resnick, Esquire, attorney for Betty Reese
 Jacob Josef Miliman, Esquire, attorney for Joyce Swecker and
 Jane Webster
 Vachel A. Downes, Jr., Esquire, attorney for James Emala,
 Robert F. Emala and Katherine
 Emala as custodian for James
 Emala
 James E. Thompson, Jr., Esquire, attorney for Katherine Emala,
 individually, and as custodian
 for Linda Emala, minor.



 John T. Clark, III
 Special Examiner

The first witness, Katherine Emala, being first duly sworn, did depose and say:

Questions by Mr. Thompson:

Q: Please state your name, address, age and occupation?

A: My name is Katherine Emala, housewife, 61, and I live on Hope Road, Box 39, Centreville, Maryland.

Q: Mrs. Emala do you live on a farm that was at one time the property of your late husband, Frank J. Emala?

A: That is correct, yes sir.

Q: And this property Mrs. Emala is owned by you and six of your children, is that correct?

A: That is correct.

Q: And the six other owners of the property, in addition to yourself, are Robert Emala, Betty Reese, Joyce Swecker, Jane Webster and you as custodian for a minor child, James Emala, and another minor child, Linda Emala, is that correct?

A: That is correct.

Q: Mrs. Emala, I ask if you can identify this paper writing?

A: Yes sir.

Q: And what is it?

A: It's the deed of the farm as far as I know, it tells about the farm, who's in with it, my children.

Mr. Examiner I would like to have this certified copy of the deed from Helen Ziemski, personal representative of the estate of Frank J. Emala, to Katherine Emala, et al, marked as "Plaintiff's Exhibit No. 1.

Q: Following the execution of that deed Mrs. Emala, did you have an occasion to buy an additional one-sixth (1/6) interest in the farm from one of your daughters, Judith Whitby?

A: That's right.

Q: And I show you now, Mrs. Emala, another paper writing and ask if you can identify it?

A: Yes.

Q: What is it?

A: It is the deed of the farm which is suppose to be mine and the children.

Q: And it is the deed from Judith Whitby to you for a one-twelfth (1/12) interest in the property dated April 26, 1974, is that correct?

A: Yes, that is correct.

Mr. Examiner I would like to have this certified copy of the deed from Judith Whitby to Katherine Emala marked as "Plaintiff's Exhibit No. 2".

Q: Mrs. Emala, you are custodian for a minor child named James Emala, are you not?

A: Yes sir.

Q: And how old is James?

A: James will be twenty-one (21) in September, September 24.

Q: And actually he is grown now but because of the date of your husband's death and the passage of the eighteen (18) year old law you are required to hold this property as custodian until he is twenty-one (21) under an Attorney General's opinion, is that correct?

A: That's correct.

Q: With regard to your daughter, Linda, how old is she?

A: Linda was fifteen (15) in April.

Q: You are also custodian for her?

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A: Yes sir, she is living with me.

Q: Mrs. Emala, at the present time is this farm property rented?

A: No sir, the property is empty and going to waste.

Q: Why is it empty Mrs. Emala?

A: Simply because my children, part of the children, Joyce Swecker, Betty Reese and Jane Webster, was dead set against anything that I said to do to rent or anything, we couldn't even farm it, they wouldn't even let us farm it, all they said was no.

Q: Is any use being made of the farm at the present time so that it produces any income at all?

A: Nothing.

Q: Is not part of it in the soil bank?

A: We have a part in the soil bank but that was another problem. I had to fight with the girls to sign to have it cut, before I had it cut and got the man, I asked if they would agree to pay their share and Betty Reese said she wasn't going to pay a nickel for anything that was done or anything that would help me.

Q: Mrs. Emala, before we get to that, you say had it cut, is this an effort on your behalf to comply, I believe, with a soil bank requirement that property in the soil bank be mowed no later than August 1.

A: That's correct, and they held it up, we were late getting it cut.

Q: Has it now been mowed?

A: Yes sir, it has been.

Q: How much income do you receive or do you expect to receive in the entirety, that is, all of the owners, from the soil bank?

A: I don't know offhand but I know it will be a very little bit.

Q: Is it approximately \$6,200.00?

A: That would be it before it was divided amongst everyone.

Q: From that amount would there be any deduction?

A: The bill would have to be deducted for paying the man to mow it.

Q: Have you received that bill?

A: Yes sir, I received the bill and as a matter of fact I gave it to you.

Q: How much was that bill?

A: I think it was \$1,520.00.

Q: Are there also taxes to be paid out of that \$6,200.00?

A: Yes sir, we haven't paid taxes yet.

Q: I believe because it is two farms there are two tax bills. Can you give me the amount of the two tax bills?

A: One is \$935.58 and the other is \$687.79.

Q: After the taxes are deducted and the expense of mowing the property to comply with the soil conservation you will have approximately \$3,000.00 left to divide among all the owners, is that correct?

A: Yes sir.

Q: Mrs. Emala, you have filed a Partition Suit asking that the property be sold and the proceeds therefrom divided, can you tell us why you want the property partitioned?

A: Simply for Linda because she is a minor and for Jimmy, and another thing there is no way of me having an income and I surely have to live and keep the minor child.

Q: Mrs. Emala, in your opinion is there any possible way of dividing this property up in kind, that is, giving each of the seven owners a part of the tillable land, wooded land, and part of the buildings, etc.?

A: No, I don't see any way of dividing it.

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Q: Do I understand that you, individually, and also as custodian for both Linda and James, particularly Linda, desire that the property be sold and the money which is received from the sale divided proportionately?

A: Yes.

Q: Because of the limited income that you presently receive do you feel that it will be to the benefit and advantage of your minor children, and yourself, to sell this farm and invest the proceeds?

A: Definitely.

Q: Mrs. Emala, do you recall what this farm was appraised for a couple of years ago at the time of your husband's death?

A: I am not positive but I think it was \$300,000.00 or something like that. I just can't seem to remember.

Q: Then your present net return on that is approximately one percent (1%) of the value of the investment?

A: Right.

Questions by Mr. Resnick:

Q: Mrs. Emala, if the farm is sold is it your intention to move from the farm?

A: Definitely, I couldn't make a living there so I might as well get rid of it.

Q: And invest the proceeds for yourself and as custodian for Linda and James?

A: That is correct.

Q: Now Linda is your daughter by Mr. Emala?

A: That is correct.

Q: And her name is Linda Emala?

A: That's correct.

Q: And James is your son by Mr. Emala?

A: That's correct.

Q: And his name is James Emala?

A: That's correct.

Q: And Robert is your son by Mr. Emala?

A: That's correct.

Q: And his name is Robert Emala?

A: That's correct.

Q: Now, Judith Whitby, you bought her interest but she is your daughter by Mr. Emala.

A: That's correct.

Q: And Jane Webster is your daughter by Mr. Emala?

A: That's correct.

Q: And Betty Reese is your daughter by Mr. Emala?

A: That's correct.

Q: Are there any children that I left out that you had with Mr. Emala?

A: Yes, Joyce Swecker.

Q: Joyce Swecker, and is she your daughter by Mr. Emala?

A: That's correct.

Q: Have you had any offers to purchase this property?

A: I have had plenty of offers, people came and wanted to buy it, wanted to rent it, and I discussed it with the girls and they said no.

Q: What offers did you have to buy it?

A: I had a man come to my house and offer me over \$300,000.00 cash for the farm and I told him I couldn't do it he would have to go see Mr. Thompson, I don't know the man's name.

Q: You don't know his name?

A: No, I never asked any questions because I knew it wouldn't work.

Q: You did refer him to Mr. Thompson?

A: Yes, I told all the people that asked me anything to go to see Mr. Thompson he was handling my affairs.

Q: About how long ago was this?

A: Well in April, and then in May I had quite a few people ask me if they could rent the pasture for their horses and cows, and it has been continuously off and on since Mr. Emala has died.

Q: Did you ever mention to Betty Reese about the offer to rent the pastures for the cows and horses?

A: Betty Reese knew everything and Betty Reese has such a mean temper that nobody could agree with her, she wouldn't agree with none of us, she had to have it her way, she says no and that was it.

Q: Did you ever mention to Betty Reese --

A: I mentioned everything to Betty Reese.

Q: How long a period of time did the person want to rent for the horses and for the cows?

A: I didn't ask them.

Q: How much did he offer you?

A: Thirty Five Dollars (\$35.00) an acre for the fields for the horses.

Q: Outside of the one offer of this gentleman's name you don't know, who offered you cash to buy it for over \$300,000.00,

no one else has approached you to buy it, I'm not talking about renting it?

A: No, I had someone else call the house and want to buy it but I knew no one else would agree with it.

Q: If the property were sold at a private sale at the appraised value - agreed acceptable to you and the other parties in interest, will you be against the sale of the property at a private sale at the appraised value?

A: I guess not if I get the right price for it.

Q: What would you consider a right price?

A: Whatever the market's bringing, the highest price.

Q: Would \$50,000.00 for the 500 acres be considered a right price by you?

A: What was that question?

Q: \$50,000.00 would that be a right price?

A: I think so.

Q: Didn't you just say you were offered \$300,000.00 in cash?

A: Oh, wait a minute, that is where you got me confused, \$300,000.00 I was offered, well I would want more if I could get it.

Q: Right, so you say the right price. Suppose someone offered you \$50,000.00 for the whole thing?

A: No, I would not sell.

Q: Would you consider anything less than \$300,000.00 a right price?

A: Definitely not.

Q: So you would like to get the maximum amount of value for the property, for yourself, and the two children for whom you are the custodian?

A: That is right.

Q: What do you believe is a fair price living on the property for how many years Mrs. Emala?

A: I have been on that property for nine years.

Q: How long have you lived in Centreville?

A: Nine years.

Q: In the nine years of living on that property, what do you feel is a reasonable price for the sale?

A: I don't know as I said, the highest I thought.

Q: But you would figure it would have to be a figure of \$300,000.00 or more.

A: That is correct.

Q: Now I didn't get when Mr. Thompson asked you at the beginning about the property which was owned by you, I think you said your late husband, Frank Emala, and by you and six of your children, and you named the six children that you had with Mr. Emala. Can you tell me the date and place where you married Mr. Emala?

Mr. Thompson: I would object at this time on the basis that we are not here to determine the basis for the deed but the record speaks for itself, the deeds are in evidence. This is not a proceeding to contest Mrs. Emala's title to the property.

Mr. Resnick: Very well, note the objection.

Q: I ask you Mrs. Emala can you give the date and location where you married Mr. Emala?

A: May 17, 1932.

Q: Where was that?

A: Ellicott City.

Q: Do you have your marriage certificate?

A: I haven't anything, nothing.

Q: Did you ever have a marriage certificate?

A: I guess Mr. Emala did when we were married.

Q: Where were you married Mrs. Emala?

A: Ellicott City.

Q: In a church?

A: No.

Q: By a minister?

A: No. Justice of the Peace.

Q: Do you remember his name?

A: No I don't, after 42 years, no I don't think I do remember his name, that has been an awful long time.

Q: Was it in a Courthouse?

A: No, in a home, private home.

Q: Were there any witnesses to the wedding?

A: Just the man's wife and the man or minister, whoever it was.

Q: And you are sure of the date May 17, 1932?

A: Yes sir, I am sure.

Mr. Resnick: NO further questions.

Questions by Mr. Miliman:

Q: Mrs. Emala are you aware of the present situation regarding bank loans and financing in this country?

A: No, I have no reasons to, I don't know because I don't borrow any money or have any loans.

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- Q: So you have no knowledge as to the present economic conditions in this country. If you were aware of the fact that loans are very, very difficult to come by and that interest rates are extremely high, would that have any effect on your re-thinking regarding the public sale of your property?
- A: No, the only reason is that I want to get away from it, get away from everybody, sell it out to the highest price, I'm not interested in public sales or private sales, I want the highest price whatever we can get over what I said before.
- Q: Suppose a public sale brought less than \$300,000.00 what is your position?
- A: I couldn't let it go.
- Q: Suppose the court placed it at a public sale, to be sold for the highest bid no matter what it was, what would be your position?
- A: I don't know, I mean after all it looks like they are all trying to put me in the poorhouse now, I have two children to look after.
- Q: Would you want to continue with the court proceedings if the result of the court proceeding was that the court would order a sale by public sale auction and the highest bid, no matter what it was, would be the buyer. Would you want to go ahead with that?
- A: No, definitely not.

Mr. Miliman: No further questions

Questions by Mr. Thompson:

- Q: Mrs. Emala, I assume when you filed this petition you were relying on the court using some discretion in ordering a sale and having appraisals?
- A: That's right.
- Q: You would expect the court to, if this property brought a ridiculously low price, to refuse to ratify the sale, would you not?

A: That is right.

Mr. Thompson: I think Mr. Miliman what we are getting into here is we are saying that the court would ratify sale for \$25,000.00 or \$50,000.00, that the court would always have a right to if the sale was so far below the appraised value, and we have two appraisers here today, as to be unconscionable that they would certainly refuse to ratify or confirm this sale.

Mr. Miliman: Mr. Thompson, my clients' position is, which I think is identical with Mrs. Emala and her testimony just now, we are in agreement and, that is, it may be an extremely low price in the opinion of Mrs. Emala and my clients but not be unconscionable to a court, and this, of course, is the position my clients do not wish to get into. We are willing to proceed with an attempt at a private sale at a fair figure. Due to the extreme economic condition unprecedented in the history of this country we are very hesitant to get involved in any public sale at this time based on the experiences we have known in the State of Maryland in the past six months. We do wish to sell the property just like Mrs. Emala does and we do wish to get as much as we can above the appraised figure, but we would strongly object to any court ordered public sale at this time due to our fears resulting from the economic crisis in the money market today. Now we stipulate to the crisis, all right, but otherwise, I can produce from the Wall Street Journal, Daily Record, and from the Gwynn Oak Park fiasco, if you are familiar with it, in Baltimore, what is happening.

Mr. Thompson: No further questions.

Mr. Miliman: No further questions.

Questions by Mr. Resnick:

Q: Mrs. Emala you would not be against a private sale protecting

a broker for commissions if he brought a bona fide contract agreeable to you and the rest of the parties involved at a reasonable figure. Isn't that correct?

A: I guess so.

Q: You said you lived on the Eastern Shore or in Centreville for nine years. Did you ever live outside of Maryland other than the Eastern Shore?

A: I lived in Baltimore City.

Q: Baltimore City and Centreville?

A: Yes.

Q: With Mr. Emala?

A: Yes. I lived up where Jane Webster and them live.

Q: Outside of that place and Centreville, that's where you have always lived?

A: No. I lived in Middle River when we first got married.

Q: When you were first married it was Middle River, then where Jane Webster lives --

A: No. Middle River, then we moved over to Stemer's Run, then my husband seen that farm over at Dundalk and we moved to Dundalk, then we moved down here.

Q: And that is all of the places you have lived since you were married?

A: Yes.

Mr. Resnick: No further questions

Questions by Mr. Downes:

Q: Mrs. Emala, are you aware that most of the farm financing in Queen Anne's County is by the Federal Land Bank of Baltimore?

A: Yes.

Q: Has anyone from the Federal Land Bank appraised your farm, or been on your farm to look at it for any prospective buyers that you know of?

A: I think so, I mean I can't say off hand but I think so.

Mr. Thompson: I'm not testifying but I think Mr. Downes is aware of the fact that we have had three inquiries of people through the Federal Land Bank who were interested in the farm and I think it is fair to say at a price, I don't know what the present today appraisal is because I haven't talked to either the appraisers in an effort to influence them, but at a price in excess of the original \$303,000.00 appraisal.

Mr. Miliman: Has it been approved by the Federal Land Bank?

Mr. Thompson: No, I don't know what they have approved.

Mr. Downes: But the appraisals were in excess of \$303,000.00 and their loans are based upon their appraisals.

Mr. Resnick: In the event the court were to proceed our position would be to appoint a co-trustee to represent our three clients. I have no objection to Mr. Thompson, if this goes to the situation of trustees, of being appointed trustee with Mr. Miliman as co-trustee because the interest would then be represented, that is, Mr. Thompson on behalf of Mrs. Emala, individually, and as custodian for the two children; and Mr. Miliman for his two clients, which happen to be two daughters of Mrs. Emala, and my client, who is another daughter, but the interests would be well represented by Mr. Thompson and by Mr. Miliman.

Mr. Downes: You, Mr. Miliman and Mr. Thompson do not represent my clients, Robert or James.

Mr. Thompson: I think what we are going to have to boil it down to is that it would be a matter for the

court to protect both the interest of the plaintiffs and the defendants.

Mr. Resnick: I just wanted to note that I have no objection to the three of you being appointed co-trustees.

Questions by Mr. Thompson:

Q: Mrs. Emala as I understand it because of the low amount of income you must have your interest in severalty, that is, divided, is that correct?

A: Right, yes sir.

Q: In order to live?

A: That's right.

Q: Do you have any outside investments or income other than this farm?

A: Definitely not.

Mr. Thompson: No further questions

Mr. Downes: No further questions

Mr. Miliman: No further questions

Mr. Resnick: No further questions

The second witness, Frank S. Dudley, Jr., being first duly sworn, did depose and say:

Questions by Mr. Thompson:

Q: Mr. Dudley will you state your name, address, age and occupation please?

A: Frank S. Dudley, Jr., Queenstown, Maryland, 54 years old, president of Tidewater Properties, Inc., real estate and appraiser.

Q: Will you give us a brief description of your background in the field of real estate sales and your qualifications?

A: I have been in the real estate business as a broker since 1956. I have been primarily active in real estate appraising. I am a member of the American Appraisal Institute and I am president of Tidewater Properties, Inc. and our five offices cover five counties on the Eastern Shore. My business associated with that is, as I say, primarily in the appraisal end of it.

Q: Mr. Dudley, are you familiar with the farms previously owned by Frank J. Emala?

A: Yes, I did the appraisal on those farms for the estate of Mr. Emala in, I think they were done in 1973, yes my appraisal was dated February 20, 1973, effective date of the appraisal was dated October 12, 1972.

Q: Can you give a brief description of these properties Mr. Dudley?

A: Well there is a total of 541.85 acres, of which 325.08 acres are tillable, the remainder of 216 acres are wooded, there is a very nice farm dwelling on the property and very extensive barns and feeder sheds primarily for cattle operation, located in the Sixth Election District, Queen Anne's County, on the East side of U.S. 301 and South of Maryland 305.

Q: Have you recently been requested to conduct a second appraisal of this property, a more recent appraisal?

A: I was asked last week by you to up-date the appraisal I did previously.

Q: Have you done this?

A: I have sir.

Q: Will you now state Mr. Dudley for us the results of your updating of this appraisal and the basis for your present opinion?

A: First, if I may go back to the first appraisal, was for the purpose of the Estate Taxes and as I said the effective date of that was October 12, 1972, and that was \$303,000.00. Today's value, in my opinion, is \$430,000.00, and I arrived at that in three different ways, I did not do another complete appraisal such as I had done before but I simply analyzed recent sales, in fact, I used twenty-five recent sales. I looked at the property from a standpoint over-all acreage. I worked out the adjustments for such things as the quality of the land, the relationship of tillable land to total land, road frontage, buildings, etc.. I also looked at the property from a value of tillable acreage taken from some farms which are almost totally tillable, and about five sales that were all woodland. I also estimated a rental value of the farm today. I had three values - \$412,500.00, \$415,000.00 and \$435,000.00 - so I used the final value of \$430,000.00. Now this could change, values are changing rapidly, in my opinion, because as Mr. Miliman suggested the economic situation, what could be true today could change in a month or two. When I did the original appraisal I think possibly several comments might be in order particularly the purpose of the appraisal. In any farm appraising, it is not like an office building, apartment, or row house, there is a range of value certainly, I don't think two people would be apt to come up with the exact same figure, and, of course, at that time I was interested in the lower range graph, but we have had a tremendous increase in values of farm produce (crops). By the same token we are now running into rapidly increased costs so I think the major increase in farm values took place perhaps up through the end possibly of 1973, at that time the farmers had more money from farming than they have ever had before; but since then there has been many uncertainties and the expenses of farming are changing rapidly, such as equipment, fertilizer, etc., and these could affect it here with the coming fall. I think a lot depends on the net income of what the farmer comes up with this fall, so how the market value of farms will hold; but my opinion at this time, a fair market value, is \$430,000.00

Q: Are you aware of the diversified ownership of this farm, Mrs. Emala owning a one-half undivided interest and six children, two of whom, or one whom is an actual minor, and the other of whom has this property held in custodianship. Are you aware of this - that there are some seven owners?

A: I am aware of this, yes.

Q: Mr. Dudley, assuming the court should order a partition of this property so that Mrs. Emala can have her one-half in severalty, as well as the two children for whom she is custodian. Is it feasible to divide this property in kind?

A: I really don't think it would be possible. I think in any division on that scale you would almost have to divide money. I cannot visualize an appraisal or survey of the property in various parcels with everyone coming out alike. It would be almost an endless job.

- Discussion by Counsel off Record -

Mr. Thompson: For the record, counsel agree and therefore stipulate that the property cannot be divided in kind.

Q: Mr. Dudley you indicated that you have come up with a retail value for the farm in fair rental value?

A: I did this briefly, I based it on simply a gross rent, I did not try to analyze all expenses from an operating standpoint, but I used a gross rent, rent for the house, gunning rent, and I used a capitalization rent of four percent on a gross basis from which would have to come net to the owner but from this also would have to come their share of lime, taxes, insurance, etc.. My total gross rent was \$16,500.00. I based this on \$40.00 an acre, this may not hold but values are reaching that point, based on tillable acreage.

Mr. Thompson: No further questions.

Questions by Mr. Resnick:

Q: Mr. Downes just said Mr. Dudley that the Federal Land Bank is providing financing for acreage over on the shore and I suggested that I ask you because of your expertise as an appraiser and as a broker the availability to money for purchase

of such an acreage as we have here (1) only because I am ignorant of the situation would they finance the total acreage, I think you said is 541 total acreage, would that be any problem so far as financing from the Federal Land Bank or has acreage nothing to do with it to ask for a loan?

A: No, that wouldn't be any problem for them.

Q: I understand that they will finance to a party depending upon the party's use of the land, by that I mean they will finance for farmers, or investors, or developers, but the rates and terms may be different, would that be correct?

A: It is not correct to my knowledge. Their rate right now has just recently gone up from nine to nine and one-half percent. I know of no distinction.

Q: Mr. Dudley, it is my understanding that the Federal Land Bank sends their representatives out to a piece of property and they make an appraisal?

A: Correct.

Q: Then to the prospective borrower, and I understand the rate has recently gone up to nine and one-half percent, they will lend a certain percentage of their appraisal. Would that be 100% of their appraisal?

A: No, it is not 100%. My guess is in the neighborhood of about two-thirds - 65% or 70% -. Then they can go above that, this is a long time loan but they can increase that through their production credit for five or seven years, I can't remember exactly, I would have to look it up, with no payment on the principal. This is primarily net for loans for improved stock purchasers, cattle, etc., but they can work it into the mortgage, so they can come up in the neighborhood of 80% or even better. They also check his financial statement and other things. Actually, the farmer can get a loan very simply, I have a Federal land loan on my farm, I live on it but I don't farm it.

Q: If it is not to an actual farmer then what changes the amount of money loaned and the terms?

A: Mr. Downes knows this. Honestly I do not know - I think the

terms do. I know of people here who have gotten 40 year loans from them but do not farm them, but own them and live on them, but they either hire help or they rent the farm out to tenant farming.

Q: You said long time loans and then you mentioned 40 years. What would be the average long term loan?

A: I would say 25 to 30 years. Interesting enough you talk about availability of money, a representative from a major insurance company was in my office no more than a month ago inquiring about money.

Q: Available to make loans?

A: Inquiring about the availability of loans for them to invest.

Q: You mentioned before that you said they will lend two-thirds of the appraisal but in many instances, which I want explained to me, where they will lend 80%, and that is where I missed out. Can you explain this?

A: They can make it up through their short term loan on a possible mortgage. They have a short term loan through their production credit and I really can't say - Charlie may know more about this than I do. We have done them but it is two, three, four months in between them and--

Q: So that by that way it is possible to get almost an 80% loan?

A: I think so.

Mr. Resnick: No further questions.

Mr. Downes: No further questions.

Mr. Miliman: Yes, I have a question.

Questions by Mr. Miliman:

Q: Mr. Dudley, are these loans currently, readily available?

A: Yes sir, the Federal Land Bank has money now.

Mr. Miliman: No further questions

Questions by Mr. Resnick:

Q: Mr. Dudley, your analysis and appraisal you said was based on a number of factors: tillable acreage as to non-tillable acreage; of farms with just approximate amount of tillable acreage; farms where you said there were five sales of wooded acreage. Would that figure of \$430,000.00 be based primarily on an agricultural or farm basis?

A: Yes sir.

Q: My question is, I'm just a city boy I really don't know, I read in the papers about the Rouse Company - is there any possibility in the foreseeable future, or I would have to say at this time, for commercial or residential development of this particular property?

A: Well my answer commercially is this, that a small piece on the north side of the farm which goes over on the service road toward 301 - I would have to look it up I think it was about three acres - I gave a slight value to that location; but the development along 301 has really been almost nil. Just last year I did half a dozen appraisals for the State Road Commission ranging from Queen Anne's County to Cecil County. You can drive up 301 and from corner, after corner, after corner - and this road has been there almost 12 to 15 years - there is nothing on them, there is no sale for them.

Q: Aren't they commercially zoned?

A: Yes. I don't think there would be any problem getting corners changed.

Q: Of this 500 and some acres is there only three acres that is presently commercially zoned?

A: I don't think any of it is commercially zoned now.

Q: And there would not be any problem for this frontage on 301 to be commercially zoned?

A: I don't feel so.

Q: But do you know is it three acres, is it more or is it less?

A: I'M not really sure, I would have to check my records to see just whether or not it is more or less. Getting back to the question of before - Commercially I think there is very little potential, there is very little development - Residentially the County has grown some in the lower end of Kent Island but in other areas of the County there is very slight growth, I don't think anyone would buy this property with the idea of making a lot of money out of residential development.

Q: Would there be any prohibition - zoning problems or sewerage problems or whatsoever your local requirements are for either residential or commercial development - would there be any local regulations or zoning regulations that would preclude it from either commercial or residential development?

A: It is agriculturally zoned and this would limit it and a residential development is permitted under agricultural development but you get into subdivision - you fall into subdivision regulations which have strict requirements.

Q: On a lot size?

A: Not on a lot size but on the improvements to the land you have to comply with roads, surveys, etc.. Now if you want to avoid the subdivision requirement you now have to stay above 15 acre parcels.

Q: So would you say one family to 15 acres?

A: Well, it is rather involved I guess.

Q: I understand that there is a moratorium in Queen Anne's County at the present time on residential development, is this correct?

A: There was a moratorium which has now, I believe, been extended for another six months but it is now in effect and it could be extended again.

Q: On residential development or commercial development, or both?

A: I think primarily residential.

Questions by Mr. Miliman:

Q: Mr. Dudley this may seem like a silly question but having five offices in five counties on the shore, and being active in the real estate business, would you have a readily available purchaser around the figure that you testified to on a private sale basis that may avoid the cost of auctioneer expenses, trustee fees, and would only have a broker's fee?

A: I can't emphatically answer that, but we do have people who are interested in such a purchase.

Q: What are the normal broker's fee for a broker who would sell this type of property?

A: The normal fee would be six percent (6%).

Mr. Miliman: No further questions

Mr. Resnick: No further questions

Mr. Downes: No further questions

The third witness, Charles E. Anthony, Jr., being first duly sworn, did depose and say:

Questions by Mr. Thompson:

Q: Please state your name, address, age and occupation please?

A: Charles E. Anthony, Jr., 106 South Liberty Street, Centreville, Maryland, 45 years of age, and I am Supervisor of Assessments for Queen Anne's County.

Q: Mr. Anthony, you were previously in the real estate business and held a broker's license, did you not?

A: Yes I did. I was a real estate salesman from 1956 until 1960, and a real estate broker from 1960 until 1971 when I was appointed supervisor.

Q: Mr. Anthony, do you have any special qualifications for appraising real estate?

A: I was the State of Maryland Appraiser for acquisition of almost all of Tuckahoe State Park and I have been doing appraisal work for the last ten years fairly constantly. I have had no formal training in appraisal except the training that I have had as an assessor in the last three years.

Q: Are you familiar with farm values in Queen Anne's County?

A: Yes I am.

Q: Based on your work as assessor?

A: Yes.

Q: Mr. Anthony, have you had an occasion to appraise the Frank J. Emala farms near Centreville?

A: Yes I have.

Q: When did you complete your appraisal?

A: August 13, 1974.

Q: Will you give us a brief description of this property?

A: This property consists of what originally were two adjoining farms, there is a total of 541 acres with about 321 acres tillable and about 220 acres of wooded and a few acres of scrub included in that figure.

Q: What about the improvements on the property?

A: One of these farms, original farms, has improvements; it has a home, silos, cow shed, cow barn, etc., primarily set up for beef cattle type of operation.

Q: Will you give us your appraisal and then the basis for that appraisal?

A: I estimate the fair market value of this property at \$420,000.00. In arriving at this figure I considered the sales of recent comparable properties in the area, in fact, there is one sale of a farm in May of this year just three farms down the road from this property, I used that as comparable and also used two others that are in the area.

Q: Could you give us something of a breakdown on that appraisal?

A: Well, I made adjustments in my three comparable sales for location, woodlands, tillable lands, quality of lands, and in adjusting my comparables I came out with a value of \$1,100.00 for the tillable land per acre, and \$300.00 as a contributing value of the woodland which totals \$419,000.00 but I rounded it to \$420,000.00.

Q: Mr. Anthony, are you aware of the present ownership of this farm?

A: Yes I am.

Q: The fact that it is owned by some seven individuals - to one owning a half, and six individuals each owning an undivided one-twelfth interest?

A: Yes.

Q: Now with that as background information, assuming one of these

individuals or more desires their interest in severalty, is it possible to partition this farm in kind?

A: In my opinion it would be impossible to divide this farm fairly that way, I don't see anyway at all to divide it fairly.

Q: There has been some discussion here concerning the problem with mortgage loans and getting money from the Federal Land Bank, etc.. In making your appraisal did you take into consideration the present availability of money because of the economic situation?

A: Yes I did. I would like to comment on that. There is mortgage money available for qualified purchasers of this stature.

Q: Mr. Anthony, in doing your appraisal did you give any consideration to the rental value or the income producing value of this property?

A: No I did not. In making this appraisal I pursued the market approach to value where I analyzed sales of recent comparable property. I did not use the income approach to value.

Q: Are you familiar to the present rental value of tillable acreage in this area?

A: Yes.

Q: And generally what is that?

A: Farm land in Queen Anne's County is generally renting from \$25.00 to \$30.00 per acre, there may be some instances of \$40.00 but I don't know of it.

Q: Mr. Anthony, how far back does your familiarity with these particular properties go - as a broker or agent?

A: I sold Mr. Emala both of these farms in 1960. The sales contract was executed in 1960 and, I believe, the deed passed in 1961.

Questions by Mr. Resnick:

Q: You said that there was 220 wooded acres and you gave it a value of, I believe, of about \$300.00 per acre. What is the basis of \$300.00 an acre?

A: There are two sales of woodland that adjoin this woodland of subject property. One sale was in 1971 at \$150.00 an acre, and there were two parcels sold adjoining this property in 1972 at \$220.00 an acre, and I estimate today the contributing value of the woodland at \$300.00 an acre.

Q: What do they do with wooded acreage?

A: This woodland on this farm is generally low, it is poorly drained and actually is virtually unsuitable for anything except hunting or reforestation program with the State of Maryland.

Q: Can you sell the wood?

A: Yes, but there is very little value of marketable timber.

Q: You stated that the present observation that you made on the improvements on the acreage is basically, I think you said, for beef cattle type operation?

A: Yes, it could be converted for dairy but it was set up for beef cattle.

Q: Well, is there any lesser or greater value for a beef cattle or dairy cow type operation than farmland?

A: No.

Q: The value stay the same?

A: In my opinion, the highest and best use of this property is that of a cash-grain operation.

Q: Cash.

A: Cash-grain.

Q: Cash-grain?

A: Where you grow grain crops for sale.

Q: Would you say that in spite of what we read about the scarcity of beef?

A: Beef prices are down.

Q: They Are?

Mr. Resnick: No further questions

Questions by Mr. Thompson:

Q: You were present at Mrs. Emala's testimony, were you not?

A: Yes.

Q: Based on her testimony there is a net income from this farm through the soil bank of approximately \$3,000.00 per year, is this, in your opinion, an adequate return on this farm?

A: It is a very inadequate return.

Q: You feel, therefore, that it would be to the benefit and advantage of these children if they can't all agree on renting, etc., to sell the farm?

A: I think it would be very much to their advantage, they are losing thousands of dollars every year if they hold it at the present situation.

Mr. Thompson: No further questions

Questions by Mr. Miliman:

Q: Now you say there is some 300 and some tillable acres?

A: Right.

Q: And you also say that the rent's run from \$25.00 to \$30.00 an acre.

A: Right.

Q: Averaging \$30.00, right?

A: I would say that you could average \$30.00 on this farm.

Q: Therefore, is it not true that the gross income would be somewhere around \$10,000.00 at your maximum figures, is that correct?

A: Right.

Q: When you rent the land does this deplete the quality of the land?

A: Not if the management is proper because the food which is removed by the crops should be replaced by commercial fertilizer.

Q: By the tenant or the owner?

A: By the farmer, but there can be an arrangement where the tenant pays all of the bulk of the fertilizer and lime, or there can be an arrangement where it can be shared.

Q: Now, at \$30.00 an acre average does the tenant replace all the lime and commercial fertilizer or is there a sharing?

A: The usual custom on cash rentals is this. The tenant will pay for all of the fertilizer, seed and tilling, generally, the owner will pay for the cost of the lime because lime is a long term proposition.

Q: Therefore, lime reacts over a period of five years or more, is this right?

A: Well -

Q: No immediate value?

A: You don't get it like that, right.

Q: What would be the expenses to the owner on these 300 acres?

A: It should be limed once every three or four years and probably a ton of limestone per acre would be adequate, and a ton of limestone is in the neighborhood of \$20.00.

Q: So the cost is \$5.00 per acre per year?

- 29 -

A: Right, plus tax and insurance the owner would have to pay that.

Q: Therefore, that would be another \$1,500.00?

A: Right.

Q: So under the maximum benefits of your testimony this farm would produce between \$8,000.00 or \$8,500.00 per year, is that correct?

A: Right.

Q: It is now producing only \$3,000.00 - well you jumped from gross to net. Net is \$8,500.00 and the \$3,000.00 is net - they are both nets, right. Now out of this 300 some acres which you keep calling tillable is there any pasture land?

A: In this area any of our land can be pasture land.

Q: There is no difference between pasture and tillable?

A: If it is pasture land here ^{it is} tillable land in almost every case there is none of the 300 acres which is not tillable it is all tillable.

Mr. Resnick in discussion with Mr. Milliman:

Mr. Resnick: I think you are wrong on the net. You said the cost of lime was \$1,500.00; \$5.00 per acre per year times 300 is \$1,500.00 per cost of lime, isn't that what you said, and you figured the gross income at \$10,000.00.

Mr. Miliman: Approximately.

Mr. Resnick: So that \$10,000.00 less \$1,500.00 is where you get \$8,000.00 to \$8,500.00, is that right?

Mr. Anthony: It would be a little less.

Mr. Resnick: That's where he is wrong, I'm a little slow but, then from that figure you take taxes of \$1,600.00 - so that it is now around \$6,500.00, \$6,000.00.

Mr. Miliman: You're right, you're right.

Questions by Mr. Thompson:

Q: I gather Mr. Anthony based on your appraisal in something in excess of \$400,000.00, if the heirs could get five percent (5%) on their money or \$20,000.00 per year interest with no fertilizer, lime or taxes it would be substantially to their advantage to sell and invest the money?

A: Very much so.

Mr. Thompson: No further questions
Mr. Resnick: No further questions
Mr. Milliman: No further questions

Mr. Milliman: Mr. Resnick and I, on behalf of our clients, would like to request that this hearing be postponed for approximately 15 days in order for us to determine or verify certain evidence in this case. There may or may not be need for more testimony. If there is no further evidence we will send you a letter.

Mr. Examiner: I am going to have the lady transcribe this but you may have to September 5 to present further testimony.

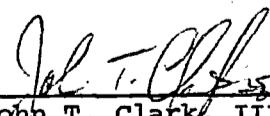
Mr. Resnick: That's right if there is no further evidence we will send you a letter.

Mr. Milliman: Maybe before that.

There being no further witnesses to be examined, the Examiner makes his return to the testimony of the respective witnesses, and the costs chargeable as follows:

Jean G. Anthony, stenographer, for taking and transcribing the testimony.	\$ 40.00
John T. Clark, III	60.00

And I do further certify that said testimony was commenced at 10:05 a.m. and was completed at 11:48, or for a period of one hour forty-three minutes.



John T. Clark, III, Esquire
Special Examiner

FILED Aug 27, 1974

PLAINTIFFS
EXHIBIT
#1

J.C. 11/14
Spec. Ex
Equity #
5560

RECEIVED FOR RECORD Apr 25 1974 9:30 AM

THIS DEED, Made this 29 day of April, 1974, by and between HELEN ZIEMSKI, Personal Representative of the Estate of Frank J. Emala, party of the first part, and KATHERINE EMALA, ROBERT F. EMALA, BETTY REESEY, JOYCE SWECKER, JUDITH WHITBY, JANE WEBSTER, and KATHERINE EMALA, as custodian for JAMES EMALA under the Maryland Uniform Gifts to Minors Act, and KATHERINE EMALA as custodian for LINDA EMALA under the Maryland Uniform Gifts to Minors Act, parties of the second part.

APR 25-74 * 22723 ****27 00

APR 25-74 A #22723 ****27 00

WHEREAS, the said Frank J. Emala departed this life on October 12, 1972, intestate, and Helen Ziemski has been appointed as Personal Representative of his Estate; see proceedings in Estate No. 4322 in the Orphans' Court of Queen Anne's County; and

WHEREAS, by the First Not Final Administration Account filed in the above Estate, the hereinafter described lots of ground were distributed to the parties of the second part.

NOW, THEREFORE, THIS DEED WITNESSETH, that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, and pursuant to and in accordance with Article 93 of the Annotated Code of Maryland, the said party of the first part does hereby grant and convey unto KATHERINE EMALA, an undivided five-twelfths (5/12) interest; ROBERT F. EMALA, an undivided one-twelfth (1/12) interest; BETTY REESEY, an undivided one-twelfth (1/12) interest; JOYCE SWECKER, an undivided one-twelfth (1/12) interest; JUDITH WHITBY, an undivided one-twelfth (1/12) interest; JANE WEBSTER, an undivided one-twelfth (1/12) interest; KATHERINE EMALA, as custodian for JAMES EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest; and KATHERINE EMALA, as custodian of LINDA EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest, their heirs and assigns, as tenants in common and not as tenants by the entireties, in fee simple, all those lots of ground situated, lying and being in Queen Anne's County, Maryland and described as follows:

PARCEL ONE:

All that tract of land or farm known as "The Well Done Division of Landsdowne" and more recently known as the "Wrightson Lowe Farm", or by whatsoever other name or names the same may be called or known situate, lying and being in the Sixth Election

ROBERT J. ROMADKA
ATTORNEY AT LAW
ESSEX, MARYLAND

District of Queen Anne's County, State of Maryland, on the right side of the public road leading from Centreville to Hope adjoining the lands of the late Sudler C. Tolson and the lands of the devisees of the late William McKenney, and described as follows, to wit: BEGINNING for the same in the aforesaid public road opposite a stone placed where the said land of the late Sudler C. Tolson joins the land hereby conveyed, and running with said road South 67° East 53 perches, thence South 57° East, 52 perches, thence South 58° East, 47 3/4 perches, thence South 74° East 41 1/4 perches, thence South 77° East, 12 perches, thence South 11° 30' West, 146 perches to a stone, thence South 67° 30' East, 19 1/2 perches, thence South 15° West, 13 perches, thence South 42° 30' West, 156 perches to a stone, thence North 72° West 57 perches to a marked oak tree, a corner of the land of the late Sudler C. Tolson, thence with said land North 3° 30' West, 161 perches, thence North 8° West 54 perches, thence North 71° East, 13 1/2 perches, and thence North 1° West, 131 1/2 perches to said place of beginning, containing 298 acres of land, more or less.

SAVING AND EXCEPTING therefrom the following parcels:

1. That part of the land designated and described as "Secondly" containing 7.4 acres conveyed by deed from Robert E.C. Lowe, et al, to Sudler C. Tolson, dated February 5, 1913, and recorded in W.F.W. No. 3, folio 10 of the Land Records of Queen Anne's County, and

2. That part of a tract containing 28 acres, more or less, more particularly described by metes and bounds in deed from Robert E. C. Lowe and wife to Archie Roe dated June 15, 1927, and recorded in Liber B.H.T. No. 6, folio 565, of the Land Records aforesaid.

SUBJECT, to the legal operation and effect of a right of way from James Ferrick, et al, to the Town Commissioners of Centreville, dated February 4, 1950, and recorded in Liber N.B.W. No. 8, folio 112, of the Land Records aforesaid.

BEING the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 538, was granted and conveyed by James Ferrick and James W. Moore, Trustees of the Estate of Matthew Ferrick, Incompetent, et al, unto Frank J. Emala.

PARCEL TWO:

All that farm or plantation, situate, lying and being on the public road leading from Centreville to Roesville, in the Sixth Election District of Queen Anne's County, State of Maryland, which is composed of two tracts or parts of two tracts of land, one called "Upper Deal" containing 221 acres, 3 roods and 18 perches of land, more or less, and the other called "Wright's Chance" containing 107 acres 3 roods and 36 perches of land, more or less, and secondly, all that tract of land situate on the south side of the public road between Carville Station and Hope, it being a part of the "Wilmer Farm" of the late Wrightson L. Lowe and containing 7.4 acres of land, more or less.

SAVING AND EXCEPTING therefrom, however, those parts of said land described in the following deeds:

1. Deed from Wrightson Lowe, et ux, to Queen Anne's and Kent Railroad Company, dated October 31, 1872, and recorded in Liber J.W. No. 6, folio 358, of the Land Records of Queen Anne's County.

2. Deed from Robert E. C. Lowe, et al, to John E. George,

et al, dated May 14, 1912, and recorded in Liber W.F.W. No. 1, folio 409, of the Land Records of Queen Anne's County.

3. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated April 30, 1918, and recorded in Liber W.F.W. No. 11, folio 527, etc., a Land Record Book for Queen Anne's County.

4. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to William T. Hufnal, dated April 22, 1918, and recorded in Liber J.F.R. No. 2, folio 322 of the Land Records of Queen Anne's County.

5. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated June 10, 1929, and recorded in Liber B.H.T. No. 9, folio 541, of the Land Records of Queen Anne's County.

6. Deed from Mary C. Tolson Morris, et al, to the State of Maryland to the use of the State Roads Commission of Maryland, dated November 19, 1954, and recorded in Liber T.S.P. No. 19, folio 180, of the Land Records of Queen Anne's County.

7. Grant from M. Tolson Morris to the County Commissioners of Queen Anne's County dated September 11, 1957, and recorded in Liber T.S.P. No. 37, folio 15 of the Land Records of Queen Anne's County.

SUBJECT to the legal operation and effect of the following, viz:

1. The rights and easements granted to the Chesapeake and Potomac Telephone Company by an indenture dated August 14, 1920, from Sudler C. Tolson and Minnie L. Tolson, his wife, and recorded in Liber J.F.R. No. 5, folio 272, of the Land Records of Queen Anne's County,

2. The rights and easements granted to the State of Maryland to the use of the State Roads Commission of Maryland, in the deed dated November 19, 1954, above set out,

3. The rights and easements granted to the County Commissioners of Queen Anne's County in deed dated September 11, 1957, above set out,

4. The rights and easements granted to the Eastern Shore Public Service Company of Maryland by an indenture dated January 10, 1951, from Minnie L. Tolson, et al, recorded in Liber T.S.P. No. 1, folio 323 of the Land Records of Queen Anne's County.

BEING the same property which by Deed dated January 9, 1961 and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 552, was granted and conveyed by Mary Catherine Tolson Morris unto Frank J. Emala.

ALSO, SAVING AND EXCEPTING therefrom, all that lot of ground described in a Deed from Frank J. Emala to Paul Reese and wife dated October 1, 1970 and which Deed is recorded among the Land Records of Queen Anne's County in Liber CWC No. 52, folio 560.

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.

ROBERT J. ROMADKA
ATTORNEY AT LAW
ESSEX, MARYLAND

- 3 -

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 KATHERINE EMALA, an undivided five-twelfths (5/12) interest; ROBERT F. EMALA, an undivided one-twelfth (1/12) interest; BETTY REESEY, an undivided one-twelfth (1/12) interest; JOYCE SWECKER, an undivided one-twelfth (1/12) interest; JUDITH WHITBY, an undivided one-twelfth (1/12) interest; JANE WEBSTER, an undivided one-twelfth (1/12) interest; KATHERINE EMALA, as custodian for JAMES EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest; and KATHERINE EMALA, as custodian of LINDA EMALA, under the Maryland Uniform Gifts to Minors Act, an undivided one-twelfth (1/12) interest, their heirs and assigns, as tenants in common and not as tenants by the entireties, in fee simple.

AS WITNESS the hand and seal of the said party of the first party as Personal Representative of the Estate of Frank J. Emala, deceased.

WITNESS:

Dois S. Leonard Helen Ziemski (SEAL)
 Dois S. Leonard Helen Ziemski
 Personal Representative of the
 Estate of Frank J. Emala, deceased

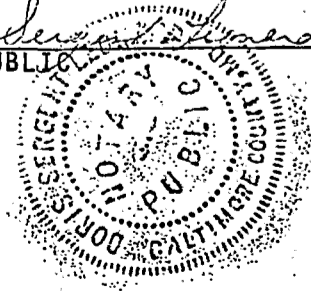
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this day of , 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared HELEN ZIEMSKI, Personal Representative of the Estate of Frank J. Emala, deceased, and she acknowledged the foregoing Deed to be her act.

AS WITNESS my hand and Notarial Seal.

Dois S. Leonard
 NOTARY PUBLIC

My Commission Expires Dois S. Leonard
 July 1, 1974



ROBERT J. ROMADKA
 ATTORNEY AT LAW
 ESSEX, MARYLAND

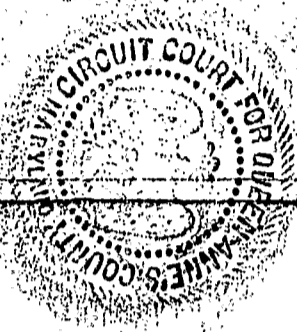
LIBER

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State of Maryland,
County of Queen Anne's, to wit: -

I Hereby Certify that the foregoing was truly taken and
copied from Liber C.W.C. #83, folio 281, a LAND
Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I have herunto subscribed
my name and affixed the Seal of the Circuit Court
for Queen Anne's County this 13th day of August,
1974 .



Charles St. Cecil
Clerk of Circuit Court for Q A's Co.

DOCUMENT NO. 73-2-9
RECEIVED FOR RECORD April 3, 1974

THIS DEED, made this 26th day of April, 1974, by and between JUDITH WHITBY, party of the first part, hereinafter called "GRANTOR"; and KATHERINE EMALA, of Queen Anne's County, State of Maryland, party 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 of which is hereby acknowledged, the said party of the first part, JUDITH WHITBY, does hereby grant and convey unto the said party of the second part, KATHERINE EMALA, her heirs and assigns, in fee simple, all of the Grantor's undivided one-twelfth (1/12) interest in and to the following described property:

PARCEL ONE:

ALL that tract of land or farm known as "The Well Done Division of Landsdowne" and more recently known as the "Wrightson L. Lowe Farm", or by whatsoever other name or names the same may be called or known situate, lying and being in the Sixth Election District of Queen Anne's County, State of Maryland, on the right side of the public road leading from Centreville to Hope adjoining the lands of the late Sudler C. Tolson and the lands of the devisees of the late William McKenney, and described as follows, to wit:

BEGINNING for the same in the aforesaid public road opposite a stone placed where the said land of the late Sudler C. Tolson joins the land hereby conveyed, and running with said road South 67° East 53 perches, thence South 57° East, 52 perches, thence South 58° East 47 3/4 perches, thence South 74° East 41 1/4 perches, thence South 77° East, 12 perches, thence South 11° 30' West, 146 perches to a stone, thence South 67° 30' East, 19 1/2 perches, thence South 15° West, 13 perches, thence South 42° 30' West, 156 perches to a stone, thence North 72° West 57 perches to a marked oak tree, a corner of the land of the late Sudler C. Tolson, thence with said land North 3° 30' West, 161 perches, thence North 8° West 54 perches, thence North 71° East, 13 1/2

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
766-0677

PLAINTIFF'S
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Spec. OK
#556

perches, and thence North 1° West, 131½ perches to said place of beginning, CONTAINING 298 acres of land, more or less.

SAVING AND EXCEPTING therefrom the following parcels:

1. That part of the land designated and described as "Secondly" containing 7.4 acres conveyed by deed from Robert E. C. Lowe, et al, to Sudler C. Tolson, dated February 5, 1913, and recorded in W.F.W. No. 3, folio 10 of the Land Records of Queen Anne's County, and

2. That part of a tract containing 28 acres, more or less, more particularly described by metes and bounds in deed from Robert E. C. Lowe and wife to Archie Roe dated June 15, 1927, and recorded in Liber B.H.T. No. 6, folio 565, of the Land Records aforesaid.

SUBJECT to the legal operation and effect of a right of way from James Ferrick, et al, to the Town Commissioners of Centreville, dated February 4, 1950, and recorded in Liber N.B.W. No. 8, folio 112, of the Land Records aforesaid.

BEING the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. NO. 58, folio 538, was granted and conveyed by James Ferrick and James W. Moore, Trustees of the Estate of Matthew Ferrick, Incompetent, et al, unto Frank J. Emala.

PARCEL TWO:

ALL that farm or plantation, situate, lying and being on the public road leading from Centreville to Roesville, in the Sixth Election District of Queen Anne's County, State of Maryland, which is composed of two tracts or parts of two tracts of land, one called "Upper Deal" CONTAINING 221 acres, 3 roods and 18 perches of land, more or less, and the other called "Wright's Chance" CONTAINING 107 acres 3 roods and 36 perches of land, more or less, and secondly, all that tract of land situate on the south side of the public road between Carville Station and Hope, it being a part of the "Wilmer Farm" of the late Wrightson L. Lowe and CONTAINING 7.4 acres of land, more or less.

SAVING AND EXCEPTING therefrom, however, those parts of said land described in the following deeds:

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

788-0877

1. Deed from Wrightson Lowe, et ux, to Queen Anne's and Kent Railroad Company, dated October 31, 1872, and recorded in Liber J.W. No. 6, folio 358, of the Land Records of Queen Anne's County.

2. Deed from Robert E. C. Lowe, et al, to John E. George, et al, dated May 14, 1912, and recorded in Liber W.F.W. No. 1, folio 409, of the Land Records of Queen Anne's County.

3. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated April 30, 1918, and recorded in Liber W.F.W. No. 11, folio 527, etc., a Land Record Book for Queen Anne's County.

4. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to William T. Hufnal, dated April 22, 1918, and recorded in Liber J.F.R. No. 2, folio 322 of the Land Records of Queen Anne's County.

5. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated June 10, 1929, and recorded in Liber B.H.T. No. 9, folio 541, of the Land Records of Queen Anne's County.

6. Deed from Mary C. Tolson Morris, et al, to the State of Maryland to the use of the State Roads Commission of Maryland, dated November 19, 1954, and recorded in Liber T.S.P. No. 19, folio 180, of the Land Records of Queen Anne's County.

7. Grant from M. Tolson Morris to the County Commissioners of Queen Anne's County dated September 11, 1957, and recorded in Liber T.S.P. No. 37, folio 15 of the Land Records of Queen Anne's County.

SUBJECT to the legal operation and effect of the following, viz:

1. The rights and easements granted to the Chesapeake and Potomac Telephone Company by an indenture dated August 14, 1920, from Sudler C. Tolson and Minnie L. Tolson, his wife, and recorded in Liber J.F.R. No. 5, folio 272, of the Land Records of Queen Anne's County.

2. The rights and easements granted to the State of Maryland to the use of the State Roads Commission of Maryland, in the deed dated November 19, 1954, above set out.

3. The rights and easements granted to the County Commissioners of Queen Anne's County in deed dated September 11, 1957, above set out.

4. The rights and easements granted to the Eastern Shore Public Service Company of Maryland by an indenture dated January 10, 1951, from Minnie L. Tolson, et al, recorded in Liber T.S.P. No. 1, folio 323, of the Land Records of Queen Anne's County.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0677

Being the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 552, was granted and conveyed by Mary Catherine Tolson Morris unto Frank J. Emala, and

ALSO, SAVING AND EXCEPTING therefrom, all that lot of ground described in a Deed from Frank J. Emala to Paul Reeseey and wife dated October 1, 1970, and which Deed is recorded among the Land Records of Queen Anne's County in Liber C.W.C. No. 52, folio 560.

BEING the same and all of the undivided one-twelfth (1/12) interest granted and conveyed unto Judith Whitby by Helen Ziemski, Personal Representative of the Estate of Frank J. Emala, deceased, by deed dated April 24, 1974, recorded April 25, 1974, in Liber C.W.C. No. 83, folio 281, a Land Record Book for Queen Anne's County, Maryland.

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

TO HAVE AND TO HOLD the 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 Katherine Emala, her heirs and assigns, in fee simple forever.

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

WITNESS the hand and seal of said Grantor:

TEST:

James D. Anthony Judith Whitby (SEAL)
Judith Whitby

STATE OF MARYLAND)
) TO WIT:
QUEEN ANNE'S COUNTY)

APR 26-74 * 22791 ***22791
APR 26-74 A #22791 ***130
APR 26-74 A #22790 ****05
APR 26-74 A #22789 ****11

I HEREBY CERTIFY, that on this 26th day of April, 1974, before me, the subscriber, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared Judith Whitby, and she acknowledged the foregoing Deed to be her act.

WITNESS my hand and Notarial Seal.

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
756-0877



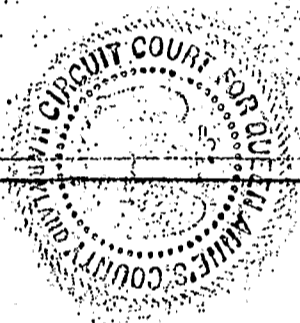
James D. Anthony
Notary Public
My Commission Expires: June 1, 1974

NO TITLE SEARCH
LIBER 83 PAGE 329

State of Maryland,
County of Queen Anne's, to wit: -

I Hereby Certify that the foregoing was truly taken and
copied from Liber C.W.C.#83, folio 326, a LAND
Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I have hereunto subscribed
my name and affixed the Seal of the Circuit Court
for Queen Anne's County this 13th day of August,
1974.



Charles St. Cecil
Clerk of Circuit Court for Q A's Co.

FILED Aug 27, 1974

19

KATHERINE EMALA, ET AL. : IN THE

Plaintiffs : CIRCUIT COURT FOR QUEEN

vs. : ANNE'S COUNTY

ROBERT F. EMALA, ET AL. :

Defendants : EQUITY NO. 5560

: : : : : : : :

PETITION TO WITHDRAW PETITION
TO STAY PARTITION PROCEEDINGS AND ORDER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Now comes Jane Webster, by Jacob Yosef Miliman, her attorney, and Betty Reese, by William Kolodner, and Salkowski & Resnick, her attorney, and they respectfully represent unto this Honorable Court:

1. That the petition filed in the Orphan's Court having been withdrawn the parties hereto desire to withdraw the Petition to Stay Partition Proceedings.

Jacob Yosef Miliman

 Jacob Yosef Miliman
 500 Tower Building
 Baltimore, Maryland 21202
 SARatoga 7-0114
 Attorney for Jane Webster

William Kolodner

 William Kolodner

Salkowski & Resnick

 Salkowski & Resnick
 714 INA Building, 303 East Fayette Street
 Baltimore, Maryland 21202
 SARatoga 7-0555
 Attorney for Betty Reese

I HEREBY CERTIFY THAT on this 23 day of September, 1974, a copy of the foregoing Petition to Withdraw Petition to Stay Partition Proceedings and Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, Maryland, 21221, and to James E. Thompson, Jr., Esquire, 117 Lawyer's Row, Centreville, Maryland, 21617.

Jacob Yosef Miliman

 Jacob Yosef Miliman

D'ALESSANDRO & MILIMAN
 ATTORNEYS AT LAW
 500 TOWER BUILDING
 BALTIMORE, MD. 21202
 SARATOGA 7-0114

Filed: Sept. 26, 1974

KATHERINE EMALA, ET AL. : IN THE
 Plaintiffs : CIRCUIT COURT FOR QUEEN
 vs. : ANNE'S COUNTY
 ROBERT F. EMALA, ET AL. :
 Defendants : EQUITY NO. 5560
 : : : : : : : : :

ORDER

UPON THE AFOREGOING PETITION, it is, this _____ day of
 September, 1974, by the Circuit Court for Queen Anne's County,

ORDERED:

That the Petition to Stay Partifion Proceedings is hereby Ordered
 withdrawn from the record and the same _____

 JUDGE

 JUDGE

 JUDGE

D'ALESSANDRO & MILIMAN
 ATTORNEYS AT LAW
 500 TOWER BUILDING
 BALTIMORE, MD. 21202
 SARATOGA 7-0114

20

KATHERINE EMALA, ET AL * IN THE CIRCUIT COURT FOR
 Plaintiffs *
 vs * QUEEN ANNE'S COUNTY
 ROBERT F. EMALA, ET AL *
 Defendants * EQUITY NO. 5560
 * * * * *

The above Petition standing ready and being submitted, the proceedings were by the Court read and considered, and the Court having also determined that in addition to the right of the Plaintiffs to enjoy their property in severalty it is to the benefit and advantage of the several owners to sell said property.

IT IS THEREUPON, this 4th day of October, 1974, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED and DECREED as follows:

That the real estate mentioned and described in these proceedings will be sold for the purpose of partition and also for the benefit and advantage of the owners thereof.

That James E. Thompson, Jr. and Jacob Yosef Miliman be and they are hereby appointed Trustees to make sale thereof, but before they shall make this judicial sale they shall file with the Clerk of this Court a bond to the State of Maryland, in the penalty of four hundred & fifty thousand Dollars (\$ 450,000.00) and with such surety as shall be approved pursuant to Maryland Rule H2 conditioned on faithful performance and execution of the trust reposed in them; that before they shall make a public sale they shall give notice by advertisement of the time, place and terms of sale in a newspaper published in Queen Anne's County; said notice shall be given at least once each week for three (3) successive weeks, the first such publication to be not less than fifteen (15) days prior to sale and the last such publication to be not more than one (1) week prior to sale, and shall describe the property to be sold to such extent as to make it readily recognizable. The Trustees may also do such other advertising that they deem advantageous. The public sale referred to herein may be either by means of a public auction or in the discretion of the Trustees through sealed bids to be opened at a time and place as advertised.

The terms of the sale shall be determined by the Trustees.

That the Trustees shall comply with Maryland Rules BR6a and BR6b (2) and (3).

That upon the Court's ratification of said sale and upon payment of the whole of the purchase money, and not before,

the said Trustees shall, by a good and sufficient deed to be executed, acknowledged, and recorded according to law, convey the real estate so sold to the purchaser or purchasers, his, her, or their heirs, free, clear and discharged from all claims of the parties to this cause.

That said Trustees shall bring into this Court all of the money arising from said sale to be distributed under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to said Trustees as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their Trust.

B. Herbert Turner Jr.

JUDGE

APPROVED AS TO FORM AND CONTENT:

Jacob Yosef Miliman
Jacob Yosef Miliman
500 Tower Building
Baltimore, Maryland 21202
727-0114

William Kolodner
William Kolodner
303 East Fayette Street
Baltimore, Maryland 21202
727-0555

James E. Thompson, Jr.
James E. Thompson, Jr.
117 Lawyers Row
Centreville, Maryland 21617
758-0877

Vachel A. Downes, Jr.
Vachel A. Downes, Jr.
115 Lawyers Row
Centreville, Maryland 21617
758-0680

Filed Oct. 4, 1974

RECEIVED FOR RECORD October 23, 1974

[TRUSTEES' BOND.]

The Jeffersonian Print, Towson, Md.

21

Bond 1-769-765

Equity No. 5560

Know All Men by These Presents:

That we, James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees
Centreville, Maryland 21617

and THE OHIO CASUALTY INSURANCE COMPANY of
Hamilton, Ohio

are held and firmly bound unto the State of Maryland in the full and just sum of Four hundred fifty thousand and 00/100 dollars (\$450,000.00)

Dollars, to be paid to the said State, or its certain Attorney, to which payment, well and truly to be made and done, we bind ourselves, and each of us, our, and each of our Heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with our seals, and dated this 11th day of October in the year nineteen hundred and seventy four.

WHEREAS, by decree of the Circuit Court Queen Anne's County sitting in Equity, passed in a cause in said court on the 4th day of October nineteen hundred and seventy four, between Katherine Emala, et al complainants, and Robert F. Emala, et al

respondents, the above bound James E. Thompson, Jr. and Jacob Yosef Miliman

have been appointed Trustees to make sale of the Real Estate and premises in the proceedings in said cause mentioned:

Now The Conditions Of This Obligation Are Such

That if the above bounden James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees

do and shall well and truly and faithfully perform the trust reposed in them by aforesaid decree, or that may be reposed in them by any further decree or order in the premises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and Delivered }
in the presence of }

James W. Anthony

James W. Anthony

Rebecca O. Conlon
Rebecca O. Conlon

*Security approved and Bond
Filed Oct 23, 1974*

James E. Thompson, Jr. [SEAL]

Jacob Yosef Miliman [SEAL]

THE OHIO CASUALTY INSURANCE COMPANY [SEAL]

Michael E. Badoiato [SEAL]
Michael E. Badoiato, Attorney-in-fact

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from
LIBER C.W.C. No. 1, folio 585, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe
my name and affix the Seal of the Circuit
Court for Queen Anne's County, this 23rd
day of October, Nineteen Hundred and
Seventy-four.

Charles W. Cecil
Clerk of the Circuit Court for
Queen Anne's County

22

KATHERINE EMALA, ET AL * IN THE CIRCUIT COURT FOR
 Plaintiffs *
 vs * QUEEN ANNE'S COUNTY
 ROBERT F. EMALA, ET AL *
 Defendants * EQUITY NO. 5560
 * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by James E. Thompson, Jr. and Jacob Yosef Miliman, the Trustees appointed to make such sale, unto your Honors respectfully shows:

1. That pursuant to the decree of this Honorable Court passed on the 4th day of October, 1974, your Trustees filed a bond in this cause in the penalty of Four Hundred Fifty Thousand Dollars (\$450,000.00) with Corporate Surety thereon, which said bond was duly approved by the Clerk of this Court.

2. That thereupon pursuant to said decree, your Trustees advertised the time, place, manner and terms of sale in the Queen Anne's Record Observer and The Bay Times, both newspapers published in Queen Anne's County, Maryland, for more than three (3) successive weeks prior to Friday, November 22, 1974, as will appear by reference to the certificates of advertisement of sale which are attached hereto as a part hereof.

3. In addition to the local advertising your Trustees advertised in the Wall Street Journal, Philadelphia Inquirer, Wilmington News Journal, Delaware State News, News & Farmer, Baltimore Sun and the Washington Post.

4. As a result of the aforesaid advertising your Trustees distributed thirty-seven (37) bidding kits to perspective bidders. No record was kept of the numerous telephone inquiries wherein the inquiring individual did not request additional information or bid kit.

5. That at the time and place aforesaid the bids received were obtained in accordance with the decree of this court and the terms of sale as advertised. The highest bid for instant property was in the amount of Three Hundred Thirty Thousand Dollars (\$330,000.00) made by J. Wilson Clark, Centreville, Queen Anne's County, Maryland. Said bid was in proper form and had attached thereto a certified check in the amount of Sixteen Thousand Five Hundred Dollars (\$16,500.00) representing five percent (5%) of the bid.

6. That considering the extent of the advertising and the number of inquiries, your Trustees believe that the price obtained

for subject property, to wit, Three Hundred Thirty Thousand Dollars (\$330,000.00), is the best price obtainable for said property.

Respectfully submitted

James E. Thompson, Jr.
James E. Thompson, Jr.
Jacob Yosef Miliman
Jacob Yosef Miliman

Trustees in Chancery Cause No. 5560

STATE OF MARYLAND)
) TO WIT:
QUEEN ANNE'S COUNTY)

I HEREBY CERTIFY, that on this 22nd day of November, 1974, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees in the aforesaid matter, and made oath in due form of law that the matters and facts set forth in the foregoing REPORT OF SALE are true and bona fide as therein set forth, and that the sale therein reported was fairly made.

Charles W. Cail
Clerk of the Circuit Court for
Queen Anne's County, Maryland

FILED Nov 22, 1974

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
756-0677

LIBER

9 277

Queen  Anne's

RECORD-OBSERVER

Centreville, Md., November 22 19⁷⁴

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Trustee's Sale of farm

in the case/estate of Emala Farm

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 22nd day of November, 19⁷⁴, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 6th day of October 19⁷⁴, and the last insertion on the 20th day of November, 19⁷⁴

THE RECORD-OBSERVER CORPORATION

By *Walter M. Thomas*

FILED Nov 22, 19⁷⁴

TRUSTEES' SALE OF FARM 541.85 ACRES "EMALA FARM"

The undersigned Trustees, by virtue of a decree of the Circuit Court for Queen Anne's County, Equity No. 5560, passed October 4, 1974, offer for sale, by sealed bid to be opened at the law office of James E. Thompson, Jr., 117 Lawyers Row, Centreville, Maryland 21617, on

FRIDAY, NOVEMBER 22, 1974

commencing at 11:00 A.M. the following described property, to wit:

PARCEL ONE:

ALL that tract of land or farm known as "The Well Done Division of Landsdowne" and more recently known as the "Wrightson L. Lowe Farm", or by whatsoever other name or names the same may be called or known situate, lying and being in the Sixth Election District of Queen Anne's County, State of Maryland, on the right side of the public road leading from Centreville to Hope adjoining the lands of the late Sudler C. Tolson and the lands of the devisees of the late William McKenney, and described as follows, to wit: BEGINNING for the same in the aforesaid public road opposite a stone placed where the said land of the late Sudler C. Tolson joins the land hereby conveyed, and running with said road South 67 degrees East 53 perches, thence South 57 degrees East, 52 perches, thence South 58 degrees East, 47 1/4 perches, thence South 74 degrees East 41 1/4 perches, thence South 77 degrees East, 12 perches, thence South 11 degrees 30' West, 146 perches to a stone, thence South 67 degrees 30' East, 19 1/2 perches, thence South 15 degrees West, 13 perches, thence South 42 degrees 30' West, 156 perches to a stone, thence North 72 degrees West 57 perches to a marked oak tree, a corner of the land of the late Sudler C. Tolson, thence with said land North 3 degrees 30' West, 161 perches, thence North 8 degrees West 54 perches, thence North 71 degrees East, 13 1/2 perches, and thence North 1 degree West, 131 1/2 perches to said place of beginning, containing 298 acres of land, more or less.

SAVING AND EXCEPTING therefrom the following property:

1. That part of the land designated and described as "Secondly" containing 7.4 acres conveyed by deed from Robert E.C. Lowe, et al, to Sudler C. Tolson, dated February 5, 1913, and recorded in W.F.W. No. 3, folio 10, of the Land Records of Queen Anne's County.

2. That part of a tract containing 28 acres, more or less, more particularly described by metes and bounds in deed from Robert E.C. Lowe and wife to Archie Roe dated June 15, 1927, and recorded in Liber B.H.T. No. 6, folio 565, of the Land Records aforesaid.

SUBJECT, to the legal operation and effect of a right of way from James Ferrick, et al, to the Town Commissioners of Centreville, dated February 4, 1950, and recorded in Liber N.B.W. No. 8, folio 112, of the Land Records aforesaid.

BEING the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 538, was granted and conveyed by James Ferrick and James W. Moore, Trustees of the Estate of Matthew Ferrick, Incompetent, et al, unto Frank J. Emala.

PARCEL TWO:

ALL that farm or plantation, situate, lying and being on the public road leading from Centreville to Roesville, in the Sixth Election District of Queen Anne's County, State of Maryland, which is composed of two tracts or parts of two tracts of land, one called "Upper Deal" containing 221 acres, 3 roods and 18 perches of land, more or less, and the other called "Wright's Chance containing 107 acres 3 roods and 36 perches of land, more or less, and secondly, all that tract of land situate on the south side of the public road between Carville Station and Hope, it being a part of the "Wilmer Farm" of the late Wrightson L. Lowe and containing 7.4 acres of land, more or less.

SAVING AND EXCEPTING therefrom, however, those parts of said land described in the following deeds:

1. Deed from Wrightson Lowe, et ux, to Queen Anne's and Kent Railroad Company, dated October 31, 1872, and recorded in Liber J.W. No. 6, folio 358, of the Land Records of Queen Anne's County.

2. Deed from Robert E.C. Lowe, et al, to John E. George, et al, dated May 14, 1912, and recorded in Liber W.F.W. No. 1, folio 409, of the Land Records of Queen Anne's County.

3. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife to Handy Robinson, dated April 30, 1918, and recorded in Liber W.F.W. No. 11, folio 527, etc., a Land Record Book for Queen Anne's County.

4. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to William T. Hufnal, dated April 22, 1918, and recorded in Liber J.F.R. No. 2, folio 322 of the Land Records of Queen Anne's County.

5. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated June 10, 1929, and recorded in Liber B.H.T. No. 9, folio 541, of the Land Records of Queen Anne's County.

6. Deed from Mary C. Tolson Morris, et al, to the State of Maryland to the use of the State Roads Commission of Maryland, dated November 19, 1954, and recorded in Liber T.S.P. No. 19, folio 180, of the Land Records of Queen Anne's County.

7. Grant from M. Tolson Morris to the County Commissioners of Queen Anne's County dated September 11, 1957, and recorded in Liber T.S.P. No. 37, folio 15, of the Land Records of Queen Anne's County.

SUBJECT to the legal operation and effect of the following viz:

1. The rights and easements granted to the Chesapeake and Potomac Telephone Company by an indenture dated August 14, 1920, from Sudler C. Tolson and Minnie L. Tolson, his wife, and recorded in Liber J.F.R. No. 5, folio 272, of the Land Records of Queen Anne's County.

2. The rights and easements granted to the State of Maryland to the use of the State Roads Commission of Maryland, in the deed dated November 19, 1954, above set out.

3. The rights and easements granted to the County Commissioners of Queen Anne's County, in deed dated September 11, 1957, above set out.

4. The rights and easements granted to the Eastern Shore Public Service Company of Maryland by an indenture dated January 10, 1951, from Minnie L. Tolson, et al, recorded in Liber T.S.P. No. 1, folio 323, of the Land Records of Queen Anne's County.

BEING the same property which by Deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 552, was granted and conveyed by Mary Catherine Tolson Morris unto Frank J. Emala.

ALSO, SAVING AND EXCEPTING therefrom, all that lot of ground described in a Deed from Frank J. Emala to Paul Reese and wife dated October 1, 1970, and which Deed is recorded among the Land Records of Queen Anne's County in Liber C.W.C. No. 52, folio 560.

BEING the same and all of the property conveyed unto Katherine Emala, et al, by Helen Ziemski, Personal Representative of Frank J. Emala, deceased, by deed dated April 24, 1974, recorded April 25, 1974, in Liber C.W.C. No. 83, folio 281, and by deed to Katherine Emala by Judith Whitty by deed dated April 26, 1974, recorded April 26, 1974, in Liber C.W.C. No. 83, folio 326, both land record books of Queen Anne's County, Maryland.

The aforesaid contiguous parcels are now known as "The Emala Farm".

IMPROVEMENTS

Parcel No. 1 is improved by two story dwelling house containing 4 bedrooms, 2 baths, living room, kitchen, and family room with central heat; and implement shed, 2 silos, cow barn, milk house, stock shed, corn bin, pump house, 2 house trailers, garage.

Interested bidders have the right at all convenient times to inspect this property and the improvements thereon.

TERMS OF SALE

This farm is offered for sale by sealed bid. The bid shall be addressed to James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, in care of James E. Thompson, Jr., 117 Lawyers Row, Centreville, Maryland 21617, and may be mailed or hand delivered to said address. All bids must be received prior to 11:00 A.M. Friday, the 22nd day of November, 1974, and shall be on the bid forms furnished by the Trustees. A certified or cashier's check in an amount of at least 5 percent of the bid, payable to "James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees," shall accompany each bid.

No bid will be accepted or considered if not in compliance with the above and if not received by 11:00 A.M. on Friday, the 22nd day of November, 1974, at which time the bids will be opened.

The sale will be for cash with final settlement on or before 30 days following final ratification of said sale by the Circuit Court for Queen Anne's County. All taxes shall be adjusted to date of final settlement. Buyer shall pay all costs of transfer of title, including revenue stamps and transfer tax.

All unsuccessful bidders will promptly have their checks returned and will be notified of the name and the amount of the successful bidder. The amount and names of other bidders will not be disclosed.

The acceptance of any bid is subject to final ratification of the sale by the Circuit Court for Queen Anne's County.

Bid forms and other information on the farm may be secured by writing or telephoning the Trustees.

POSSESSION

Full possession on final settlement and payment of the purchase price in full.

JAMES E. THOMPSON, JR.
117 Lawyers Row
Centreville, Maryland 21617
1-301-758-0377

JACOB YOSEF MILIMAN
500 Tower Building
Baltimore, Maryland 21202
1-301-727-0114

TRUSTEES

LIBER

9 279

4-11-20

Bay Times

P.O. Box 44, Stevensville, Md. 21666 Nov. 21, 1974

THE BAY TIMES, a body corporate, does hereby certify that the
Trustee's Sale of Farm

in the case/estate of
Emala Farm

a true copy of which is annexed hereto, was published in the BAY TIMES, a weekly newspaper published at Stevensville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 22 day of Nov., 1974, and that the first insertion of said advertisement in said BAY TIMES was on the 31 day of Oct., 1974, and the last insertion on the 21 day of Nov., 1974.

THE BAY TIMES

By Louise B. Pace

The Bay Times

FILED Nov 22, 1974

TRUSTEES' SALE

OF

F A R M

541.85 ACRES

"EMALA FARM"

The undersigned Trustees, by virtue of a decree of the Circuit Court for Queen Anne's County, Equity No. 5560, passed October 4, 1974, offer for sale by sealed bid to be opened at the law office of James E. Thompson, Jr., 117 Lawyers Row, Centreville, Maryland 21617, on

Friday, November 22, 1974

commencing at 11:00 A.M. the following described property, to wit:

PARCEL ONE:

ALL that tract of land or farm known as "The Well Done Division of Landsdowne" and more recently known as the "Wrightson L. Lowe Farm", or by whatsoever other name or names the same may be called or known situate, lying and being in the Sixth Election District of Queen Anne's County, State of Maryland, on the right side of the public road leading from Centreville to Hope adjoining the lands of the late Sudler C. Tolson and the lands of the devisees of the late William McKenrey, and described as follows, to wit: BEGINNING for the same in the aforesaid public road opposite a stone placed where the said land of the late Sudler C. Tolson joins the land hereby conveyed, and running with said road South 67° East 53 perches, thence South 57° East, 52 perches, thence South 58° East 47 3/4 perches, thence South 74° East 41 1/4 perches, thence South 77° East, 12 perches, thence South 11° 30' West, 146 perches to a stone, thence South 67° 30' East, 19 1/2 perches, thence South 15° West, 13 perches, thence South 42° 30' West, 156 perches to a stone, thence North 72° West 57 perches to a marked oak tree, a corner of the land of the late Sudler C. Tolson, thence with said land North 3° 30' West, 161 perches, thence North 8° West 54 perches, thence North 71° East, 13 1/2 perches, and thence North 1° West, 131 1/2 perches to said place of beginning, containing 288 acres of land, more or less.

SAVING AND EXCEPTING therefrom the following property:

1. That part of the land designated and described as "Secondly" containing 7.4 acres conveyed by deed from Robert E. C. Lowe, et al. to Sudler C. Tolson, dated February 5, 1913, and recorded in W.F.W. No. 3, folio 10, of the Land Records of Queen Anne's County.
2. That part of a tract containing 28 acres, more or less, more particularly described by metes and bounds in deed from Robert E. C. Lowe and wife to Archie Roe dated June 15, 1927, and recorded in Liber B.H.T. No. 6, folio 565, of the Land Records aforesaid.

SUBJECT, to the legal operation and effect of a right of way from James Ferrick, et al. to the Town Commissioners of Centreville, dated February 4, 1950, and recorded in Liber N.B.W. No. 8, folio 112, of the Land Records aforesaid.

BEING the same property which by deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 538, was granted and conveyed by James Ferrick and James W. Moore, Trustees of the Estate of Matthew Ferrick, Incompetent, et al. unto Frank J. Emala.

PARCEL TWO:

ALL that farm or plantation, situate, lying and being on the public road leading from Centreville to Roesville, in the Sixth Election District of Queen Anne's County, State of Maryland, which is composed of two tracts or parts of two tracts of land, one called "Upper Deal" containing 221 acres, 3 roods and 18 perches of land, more or less, and the other called "Wright's Chance" containing 107 acres 3 roods and 36 perches of land, more or less, and secondly, all that tract of land situate on the south side of the public road between Carville Station and Hope, it being a part of the "Wilmer Farm" of the late Wrightson L. Lowe and containing 7.4 acres of land, more or less.

SAVING AND EXCEPTING therefrom, however, those parts of said land described in the following deeds:

1. Deed from Wrightson Lowe, et ux, to Queen Anne's and Kent Railroad Company, dated October 31, 1872, and recorded in Liber J. W. No. 6, folio 358, of the Land Records of Queen Anne's County.
2. Deed from Robert E. C. Lowe, et al. to John E. George, et al, dated May 14, 1912, and recorded in Liber W.F.W. No. 1, folio 409, of the Land Records of Queen Anne's County.
3. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife to Handy Robinson, dated April 30, 1918, and recorded in Liber W.F.W. No. 11, folio 527, etc., a Land Record Book for Queen Anne's County.
4. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to William T. Hufnal, dated April 30, 1918, and recorded in Liber W.F.W. No. 11, folio 527, etc., a Land Record, Queen Anne's County.
5. Deed from Sudler C. Tolson and Minnie L. Tolson, his wife, to Handy Robinson, dated June 10, 1929, and recorded in Liber B.H.T. No. 9, folio 541, of the Land Records of Queen Anne's County.
6. Deed from Mary C. Tolson Morris, et al, to the State of Maryland to the use of the State Roads Commission of Maryland, dated November 19, 1954, and recorded in Liber T.S.P. No. 19, folio 180, of the Land Records of Queen Anne's County.
7. Grant from M. Tolson Morris to the County Commissioners of Queen Anne's County dated September 11, 1957, and recorded in Liber T.S.P. No. 37, folio 15, of the Land Records of Queen Anne's County.

SUBJECT to the legal operation and effect of the following viz:

1. The rights and easements granted to the Chesapeake and Potomac Telephone Company by an indenture dated August 14, 1920, from Sudler C. Tolson and Minnie L. Tolson, his wife, and recorded in Liber J.F.R. No. 5, folio 272, of the Land Records of Queen Anne's County.
2. The rights and easements granted to the State of Maryland to the use of the State Roads Commission of Maryland, in the deed dated November 19, 1954, above set out.

PLEASE NOTE:

The remaining of this column will be found on the next page
C&C 9 folio 282

Chas. W. Cecil, Clerk

3. The rights and easements granted to the County Commissioners of Queen Anne's County, in deed dated September 11, 1957, above set out.

4. The rights and easements granted to the Eastern Shore Public Service Company of Maryland by an indenture dated January 10, 1951, from Minnie L. Tolson, et al, recorded in Liber T.S.P. No. 1, folio 323, of the Land Records of Queen Anne's County.

BEING the same property which by Deed dated January 9, 1961, and recorded in the Land Records of Queen Anne's County in Liber T.S.P. No. 58, folio 552, was granted and conveyed by Mary Catherine Tolson Morris unto Frank J. Emala.

ALSO, SAVING AND EXCEPTING therefrom, all that lot of ground described in a Deed from Frank J. Emala to Paul Reese and wife dated October 1, 1970, and which Deed is recorded among the Land Records of Queen Anne's County in Liber C.W.C. No. 52, folio 560.

BEING the same and all of the property conveyed unto Katherine Emala, et al, by Helen Ziernski, Personal Representative of Frank J. Emala, deceased, by deed dated April 24, 1974, recorded April 25, 1974, in Liber C.W.C. No. 83 folio 281, and by deed to Katherine Emala by Judith Whitby by deed dated April 26, 1974, recorded April 26, 1974, in Liber C. W.C. No. 83, folio 326, both land record books of Queen Anne's County, Maryland.

The aforesaid contiguous parcels are now known as "The Emala Farm".

IMPROVEMENTS

Parcel No. 1 is improved by two story dwelling house containing 4 bedrooms, 2 baths, living room, kitchen, and family room with central heat; and implement shed, 2 silos, cow barn, milk house, stock shed, corn bin, pump house, 2 house trailers, garage.

Interested bidders have the right at all convenient times to inspect this property and the improvements thereon.

TERMS OF SALE

This farm is offered for sale by sealed bid. The bid shall be addressed to James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, % James E. Thompson, Jr., 117 Lawyers Row, Centreville, Maryland 21617, and may be mailed or hand delivered to said address. All bids must be received prior to 11:00 A.M. Friday the 22nd day of November, 1974, and shall be on the bid forms furnished by the Trustees. A certified or cashier's check in an amount of at least 5% of the bid, payable to "James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees." shall accompany each bid.

No bid will be accepted or considered if not in compliance with the above and if not received by 11:00 A.M. on Friday, the 22nd day of November, 1974, at which time the bids will be opened.

The sale will be for-cash with final settlement on or before 30 days following final ratification of said sale by the Circuit Court for Queen Anne's County. All taxes shall be adjusted to date of final settlement. Buyer shall pay all costs of transfer of title, including revenue stamps and transfer tax.

All unsuccessful bidders will promptly have their checks returned and will be notified of the name and the amount of the successful bidder. The amount and names of other bidders will not be disclosed.

The acceptance of any bid is subject to final ratification of the sale by the Circuit Court for Queen Anne's County.

Bid forms and other information on the farm may be secured by writing or telephoning the Trustees.

POSSESSION

Full possession on final settlement and payment of the purchase price in full.

JAMES E. THOMPSON, JR.
117 Lawyers Row
Centreville, Maryland 21617
1-301-758-0877

JACOB YOSEF MILIMAN
500 Tower Building
Baltimore, Maryland 21202
1-301-727-0114

Trustees

10-31-44

OFFER OF PURCHASE

23

The undersigned, hereinafter referred to as Purchaser, in accordance with the terms of sale as set forth by James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, in Chancery Cause No. 5560, does hereby offer the sum of Three Hundred Thirty Thousand (\$ 330,000.00) for the purchase of "The Emala Farm" containing 541.85 acres, more or less (legal description attached).

Enclosed herewith is a cashier's or certified check for Sixteen Thousand Five Hundred (\$ 16,500.00)

Dollars representing at least 5% of the purchase price, payable to "James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees," as a deposit on said purchase price. In the event this offer is not accepted within three (3) business days of the opening of bids, this check will be returned to the purchaser.

If this offer is accepted (accepted offer is subject to ratification by the Circuit Court for Queen Anne's County) settlement shall be on or before thirty (30) days following final ratification of said sale by the Court. The balance of the purchase price shall be paid in cash or by certified or cashier's check at time of settlement and upon delivery of a deed conveying a good and merchantable fee simple title, free and clear of all liens and encumbrances except publicly recorded easements or rights appertaining to the same for the construction of roads and the construction and maintenance of utility lines.

The preparation of all conveyancing documents, recording costs, revenue stamps and transfer taxes shall be paid by the purchaser.

Taxes to be adjusted to date of settlement.

In the event purchaser shall fail to make settlement, for causes not attributable to the Sellers, the deposit shall be forfeited and retained as liquidated damages. Any resale to be at purchaser's risk.

WITNESS my hand and seal this 22 day of November 1974.

WITNESS:

Clayton Wright J. Wilson Clark (SEAL)

(SEAL)

Purchaser(s)

The above offer is accepted subject to final ratification by the Circuit Court for Queen Anne's County this 22nd day of November, 1974.

WITNESS:

James E. Thompson, Jr. (SEAL)
Jacob Yosef Miliman (SEAL)
James E. Thompson, Jr.
Jacob Yosef Miliman
Trustees - Sellers

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
758-0877

FILED Nov 22, 1974

LIBER 9 284
ORDER NISI ON SALE

24

Katherine Emala, et al
Plaintiffs

vs.

Robert F. Emala, et al
Defendants

In the Circuit Court
for Queen Anne's County

In Equity

Cause No. 5560

ORDERED, this 22nd day of November, 1974, that the sale of the real property, made and reported in this cause by James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, be ratified and confirmed, on or after the 23rd day of December, 1974, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of three successive weeks before the 16th day of December, 1974.

The report states the amount of sales to be \$ 330,000.00

Charles W Cecil Clerk

Filed November 22, 1974

ORDER NISI ON SALE

25

Katherine Emala, et al
Plaintiffs

vs.

Robert F. Emala, et al
Defendants

In the Circuit Court
for Queen Anne's County

In Equity

Cause No. 5560

ORDERED, this 22nd day of November, 1974, that the sale of the real property, made and reported in this cause by James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, be ratified and confirmed, on or after the 23rd day of December, 1974, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of three successive weeks before the 16th day of December, 1974.

The report states the amount of sales to be \$ 330,000.00

Charles W Cecil Clerk

Filed November 22, 1974

26

KATHERINE EMALA, ET AL * IN THE CIRCUIT COURT FOR
 Plaintiffs *
 vs *
 QUEEN ANNE'S COUNTY
 *
ROBERT F. EMALA, ET AL * EQUITY NO. 5560
 Defendants *

* * * * *

STATE OF MARYLAND)
) TO WIT:
QUEEN ANNE'S COUNTY)

I HEREBY CERTIFY, that on this 16th day of December, 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared J. Wilson Clark and made oath in due form of law that he purchased

ALL those several parcels of land described in these proceedings as "The Emala Farm" situate, lying and being in the Sixth Election District, Queen Anne's County, State of Maryland, on both sides of Maryland Route 305, containing 541.85 acres of land, more or less,

for his own interest. That he was acting on his own behalf and not as agent for any other person. And further that he did not directly or indirectly discourage anyone from bidding for said property.

James H. Centron
Notary Public
My Commission Expires: July 1, 1978

Filed Dec. 17, 1974



JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
758-0877

ORDER NISI ON SALE
Katherine Emala, et al
Plaintiffs

vs.

Robert F. Emala, et al
Defendants

+++++
In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5560
+++++

ORDERED, this 22nd day of
November, 1974, that the sale
of the real property, made and
reported in this cause by
James E. Thompson, Jr. and
Jacob Yosef Millman, Trus-
tees, be ratified and con-
firmed, on or after the 23rd
day of December, 1974, unless
cause to the contrary thereof
be previously shown; provided
a copy of this order be inserted
in some newspaper published
in Queen Anne's County,
Maryland, once in each of
three successive weeks before
the 16th day of December,
1974.

The report states the amount
of sales to be \$330,000.00.

CHARLES W. CECIL, Clerk

Filed: November 22, 1974

TRUE COPY

TEST: Charles W. Cecil, Clerk
31-12-11

LIBER 9 286

Queen Anne's

RECORD-OBSERVER

Centreville, Md., Dec. 23 1974

27

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify
that the Order Nisi

in the case/estate of Cause NO. 5560

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S
RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's
County, Maryland, once a week for 3 successive weeks before the 16th day
of Dec., 1974, and that the first insertion of said advertisement
in said QUEEN ANNE'S RECORD-OBSERVER was on the 27th day of NOV.
1974, and the last insertion on the 11th day of Dec., 1974

THE RECORD-OBSERVER CORPORATION

By *M. J. Thomas*

Filed Dec 23, 1974

28
KATHERINE EMALA, ET AL

Plaintiffs

vs

ROBERT F. EMALA, ET AL

Defendants

* IN THE CIRCUIT COURT FOR

*

QUEEN ANNE'S COUNTY

*

* EQUITY NO. 5560

*

* * * * *

FINAL RATIFICATION OF SALE

ORDERED, by the Circuit Court for Queen Anne's County, in Equity, this 23rd day of December, 1974, that the sale of real estate made and reported in this cause by James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although due notice thereof appears to have been given as required by the proceeding Order Nisi; and the Trustees are allowed the usual commissions and such proper expenses, not personal, for which they shall produce vouchers thereof to the Auditor.

B. Heckett Turner Jr.
JUDGE

FILED Dec 23, 1974

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

756-0677

LIBER

9 287

29

KATHERINE EMALA, ET AL
PLAINTIFFS

IN THE CIRCUIT COURT FOR

VS

QUEEN ANNE'S COUNTY

ROBERT F. EMALA, ET ALL

DEFENDANTS

EQUITY NO. 5560

FEE BY AUDITOR

YOUR Auditor, J. Thomas Clark, has been ordered to do the final audit in this case.

AND your auditor does not think he will be justly paid in this case under the Fee's Schedule and he request a final fee of \$200.00 to do this audit.

Respectfully Submitted,

J. Thomas Clark
J. Thomas Clark

Filed Jan. 28, 1975

ORDER OF COURT

30

AFTER checking the file of this case, it is therefore ordered by the Circuit Court of Queen Anne's County that on this 28 day of January, 1975, J. Thomas Clark shall have a fee of \$200.00

B. Heckell Turner, Jr.
Judge of the Circuit Court for
Queen Anne's County

Filed Jan. 28, 1975

31

KATHERINE EMALA, ET AL
PLAINTIFFS

VS

ROBERT F. EMALA, ET AL
DEFENDANTS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5560

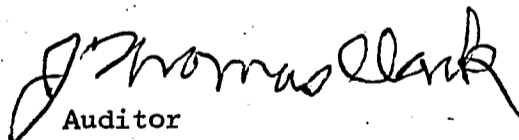
TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto your Honor respectfully represents:

1. That this account is stated at the request of James E. Thompson, Jr., and Jacob Yosef Miliman, Trustees, and wherein it appears that the proceeds of the sale are sufficient to pay the expenses of the sale. The remaining proceeds were disbursed to James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees.

2. That in the within account, James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, are charged with the proceeds of sale made by them, and they are allowed thereafter their commissions for making said sale, the several court costs, several costs of advertising said sale, appraisal fees of Charles E. Anthony, Jr., premium on the Trustees bond, amounts paid for photocopying, an apportioned amount of State and County Taxes, the fee and expenses of your auditor, and the balance was disbursed to James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees. James Emala and Linda Emala are not of age.

Respectfully submitted,


Auditor

January 30, 1975

Cause No. 5560

The proceeds of the sale of land reported in this cause, in account with James E. Thompson, Jr., and Jacob Yosef Miliman, Trustees, and vendor of said land

Cr.

1974

Nov. 22 By gross proceeds of the sale of said land, per report of said vendor, to wit: \$330,000.00

Dr.

To James E. Thompson, Jr., and Jacob Yosef Miliman, Trustees, commission for making sale, to wit: \$16,650.00

To do., for an amount paid Charles W. Cecil, Clerk, for Court costs, per receipt exhibited, to wit:

1. Clerk's costs	\$325.00	
2. Shff. QAC	4.00	
3. Shff. Balto. Co.	40.00	
4. Steno.	40.00	
5. Examiner	60.00	
6. Appr.	10.00	
7. Appr.	<u>10.00</u>	489.00

To do., Record-Observer, per receipt exhibited, to wit: (Advertising sale) 373.75

To do., Delaware State News, per receipt exhibited, to wit: (Advertising sale) 46.91

To do., The News Journal Company, per receipt exhibited, to wit: (Advertising sale) 39.48

To do., for an amount due Bay Times, for advertising sale, to wit: 330.75

To do., for an amount due News & Farmer, for advertising sale, to wit: 36.00

To do., for an amount due The Washington Post Company, for advertising sale, to wit: 33.80

To do., for an amount due The A. S. Abell Company, for advertising sale, to wit: 24.20

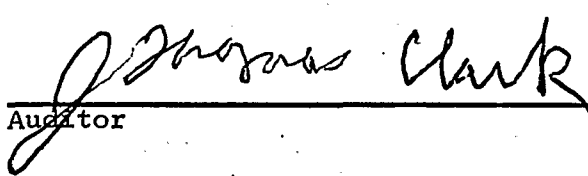
To do., for an amount due Philadelphia Newspaper, Inc., for advertision sale, to wit: 31.24

To do., for an amount due Dow Jones & Company, Inc., for advertising sale, to wit: 106.68

To do., for an amount due The Bay Times for advertising Order Nisi, to wit: 18.00

To do., for an amount paid Charles E. Anthony, Jr., appraisal fee, per receipt exhibited, to wit:	\$ 100.00
To do., for an amount paid Frank S. Dudley, Jr., appraisal fee, per receipt exhibited, to wit:	167.50
To do., for an amount paid W. M. Freestate Agency, for Trustee's bond, per receipt exhibited, to wit:	1,800.00
To do., for an amount paid Jacob Yosef Miliman, for photocopies, to wit:	30.27
To do., for an amount paid James E. Thompson, Jr., for photocopies, to wit:	34.10
To do., Oscar A. Schulz, Treasurer, for 280 days taxes, plus interest on unpaid taxes, to wit:	968.41
T J. Thomas Clark, Auditor, as follows:	
1. Fee for stating audit, per order of Court	\$200.00
2. Expenses involved in stating audit and notifying parties	<u>15.00</u>
	215.00
To James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, for distribution to heirs:	<u>308,504.91</u> \$ 330,000.00 \$330,000.00

January 30, 1975


 Auditor

CR.

To James E. Thompson, Jr. and Jacob Yosef
Miliman, Trustees, for distribution to heirs: \$308,504.91

DR.

To Katherine Emala, widow of Frank J. Emala, deceased:	\$102,834.97	
To Linda Emala, daughter of Frank J. Emala, deceased:	34,278.32	
To Robert F. Emala, son of Frank J. Emala, deceased:	34,278.33	
To Betty Reese, daughter of Frank J. Emala, deceased:	34,278.33	
To Joyce Swecker, daughter of Frank J. Emala, deceased:	34,278.32	
To Jane Webster, daughter of Frank J. Emala, deceased:	34,278.32	
To James Emala, son of Frank J. Emala, deceased:	<u>34,278.32</u>	
	\$308,504.91	<u>\$308,504.91</u>

January 30, 1975

J. Thomas Clark

Auditor

Filed Jan. 30, 1975

32

KATHERINE EMALA, ET AL
PLAINTIFFS

VS

ROBERT F. EMALA, ET AL
DEFENDANTS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5560

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned Court Auditor hereby certifies that on January 30, 1975, the date the audit in the above entitled cause was filed in this Court, that he did, by U. S. First Class Mail, notify the following interested parties to this cause, to wit:

Katherine Emala
Centreville, Maryland 21617

Linda Emala
Centreville, Maryland 21617

Robert F. Emala
Box 448B University Drive
Baltimore, Maryland 21220

Betty Reese
3044 Parktowne Road
Baltimore, Maryland 21234

Joyce Swecker
325 Homberg Avenue
Baltimore, Maryland 21221

Jane Webster
7880 Stansbury Road
Baltimore, Maryland 21222

James Emala
Centreville, Maryland 21617

James E. Thompson, Jr., Trustee
Lawyers Row
Centreville, Maryland 21617

Jacob Yosef Miliman, Trustee
500 Tower Building
Baltimore, Maryland 21202

Pusuant to Rule 12d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned, was mailed to each of the above named persons at the above stated address, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, notifying each of them that said account was filed on January 30, 1975, with the Clerk of the Circuit Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before February 14, 1975 and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on February 18, 1975.

Filed Jan. 30, 1975

J. Thomas Clark
Thomas Clark, Auditor

IN RE RATIFICATION OF AUDIT

33

KATHERINE EMALA, et al.

vs.

ROBERT F. EMALA, et al.

In the Circuit Court
for Queen Anne's County

In Equity

Cause No. 5560

ORDERED, this 30th day of January, 1975, that the report and account filed in these proceedings by J. Thomas Clark, Auditor,

be ratified on or after the 18th day of February, 1975, unless cause to the contrary thereof be previously shown; provided notice is given in manner provided by Maryland Rule 595 g to persons entitled thereto.

~~published in Queen Anne's County, Maryland, on the 18th day of February, 1975, before the 18th day of February, 1975.~~

Charles H. Cecil Clerk

Filed Jan. 30, 1975

34
KATHERINE EMALA, ET AL
PLAINTIFFS

VS

ROBERT F. EMALA, ET AL
DEFENDANTS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5560

PETITION TO APPOINT A SPECIAL AUDITOR TO RESTATE THE AUDIT
IN ORDER TO CORRECT AN OBVIOUS ERROR IN DISTRIBUTION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petitioner, John T. Clark, III, the law partner of J. Thomas Clark the Auditor for Queen Anne's County Circuit Court says.

1. That on January 30, 1975, J. Thomas Clark, the auditor, stated an audit in the above entitled case in which there was an obvious error in the distribution in that he gave one-third (1/3) of the proceeds to Katherine Emala, widow of Frank J. Emala, deceased, instead of the one-half (1/2) interest that she is entitled to as is shown in the Bill of Complaint For Petition By Sale, as well as throughout the proceedings.

2. That on January 31, 1975, J. Thomas Clark, the auditor, left for Florida on a vacation and will not return until February 17, or February 18, 1975.

3. That the Auditor's return on February 17, or 18 of 1975 is past the time when exceptions are to be filed in the above-entitled case, which said exceptions are to be filed on or before February 14, 1975.

4. That since the Petitioner, John T. Clark, III, is a member of the same firm as the auditor, J. Thomas Clark, he would like to be appointed special auditor to correct the obvious error in the audit and to restate said audit.

WHEREFORE the Petitioner prays that the Honorable Court appoint him special auditor to restate said audit to correct said obvious error.

Respectfully submitted,



John T. Clark, III

Filed Feb 10, 1975

35
IT IS ORDERED, This 10th day of February, 1975, that John T. Clark, III be appointed special auditor in the above-entitled case to restate said audit, correcting the obvious error in distribution that has been brought to the Court's attention and that he shall assume said post after being duly sworn in.

B. Hockett Turner, Jr.
JUDGE

Filed Feb 10, 1975

36
KATHERINE EMALA, ET AL
PLAINTIFFS

VS

ROBERT F. EMALA, ET AL
DEFENDANTS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5560

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of John T. Clark, III, Special Auditor, unto your Honor respectfully represents:

1. That this account is stated at the request of James E. Thompson, Jr., and Jacob Yosef Miliman, Trustees, and pursuant to a Court Order dated February 10, 1975, in which this Honorable Court asked John T. Clark, III to restate the audit in order to correct a obvious error in distribution. It appears that the proceeds of the sale are sufficient to pay the expenses of the sale. The remaining proceeds were disbursed to James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees.

2. That in the within account, James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, are charged with the proceeds of sale made by them, and they are allowed thereafter their commissions for making said sale, the several court costs, several costs of advertising said sale, appraisal fees of Charles E. Anthony, Jr., premium on the Trustees bond, amounts paid for photocopying, an apportioned amount of State and County Taxes, the fee and expenses of your auditor, and the balance was disbursed to James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees. James Emala and Linda Emala are not of age.

Respectfully submitted,

John T. Clark, III
Special Auditor

February 10, 1975

FILED Feb 10, 1975

Cause No. 5560

The proceeds of the sale of land reported in this cause, in account with James E. Thompson, Jr., and Jacob Yosef Miliman, Trustees, and vendor of said land

Cr.

1974
Nov. 22 By gross proceeds of the sale of said land, per report of said vendor, to wit: \$330,000.00

Dr.

To James E. Thompson, Jr., and Jacob Yosef Miliman, Trustees, commission for making sale, to wit: \$16,650.00

To do., for an amount paid Charles W. Cecil, Clerk, for Court costs, per receipt exhibited, to wit:

1. Clerk's costs	\$325.00	
2. Shff. QAC	4.00	
3. Shff. Balto. Co.	40.00	
4. Steno	40.00	
5. Examiner	60.00	
6. Appr.	10.00	
7. Appr.	10.00	489.00

To do., Record-Observer, per receipt exhibited, to wit: (Advertising sale) 373.75

To do., Delaware State News, per receipt exhibited, to wit: (Advertising sale) 46.91

To do., The News Journal Company, per receipt exhibited, to wit: (Advertising sale) 39.48

To do., for an amount due Bay Times, for advertising sale, to wit: 330.75

To do., for an amount due News & Farmer, for advertising sale, to wit: 36.00

To do., for an amount due The Washington Post Company, for advertising sale, to wit: 33.80

To do., for an amount due The A. S. Abell Company, for advertising sale, to wit: 24.20

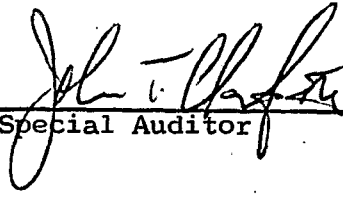
To do., for an amount due Philadelphia Newspaper, Inc., for advertising sale, to wit: 31.24

To do., for an amount due Dow Jones & Company, Inc., for advertising sale, to wit: 106.68

To do., for an amount due The Bay Times for advertising Order Nisi, to wit: 18.00

To do., for an amount paid Charles E. Anthony, Jr., appraisal fee, per receipt exhibited, to wit:	\$. 100.00	
To do., for an amount paid Frank S. Dudley, Jr., appraisal fee, per receipt exhibited, to wit:	167.50	
To do., for an amount paid W. M. Freestate Agency, for Trustee's bond, per receipt exhibited, to wit:	1,800.00	
To do., for an amount paid Jacob Yosef Miliman, for photocopies, to wit:	30.27	
To do., for an amount paid James E. Thompson, Jr., for photocopies, to wit:	34.10	
To do., Oscar A. Schulz, Treasurer, for 280 days taxes, plus interest on unpaid taxes, to wit:	968.41	
To J. Thomas Clark, Auditor, as follows:		
1. Fee for stating audit, per order of Court	\$200.00	
2. Expenses involved in stating audit and notifying parties	<u>15.00</u>	215.00
To James E. Thompson, Jr. and Jacob Yosef Miliman, Trustees, for distribution to heirs:	<u>308,504.91</u>	<u>\$330,000.00</u>
	\$330,000.00	\$330,000.00

February 10, 1975


Special Auditor

FILED Feb 10, 1975

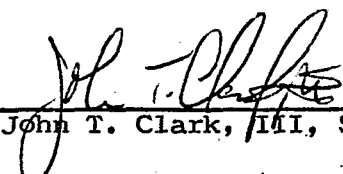
CR.

To James E. Thompson, Jr. and Jacob Yosef
Miliman, Trustees, for distribution to heirs: \$308,504.91

DR.

To Katherine Emala, Widow of Frank J. Emala, deceased:	\$154,252.45	
To Linda Emala, daughter of Frank J. Emala, deceased:	25,708.75	
To Robert F. Emala, son of Frank J. Emala, deceased:	25,708.75	
To Betty Reese, daughter of Frank J. Emala, deceased:	25,708.74	
To Joyce Swecker, daughter of Frank J. Emala, deceased:	25,708.74	
To Jane Webster, daughter of Frank J. Emala, deceased:	25,708.74	
To James Emala, son of Frank J. Emala, deceased:	<u>25,708.74</u>	
	\$308,504.91	<u>\$308,504.91</u>

February 10, 1975



John T. Clark, III, Special Auditor

FILED Feb 10, 1975

37
KATHERINE EMALA, ET AL
PLAINTIFFS

IN THE CIRCUIT COURT FOR

VS

QUEEN ANNE'S COUNTY

ROBERT F. EMALA, ET AL

DEFENDANTS

EQUITY NO. 5560

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned ^{Special}Auditor hereby certifies that on February 10, 1975, the date the audit in the above entitled cause was filed in this Court, that he did, by U. S. First Class Mail, notify the following interested parties to this cause, to wit:

Katherine Emala
Centreville, Maryland 21617

Linda Emala
Centreville, Maryland 21617

Robert F. Emala
Box 448B University Drive
Baltimore, Maryland 21220

Betty Reese
3044 Parktowne Road
Baltimore, Maryland 21234

Joyce Swecker
325 Homberg Avenue
Baltimore, Maryland 21221

Jane Webster
7880 Stansbury Road
Baltimore, Maryland 21222

James Emala
Centreville, Maryland 21617

James E. Thompson, Jr., Trustee
Lawyers Row
Centreville, Maryland 21617

Jacob Yosef Miliman, Trustee
500 Tower Building
Baltimore, Maryland 21202

Pusuant to Rule 12d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned, was mailed to each of the above named persons at the above stated address; and pursuant to Rule 595, Section G, Maryland Rules of Procedure, notifying each of them that said account was filed on February 10, 1975, with the Clerk of the Circuit Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before February 25, 1975 and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on February 26, 1975.

John T. Clark, III

 John T. Clark, III, Special Auditor

FILED Feb 10, 1975

NISI RATIFICATION OF AUDIT

38

KATHERINE EMALA, Et Al

vs.

ROBERT F. EMALA, Et Al

In the Circuit Court
 for Queen Anne's County
 In Equity

Cause No. 5560

ORDERED, this 10th day of Feb., 19 75, that the report and account filed in these proceedings by John T. Clark, III, Special, Auditor, be ratified on or after the 26th day of February, 19 75, unless cause to the contrary thereof be previously shown; ^{notice is given in manner provided by Maryland Rule 595 g to persons entitled thereto.} ~~provided a copy of this order be inserted in some news paper published in Queen Anne's County, Maryland, once in each of two successive weeks before the~~ ~~day of~~ ~~19~~

Charles W. Cecil Clerk

Filed Feb. 10, 1975

39 /

KATHERINE EMAIA, ET AL * IN THE CIRCUIT COURT FOR
Plaintiffs *
VS * QUEEN ANNE'S COUNTY
ROBERT F. EMAIA, ET AL *
Defendants * EQUITY NO. 5560
* * * * *

FINAL RATIFICATION OF AUDIT

ORDERED, by the Circuit Court for Queen Anne's County, in Equity, this 26th day of February, 1975, that the foregoing Report and Account filed in these proceedings by J. Thomas Clark, Auditor, as amended by John T. Clark, III, Special Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by Rule of Court; and the Trustees are directed to apply and distribute the said trust estate accordingly.

B. Hackett Turner Jr.
JUDGE

FILED Feb 26, 1975

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this thirtieth Day of August, in the year nineteen hundred and seventy-four, the following Petition For Sale of Real Estate in Lieu of Partition was brought to be recorded, to wit: ----

MARY KATHERINE PERKINS : IN THE CIRCUIT COURT FOR
P. O. Box 415 :
Centreville, Maryland 21617 : QUEEN ANNE'S COUNTY, IN EQUITY

vs. :

EDWARD TERRY PERKINS : CHANCERY NO. 5588
Route 3 - Box 24 :
Centreville, Maryland 21617 :

: : : : : : : : : :

AUG 30-74 * 27123 *****25 00
PETITION FOR SALE OF REAL ESTATE 30-74 A 527123 *****25 00
IN LIEU OF PARTITION

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Mary Katherine Perkins, by Walter W. Claggett, her Solicitor, for sale of real estate in lieu of partition, respectfully represents:

FIRST: That your Petitioner and the Defendant, Edward Terry Perkins, were divorced A VINCULO MATRIMONII by Decree of the Circuit Court for Queen Anne's County dated August 28, 1972, being Chancery No. 5291.

(A Certified Copy of said Divorce Decree is filed herewith, marked "Complainant's Exhibit 1" and is prayed to be taken as a part hereof.)

SECOND: That prior to the aforesaid Decree of Divorce between the Parties hereto, your Complainant and the said Edward Terry Perkins became owners, as tenants by the entireties, of a parcel or lot of land situate in Queen Anne's County, State of Maryland, more particularly described as follows:

ALL that tract of land or farm known as the "Luther Gardner Farm," being a part of the tract of land or farm known as the "Williams Farm" or "Hall's Borough" located on the right or northeast side of "The Manor Road" (now designated Maryland Route #309) as the same leads from Starr to U.S. Route #213 and also on the north side of the county road known as "Neighbors Road" leading from Ruthsburg to Starr and on the southeast side of the county road known as "Back Starr Road," leading from Centreville by way of Rolling Bridge, said farm being partly in the Third and partly in the Sixth Election District of Queen Anne's County, State of Maryland, and more particularly described by metes and bounds, courses and distances, as follows:

BEGINNING at the end of one hundred and twenty-five perches on a line drawn South 47° East from a stone standing in the place where the second tree of Abington did stand, and running from thence North 43° East 160

WALTER W. CLAGGETT
ATTORNEY AT LAW
EASTON, MARYLAND 21601
822-1540

perches; thence South 47° East 131 perches to "Dancy Resurveyed"; thence South 43° West 58 perches to Wooley's Road; thence North 65° West 13 perches; thence North 32° 30' East, 4 perches; thence North 66° 30' West 9-1/10 perches; thence South 24° West 4 perches; thence North 66° West 16 perches to the Parson's Road; thence North 45° 30' West 6 perches; thence South 37° 15' West 11 perches to a stone on Wooley's Road, marked J.C.; thence South 83° 15' West 9½ perches; thence North 10° West 7-7/10 perches; thence South 83° 30' West 22-9/10 perches; thence South 02° East 8-3/10 perches; thence South 83° 30' West 69-7/10 perches and from thence with a straight line to the Beginning; and containing 89¼ acres of land, more or less;

SAVE AND EXCEPT therefrom, however, so much thereof which was conveyed by the following Deeds, to wit:

(1) Two acres for the heirs of Joshua David and Charles Stuart referred to in Deed dated January 17, 1882, recorded among the Land Records in Liber S.C.D. No. 1, folio 208 from John K. B. Emory, et al., to Emily A. Price.

(2) Dated October 29, 1888 and recorded among said Land Records in Liber W.D. No. 2, folio 215, from George E. Price, et al., to the Board of School Commissioners for Queen Anne's County containing 2 roods and 22 perches of land, fronting on "Grange Hall Road."

(3) Dated December 10, 1889 and recorded among said Land Records in Liber W.D. No. 3, folio 499 from George E. Price, et ux, to John B. Brown, having a frontage of 53 feet on southwest side of Maryland Route #309 and an even depth of 150 feet.

(4) Dated December 11, 1889 and recorded among said Land Records in Liber W.D. No. 3, folio 500 from George E. Price, et ux, to Henry Andrie, et al., having a frontage of 47 feet 10 inches, on southwest side of Maryland Route #309 and an even depth of 150 feet.

(5) Dated February 28, 1890 and recorded among said Land Records in Liber W.D. No. 4, folio 153, from George E. Price, et ux to Hattie Price, located on northeast side of Maryland Route #309 in Sixth Election District and containing 19 perches of land.

(6) Dated May 27, 1890 and recorded among said Land Records in Liber W.D. No. 4, folio 309 from George E. Price, et ux to John H. Rhodes, located on the north side of Maryland Route #309, having a frontage on said road of 85 feet 4 inches, a depth of 101 feet and a rear line of 73 feet.

(7) Dated July 7, 1891 and recorded among said Land Records in Liber W.D. No. 6, folio 43 from John B. Brown and Edwin H. Brown, Attorneys for George E. Price and Emily A. Price, his wife, to Harriett Price, containing about 32 acres of land on the southwest side of Maryland Route #309.

(8) Dated April 5, 1948, and recorded among said Land Records in Liber N.B.W. No. 1, folios 501 and 503 from William D. Foster, et al., to the State of Maryland to the Use of the State Roads Commission of Maryland.

(9) Dated June 29, 1971, and recorded among said Land Records in Liber C.W.C. No. 56, folio 411, from Edward Terry Perkins and Mary Katherine Perkins, his wife, to Richard L. George, and Mildred A. George, his wife, two acres on the east side of "Back Starr Road."

(10) Dated September 27, 1973, and recorded among said Land Records in Liber C.W.C. No. 78, folio 137, from Edward Terry Perkins, et al., to George Glanding and Marie Glanding, his wife, one acre on the southeast side of "Back Starr Road."

Containing a remaining calculated quantity of fifty-one (51) acres of land, more or less.

a part of
BEING /the same piece, parcel and lot of ground conveyed to Edward Terry Perkins and Mary Katherine Perkins, his wife, as tenants by the entireties, by Charles L. Schelberg and Jane B. Schelberg, his wife, by Deed dated June 15, 1967, and which said Deed is duly of record in Liber C.W.C. No. 29, folio 47, a Land Record Book for Queen Anne's County, Maryland.

(A Certified Copy of said Deed of Conveyance is filed herewith, marked "Complainant's Exhibit 2" and prayed to be taken as a part hereof.)

THIRD: That your Complainant herein, by virtue of the aforesaid Divorce Decree, is now a tenant in common and concurrent owner of the above described parcel of land and improvements thereon with the said Edward Terry Perkins, Defendant herein, and your Complainant is entitled to the partition hereof, but hereby avers and alleges that it is not susceptible to division or partition between your Complainant and the said Defendant without material loss or injury to your Complainant and the said Defendant; and that it will be to the best interests and advantage of the Parties hereto to have said property and improvements thereon sold and the proceeds therefrom distributed to your Complainant and to Edward Terry Perkins in accordance with their respective interests.

WHEREFORE, your Complainant respectfully prays:

(1) That a Decree be passed for the sale of said property and improvements thereon and a Trustee be appointed to make such sale, and the net proceeds be divided among those persons entitled to same, according to their respective interests.

(2) And for such other and further relief as the nature of her cause may require.

AND, AS IN DUTY BOUND, etc. . . .

Mary Katherine Perkins
Mary Katherine Perkins

By:

Walter W. Claggett
Walter W. Claggett, Esq., Attorney at Law
P. O. Box 773, Easton, Maryland 21601
Telephone: (301) 822-1540
Solicitor for Complainant

WALTER W. CLAGGETT
ATTORNEY AT LAW
EASTON, MARYLAND 21601
822-1840

-3-

1887

9 MAY 305

STATE OF MARYLAND, TALBOT COUNTY, to wit:

I HEREBY CERTIFY, That on this 29th day of August, A.D., in the year one thousand nine hundred and seventy-four, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared MARY KATHERINE PERKINS known to me to be the Complainant herein, and made oath in due form of law that the matters and facts set forth in the foregoing Petition are true and correct, to the best of her knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the date last above written.

Eileen H. Camp
NOTARY PUBLIC
TALBOT CO. MARYLAND
EILEEN H. CAMP

My Commission Expires: July 1, 1978

Filed August 30, 1974

COMPLAINANT'S EXHIBIT 1

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this twenty-eighth day of August, in the year of nineteen hundred and seventy-two, the following Decree was filed for record, to wit:

17

MARY KATHERINE PERKINS

VS.

EDWARD TERRY PERKINS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY, IN EQUITY

CHANCERY NO. 5291

DECREE OF DIVORCE

This cause standing ready for hearing and being duly submitted, the proceedings were by the Court read and considered.

It is thereupon, this 28th day of August, A.D., in the year one thousand nine hundred and seventy-two, ORDERED, ADJUDGED and DECREED, by the Circuit Court for Queen Anne's County, In Equity, as follows:

(1) That Mary Katherine Perkins, the above named Complainant, be and she is hereby divorced A VINCULO MATRIMONII from the Defendant, Edward Terry Perkins.

(2) That the care and custody of Rose Marie Perkins, infant child born of the parties hereto, be and the same is hereby awarded to the said Mary Katherine Perkins, with the right and privilege to the said Edward Terry Perkins to visit with her at such reasonable times and intervals as the parties shall mutually agree, after prior notice to Mary Katherine Perkins of the desire of Edward Terry Perkins to exercise his right of visitation herein granted.

(3) That the said Edward Terry Perkins shall pay to the said Mary Katherine Perkins the sum of Fifteen Dollars (\$15.00) per week for the support and maintenance of the said Rose Marie Perkins, accounting from the date of this Decree and continuing until said child shall arrive at the age of twenty-one (21) years, dies, marries or becomes self-supporting, whichever event shall occur first.

(4) That the said Edward Terry Perkins shall pay all medical, dental and hospitalization expenses that may be incurred by the said Rose Marie Perkins for so long a period of time as the provisions of Paragraph 3 of this Decree are in effect.

(5) That the said Edward Terry Perkins shall pay the said Mary

WALTER W. CLOGGETT
ATTORNEY AT LAW
EASTON, MARYLAND 21821
622-1540

Katherine Perkins the sum of Twenty-five Dollars (\$25.00) per week for her support and maintenance until she dies, remarries or until modified or changed by an Order of this Court, whichever event shall occur first.

(6) That all payments required by this Decree for the support and maintenance of Rose Marie Perkins and of Mary Katherine Perkins shall be payable through the Maryland Department of Parole and Probation.

(7) That this Court shall maintain a continuing jurisdiction in the matter of the care, custody, support, maintenance and welfare of the said Rose Marie Perkins.

IT IS FURTHER ORDERED that the said Edward Terry Perkins shall pay the sum of Five hundred Dollars (\$ 500.⁰⁰) to Walter W. Claggett, Esquire, Attorney at Law, Easton, Maryland, Solicitor for the said Mary Katherine Perkins, and said sum shall be considered as preliminary counsel fee as well as final counsel fee.

AND IT IS FURTHER ORDERED that the said Edward Terry Perkins shall pay the costs of this proceeding.

B. H. Ashford Turner Jr.
JUDGE

Filed Aug 28, 1972

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from LIBER CWC No. 1, folio 198 a Divorce Decree Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 28th day of August, Nineteen Hundred and Seventy-two.

Charles W. Cecil
Clerk of the Circuit Court for Queen Anne's County.



WALTER W. CLAGGETT
ATTORNEY AT LAW
EASTON, MARYLAND 21821
CEL-1249

Filed Aug 30, 1974

COMPLAINANT'S EXHIBIT 2

No. 57806
Re 20313 RECEIVED FOR RECORD June 15, 1967

THIS DEED, made this 15th day of June, in the year nineteen hundred sixty-seven, by CHARLES L. SCHELBERG and JANE B. SCHELBERG, his wife, of Anne Arundel County, State of Maryland, but at the time of the signing hereof in Queen Anne's County, State of Maryland;

WITNESSETH, that for and in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Charles L. Schelberg and Jane B. Schelberg, his wife, do hereby grant and convey unto EDWARD TERRY PERKINS and MARY KATHERINE PERKINS, his wife, of Queen Anne's County, in the State of Maryland, as tenants by the entireties and not as tenants in common, their assigns, and the survivor of them, his or her heirs and assigns, in fee simple, all of the following described real estate, to wit:

ALL that tract of land or farm known as the "Luther Gardner Farm", being a part of the tract of land or farm known as the "Williams Farm" or "Hall's Borough" located on the right or Northeast side of "The Manor Road" (now designated Maryland Route #309) as the same leads from Starr to U.S. Route #213 and also on the North side of the County road known as "Neighbors Road" leading from Ruthsburg to Starr and on the Southeast side of the County road known as "Back Starr Road", leading from Centreville by way of Rolling Bridge, said farm being partly in the Third and partly in the Sixth Election District of Queen Anne's County, State of Maryland, and more particularly described by metes and bounds, courses and distances, as follows:

BEGINNING at the end of one hundred and twenty five perches on a line drawn South 47 degrees East from a stone standing in the place where the second tree of Abington did stand, and running from thence North 43 degrees East, 160 perches; thence South 47 degrees East, 131 perches to "Dancy Resurveyed"; thence South 43 degrees West, 58 perches to Wooley's Road; thence North 65 degrees West, 13 perches; thence North 32 degrees 30 minutes East, 4 perches; thence North 66 degrees 30 minutes West, 9 1/10 perches; thence South 24 degrees West, 4 perches; thence North 66 degrees West, 16 perches to the Parson's Road; thence North 45 degrees 30



minutes West, 6 perches; thence South 37 degrees 15 minutes West, 11 perches to a stone on Wooley's Road, marked J.C.; thence South 83 degrees 15 minutes West, 9 1/2 perches; thence North 10 degrees West, 7 7/10 perches; thence South 83 degrees 30 minutes West, 22 9/10 perches; thence South 02 degrees East, 8 3/10 perches; thence South 83 degrees 30 minutes West, 69 7/10 perches and from thence with a straight line to the beginning; and containing 89 1/4 acres of land, more or less;

SAVE and EXCEPT, therefrom, however, so much thereof which was conveyed by the following deeds, to wit:

(1) Two acres for the heirs of Joshua David and Charles Stuart referred to in deed dated January 17, 1882, recorded among the land records in Liber S.C.D. No. 1, folio 208 from John K.B. Emory, et al., to Emily A. Price.

(2) Dated October 29, 1888 and recorded among said land records in Liber W.D. No. 2, folio 215, from George E. Price, et al., to the Board of School Commissioners for Queen Anne's County containing 2 roods and 22 perches of land fronting on "Grange Hall Road".

(3) Dated December 10, 1889 and recorded among said land records in Liber W.D. No. 3, folio 499 from George E. Price, et ux., to John B. Brown, having a frontage of 53 feet on southwest side of Maryland Route #309 and on even depth of 150 feet.

(4) Dated December 11, 1889 and recorded among said land records in Liber W.D. No. 3, folio 500 from George E. Price, et ux., to Henry Andrie, et al., having a frontage of 47 feet 10 inches, on southwest side of Maryland Route #309 and an even depth of 150 feet.

(5) Dated February 28, 1890 and recorded among said land records in Liber W.D. No. 4, folio 153, from George E. Price, et ux., to Hattie Price, located on northeast side of Maryland Route #309 in Sixth Election District and containing 19 perches of land.

(6) Dated May 27, 1890 and recorded among said land records in Liber W.D. No. 4, folio 319 from George E. Price, et. ux., to John H. Rhodes, located on the north side of Maryland Route #309, having a frontage on said road of 85 feet 4 inches, a depth of 101 feet and a rear line of 73 feet.

(7) Mortgage dated June 3, 1890 and recorded among said land records in Liber W.D. No. 4, folio 333, from George A. Price, et. ux., to Charles W. Slagle, in which a lot adjoining the Rhodes lot last hereinabove described was excepted from the operation of said mortgage and was therein described as having a frontage of 230 feet on main road towards Ruthsburg, thence back 75 feet, thence 207 feet to Rhodes lot and thence with Rhodes lot 107 feet to the beginning.

(8) Dated July 7, 1891 and recorded among said land records in Liber W.D. No. 6, folio 43 from John B. Brown and Edwin H. Brown, Attorneys for George E. Price and Emily A. Price, his wife, to Harriett Price, containing about 32 acres of land on the Southwest side of Maryland Route #309.

(9) Dated April 5, 1948, and recorded among said land records in Liber N.B.W. No. 1, folios 501 and 503 from William D. Foster, et. al., to the State of Maryland to the use of the State Roads Commission of Maryland.

BEING the same and all of the land called or known as Parcel No. 3 and granted to the said Charles L. Schelberg by deed dated July 20, 1964, by William D. Foster, widower, and recorded among the land records of Queen Anne's County in Liber C.W.C. No. 9, folio 261.

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

- 3 -

1972 29 PAGE 49

LIBER 9 PAGE 311

TO HAVE and TO HOLD the said lot and parcel of land and premises unto and to the use of the said Edward Terry Perkins and Mary Katherine Perkins, his wife, as tenants by the entireties and not as tenants in common, their assigns, and the survivor of them, his or her heirs and assigns, in fee simple, forever.

AND the said Charles S. Schelberg and Jane B. Schelberg, his wife, do hereby covenant that they have not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted and conveyed; that they will warrant specially the property hereby granted and conveyed; and that they will execute such further assurances of said land as may be requisite.

WITNESS the hands and seals of the said Grantors:

TEST:

John D. Haywood

Charles L. Schelberg (SEAL)

Jane B. Schelberg

Jane B. Schelberg (SEAL)

STATE OF MARYLAND)
) To Wit:
QUEEN ANNE'S COUNTY)

On this the 15th day of June, in the year nineteen hundred sixty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Charles L. Schelberg and Jane B. Schelberg, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official



John D. Haywood
Notary Public
My Commission Expires July 1, 1967

STATE OF MARYLAND
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the foregoing was truly taken and copied from the original Deed, recorded in Liber C.W.C. No. 29, folio 47, a Land Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this 30th day of August, 1974.

Charles W. Cecil
Clerk of Circuit Court for Queen Anne's County

Filed Aug. 30, 1974

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

2/

September Return Day

File No. 5588

Docket C.W.C. No. 3, folio 257

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Edward Terry Perkins
Route 3 - Box 24
Centreville, Maryland 21617

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of September
_____, next, to answer an action at the suit of

Mary Katherine Perkins
P. O. Box 415
Centreville, Maryland 21617

Issued the 30th day of August 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Walter W. Claggett, Esquire
P. O. Box 773
ADDRESS: Easton, Maryland 21601
822-1540

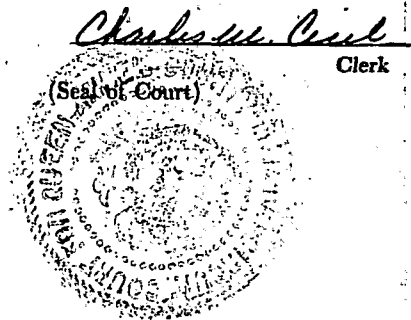
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE September 17,
19 74, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED Sept 3. 1974



9 314

Summons served, copy of Summons, Petitions and exhibits left with Edward Terry Perkins this 30th day of August 1974

George B. Sharp
Sheriff for Queen Anne's County

3

MARY KATHERINE PERKINS * IN THE CIRCUIT COURT FOR
vs * QUEEN ANNE'S COUNTY
EDWARD TERRY PERKINS * CHANCERY NO. 5588

* * * * *

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Defendant, Edward Terry Perkins, by James E. Thompson, Jr., his attorney, for answer to the Petition for Sale of Real Estate in Lieu of Partition, states:

1. That he admits the matters and facts set forth in Paragraphs 1, 2 and 3 of the Bill of Complaint.

Having fully answered said Bill of Complaint the defendant prays to be henced dismissed with his costs.

Respectfully submitted

Edward T Perkins
Edward Terry Perkins

James E. Thompson, Jr.
James E. Thompson, Jr.
117 Lawyers Row
Centreville, Maryland 21617
Telephone No. 758-0877
Attorney for Defendant

I HEREBY CERTIFY, that on this 17 day of September, 1974, a copy of the foregoing Answer was mailed to Walter W. Claggett, Esquire, attorney for plaintiff, P. O. Box 773, Easton, Maryland 21601, postage prepaid.

James E. Thompson, Jr.
James E. Thompson, Jr.

Filed: September 18, 1974

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
758-0877

MARY KATHERINE PERKINS
P. O. Box 415
Centreville, Maryland 21617
COMPLAINANT

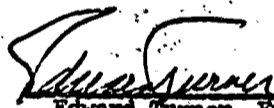
vs.

EDWARD TERRY PERKINS
Route 3, Box 24
Centreville, Maryland 21617
RESPONDENT

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY NO. 5588

4

The undersigned, one of the Standing Examiners for the Circuit Court of Queen Anne's County, at the request of Walter W. Claggett, Esquire, Solicitor for the Complainant, did on Thursday, October 17, 1974 at 10:00 o'clock A. M., after having first sworn the witnesses and the stenographer, proceeded to take their testimony; and I hereby further certify that I was present during the taking of said testimony and that I did not deem it necessary for me to examine any of the witnesses, there being no irregular or unusual circumstances in the taking of said testimony; and furthermore that the exhibits referred to in said testimony were filed with the Bill of Complaint in said proceedings.


Edward Turner, Examiner

MARY KATHERINE PERKINS, a witness of lawful age, produced on her own behalf, after having been duly sworn, deposes and says:

BY MR. CLAGGETT:

Q. Please state your name.

A. Mary Katherine Perkins.

Q. Where do you reside?

A. I am now living in Queen Anne in Talbot County. Prior to that, I lived in Centreville.

Q. Were you at one time married to Edward Terry Perkins?

A. Yes, I was. We were married September 6, 1951, and we got divorced by a Decree of the Circuit Court for Queen Anne's County on August 28, 1972.

Q. I show you a copy of a Decree of Divorce and ask if you can identify it.

A. Yes, that is a certified copy of our Divorce Decree passed by the Circuit Court for Queen Anne's County.

Q. At the time you and Edward Terry Perkins were married one to the other and prior to your divorce, did you and he acquire any real property?

A. Yes, we acquired a parcel of land in Starr on Route 309 containing at the time we purchased it approximately 59 acres, but after we bought it we sold off at various times about 3 acres, until right now there is about 56 acres. We lived on this parcel until we separated prior to the divorce in 1971.

Q. Can you state when you acquired this land?

A. Yes, we got it from Charles Schelberg and his wife on June 15, 1967.

Q. I show you a Deed marked "Complainant's Exhibit 2" and ask you if you can identify it.

A. Yes, that's a copy of the Deed whereby we acquired the property, and as I told you, we sold off about 3 acres.

(Solicitor for Complainant then offered into evidence certified copy of Deed dated June 15, 1967, marked "Complainant's Exhibit 2" and prays same to be taken as a part hereof.)

Q. Is the property improved by any type of dwelling?

A. Yes, there is a two story frame dwelling. It has six rooms. It has an artesian well, its own septic system, electricity, telephone. It also has a barn. The house is not in too good a chape, but the barn is closed in. All the acreage is cleared and tillable except about three or four or five acres of woods -- I don't really know.

Q. What type of ownership or title did you and your former husband have in this land when you purchased it in 1967?

A. We owned it as tenants by the entireties.

- Q. Do you believe that the land and buildings can be divided between you and your former husband without injury, that is, a division can take place of the actual property in which each of you would get a one-half equal interest monetarily?
- A. No, I don't.
- Q. Incidentally, is it your contention that after the divorce, you and Terry Perkins owned this land and buildings jointly?
- A. It certainly is. I haven't disposed of any of my interest, and I haven't heard Terry say he has disposed of any of his interest.
- Q. What do you think the property is worth as it now exists, that is, as a whole?
- A. I truthfully don't know. I know that the country is not in the best of a money market. I had hoped that the property would be worth \$70,000.00; and I know I had offered my former husband to sell my interest to him for one-half of that figure, less any outstanding obligations or debts we jointly owed; but you ask me what it's worth today and what it would bring when it's sold, I can't say. The best I can say is that I hope it would bring \$70,000.00, but I don't know.
- Q. Did you and Terry ever previous to this suit attempt to work out a division of your property?
- A. Yes, but we just couldn't agree.
- Q. Are there any obligations that you owe in connection with this property?
- A. Yes, there are several. We owe the bank, not too much, but we do owe them, and I am sure that will be paid out of the proceeds before any division should the matter come to a sale, and we further owe each of our respective parents.
- Q. Do you have any recommendation to the Court as to whom you would like appointed Trustee to sell the property?
- A. You.
- Q. Do you waive the examination of the transcribed stenographic record of your testimony in this matter so it may be filed without your signature?
- A. Yes, I certainly do waive signing it.

NORMA JEAN TURNER, a witness of lawful age, produced on behalf of the Complainant, after having been duly sworn, deposes and says:

BY MR. CLAGGETT:

- Q. Please state your name.
- A. Norma Jean Turner.
- Q. Where do you reside and what is your occupation?
- A. I reside in Talbot County, and I am associated with Walsh and Benson. I am a licensed real estate agent, that is, I am licensed to act as a real estate agent by the State of Maryland.
- Q. How long have you been in this particular occupation?
- A. I have been associated in real estate for the past three years.
- Q. Do you buy and sell real estate on behalf of clients?
- A. Yes, that is correct.
- Q. Do you appraise real estate in order to derive at a value therefor?
- A. Quite frequently we are asked by owners to look at a piece of property in order to indicate and suggest to the particular owner the price that could be obtained for the property, and this naturally entails appraising the property.
- Q. In arriving at an estimation or an appraisal, what is your final conclusion?
- A. Market value, that is, what a willing seller will sell his real estate for to a willing purchaser thereof and neither one being under any compulsion to either sell or buy.
- Q. Are you familiar with properties in Queen Anne's County?
- A. I have never sold property located in Queen Anne's County, although I have appraised several parcels of Queen Anne's County real estate. I am certainly familiar with property in Queen Anne's County.
- Q. Have you ever appeared before any court or governmental agency to give your opinion as to market value of real estate?
- A. Yes, I have appeared before the Circuit Court for Talbot County and have appeared before Planning and Zoning Commissions.
- Q. Are you familiar with property located near Starr on Maryland Route 309 in the Sixth Election District of Queen Anne's County, and which property belongs to Edward Terry Perkins and Mary Katherine Perkins, the parties to this proceeding?
- A. Yes, I am.
- Q. Have you had a chance to view and inspect this property?

A. Yes, I have, and in addition I have looked at the Deeds conveying the title to the present owners and have also looked at other public records such as the Assessment and Tax Records for the property in question.

Q. Can you describe the area of land?

A. The property consists of 50 acres, being 1 acre homesite with a two story frame dwelling, 24 acres of "B" land, 22 acres of "C" land, and 3 acres wooded land.

Q. This acreage that you just described, is that cleared land?

A. Yes, all but the 3 acres of woods and of course the 1 acre homesite.

Q. You mention the fact it had a two story frame dwelling. Does it have any other outbuildings?

A.

Q. In what state of repair or condition is the dwelling?

A. Not too good. It needs some work done on it. It certainly needs paint.

Q. What do you think is the market value for the land and improvements?

A. On today's market, considering the money market and considering that this may not be a willing purchaser - willing seller situation, in my opinion the value of the property is from \$50,000.00 to \$55,000.00. The absolute top figure in my opinion would be \$55,000.00.

Q. Did you have occasion to ascertain its tax assessment?

A. Yes, the land is assessed for \$6,020.00, and the improvements are assessed for \$3,523.00, or a total of \$9,543.00.

Q. Are you familiar with the owners or title to this property?

A. Yes, it is owned by Edward Terry Perkins and Mary Katherine Perkins; and the Deed of Conveyance shows it was conveyed to them as tenants by the entirety; but I understand they are now divorced, and, consequently, they would each own the property as tenants in common.

Q. Do you have a Deed reference?

A. Yes, it is recorded in Liber C.W.C. No. 29, page 47, Land Record Book for Queen Anne's County. However, from that particular Deed, there were two outconveyances: (1) June of 1971, recorded in Liber C.W.C. No. 56 at page 411, which the present owners conveyed about two acres on the east side of "Back Starr Road" to Richard L. George and wife; and (2) September of last year (1973), one acre on the same road, recorded in Liber C.W.C. No. 78, at page 137, to George Glanding and wife.

Q. Do you believe that the property is susceptible of division between the owners thereof without material loss in value?

A. As I said before, the property is improved by a dwelling, and this dwelling sits at one end of the property, and quite naturally you could not divide that; and in answer to your question, I would say no, the property could not be divided between the owners without substantial loss in value.

WALTER W. CLAGGETT
ATTORNEY AT LAW
EASTON, MARYLAND 21601
822-1840

Q. Do you waive the examination of the transcribed stenographic record of your testimony in this matter so it may be filed without your signature?

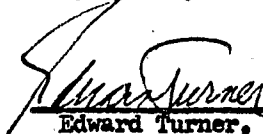
A. Yes, I do.

There being no further witnesses to be examined, the Examiner herewith makes his return to the depositions of the respective witnesses, and the costs chargeable to the Complainant, as follows, to wit:

Edward Turner, Examiner	-	-	\$ 10.00
Frances H. Smith, Stenographer	-	-	15.00

And I do further certify that said depositions were commenced at 10:00 o'clock A. M. and was completed at 11:00 o'clock A. M., or a period of one hour.

Respectfully submitted:



Edward Turner, Examiner

Filed Nov 21, 1974

MARY KATHERINE PERKINS : IN THE CIRCUIT COURT FOR
VS. : QUEEN ANNE'S COUNTY, IN EQUITY
EDWARD TERRY PERKINS : CHANCERY NO. 5588

.....

DECREE OF COURT

This cause standing ready for hearing and being submitted, the proceedings were read and considered.

It is thereupon this 21 day of November, 1974, by the Circuit Court for Queen Anne's County, sitting in equity, ADJUDGED, ORDERED AND DECREED, that the real property mentioned in the proceedings be sold; that Walter W. Claggett, Esq. be and he is hereby appointed Trustee to make said sale, and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court a Bond to the State of Maryland, executed by himself, and a surety or sureties, to be approved by this Court in the penalty of Seventy thousand Dollars (\$ 70,000.⁰⁰) if the same be a personal bond, or One hundred & Forty Thousand Dollars (\$ 140,000.⁰⁰) if the same be a corporate bond, conditioned for the faithful performance of the trust reposed in him by this Decree, or to be reposed in him by any future Decree or Order in the premises; he shall then proceed to make the sale, having given at least three (3) successive weeks' notice by advertisement inserted in some newspaper published in ^{Anne's} Queen /County, and such other notice, if any, as he shall think proper, of the time, place, manner and terms of sale, which terms shall be one-third cash on the day of the sale and the balance upon ratification of the sale, or all cash, at the option of the purchaser or purchasers, the credit portion to bear interest and to be secured to the satisfaction of the Trustee, and as soon as may be con-

WALTER W. CLAGGETT
ATTORNEY AT LAW
EASTON, MARYLAND 21601
822-1540

venient after such sale, the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale with an annexed affidavit of the truth thereof and of the fairness of said sale; and on obtaining the Court's ratification of the sale and on the payment of the whole purchase money (and not before), the said Trustee shall, by a good and sufficient Deed, to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, Plaintiff and Defendant, and those claiming by, from or under them, or either of them; and the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court, after deducting the costs of this suit and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

B. Hechett Turner Jr.
JUDGE

FILED *Nov 21, 1974*

Maryland

RECEIVED FOR RECORD Dec 6, 1974

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS:

BOND No. 19-TM- 2390

That we, WALTER W. CLAGGETT, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly

bound in the sum of SEVENTY THOUSAND AND 00/100 (\$ 70,000.00) DOLLARS, (NOT VALID IF FILLED IN FOR MORE THAN \$500,000.00)

to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Scaled with our seals and dated this 4th day of December, 19 74.

WHEREAS, the above bounden Walter W. Claggett, by virtue of a Decree of the Circuit Court for Queen Anne's County, Maryland, has been appointed Trustee For The Sale Of Real Estate, In Partition, mentioned in the proceedings in the case of Mary Katherine Perkins vs. Edward Terry Perkins, being No. 5588 Chancery, now pending in said Court.

~~xxxxxx~~

~~xxxxxx~~

~~xxxxxx~~

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden
- WALTER W. CLAGGETT -

does and shall well and truly and faithfully perform the trust reposed in him under the ~~DEED~~ DEED aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said ~~mortgaged~~ mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

As to Principal
Francis H. Smith

Walter W. Claggett
Walter W. Claggett Principal

As to Surety
W. Warren
C. Warren

WESTERN SURETY COMPANY
By W. Berentschot
W. Berentschot, Asst. Sec'y

Countersigned by Orbit Tiffin Maryland Resident Agent

Security approved and Bond f. s. s. 1974
Charles H. Clark

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from Liber C.W.C. No. 1, folio 603, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 6th day of December, Nineteen hundred and Seventy-four.

Charles W. Cecil
Clerk of the Circuit Court for
Queen Anne's County

Queen Anne's
RECORD-OBSERVER

Centreville, Md., January 9 19 75

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Trustee's Sale

in the case/estate of Chancery No. 5588

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 7th day of January, 19 75, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 11th day of December 19 74, and the last insertion on the 1st day of January, 19 75.

THE RECORD-OBSERVER CORPORATION

By *Matthew H. Monroe*

Filed Jan. 10, 1975

**TRUSTEE'S SALE OF
DESIRABLE FARM LAND
AND IMPROVEMENTS**

Located at Starr on Maryland Route 309 In the Sixth Election District of Queen Anne's County, Maryland

Under and by virtue of the authority contained in a Decree of the Circuit Court for Queen Anne's County dated November 21, 1974, passed in a proceeding therein pending, in which said proceeding Mary Katherine Perkins is the Complainant, and Edward Terry Perkins is the Defendant, the same being No. 5588 Chancery, the undersigned Trustee named in said Decree will offer for sale at public auction on

TUESDAY, JANUARY 7, 1975

at 1:30 p.m., at the Court House Door in Centreville, Queen Anne's County, Maryland, the following described property, to wit:

ALL that tract of land or farm known as the "Luther Gardner Farm," being a part of the tract of land or farm known as the "Williams Farm" or "Hall's Borough" located on the right or northeast side of "The Manor Road" (now designated Maryland Route No. 309) as the same leads from Starr to U.S. Route No. 213 and also on the north side of the county road known as "Neighbors Road" leading from Ruthsburg to Starr and on the southeast side of the county road known as "Back Starr Road," leading from Centreville by way of Rolling Bridge, said farm being partly in the Third and partly in the Sixth Election District of Queen Anne's County, State of Maryland, and more particularly described by metes and bounds, courses and distances, as follows:

BEGINNING at the end of one hundred and twenty-five perches on a line drawn South 47 degrees East from a stone standing in the place where the second tree of Abington did stand, and running from thence North 43 degrees East 160 perches; thence South 47 degrees East 131 perches to "Dancy Resurveyed"; thence South 43 degrees West 58 perches to Wooley's Road; thence North 65 degrees West 13 perches; thence North 32 degrees 30' East 4 perches; thence North 66 degrees 30' West 9-10 perches; thence South 24 degrees West 4 perches; thence North 63 degrees West 16 perches to the Parson's Road; thence North 45 degrees 30' West 6 perches; thence South 37 degrees 15' West 11 perches to a stone on Wooley's Road, marked J.C.; thence South 83 degrees 15' West 9-1/2 perches; thence North 10 degrees West 7-7-10 perches; thence South 83 degrees 30' West 22-9-10 perches; thence South 02 degrees East 8-3-10 perches; thence South 83 degrees 30' West 69-7-10 perches and from thence with a straight line to the beginning; and containing 89-1/4 acres of land, more or less;

SAVE AND EXCEPT therefrom, however, so much thereof which was conveyed by the following Deeds, to wit:

- (1) Deed recorded in Liber S.C.D. No. 1, folio 206
- (2) Deed recorded in Liber W.D. No. 2, folio 215
- (3) Deed recorded in Liber W.D. No. 3, folio 499
- (4) Deed recorded in Liber W.D. No. 3, folio 500
- (5) Deed recorded in Liber W.D. No. 4, folio 153
- (6) Deed recorded in Liber W.D. No. 4, folio 309
- (7) Deed recorded in Liber W.D. No. 6, folio 43
- (8) Deed recorded in Liber N.B.W. No. 1, folio 501
- (9) Deed recorded in Liber C.W.C. No. 58, folio 411
- (10) Deed recorded in Liber C.W.C. No. 78, folio 137

(All Land Record Books for Queen Anne's County, Maryland)

BEING a part of the same tract that was conveyed to Edward Terry Perkins and Mary Katherine Perkins by Deed dated June 15, 1937, and recorded in Liber C.W.C. No. 29, folio 47, Land Record Book for Queen Anne's County, Maryland.

(NOTE: Quantity of land in this desirable tract is about 51 acres, all cleared but about 3 acres containing woods)

IMPROVEMENTS

This property is improved by a two story frame dwelling containing six rooms; artesian well, all utilities, barn and several outbuildings.

TERMS OF SALE

Terms of sale will be one-third cash on day of sale, and the balance upon ratification of sale, or all cash, at the option of the purchaser or purchasers; the credit portion to bear interest and to be secured to the satisfaction of the Trustee. Taxes to be adjusted to date of settlement. Transfer taxes, recording costs, revenue stamps and title papers to be at the expense of the purchaser or purchasers.

WALTER W. CLAGGETT, Trustee

JOSEPH A. JACKSON,
Auctioneer

41-1-2

8

MARY KATHERINE PERKINS * IN THE CIRCUIT COURT FOR
 vs * QUEEN ANNE'S COUNTY
 EDWARD TERRY PERKINS * CHANCERY NO. 5588

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Walter W. Claggett, Trustee appointed to make such sale, unto your Honors respectfully shows:

1. That pursuant to the decree of this Honorable Court passed on the 21st day of November, 1974, your Trustee filed a bond in this cause in the penalty of Seventy Thousand Dollars (\$70,000.00) with Corporate Surety thereon, which said bond was duly approved by the Clerk of this Court.
2. That thereupon pursuant to said decree, your Trustee advertised the time, place, manner and terms of sale in the Queen Anne's Record Observer, a newspaper published in Queen Anne's County, Maryland, for more than three (3) successive weeks prior to Tuesday, January 7, 1975, as will appear by reference to the certificate of advertisement of sale which is attached hereto as a part hereof.
3. That your Trustee, pursuant to said advertisement, at 1:30 P.M. on Tuesday, January 7, 1975, in front of the Court House Door offered the real estate described in said advertisement for sale at public auction by Joseph A. Jackson, auctioneer.
4. That at the time and place aforesaid, the property was sold to Edward Terry Perkins and Effie Gernert Baker at and for the sum of Sixty-Nine Thousand Dollars (\$69,000.00), the highest bid therefor, subject to the ratification of said sale by this Honorable Court. The Buyer has paid the sum of Twenty-Three Thousand Dollars (\$23,000.00) being one-third (1/3) of the purchase price; a copy of the Memorandum of Sale is attached hereto as a part hereof.
5. That your Trustee believes the price obtained for said real estate, to wit, Sixty-Nine Thousand Dollars (\$69,000.00), is the best price obtainable for said property.

Respectfully submitted,

Walter W. Claggett

Walter W. Claggett
 Trustee

STATE OF MARYLAND)

) TO WIT:
TALBOT COUNTY)

I HEREBY CERTIFY, that on this 9th day of January, 1975, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Walter W. Claggett, Trustee in the aforesaid matter, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true and bona fide as therein set forth, and that the sale therein reported was fairly made.

Francis N. Smith
Notary Public
My Commission Expires July 1, 1978



Filed Jan. 10, 1975

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
758-0877

**TRUSTEE'S SALE OF
DESIRABLE FARM LAND
AND IMPROVEMENTS**

Located at Starr on Maryland Route 309 in the Sixth Election District of Queen Anne's County, Maryland

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BEGINNING at the end of one hundred and twenty-five perches on a line drawn South 47 degrees East from a stone standing in the place where the second tree of Abington did stand, and running from thence North 43 degrees East 160 perches; thence South 47 degrees East 131 perches to "Daneys Resurveyed"; thence South 43 degrees West 58 perches to Wooley's Road; thence North 65 degrees West 13 perches; thence North 32 degrees 30' East 4 perches; thence North 66 degrees 30' West 9-1-10 perches; thence South 24 degrees West 4 perches; thence North 66 degrees West 16 perches to the Parson's Road; thence North 45 degrees 30' West 6 perches; thence South 37 degrees 15' West 11 perches to a stone on Wooley's Road, marked J.C.; thence South 83 degrees 15' West 9-1/2 perches; thence North 10 degrees West 7-7-10 perches; thence South 83 degrees 30' West 22-9-10 perches; thence South 02 degrees East 8-3-10 perches; thence South 83 degrees 30' West 69-7-10 perches and from thence with a straight line to the beginning; and containing 89-1/4 acres of land, more or less:

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- (3) Deed recorded in Liber W.D. No. 3, folio 499
- (4) Deed recorded in Liber W.D. No. 3, folio 500
- (5) Deed recorded in Liber W.D. No. 4, folio 153
- (6) Deed recorded in Liber W.D. No. 4, folio 309
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- (8) Deed recorded in Liber N.B.W. No. 1, folio 501
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- (10) Deed recorded in Liber C.W.C. No. 78, folio 137

(All Land Record Books for Queen Anne's County, Maryland)

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(NOTE: Quantity of land in this desirable tract is about 51 acres, all cleared but about 3 acres containing woods)

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WALTER W. CLAGGETT, Trustee

JOSEPH A. JACKSON,
Auctioneer

MEMORANDUM OF SALE

I HEREBY CERTIFY, that on this 7th day of January, 1975, the undersigned Auctioneer did attend in front of the Court House, in Centreville, Queen Anne's County, Maryland, at the hour of 1:30 P.M., and after the notice of the sale and terms thereof were announced by Walter W. Claggett, Trustee, the premises described in the attached advertisement was offered for sale and I did sell the same unto

Edward Terry Perkins and
Effie Gernert Baker

being then and there the highest bidders therefor at and for the sum of \$ 69,000.00.

[Signature]
Auctioneer

RECEIPT

RECEIVED of Edward Terry Perkins & Effie Gernert Baker this 7th day of January, 1975, the sum of \$ 23,000.00 by check representing deposit on the purchase price of the hereinabove mentioned property.

[Signature]
Walter W. Claggett
Trustee

ACKNOWLEDGEMENT

THE undersigned purchasers of the hereinabove mentioned property, do hereby acknowledge the foregoing Memorandum of Sale and receipt to be true and correct and do acknowledge receipt of a completed copy of the same.

[Signature]
[Signature]

Sold Jan. 10, 1975

MARY KATHERINE PERKINS * IN THE CIRCUIT COURT FOR
vs * QUEEN ANNE'S COUNTY
EDWARD TERRY PERKINS * CHANCERY NO. 5588

* * * * *

STATE OF MARYLAND)
) TO WIT:
QUEEN ANNE'S COUNTY)

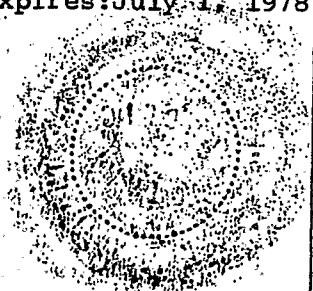
I HEREBY CERTIFY, that on this 7th day of January, 1975, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Edward Terry Perkins and Effie Gernert Baker and made oath in due form of law that they purchased

The Edward T. and Mary Katherine Perkins Farm in the Sixth Election District, Queen Anne's County, State of Maryland,

for their own interest. That they were acting on their own behalf and not as agents for any other person. And further that they did not directly or indirectly discourage anyone from bidding for said property.

James G. Anthony
Notary Public
My Commission Expires: July 1, 1978

Filed Jan 10, 1975



JAMES E THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD 21617
756-0877

LIBER

9 1975 329

10

ORDER NISI ON SALE

Mary Katherine Perkins

vs.

Edward Terry Perkins

In the Circuit Court
for Queen Anne's County
In Equity

Cause No. 5588

ORDERED, this 10th day of January, 1975, that the sale of the real property, made and reported in this cause by Walter W. Claggett, Trustee, be ratified and confirmed, on or after the 10th day of February, 1975, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of three successive weeks before the 3rd day of February, 1975.

The report states the amount of sales to be \$ 69,000.00.

Charles W. Cecil Clerk

Filed January 10, 1975

MARY KATHERINE PERKINS

IN THE CIRCUIT COURT

vs.

FOR

EDWARD TERRY PERKINS

QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5588

EXCEPTIONS TO RATIFICATION OF

REPORT OF SALE

Now comes Vachel A. Downes, Jr., attorney for Edward Terry Perkins and Effie Gernert Baker, Purchasers set forth in the Report of Sale in said cause, and for Exceptions to the Report of Sale in said cause respectfully represents:

1. That Charles L. Schelburg and Jane B. Schelberg, his wife, conveyed the lands described therein, the subject of this cause, unto Edward Terry Perkins and Mary Katherine Perkins by deed dated June 15, 1967, recorded among the Land Records of Queen Anne's County in Liber C.W.C. No. 29 folio 47; that said deed, as part of its description, noted nine (9) exceptions to, or conveyances from, the tract or farm known as the "Luther Gardner Farm"; that the seventh (7th) exception noted in said deed was a mortgage dated June 3, 1890, recorded among the Land Records of Queen Anne's County in Liber W.D. No. 4 folio 333, from George A. Price to Charles W. Slagle evidencing conveyance of a lot of land from said farm having a frontage of 230 feet on the main road towards Ruthsburg of 75 feet, thence back 75 feet, thence 207 feet to the lot conveyed by said Price to John H. Rhodes (see deed dated May 27, 1890, recorded among the Land Records of Queen Anne's County in Liber W.D. No. 4 folio 319), thence 107 feet to the beginning; that although no deed from Price for said lot is found recorded among said land records the aforesaid mortgage remains and is sufficient evidence of the possibility of a further conveyance from said farm; and that no mention of the said lot above described is made in said proceedings and/or the advertisement of public sale; that such matter could only be resolved by a modern survey of the premises intended to be conveyed unto the Purchasers; and that for said reason the description of the lands sold and to be conveyed by and under these proceedings is incorrect and insufficient.

2. That the proceedings also fail to due note or except to unpaid State and County taxes for fiscal year 1974-75, nor of a judgment against Edward Terry Perkins, et.ux., out of the District Court for Queen Anne's County (No. 3-4-73CV244) entered on November 9, 1973, in the sum of \$2,250.00, at the suit of Mary Edith Gannon; nor of the lien of a mortgage made, executed and delivered by both parties to said cause to The Centreville National Bank of Maryland, dated November 17, 1970, recorded among

the Land Records of Queen Anne's County in Liber C.W.C. No. 51 folio 297.

AND for such reasons it is hereby prayed that the Report of Sale in this cause be not ratified until such exceptions thereto as are herein set forth be answered and/or otherwise satisfied.

Vachel A. Downes, Jr.

Vachel A. Downes, Jr.
Attorney for Purchasers
In Report of Sale
115 Lawyers Row
Centreville, Maryland 21617
Telephone: 1-301-758-0680

I HEREBY CERTIFY that copies of the foregoing Exceptions to Ratification of Report of Sale were served upon Walter W. Claggett, Masonic Building, Easton, Maryland, and James E. Thompson, Jr., 117 Lawyers Row, Centreville, Maryland, by mailing copies thereof to their respective law offices this 10th day of February, 1975.

Vachel A. Downes, Jr.

VACHEL A. DOWNES, JR.

FILED *Feb 10* 1975

ORDER NISI ON SALE
Mary Katherine Perkins
vs.
Edward Terry Perkins

+++++
In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5588

ORDERED, this 10th day of
January, 1975, that the sale of
the real property, made and
reported in this cause by
Walter W. Claggett, Trustee,
be ratified and confirmed, on
or after the 10th day of
February, 1975, unless cause to
the contrary thereof be previ-
ously shown; provided a copy
of this order be inserted in
some newspaper published in
Queen Anne's County, Mary-
land, once in each of three
successive weeks before the
3rd day of February, 1975.

The report states the amount
of sales to be \$69,000.00.
CHARLES W. CECIL, CLERK
Filed January 10, 1975

TRUE COPY
TEST: Charles W. Cecil, Clerk
K-1-20

Filed Mar. 26, 1975

12

Queen Anne's
RECORD-OBSERVER

Centreville, Md., March 26 1975

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify
that the Order nisi

in the case/estate of Perkins vs Perkins

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S
RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's
County, Maryland, once a week for 3 successive weeks before the ~~29th~~ 3rd day
of Feb., 19 75, and that the first insertion of said advertisement
in said QUEEN ANNE'S RECORD-OBSERVER was on the 15th day of Jan
19 75, and the last insertion on the 29th day of Jan, 19 75

THE RECORD-OBSERVER CORPORATION

By Walter M. Thomas

13

Mary Katherine Perkins

IN THE CIRCUIT COURT

vs.

FOR

Edward Terry Perkins

QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5588

WAIVER OF EXCEPTIONS TO RATIFICATION
OF REPORT OF SALE

Now comes Edward Terry Perkins and Effie Gernert Baker, Purchasers of the lands intended to be sold and conveyed by this cause and respectfully represent unto said Court:

1. That they have been advised of the Exceptions To The Ratification Of The Report of Sale filed herein.

2. That Edward Terry Perkins was a former owner of said property and that he, and his said co-purchaser, are both aware of the boundary lines of said remaining property by said cause intended to be sold; that both purchasers are aware of the exceptions noted in the deed recorded among the Land Records of Queen Anne's County in Liber C.W.C. No. 29 folio 47; that both are aware that no modern survey of the property has been made; that both are aware that the seventh conveyance from the original tract (mortgage recorded among said Land Records in W.D. No. 4 folio 333 dated 1890) was not an exception from the property described and intended to be sold in these proceedings; that to the best of their knowledge, information and belief do aver that there is no evidence that the lot described in said mortgage and in the Exceptions To The Ratification Of The Report Of Sale has ever been severed from said lands; that it does appear that the seventh (7th) exception in deed C.W.C. No. 29 folio 47 was made solely because no release of said mortgage is found among the Land Records of said County; and that the undersigned purchasers are willing to rely upon the presumptions of law as to the payment of said mortgage.

3. That the Trustee has agreed to see to the payment of the taxes, mortgage and judgment mentioned in the Exceptions To The Ratification Of The Report Of Sale as part of the settlement between said parties.

And for such reasons the undersigned to hereby waive the Exceptions To The Ratification Of The Report Of Sale filed herein.

Edward Terry Perkins
Edward Terry Perkins

Effie Gernert Baker
Effie Gernert Baker

Filed Mar. 26, 1975

14
MARY KATHERINE PERKINS * IN THE CIRCUIT COURT FOR
VS * QUEEN ANNE'S COUNTY
EDWARD TERRY PERKINS * EQUITY NO. 5588

* * * * *

FINAL RATIFICATION OF SALE

ORDERED, by the Circuit Court for Queen Anne's County, in Equity, this 27th day of March, 1975, that the sale of real estate made and reported in this cause by Walter W. Claggett, Trustee, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although due notice thereof appears to have been given as required by the proceeding Order Nisi; and the Trustee is allowed the usual commissions and such proper expenses, not personal, for which he shall produce vouchers thereof to the Auditor.

B. Hackett Turner Jr.
JUDGE

Filed Mar. 27, 1975

15
MARY KATHERINE PERKINS IN THE CIRCUIT COURT
FOR
VS. QUEEN ANNE'S COUNTY
IN EQUITY
EDWARD TERRY PERKINS NO. 5588

ASSIGNMENT

The undersigned, Edward Terry Perkins, does hereby assign unto The Centreville National Bank of Maryland all his right, interest and estate in and to all monies due to the undersigned in, by or under the final accounting by the Trustee in said cause, and does hereby further direct said Trustee to pay over the full amount of said net distribution due to the undersigned directly to said Centreville National Bank of Maryland.

AS WITNESS the hand and seal of Edward Terry Perkins this 23rd day of April, 1975.

Edward Terry Perkins (SEAL)
Edward Terry Perkins

Filed Apr. 23, 1975

MARY KATHERINE PERKINS

vs

EDWARD TERRY PERKINS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5588SPECIAL AUDIT FEE

16

I, J. Thomas Clark, have been appointed auditor for Mary Katherine Perkins vs. Edward Terry Perkins. I feel the fee of \$45.00 is not sufficient fee for the work I am going to do on this case.

Besides the regular work, I must figure deductions for other parties in this case. Since this is a \$69,000.00 sale, I pray for the fee of \$140.00.

Respectfully submitted,

J. Thomas Clark
 J. Thomas Clark, Auditor

Filed April 24, 1975

ORDER OF COURT

17

It is this 24th day of April, 1975, ORDERED by the Circuit Court of Queen Anne's County, that J. Thomas Clark, Auditor, shall receive a fee of One Hundred Forty Dollars.

B. Hackett Turner Jr.
 JUDGE

Filed April 25, 1975

18

MARY KATHERINE PERKINS

vs

EDWARD TERRY PERKINS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

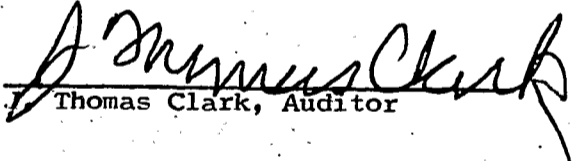
EQUITY NO. 5588

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto Your Honor, respectfully represents;

1. That this account is stated at the request of Walter W. Claggett, Trustee, who was by decree of this Court of November 21, 1974, appointed such Trustee to make the sale of the real estate sold in these proceedings and to disburse the proceeds therefrom. This suit is a suit for the sale of real estate which is not susceptible to partition.

2. That in the within account the said Trustee was charged with the proceeds of sale and the adjustment of taxes, and is allowed thereafter his commissions for making said sale, the Court costs, the stenographer's fee, Examiner fee, two appearances, Auctioneer fee, bond premium, advertising costs, including Order Nisi of sale, Mortgage to Centreville National Bank, including interest, and a note to Blanche Callahan, plus amount owned to James E. Thompson, Attorney and Walter W. Claggett, attorney. Edward Terry Perkins assigns his interest to the Centreville National Bank of Maryland.

Respectfully submitted,

Thomas Clark, Auditor

Cause No. 5588

The proceeds of the sale of real estate reported in this cause, in account with Walter W. Claggett, Trustee, appointed by this Honorable Court, to make the sale herein reported in these proceedings (and vendor of said land).

Cr.

1975

Jan. 7	By proceeds of the sale of land, per report of sale of said vendor, to wit;-----	\$69,000.00
	By adjustment of 1974-75 State and County taxes, per settlement sheet, to wit;-----	46.40
	By interest on \$46,000.00 at 6% for 96 days, per settlement sheet, to wit;-----	725.46
	By gross proceeds, to wit;-----	<u>\$69,772.36</u>

Dr.

To Walter W. Claggett, Trustee, his commissions on \$69,000.00, for making said sale, or the sum of--	\$3,600.00
To do., for amounts due Charles W. Cecil, Clerk, per bill exhibited, to wit:	
1-Costs of Charles W. Cecil, Clerk----	\$132.00
2-Frances H. Smith, Stenographer-----	15.00
3-Edward Turner, Examiner-----	10.00
4-Appearance fee of Walter W. Claggett, Attorney for Mary Katherine Perkins-	10.00
5-Appearance fee of James E. Thompson, Jr., Attorney for Edward Terry Perkins-----	<u>10.00</u>
	182.00
To do., for an amount paid Charles W. Cecil, Clerk, for filing fees, per receipt exhibited, to wit;--	25.00
To do., for amounts due Auctioneer, Joseph A. Jackson, for crying the sale, to wit;-----	172.50
To do., for amount paid John T. Griffin, Insurance Agency on the Trustee's Bond, to wit;-----	210.00
To do., for amounts paid Queen Anne's Record-Observer, per receipts exhibited, to wit;	
1-For publishing advertisement of sale-----	\$156.25
2-For publishing Order Nisi of Sale-----	<u>14.00</u>
	170.25
To do., for amount due Centreville National Bank for a mortgage on property, to wit;-----	3,650.22
To do., for amount due for judgment, interest and other costs, to wit;-----	2,908.81

April 24, 1975



Auditor

To do., for amount due for release of Mortgage, to wit;-----	\$	2.00	
To do., amount due to Blanche Callahan on note with no interest, to wit;-----		2,000.00	
To do., amount due J. Thomas Clark, as awarded by the Courts, for stating this audit, to wit;-----		140.00	
To Mary Katherine Perkins or any other persons due this money-----		28,355.79	
To Edward Terry Perkins or any other persons due this money-----		28,355.79	
		<u>\$69,772.36</u>	<u>\$69,772.36</u>

April 24, 1975

J Thomas Clark
Auditor

Cr.

To Mary Katherine Perkins or any other persons due this money-----	\$28,355.79
---	-------------

Dr.

To Walter W. Claggett for preparation of Separation Agreement, Statement dated April 10, 1972 1/2 of \$152.00-----	\$ 76.00	
Xerox copies from Queen Anne on divorce-----	2.00	
Transcribpt of testimony in Shortall divorce case (5064) used as exhibit in #5291-----	6.00	
To Mary Katherine Perkins the balance-----	\$28,271.79	
	<u>\$28,355.79</u>	<u>\$28,355.79</u>

April 24, 1975

J Thomas Clark
Auditor

Cr.

To Edward Terry Perkins or any other persons due this money-----	\$28,355.79
---	-------------

Dr.

To Walter W. Claggett for preparation of Separation Agreement, Statement dated April 10, 1972 1/2 of \$152.00-----	\$ 76.00
--	----------

April 24, 1975

J Thomas Clark
Auditor

To ~~James E. Thompson~~ ^{Walter W. Claggett}, Attorney's fees for
divorce per Order of Court (Divorce Decree)--\$670.00

TO ~~James E. Thompson~~ ^{Walter W. Claggett}, for photocopies----- 10.00

Final court costs on #5291 divorce proceeding--- 69.00

To ~~James E. Thompson~~ ^{Walter W. Claggett} for Court Costs in Perkins
vs. Perkins Chy, No. 5291----- 15.00

To Edward Terry Perkins, assigned by him to
the Centreville National Bank of Maryland----\$27,515.79

\$28,355.79

\$28,355.79

April 24, 1975

J. Thomas Clark
Auditor

Filed April 24, 1975

19 MARY KATHERINE PERKINS

IN THE CIRCUIT COURT FOR

vs

QUEEN ANNE'S COUNTY

EDWARD TERRY PERKINS

EQUITY NO. 5588

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The undersigned Court Auditor hereby certifies that on April 24, 1975, the date the audit in the above entitled cause was filed in this Court that he did by U. S. First Class Mail notify the following interested parties to this cause, to wit:

James E. Thompson, Attorney
Centreville, Maryland 21617

The Centreville National
Bank of Maryland
Centreville, Maryland 21617

Walter W. Claggett, Attorney
Easton, Maryland 21610

Mary Katherine Perkins
Queen Anne, Maryland 21657

Edward Terry Perkins
Centreville, Maryland 21617

Effie Gernert Baker
Centreville, Maryland 21617

Pursuant to Rule 13d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned was mailed to each of the above named persons at the above stated addresses, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, I did notify each of them that said account was filed on April 24, 1975, with the Clerk of this Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before May 9, 1975, and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on May 12, 1975.

J. Thomas Clark
J. Thomas Clark, Auditor

Filed April 24, 1975

NISI RATIFICATION OF AUDIT

20

MARY KATHERINE PERKINS

vs.

EDWARD TERRY PERKINS

In the Circuit Court
for Queen Anne's County
In Equity

Cause No. 5588

ORDERED, this 24th day of April, 1975, that the report and account filed in these proceedings by J. Thomas Clark, Auditor, be ratified on or after the 12th day of May, 1975, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of two successive weeks before the xxxxxxxx day of xxxxxxxxxxxxxxxxxxxxxxx, 1975.

Charles H. Cecil Clerk

Filed April 24, 1975

21
MARY KATHERINE PERKINS

vs

EDWARD TERRY PERKINS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5588

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto Your Honor, respectfully represents;

1. That this account is stated at the request of Walter W. Claggett, Trustee, who was by decree of this Court of November 21, 1974, appointed such Trustee to make the sale of the real estate sold in these proceedings and to disburse the proceeds therefrom. This suit is a suit for the sale of real estate which is not susceptible to partition.

2. That in the within account the said Trustee was charged with the proceeds of sale and the adjustment of taxes, and is allowed thereafter his commissions for making said sale, the Court costs, the stenographer's fee, Examiner fee, two appearances, Auctioneer fee, bond premium, advertising costs, including Order Nisi of sale, Mortgage to Centreville National Bank, including interest, and a note to Blanche Callahan, plus amount owned to James E. Thompson, Attorney and Walter W. Claggett, attorney. Edward Terry Perkins assigns his interest to the Centreville National Bank of Maryland.

Respectfully submitted,

J. Thomas Clark
J. Thomas Clark, Auditor

Filed April 29, 1975

Amended Cause No. 5588

The proceeds of the sale of real estate reported in this cause, in account with Walter W. Claggett, Trustee, appointed by this Honorable Court, to make the sale herein reported in these proceedings (and vendor of said land).

Cr.

1975

Jan. 7	By proceeds of the sale of land, per report of sale of said vendor, to wit:-----	\$69,000.00
	By adjustment of 1974-75 State and County taxes, per settlement sheet, to wit;-----	46.40
	By interest on \$46,000.00 at 6% for 96 days, per settlement sheet, to wit:-----	725.46
	By gross proceeds, to wit:-----	<u>\$69,772.36</u>

Dr.

To Walter W. Claggett, Trustee, his commissions on \$69,000.00, for making said sale, or the sum of--	\$3,600.00
To do., for amounts due Charles W. Cecil, Clerk, per bill exhibited, to wit:	
1. Costs of Charles W. Cecil, Clerk----	\$147.00
2. Frances H. Smith, Stenographer-----	15.00
3. Edward Turner, Examiner-----	10.00
4. Appearance fee of Walter W. Claggett, Attorney for Mary Katherine Perkins-	10.00
5. Appearance fee of James E. Thompson, Jr., Attorney for Edward Terry Perkins-----	10.00
6. Sheriff's fee-----	<u>5.00</u>
	197.00
To do., for an amount paid Charles W. Cecil, Clerk, for filing fees, per receipt exhibited, to wit:--	25.00
To do., for amounts due Auctioneer, Joseph A. Jackson, for crying the sale, to wit;-----	172.00
To do., for amount paid John T. Griffin, Insurance Agency on the Trustee's Bond, to wit;-----	210.00
To do., for amounts paid Queen Anne's Record-Observer, per receipts exhibited, to wit;	
1. For publishing advertisements of sale -	\$156.25
2. For publishing Order Nisi of Sale-----	<u>14.00</u>
	170.25
To do., for amount due Centreville National Bank for a mortgage on property, to wit;-----	3,650.22
To do., for amount due for judgment, interest and other costs, to wit;-----	2,660.26

April 29, 1975

J Thomas Clark
Auditor

To do., 1974-75 taxes, interest and costs-----	\$ 298.55	
To do., Norma Jean Turner, appraisor-----	50.00	
To do., for amount due for release of Mortgage, to wit;-----	2.00	
To do., amount due to Blanche Callahan on note with no interest, to wit;-----	2,000.00	
To do., amount due J. Thomas Clark, as awarded by the Courts, for stating this audit, to wit;-----	140.00	
To Mary Katherine Perkins or any other persons due this money-----	28,298.54	
To Edward Terry Perkins or any other persons due this money-----	28,298.54	
	<u>\$69,772.36</u>	<u>\$69,772.36</u>

April 29, 1975

J Thomas Clark
Auditor

Cr.

To Mary Katherine Perkins or any other persons due this money-----	\$28,298.54
---	-------------

Dr.

To Walter W. Claggett for preparation of Separation Agreement, Statement dated April 10, 1972 1/2 of \$152.00	\$ 76.00	
Xerox copies from Queen Anne on divorce-----	2.00	
Transcript of testimony in Shortall divorce case (5064) used as exhibit in #5291-----	6.00	
To Mary Katherine Perkins the balance-----	28,214.54	
	<u>\$28,298.54</u>	<u>\$28,298.54</u>

April 29, 1975

J Thomas Clark
Auditor

Cr.

To Edward Terry Perkins or any other persons due this
money-----\$28,298.54

Dr.

To Walter W. Claggett for preparation of Separation Agreement, Statement dated April 10, 1972-----	\$	76.00	
To Walter W. Claggett, Attorney's fees for divorce per Order of Court (Divorce Decree)----		670.00	
To Walter W. Claggett, for photocopies-----		10.00	
Final court costs on #5291 divorce proceeding-----		69.00	
To Walter W. Claggett for Court Costs in Perkins vs. Perkins Chy. No. 5291-----		15.00	
To Edward Terry Perkins, assigned by him to the Centreville National Bank of Maryland-----		27,458.54	
		<u>\$28,298.54</u>	<u>\$28,298.54</u>

April 29, 1975

J Thomas Clark
Auditor

22
MARY KATHERINE PERKINS

vs

EDWARD TERRY PERKINS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

EQUITY NO. 5588CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The undersigned Court Auditor hereby certifies that on April 29, 1975, the date the audit in the above entitled cause was filed in this Court that he did by U.S. First Class Mail notify the following interested parties to this cause, to wit:

James E. Thompson, Attorney
Centreville, Maryland 21617

Walter W. Claggett, Attorney
Easton, Maryland 21610

Mary Katherine Perkins
Queen Anne, Maryland 21657

Edward Terry Perkins
Centreville, Maryland 21617

Effie Gernert Baker
Centreville, Maryland 21617

The Centreville National Bank of Maryland
Centreville, Maryland 21617

Pursuant to Rule 13d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned was mailed to each of the above named persons at the above stated addresses, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, I did notify each of them that said account was filed on April 29, 1975, with the Clerk of this Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before May 14, 1975, and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on May 15, 1975.

J. Thomas Clark
J. Thomas Clark, Auditor

Filed April 29, 1975

23

NISI RATIFICATION OF AUDIT

MARY KATHERINE PERKINS
vs.
EDWARD TERRY PERKINS

In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5588

ORDERED, this 29th day of April, 19 75, that the report and account filed in these proceedings by J. Thomas Clark, Auditor, be ratified on or after the 15th day of May, 19 75, unless cause to the contrary thereof be previously shown; provided, ~~notice is given in manner provided by Maryland Rule 595 g to persons entitled thereto.~~ ~~notice of this order be inserted in some news paper published in Queen Anne's County, Maryland, once in each of two successive weeks before the _____ day of _____, 19__.~~

Charles W Cecil Clerk

Filed April 29, 1975

24

MARY KATHERINE PERKINS

IN THE CIRCUIT COURT FOR

vs.

QUEEN ANNE'S COUNTY

EDWARD TERRY PERKINS

IN EQUITY

Cause No. 5588

FINAL RATIFICATION OF AUDIT

ORDERED, by the Court that the account of the Auditor is finally ratified and confirmed, and Walter W. Claggett, Trustee, is directed to apply the proceeds accordingly, with a due proportion of interest as the same has been or may be received.

Dated: May 16, 1975

Charles Cecil
Clerk of the Circuit Court for Queen Anne's County.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Second Day of November, in the year nineteen hundred and seventy-three, the following Bill of Complaint For Appointment of Trustee To Sell Real Estate and Plaintiff's Exhibits A thru F was brought to be recorded, to wit: ---

Cause No.

In the Circuit Court for
Queen Anne's County,
in Equity.

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and
STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

PLAINTIFFS,

VS.

JOHN CHEERS, Ruthsburg, Queen Anne, Maryland,
EDWARD CHEERS, Corsica Neck; Centreville, Maryland,
LORENZO CHEERS, 212 Lloyd Street; Chester, Pennsylvania 19013,
BLANCHE KILSON, Starkey's Corner; Church Hill, Maryland,
CATHERINE CARD, 5744 Jefferson Street; Philadelphia, Pennsylvania,
MARY BRANCH, 2231 Willard Street; Philadelphia, Pennsylvania,
PHILIP CHEERS, address unknown,
ESTHER CHEERS GROCE, 1335 Green Street; Linwood, Pennsylvania,
JAMES WESLEY CHEERS, 421 Engle Street; Chester, Pennsylvania,
IDA ELIZABETH CHEERS, 1203 Norris Drive; Chester, Pennsylvania,
ALICE LAVERGN CHEERS, 53 Pinewood Avenue; Central Islit, New York,
OLIVER WENDELL CHEERS, 1335 Green Street; Linwood, Pennsylvania,
ALBERT NATHAN CHEERS, 608 W. 10th Street; Chester, Pennsylvania,
LINTON GALE CHEERS, 5300 Summit Drive, S.E.; Washington, D.C.,
BLANCHE KENNEDY, P.O. Box 571, 15 N. Indiana Avenue; Atlantic City, New Jersey 08401,
DAVID KENNEDY, 1107 Sheridan Street, Camden, New Jersey,
ANDREW KILSON, Barclay, Maryland,
RUTH MOORE, 461 West 148th Street, Apt. 3C; New York, New York 10031,
ERNEST CARTER, address unknown,
ANNIE C. KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland,
WILSON KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland,
JEREMIAH KENNEDY, JR., R.F.D. No. 2, Box 115; Centreville, Md.,
HELEN TRAVERS, 1605 Baltic Avenue; Atlantic City, New Jersey 08401,
ANNA BARBOUR, Box 73Z; Indian Head, Maryland 20640,
BESSIE CHEERS, 2516 N. Bouvier Street; Philadelphia, Pennsylvania 19132,
ELSIE COOLEY, 5554 Addison Street; Philadelphia, Pennsylvania 19143,
ARLINE GREEN, 7128 Lewis Road; Philadelphia, Pennsylvania 19138,
NELLIE POTTS, 1422 West 7th Street; Chester, Pennsylvania,

and the
Unknown Heirs, Devisees or Personal Representatives of the said
Philip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and
Rosie Cheers, deceased,

DEFENDANTS.

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say:

1. That Edward Chairs, late of Queen Anne's County, Maryland, died intestate more than a century ago, leaving surviving as his only heir his son, Robert, who became known as Robert Cheers.

2. That said Edward Chairs died seized and possessed of two lots or parcels of land situate in the Third Election District of Queen Anne's County, Maryland, to wit:

(a) A lot known as part of "White Marsh Resurveyed" situate on the north side of the state road known as U. S. Route No. 213 and on the north side of the county road known as former U. S. Route No. 213, which is described by metes bounds, courses and distances in accordance with a survey thereof made by William R. Nuttle, Registered Surveyor, dated September 26, 1968, a copy of the plat of which is filed herewith, as part of this bill, marked "Plaintiffs' Exhibit A", as follows:

Beginning for the same at a point in the centerline of old U. S. Rte. 213 (now county maintained), said point being the southwest corner of the herein described lands and the easternmost corner of a 2.009-acre lot formerly a part of the lands of Irvin T. Kirsch; and running, thence, by and with said lot N 39°58'20"W - 22.00' to an iron pipe and N 39°58'20"W - 405.49' to an iron pipe and the remaining lands of Kirsch; thence, by and with said Kirsch lands N 39°58'20"W - 573.56' to an iron pipe and lands the ownership of which is unknown; thence, by and with said unknown lands N 32°31'40"E - 373.66' to an iron pipe and the lands of Raymond C. Wiley; thence, by and with said Wiley lands S 39°07'50"E - 1314.77' to an iron pipe and the northwest side of U. S. Rte. 213; thence, by and with the right-of-way line of said road as shown on S. R. C. Plat 2860 the three following courses and distances: (1) S 52°22'30"W - 9.65', (2) S 37°17'30"E - 18.00', and (3) along an arc the radius of which is 1475' and the chord of which is S 53°20'40"W - 63.61' to the centerline of the aforementioned old U. S. Rte. 213; thence, by and with the centerline of said road N 86°42'W - 206.24' and along a curve the chord of which is S 83°11'20"W - 134.86' to the place of beginning. Containing in all 9.405 acres of land, more or less.

Being the same lands described in a deed from Hannah Griffin to Edward Chairs, dated January 5, 1839, and recorded in the Land Record Books of Queen Anne's County, Liber JT 2, folio 477.

A certified copy of said deed is filed herewith, as part of this bill, marked "Plaintiffs' Exhibit B".

(b) A lot of woodland at or near the intersection of Brown's Corner Road and Coon Box Road now being surveyed for Plaintiff by J. R. McCrone, Jr., Inc., Registered Surveyors and Engineers, being the same land which was granted to Edward Chairs by Pere Wilmer by deed dated December 11, 1838 and recorded among the land records of Queen Anne's County in Liber JT, No. 2, folio 458, and which is more particularly described in the

proceedings in the Circuit Court for Queen Anne's County entitled "Peregrine Wilmer vs. Jacob Seth" and recorded in Liber T.M. and I.T., folio 51, a Chancery Record Book for Queen Anne's County, as containing 12 3/16 acres of land. A certified copy of the last mentioned deed is filed herewith, as part of this bill, marked "Plaintiffs' Exhibit C".

3. That said Robert Cheers died many years ago, intestate, a resident of Queen Anne's County, leaving surviving him his widow, Eliza Ann Gibbs Cheers, who has since died, and the following eight (8) heirs, their children:

Eliza Frances Dyer
Hester Cordelia Kennedy
James Edward Cheers
Isaiah Cheers
Pere Henry Cheers
Albert Cheers
Benjamin Howard Cheers
Matthew Cheers

4. That said Eliza Frances Dyer died many years ago, intestate, a resident of Baltimore City, State of Maryland, a widow, leaving no descendant or descendants surviving her.

5. That said Hester Cordelia Kennedy died soon after World War I, intestate, a resident of Queen Anne's County, leaving surviving as her heirs her husband, David H. Kennedy, and the following three (3) children, as well as a grandchild, Hester Kilson, hereinafter named, nee Hester Jacobs:

Robert Kennedy
Deborah K. Carter
Jeremiah Kennedy

And that the said David H. Kennedy died testate, a resident of Queen Anne's County, on or about the 15th day of May, 1934, a certified copy of his Will being filed herewith as part of this bill, marked "Plaintiffs' Exhibit D". Said Will, dated April 23, 1930, was admitted to probate on August 21, 1934, and is recorded among the will records of Queen Anne's County in Liber W.T.B., No. 3, folio 495.

6. That said James Edward Cheers died about the year 1924, intestate, a resident of Queen Anne's County, leaving surviving as his heirs his wife, Mary A. Cheers, and the following eight (8) children, who were also the heirs of said Mary A. Cheers (who died intestate many years ago, a resident of Queen Anne's County, without having remarried):

- Deborah Coleman
- William E. Cheers
- Robert Cheers
- Mary Eliza Cheers
- Laura Washington
- Esther Smith
- Linwood Cheers
- James Edward Cheers, Jr.

7. That said Isaiah Cheers died about the year 1952, intestate, a resident of Queen Anne's County, a widower, leaving no descendant or descendants surviving him.

8. That said Pere Henry Cheers died before the year 1950, intestate, a resident of Atlantic City, State of New Jersey, a widower, leaving no descendant or descendants surviving him.

9. That said Albert Cheers died before the death of said James Edward Cheers, intestate, a resident of Queen Anne's County, leaving surviving as his heirs his wife Annie Cheers and the following seven (7) children, who were also the heirs of said Annie Cheers (who died intestate many years ago, a resident of Queen Anne's County, without having remarried):

Joseph Webster Cheers
John Cheers
Edward Cheers
Lorenzo Cheers
Albert Cheers, Jr.
Addison Cheers
Blanche Kilson

10. That said Benjamin Howard Cheers died many years ago, intestate, a resident of Philadelphia, Pennsylvania, leaving surviving as his heirs his wife, Kate Cheers, and the following three (3) children, who were also the heirs of said Kate Cheers (who died intestate many years ago):

Catherine Card
Mary Branch
Philip Cheers (residence, if living, unknown to Plaintiffs)

11. That said Matthew Cheers died about the year 1955, intestate, a resident of Queen Anne's County, a widower, leaving no descendant or descendants surviving him.

12. That said Robert Kennedy died before the year 1940, intestate, a resident of Queen Anne's County, leaving surviving no descendant or descendants but only his wife, Saphronia Kennedy, who died a few years after her husband's death, a resident of New Castle County, State of Delaware, without having remarried, leaving no descendant or descendants surviving her.

13. That said Deborah K. Carter died on the 6th day of May, 1964, a resident of Queen Anne's County, leaving a Will, dated April 10, 1964, admitted to probate on May 16, 1964, and recorded among the will records of Queen Anne's County in Liber E.C.W., No. 2, folio 36, of which a certified copy is filed herewith, as part of this bill, marked "Plaintiff's Exhibit E". Under Item FIFTH of said Will, Testatrix' estate having been solvent, fully administered and distributed, Testatrix' interest in the real estate above described passed to her five (5) residuary devisees:

Blanche Kennedy
David Kennedy
Hester Kilson
Ruth Moore
Sterling Kennedy

And that Deborah K. Carter had a husband, Ernest Carter, from whom she lived separate and apart for many years whose residence, if living, is unknown to Plaintiffs.

14. That said Jeremiah Kennedy died many years ago, intestate, a resident of Queen Anne's County, leaving surviving as his heirs his wife, Annie C. Kennedy, and the following eight (8) children:

Sterling M. Kennedy
David Kennedy
Wilson Kennedy
Jeremiah Kennedy, Jr.
Helen Travers
Blanche Kennedy
Anna Barbour
Ruth Moore

15. That said Deborah Coleman died about the year 1967, intestate, a resident of Queen Anne's County, a widow, leaving no descendant or descendants surviving her.

16. That said William E. Cheers died several years ago, intestate, a resident of Philadelphia, Pennsylvania, leaving surviving as his heirs his wife, Bessie Cheers, and his daughter, Elsie Cooley.

17. That said Robert Cheers died many years ago, intestate, a resident of Philadelphia, Pennsylvania, leaving surviving as his heirs his wife Rosie Cheers and his adopted daughter, Arline Green. Said Rosie Cheers died about the year 1962, intestate.

18. That said Mary Eliza Cheers died many years ago, intestate, a resident of Baltimore City, Maryland, unmarried, leaving no descendant or descendants surviving her.

19. That said Laura Washington died about the year 1959, intestate, a resident of Washington, D.C., leaving no husband, descendant or descendants surviving her.

20. That said Esther Smith died several years ago, intestate, a resident of Washington, D.C., leaving no husband, descendant or descendants surviving her.

21. That said Linwood Cheers died about the year 1953, intestate, a resident of Philadelphia, Pennsylvania, never having married.

22. That James Edward Cheers, Jr., died about the year 1967, intestate, a resident of Washington, D.C., never having married.

23. That said Joseph Webster Cheers died on April 19, 1970, a resident of Queen Anne's County, testate, and Anna V. Cheers qualified as Personal Representative of his Small Estate on the 2nd day of November, 1973.

A certified copy of her Order of Appointment is filed herewith as part of this bill marked "Plaintiffs' Exhibit F".

24. That said Albert Cheers, Jr., died several years ago, intestate, a resident of Delaware County, Pennsylvania, leaving surviving no descendant or descendants but only his wife, Nellie, who has since remarried and is named in these proceedings as Nellie Potts.

25. That said Addison Cheers died about the year 1950, intestate, a resident of Delaware County, Pennsylvania, leaving surviving as his heirs his wife, Olive Gale Cheers, and the following seven (7) children, who were also the heirs of said Olive Gale Cheers (who died intestate on or about October 23, 1969, a resident of Delaware County, Pennsylvania, without having remarried):

- Esther Cheers Groce
- James Wesley Cheers
- Ida Elizabeth Cheers
- Alice LaVergn Cheers
- Oliver Wendell Cheers
- Albert Nathan Cheers
- Linton Gale Cheers

26. That said Hester Kilson died intestate, a resident of Queen Anne's County, in October, 1966, leaving surviving her as her only heir Andrew Kilson, her husband, who was also Petitioner of her Small Estate.

27. That said lands cannot be divided without loss or injury to the parties entitled.

TO THE END, THEREFORE:

1. That a Trustee be appointed to sell said real estate and convey the same to the respective purchasers free and clear of all the claims of the parties to this cause and all those claiming by, from or under them or any of them.

2. That the proceeds of sale be divided among the parties entitled.

3. That notices to the creditors of Deborah Coleman, William E. Cheers, Esther Smith, James Edward Cheers, Jr., Albert Cheers, Jr. and Olive Gale Cheers may be issued and published.

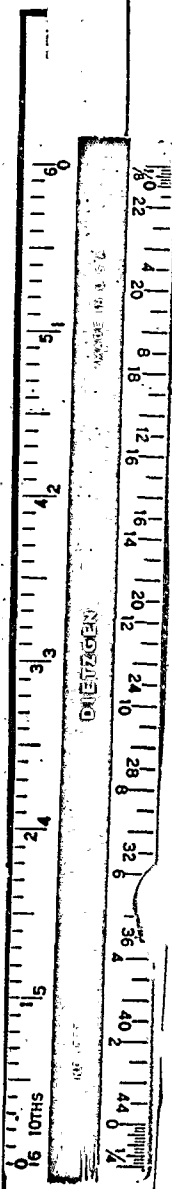
4. And that your Orators may have such other and further relief as their case may require.

And, as in duty bound, etc.

Howard Wood

Howard Wood
Attorney for Plaintiffs
119 Lawyers Row
Centreville, Maryland 21617
Telephone No.: 758-1460

FILED Nov 2, 1973



FOR REMAINDER OF PLAT, SEE NEXT PAGE CWC No. 9, folio 356.
 Charles W. Cecil, Clerk

OWNERSHIP UNKNOWN

RAYMOND C. WILEY

IRVIN T. KIRSCH

9.405 Acres ±

2.009 ACRE LOT, FORMERLY
 A PART OF THE KIRSCH LANDS

PLAT OF A SURVEY OF THE
 ELIZA CHEERS HEIRS LANDS
 3RD DISTRICT, QUEEN ANNES CO., MD.

Scale 1"=100' Sept. 1968

William E. Nuttle, Reg. Surveyor
 Chestertown, Md.

Examiner's Exhibit 4
 Filed Oct. 30, 1974.

Old U.S. Rte. 213, non
 county maintained

Filed Nov. 2, 1973 Plaintiff's Exhibit A

RAYMOND C. WILEY

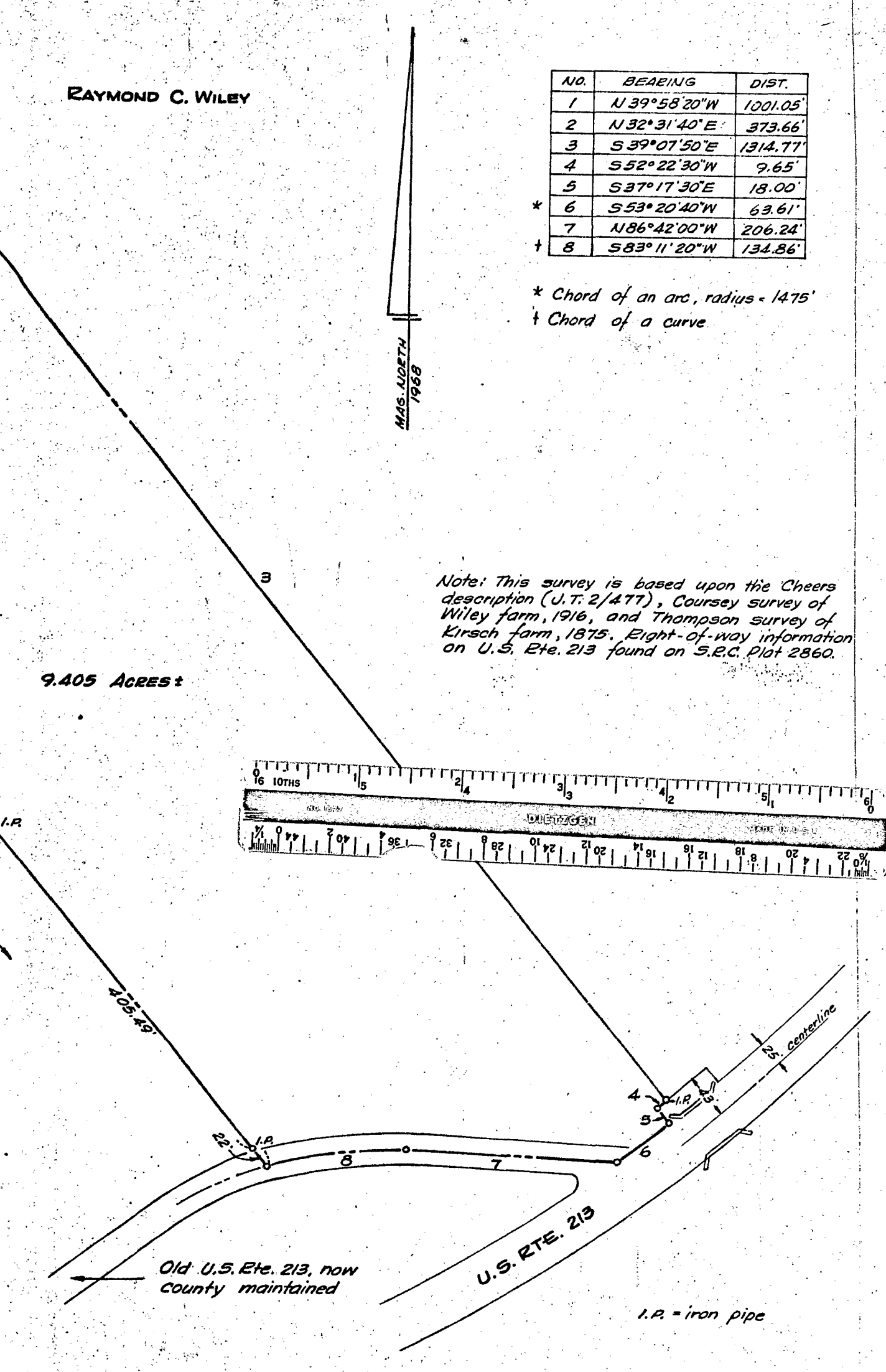
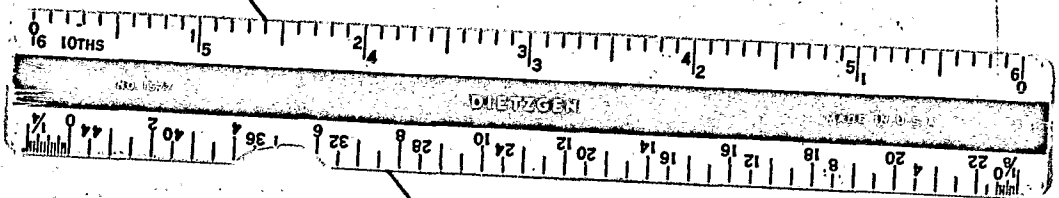
NO.	BEARING	DIST.
1	N 39° 58' 20" W	1001.05'
2	N 32° 31' 40" E	373.66'
3	S 39° 07' 50" E	1314.77'
4	S 52° 22' 30" W	9.65'
5	S 37° 17' 30" E	18.00'
* 6	S 53° 20' 40" W	63.61'
7	N 86° 42' 00" W	206.24'
† 8	S 83° 11' 20" W	134.86'

* Chord of an arc, radius = 1475'
 † Chord of a curve

MAG. NORTH
1968

Note: This survey is based upon the Cheers description (J.T. 2/477), Coursey survey of Wiley farm, 1916, and Thompson survey of Kirsch farm, 1875. Right-of-way information on U.S. Rte. 213 found on S.R.C. Plat 2860.

9.405 ACRES ±



I.P. = iron pipe

Queen Anne's County, Md. in and to be on the fifth day of January in the year Eighteen hundred and thirty nine the following deed was brought to be recorded to wit:

This Indenture made this fifth day of January in the year of our Lord eighteen hundred and thirty nine between Hannah Griffins free negro of Queen Anne's County and State of Maryland of the one part and Edward Chairs free negro of the County and State aforesaid of the other part Witnesseth that the aforesaid Hannah Griffins for and in consideration of the sum of fifty dollars current money of Maryland to her in hand well and truly paid by the aforesaid Edward Chairs the receipt whereof the said Hannah Griffins doth hereby acknowledge she the said Hannah hath granted bargained sold aliened enfeoffed and confirmed and by these presents doth grant bargain sell alien enfeoff and confirm unto him the said Edward his heirs and assigns forever all her individual right title claim and interest to all that part of a tract of land called White Marsh Plantation lying and being in Queen Anne's County aforesaid and contained within the following lines to wit beginning for the said part at the end of fifteen perches in the first line of a tract of land called Shrewsbury and running thence with the said line north forty eight degrees and thirty minutes west sixty perches then north twenty four degrees east twenty one perches then with the said line south forty eight degrees thirty minutes east eighty five perches to the public road leading from Centreville to Church Hill and from thence with a straight line to the beginning containing and laid down for nine and one half acres of land be the same more or less together with all hereditaments ways waters water courses and appurtenances whatsoever to the said lands and premises above mentioned belonging or in anywise appertaining and also the reversions and remainders rents and profits of the said premises and of every part thereof and all the estate right title interest and claim whatsoever of her the said Hannah of in and to the said lands and premises and every part thereof to which she the said Hannah became entitled jointly with the aforesaid Edwards by right of descent from their mutual father Robert To Have and To Hold the said land and all and singular other the premises above mentioned and every part and parcel thereof with the appurtenances unto the said Edward Chairs his heirs and assigns to the only proper use and behoof of the said Edward his heirs and assigns forever. In Testimony whereof the said Hannah Griffins hath hereunto set her hand and affixed her seal the day and year above written.

Signed sealed and delivered in presence of
John McTealy Daniel Mounan

Hannah Griffins
Hannah Griffins

Received on the 5th day of January 1839 of the within mentioned Edward Chairs the sum of fifty dollars it being in full for the consideration money within mentioned

Deed John McTealy
Daniel Mounan

Queen Anne's County Court, Be it remembered that on the day and date of the within instrument personally appeared Hannah Griffins within mentioned before us the subscribers justices of the peace for the County aforesaid and acknowledged the within indenture to be her act and deed according to the true intent and meaning thereof and the lands and premises therein bargained and sold with all the appurtenances thereto belonging to be the proper right and estate of the within mentioned Edward Chairs his heirs and assigns forever.

John McTealy
Daniel Mounan

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

THIS IS TO CERTIFY, that the foregoing Instrument is truly taken from the original filed and recorded in the Office of the Clerk of the Circuit Court for Queen Anne's County in Liber J.T. No. 2 folio 477, a Land Record Book for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 2nd day of November in the year Nineteen hundred and Seventy-three.

Charles H. Cecil
CHARLES H. CECIL, Clerk of the Circuit Court for Queen Anne's County, Maryland.

Examiner's Exhibit 3

Plaintiff's Exhibit B

6/30

Filed Oct 30, 1974

St. Price

Quoniam in County Court, De it remem bered that on the eleventh day of December in the year
 Nineteen hundred and thirty eight the following Deeds was brought to be recorded to wit
 This Indenture made this eleventh day of December in the year of our Lord one thousand
 and hundred and thirty eight between Eric Wilmer of Queen Anns County in the State of
 Maryland of the one part and Edward Chavis free negro of the county and State aforesaid of
 the other part Witnesseth that the said Eric Wilmer do and in consideration of the sum of one
 hundred dollars current money of Maryland to him in hands paid by the said Edward Chavis
 before the sealing and delivering of these presents the receipt whereof he the said Eric Wilmer
 doth hereby acknowledge and from every part and parcel thereof doth hereby acquit exonerate
 and discharge said Edward Chavis his heirs executors and administrators he the said Eric
 Wilmer hath granted bargained sold aliened enfeoffed and confirmed and by these presents doth
 grant bargain sell alien enfeoff and confirm unto the said Edward Chavis his heirs and
 assigns all that part of a tract or parcel of Woodland lying and being in Sharpsburg Neck
 in Queen Anns County and State of Maryland which was purchased from a certain William
 Calk by virtue of the last Will and testament of his father and more fully and particularly
 described in the petition of the said Eric Wilmer to Queen Anns County Court as a Court of
 Equity for an authority to convey the said land and the proceedings thereon together with all
 and singular the buildings improvements woods ways water water courses rights liberties
 privileges here appurtenances and appurtenances whosoever thereunto belonging or in any wise
 appertaining and the reversions and remainders rents issues and profits thereof and all the estate
 right title and interest whatsoever of him the said Eric Wilmer both at law and in equity of
 in to and out of the said lands and premises hereby bargained and sold or meant mentioned
 or intended hereby so to be and every or any part and parcel thereof To Have and To Hold
 the said lot of woodlands so as aforesaid described called — or by whatsoever other name
 or name the same may be called together with the buildings and appurtenances and all
 and singular other the premises hereby bargained and sold or meant mentioned or intended
 hereby so to be with their and every of their appurtenances unto the said Edward Chavis his heirs
 and assigns forever and to and for no other use intent or purpose whatsoever and the said Eric
 Wilmer his heirs executors and administrators do hereby given to grant promise and agree

FILED Nov 2, 1973

Filed Oct. 30, 1974

Examiner's Exhibit 2

Plaintiff's Exhibit C

\$2.00

do and with the said Edwards Chairs his heirs executors administrators assigns that he the said Dea Wilmer and his heirs the said lot of woodland and premises hereby granted bargained and sold and every part and parcel thereof with the appurtenances thereto belonging to him the said Edwards Chairs his heirs and assigns against him the said Dea Wilmer and his heirs and assigns: all and every other person or persons whatsoever, claiming or to claim any right title interest in and to the same or any part thereof under him or them or any of them shall and will hereafter warrant and defend by these presents unto the said Dea Wilmer or himself his heirs executors administrators doth further. Even so grant promise and agree to and with the said Dea Wilmer his heirs executors administrators and assigns that he the said Dea Wilmer and his heirs shall and will at all times hereafter whenever required thereto by the said Edwards Chairs his heirs or assigns at the proper cost and expense of the said Edwards Chairs - heirs or assigns make do execute and acknowledge all and every such further assurance and assurances deed or deeds conveyance or conveyances advise or advises in the law as he the said Edwards Chairs - heirs or assigns or his counsel learned in the law may or shall advise devise or require for the more certain or effectual assuring conveying and quieting the possession of the said Edwards Chairs his heirs and assigns of in and to the said - and premises with the appurtenances forever. In witness whereof the said Dea Wilmer hath hereunto subscribed his name and affixed his seal the day and year first herein before written.

John One Deely G. Price

Dea Wilmer

Maryland Col. Be it remembered that on this eleventh day of December in the year of our Lord one thousand eight hundred and thirty eight personally appeared Dea Wilmer the party granted within named before us the subscribers justices of the peace of the State of Maryland in and for Queen Anne's County and acknowledges the within deed or instrument of writing to be his act and deed and the land and premises therein mentioned and thereby bargained and sold to be the right and estate of the within named Edwards Chairs party granted also therein named his heirs and assigns forever according to the purport true intent and meaning of the said deed or instrument of writing and the acts of assembly in such case made and provided and we further certify that we are satisfied from our personal knowledge that Dea Wilmer the party acknowledging as aforesaid is the person who is named and described as and professing to be parties in the above deed.

Acknowledged before and certified by John One Deely G. Price

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

THIS IS TO CERTIFY, that the foregoing instrument is truly taken from the original filed and recorded in the Office of the Clerk of the Circuit Court for Queen Anne's County in Liber J. T. NO. 2 folio 458, a Land Record Book for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 2nd day of NOVEMBER in the year Nineteen Hundred and Seventy-three.

Charles H. Cecil
 CHARLES H. CECIL, Clerk of the Circuit Court for Queen Anne's County, Maryland.

I, David H. Kennedy, of Queen Anne's County, in the State of Maryland, being of sound and disposing mind, memory and understanding, do make, publish and declare this to be my last will and testament, in manner following, that is to say:

After the payment of all my just debts and funeral expenses, I give, devise and bequeath all my estate and property, as follows:

ITEM ONE. I do hereby give and bequeath to my son, Robert C. Kennedy, the sum of Fifty Dollars (\$50.00), absolutely.

ITEM TWO. I do hereby give and bequeath to my granddaughter, Hester Jacobs, daughter of my daughter, Jennie Jacobs, the sum of Ten Dollars (\$10.00), absolutely.

ITEM THREE. All the rest, residue and remainder of my estate and property of every kind and description, real, personal and mixed, whenever acquired and wheresoever located, of which I die seized and possessed or in any way entitled to, I do hereby give, devise and bequeath to my daughter, Deborah Kennedy Carter, and my son, Jeremiah Kennedy, as tenants in common, absolutely and in fee simple, subject, however, to the payment of the legacies hereinbefore made by me in Items One and Two of this my last will and testament by the said Deborah Kennedy Carter and Jeremiah Kennedy in the event I die not possessed of sufficient cash money to pay them, and to that end I hereby make said legacies to my son, Robert C. Kennedy, and my granddaughter, Hester Jacobs, a lien upon all the rest, residue and remainder of my said estate and property until paid.

ITEM FOUR. I do hereby constitute and appoint my said daughter, Deborah Kennedy Carter, and my son, Jeremiah Kennedy, to be the Executors of this my last will and testament, hereby revoking all other wills and testaments heretofore made by me, and it is my wish and desire and I hereby direct that the said Deborah Kennedy Carter and Jeremiah Kennedy shall be excused from the necessity of giving bond for the performance of their duties as such Executors.

IN TESTIMONY WHEREOF, I have hereunto signed my name and affixed my seal, this twenty third day of April, in the year nineteen hundred and thirty:

David H. Kennedy (SEAL)

SIGNED, sealed, published and declared by the above named testator, David H. Kennedy, as and for his last will and testament, in the presence of us, who, at his request, in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses hereto:

Francis H. Thomas
W. H. Thomas

Plaintiffs' Exhibit D

Examiner's Exhibit 5

FILED Nov 2, 1931

Filed Oct. 30, 1974

PROBATE OF WILL

State of Maryland, Queen Anne's County, to wit:

On the 15th day of May A. D. 1934, came Wm R. Horney, Custodian of the within and foregoing instrument of writing, purporting to be the last will and testament of David H. Kennedy, late of Queen Anne's County, deceased, and made oath in due form of law, that the foregoing is the true and whole Will of said deceased, that has come to his hand and possession, and that he does not know nor has he heard of any other and that he received the same from the hands of the testator

on or about 23rd day of March A. D. 1930. Sworn before Norman J. Dudley Register of Wills of Queen Anne's County, Md.

State of Maryland, Queen Anne's County, to wit:

On the 18th day of May 1934, came Wm R. Horney one of the subscribing witnesses to the foregoing last Will and Testament of David H. Kennedy, late of Queen Anne's County, deceased, and made oath in due form of law, that he did see the Testator sign and seal said Will; that he heard him pronounce and declare the same to be his last Will and Testament, and at the time of his so doing he was to the best of his apprehension of sound and disposing mind, memory and understanding; and that he together with Frances W. Beaver subscribed his name as witness to said Will at his request in his presence and in the presence of each other.

Sworn in open court. Test: Norman J. Dudley Register of Wills of Queen Anne's County, Md.

State of Maryland, Queen Anne's County, to wit:

On the 22nd day of May 1934, came Frances W. Beaver one of the subscribing witnesses to the foregoing last Will and Testament of David H. Kennedy, late of Queen Anne's County, deceased, and made oath in due form of law, that she did see the Testator sign and seal said Will; that she heard him pronounce and declare the same to be his last Will and Testament, and at the time of her so doing she was to the best of her apprehension of sound and disposing mind, memory and understanding; and that she together with Wm R. Horney subscribed her name as witness to said Will at her request, in her presence and in the presence of each other.

Sworn in open court. Test: Norman J. Dudley Register of Wills of Queen Anne's County, Md.

State of Maryland,
 In the Orphans' Court
 For Queen Anne's County:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of David H. Kennedy

late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Court, after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this 21st day of August, A. D., 1934, that the same be admitted in this Court as the true and genuine last Will and Testament of the said David H. Kennedy deceased.

Henry C. Bowen

Leontine T. Lewis

W. Hopper Lewis

Judges of the Orphans' Court for
 Queen Anne's County.

In the Orphans' Court for Queen Anne's County, Maryland, Set:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of Last Will and Testament of DAVID H. KENNEDY, late of Queen Anne's County, deceased,

as filed and passed in this office on May 18, 1934

and recorded in Liber W. T. B. No. 3 Folio 495

in Record Book of WILLS

in the Orphans' Court for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 31st day of October 1934.

Madlyn Z. Wooten
 Register of Wills for Queen Anne's County, Maryland

I, DEBORAH W. CARTER, of Queen Anne's County, in the State of Maryland, do make, publish and declare this to be my last Will and Testament and I hereby revoke all wills and codicils at any time heretofore made by me.

FIRST: I direct my executor to pay all my just debts, funeral expenses, and the cost of a modest grave marker if I have not purchased such a marker in my lifetime. I desire that my funeral arrangements be made simply and inexpensively.

SECOND: I give and bequeath my clothing, personal effects and all other tangible personal property of mine to my niece, Blanche Kennedy, now residing at 15 North Indiana Avenue, Apartment E, Atlantic City, New Jersey, absolutely, if she survives me.

THIRD: I give and bequeath cash in the sum of Ten Dollars (\$10.00) to each of the following employees of Layton Home, 35th and Market Streets, Wilmington, Delaware, who survive me: Aurelia Johns, Beatrice Berry, Eleanor Campbell, Clara Tilden and Clara Abrams.

FOURTH: I give and bequeath cash in the sum of One Hundred Dollars (\$100.00) unto The Trustees of Mount Zion Methodist Church at Burrisville, a religious corporation of which the corporate charter is recorded in Liber W.D. folio 143, a corporate charter record book of Queen Anne's County, Maryland, for the general purposes of said religious corporation.

FIFTH: I give, devise and bequeath all the rest, residue and remainder of my estate and property of every kind and description unto such of the following named persons as shall survive me in equal shares absolutely and in fee simple: my said niece, Blanche Kennedy, my nephew, David Kennedy, residing at 1107 Sheridan Street, Camden, New Jersey, my niece, Hester Kilson, residing at Barclay, Maryland, my niece, Ruth Moore, whose address is Box 226, College Station, New York 30, New York and my nephew, Sterling Kennedy, residing at R.F.D. #2, Centreville, Maryland.

Plaintiffs' Exhibit E

Examiner's Exhibit 6

FILED Nov 2, 1973

Filed Oct. 30, 1974

SIXTH: I hereby nominate, constitute and appoint my nephew, Kenneth W. Kennedy, to be the Executor of this my last Will and Testament. I hereby direct that my Executor shall not be required to give bond for the faithful performance of his duties as such in any jurisdiction in which he may be called upon to perform any such duties. I direct that my Executor, without application to any court, shall have full power to sell all or any part of my real estate or personal property for any purpose, upon such terms as he may deem best at public or private sale or sales. I hereby confer upon my said Executor full power to make distribution of my estate in kind, that is to say, in real estate, mortgages or other securities belonging to my estate, or partial interests in any of the same, according to his absolute discretion and at the appraised valuations or such other valuations as he may properly establish therefor.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this 10th day of April, 1964.

Deborah K. Carter (SEAL)
(Deborah K. Carter.)

SIGNED, SEALED, PUBLISHED and *
DECLARED by the above named *
Testatrix, as and for her last *
Will and Testament, in the *
presence of us, who at her *
request, in her presence and *
in the presence of each other, *
have hereunto subscribed our *
names as witnesses hereto: *

George F. Teat residing at Centreville Md R7B 2

Elsie R. Teat residing at Centreville, Md. R7B-141

State of Maryland, Queen Anne's County, to wit:

On the 12th day of May A. D., 1964, came
Kenneth W. Kennedy, Custodian of the within and
aforegoing instrument of writing purporting to be the last Will and Testament of
DEBORAH K. CARTER, late of Queen Anne's County, deceased,
and made oath in due form of law, that the foregoing is the true and whole Will of said de-
ceased, that has come to his hand and possession, and that he do es not know nor
has he heard of any other and that he received the same from the office of the
Register of Wills on the 12th day of May, 1964, where the same had been filed
for safekeeping
on ~~April~~ 16th day of April A. D. 1964.

Sworn before

E. Elmer Hall

Register of Wills of Queen Anne's County, Md.

State of Maryland, Queen Anne's County, to wit:

On the 16th day of May 1964, came
George F. Teat and Elsie R. Teat of Centreville, Maryland, the two
subscribing witnesses to the foregoing last Will and Testament of DEBORAH K. CARTER,
late of Queen Anne's County, deceased, and made oath in due form
of law, that they did see the Testatrix sign and seal said Will, that they heard her
publish, pronounce and declare the same to be her last Will and Testament, and at
the time of her so doing she was to the best of their apprehension, of sound and
disposing mind, memory and understanding; and that they together with
each other subscribed their names as witnesses
to said Will at her request in her presence and in the presence of each other.

Sworn in open court.

Test:

E. Elmer Hall

Register of Wills of Queen Anne's County, Md.

State of Maryland,

LIBER

9 PAGE 366

In the Orphans' Court

For Queen Anne's County:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of DEBORAH K. CARTER

late of Queen Anne's County, deceased, having been exhibited for probate, and no objection

thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Court, after having examined the said Instrument

of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this

16th day of May, A. D., 19 64, that the same be admitted in this Court

as the true and genuine last Will and Testament of the said DEBORAH K. CARTER

deceased.

E. Elmer Halls

Register of Wills of Queen Anne's County, Maryland

JUDGE OF THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

Form # 2

In the Orphans' Court for Queen Anne's County, Maryland, Set:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of Last Will and Testament of DEBORAH K. CARTER, late of Queen Anne's County, deceased,

as filed and passed in this office on May 12, 1964 May 16, 1964

and recorded in Liber E.C.W. No. 2 Folio 36

in Record Book of WILLS

in the Orphans' Court for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 30th day of October 19 73.

Madeline E. Wooten
Register of Wills for Queen Anne's County, Maryland

NOT NECESSARY

PRELIMINARY ORDER

Upon the foregoing Petition it is ordered this day of 19....., by the Register of Wills of County (1) That no formal administration upon the above estate is necessary; and (2) That the above Petitioner shall publish times in a newspaper of County a notice to Creditors to exhibit their claims, duly authenticated within thirty days after such notice.

.....
Register of Wills

~~PREL~~ **ORDER**

The Register of Wills having reviewed the Petition of Anna V. Cheers for proceedings in the small estate of Joseph Webster Cheers, it is

ORDERED this 2nd day of November, 19 73, that Anna V. Cheers shall serve as personal representative of the small estate of Joseph Webster Cheers, that he shall make payment of allowable funeral expenses and family allowances as provided in Section 3-201 and 8-106 of Article 93 of the Annotated Code of Maryland; that he shall sell property as necessary to satisfy such expenses and allowances.

/s/ Madlyn E. Wooters
Register of Wills

IT IS FURTHER ORDERED that any property remaining shall be distributed in accordance with the (laws of intestacy of the State of Maryland) (provisions of the last will and testament of the decedent probated.....).

.....
Register of Wills

RW 2(1-1-70)

Plaintiffs' Exhibit F

Examiner's Exhibit 7

FILED Nov 2, 1973

Filed Oct. 30, 1974

In the Orphans' Court for Queen Anne's County, Maryland, Set: ○

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of Order in the Small Estate of Joseph Webster Cheers,
late of Queen Anne's County, deceased,

as filed and passed in this office on November 2, 1973

and recorded in Liber M.E.W. No. 1 Folio _____

in Record Book of Small Estates

in the Orphans' Court for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 2nd day of November 1973.

Madlyn E. Walters
Register of Wills for Queen Anne's County, Maryland

2/

ANNA V. CHEERS, PERSONAL	*	In the Circuit Court for
REPRESENTATIVE, ETC. ET AL.,	*	Queen Anne's County
	*	
PLAINTIFFS	*	in Equity
	*	
vs.	*	
	*	
JOHN CHEERS, ET AL.,	*	Cause No. <u>5492</u>
	*	
DEFENDANTS	*	

Order as to Process

Mr. Charles W. Cecil, Clerk:

Please prepare Plaintiff's Exhibits B and C and file with Bill. Please issue for resident defendants to December return day and also for the two defendants, Philip Cheers and Ernest Carter, whose addresses, if they be living, are unknown, to the November return day. If either is returned "Non Est", please reissue.

Please defer issuance of any Order of Publication until it has been determined whether Philip Cheers or Ernest Carter or either of them can be served with summons; and advise me when each has been served or returned twice "Non Est". I will then prepare an appropriate Order of Publication for all necessary Defendants, to be published in the Queen Anne's Record Observer.

Howard Wood

Howard Wood
Attorney for Plaintiffs

FILED Nov 2, 19 73

31

ANNA V. CHEERS, PERSONAL
REPRESENTATIVE, ETC. ET AL.,

PLAINTIFFS

vs.

JOHN CHEERS, ET AL.,

DEFENDANTS

*
*
*
*
*
*
*
*
*
*

In the Circuit Court for
Queen Anne's County
in Equity

Cause No. 5492

Ordered this *2nd* day of November, 1973, by the Circuit Court for Queen Anne's County in Equity that inasmuch as the exhibits filed with the Bill of Complaint in this case are unnecessary to a full understanding of the essential cause of action, copies of the exhibits need not be served with summons on any of the defendants.

B. Hackett Turner Jr.

Judge

FILED Nov 2, 19 73

Circuit Court For Queen Anne's County

4
EQUITY SUMMONS:

November _____ Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Ernest Carter
address unknown

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of November

_____, next, to answer an action at the suit of

Anna V. Cheers, Church Hill, Md. 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and Sterling Kennedy, R.F.D. No. 2, Box 72, Centreville, Md. 21617

Issued the 2nd day of November 19 73.

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Md. 21617
758-1460

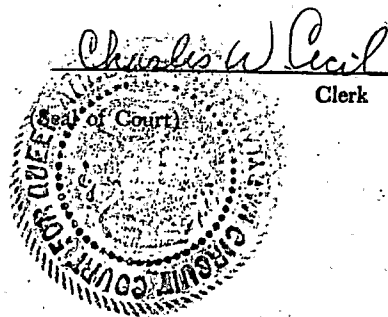
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE November 20,
19 73 THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED Nov 5, 1973



Non Est 11-5/73

LIBER

9 PAGE 372

George B. Sharp
Sheriff

Circuit Court For Queen Anne's County

5/ EQUITY SUMMONS:

November Return Day

File No. 5492

Docket C.W.C. No. 3, fol. 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Philip Cheers
address unknown

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of November
_____, next, to answer an action at the suit of

Anna V. Cheers, Church Hill, Md. 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and Sterling Kennedy, R.F.D. No. 2, Box 72, Centreville, Md. 21617

Issued the 2nd day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

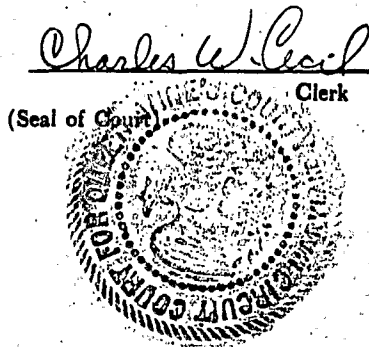
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE November 20,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED Nov 5, 1973



Non Est 11-5-73

Sheriff

George B. Barbour

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

6/

December _____ Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO:

Anna Barbour
Box 73Z *Pisgah*
Indian Head, Maryland 20640

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

_____, next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21623

Issued the 2nd day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21623
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed: Nov. 13, 1973

Charles H. Cecil
Clerk



Summoned Anna Barbour by reading to and leaving with the aforesaid a copy of this Writ of Summons (Equity No. 5492), together with a copy of Bill of Complaint, on this 8th day of November, 1973.

Francis C. Garner
Francis C. Garner, Sheriff
Charles County, Maryland

By Atm. Robert L. Dillon Deputy
Ptm. Robert L. Dillon

Circuit Court For Queen Anne's County.

EQUITY SUMMONS:

7

December Return Day

File No. 5492

Docket C.W.C. No. 3, folio 158

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Jeremiah Kennedy, Jr.
R.F.D. No. 2, Box 115
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

_____ next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

Issued the 2nd day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____
ADDRESS: _____

Charles H. Cecil
Clerk



NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed: Nov. 13, 1973

Summons served on Jeremiah Kennedy, Jr. and a copy of the summons, ~~and bill~~ and bill of complaint left with Jeremiah Kennedy, Jr. this 7th day of November, 1973.

Alfred M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

8

December Return Day
File No. 5492
Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: John Cheers
Ruthsburg
Queen Anne
Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

next, to answer an action at the suit of ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

Issued the 2nd day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

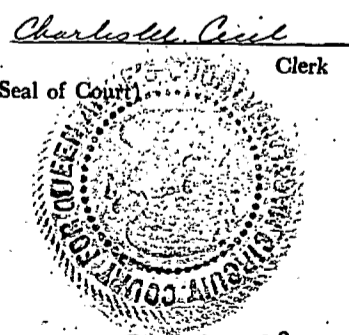
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.



Filed Nov. 13, 1973

Summons served on John Cheers and a copy of the summons, ~~and bill of~~ and bill of complaint left with John Cheers this 7th day of November, 1973.

Alvin M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

9

December Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Annie C. Kennedy
R.F.D. No. 2, Box 72
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

_____, next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

Issued the 2nd day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

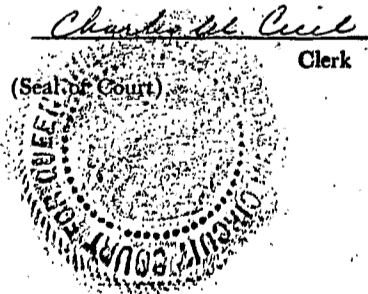
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed: Nov. 13, 1973



Summons served on Annie C. Kennedy and a copy of the summons, ~~and~~ and bill of complaint left with Annie C. Kennedy this 8th day of November, 1973.

Alvin M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

10

December Return Day
File No. 5492
Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Edward Cheers
Corsica Neck
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

_____, next, to answer an action at the suit of
ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of
the Small Estate of Joseph Webster Cheers, late of Queen Anne's County,
Maryland, deceased, and STERLING KENNEDY, R. F. D. No. 2; Box 72;
Centreville, Maryland 21617

Issued the 2nd day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W. Casid
Clerk
(Seal of Court)

Filed: Nov. 13, 1973

Summons served on Edward Cheers and a copy of the summons, ~~and~~ and bill of complaint left with Edward Cheers this 9th day of November, 1973.

Philip M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

11

December Return Day
File No. 5492
Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Wilson Kennedy
R.F.D. No. 2, Box 72
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December
_____, next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617.

Issued the 2nd day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

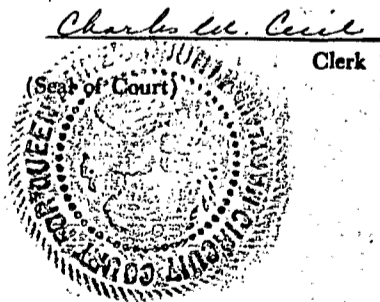
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed: Nov. 13, 1973



Summons served on Wilson Kennedy and a copy of the summons, copy of ~~the~~ bill of complaint left with Wilson Kennedy this 8th day of November, 1973.

Alvin M. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

12

December Return Day
File No. 5492
Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Blanche Kilson
Starkey's Cornor
Church Hill, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

next, to answer an action at the suit of
ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of
the Small Estate of Joseph Webster Cheers, late of Queen Anne's County,
Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72;
Centreville, Maryland 21617

Issued the 2nd day of November 1973

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
1973, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles del Cerril
Clerk
(Seal of Court)

Filed Nov. 13, 1973

Blanche Kilson ^{Now} ~~was~~ in New York

Alvin G. Butler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

13

December Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Andrew Kilson
Barclay, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

next, to answer an action at the suit of
ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of
the Small Estate of Joseph Webster Cheers, late of Queen Anne's County,
Maryland, deceased, and STERLING KENNEDY, R. F. D. No. 2, Box 72;
Centreville, Maryland 21617

Issued the 2nd day of November 1973

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

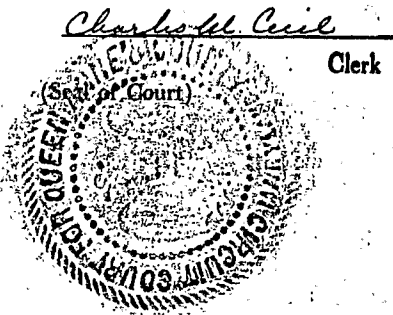
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
1973 THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed: Nov. 13, 1973



For CV 11-13-73

Alexis M. Butler
Deputy Sheriff

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

14

December Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Philip Cheers
address unknown

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

Issued the 6th day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

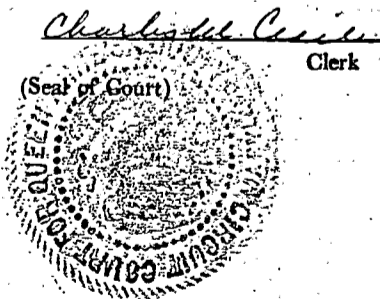
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME:

ADDRESS:

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18, 19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.



Filed: Nov. 13, 1973

Non Est 11-8-73

LIBER

9 PAGE 382

Address unknown

Alvin M. Rutler
Deputy Sheriff for Queen Anne's County

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

15

December Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Ernest Carter
address unknown

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December
_____, next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of
the Small Estate of Joseph Webster Cheers, late of Queen Anne's County,
Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72;
Centreville, Maryland 21617

Issued the 6th day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

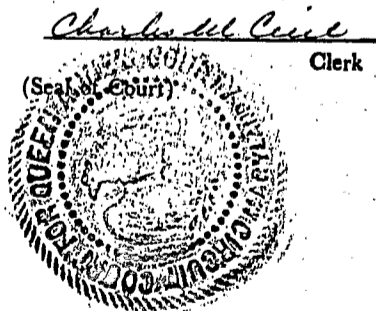
NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
1973, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Filed: Nov. 13, 1973



Non Est 11-8-73

Address Unknown

Alvin M. Butler
Deputy Sheriff for Queen Anne's County

ANNA V. CHEERS, PERSONAL	*	In the Circuit Court for
REPRESENTATIVE, ETC. ET AL.,	*	Queen Anne's County
PLAINTIFFS	*	in Equity
vs.	*	
JOHN CHEERS, ET AL.,	*	
DEFENDANTS	*	Cause No. 5492

16

MOTION FOR ORDER OF PUBLICATION AND PROCESS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Anna V. Cheers, Personal Representative, etc., and Sterling Kennedy, Plaintiffs, by Howard Wood, their Attorney, move your Honors to grant an Order of Publication, and appoint said attorney to execute process upon Andrew Kilson, for that:

1. As to the nonresident Defendants, Plaintiffs are entitled to the issuance of an Order of Publication as of course, for that none of the nonresident defendants is domiciled, resident or maintains a principal place of business in Maryland, under Md. Rule 105 b.

2. As to the Defendant, Philip Cheers, the undersigned Attorney hereby states under oath that he has made reasonable efforts in good faith to locate Philip Cheers by writing to his sister, Catherine Card, without success, she having responded by letter dated November 19, 1973.

3. As to the defendant Ernest Carter, the undersigned Attorney hereby states under oath that he has made reasonable efforts in good faith to locate Ernest Carter, without success, having conducted proceedings in this honorable Court in order to clear title to other real estate of Deborah K. Carter, being Chancery No. 4955, wherein it was established that the last known residence of Ernest Carter was in Washington, D.C., more than twenty (20) years ago, but a careful inquiry at various past

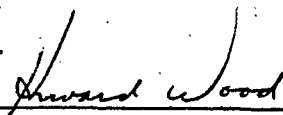
known addresses of Ernest Carter provided no information of him; yet no death certificate could be found for him; wherefore, it is clear that further efforts to warn Ernest Carter of the pendency of this action would be vain.

4. Based on the sworn evidence in the above paragraphs 2 and 3, Plaintiffs are advised that they are entitled to an Order of Publication against Philip Cheers and Ernest Carter under Md. Rule 105 b 1 effective July 1, 1973.

5. At the residence of Andrew Kilson at Barclay, Md., the Sheriff and Plaintiffs have ascertained that owing to illness Andrew Kilson is temporarily residing in care of M's. Mary Gibbs, 113 West 23rd Street, Wilmington, Delaware 19802; but copies of the subpoena and bill have been returned after an attempt to have them delivered to Andrew Kilson only at such address marked by the Post Office "Unclaimed".

Wherefore, Plaintiffs respectfully move your Honors for issuance of an Order of Publication against Philip Cheers, Ernest Carter and all nonresident defendants, as well as the Unknown Heirs, Devisees or Personal Representatives of Philip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and Rosie Cheers, deceased, and for the appointment of Howard Wood, (Attorney of record over 21 years of age, but not a party to this action) under Md. Rule 116 a 1, to execute process of the writ of subpoena against Andrew Kilson.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.



(Howard Wood)
Attorney for Plaintiffs

Filed Dec. 7, 1973

ORDER OF COURT

17
ORDERED, this 10th day of December, 1973, by the Circuit Court for Queen Anne's County in Equity, that an Order of Publication shall be issued by the Clerk of this Court against Philip Cheers, Ernest Carter and all non resident defendants, as well as the Unknown Heirs, Devisees or Personal Representatives of Philip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and Rosie Cheers, deceased, and that Howard Wood is appointed to execute process of the writ of subpoena against Andrew Kilson.

James A. Ernie
Judge

Filed Dec. 10, 1973

Cause No. 5492

18
In the Circuit Court for
Queen Anne's County,
in Equity.

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and
STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

PLAINTIFFS,

vs.

JOHN CHEERS, Ruthsburg, Queen Anne, Maryland,
EDWARD CHEERS, Corsica Neck; Centreville, Maryland
LORENZO CHEERS, 212 Lloyd Street; Chester, Pennsylvania 19013,
BLANCHE KILSON, Starkey's Corner; Church Hill, Maryland,
CATHERINE CARD, 5744 Jefferson Street; Philadelphia, Pennsylvania,
MARY BRANCH, 2231 Willard Street; Philadelphia, Pennsylvania
PHILIP CHEERS, address unknown,
ESTHER CHEERS GROCE, 1335 Green Street; Linwood, Pennsylvania,
JAMES WESLEY CHEERS, 421 Engle Street; Chester, Pennsylvania,
IDA ELIZABETH CHEERS, 1203 Norris Drive; Chester, Pennsylvania,
ALICE LAVERGN CHEERS, 53 Pinewood Avenue; Central Islit, New York,
OLIVER WENDELL CHEERS, 1335 Green Street; Linwood, Pennsylvania,
ALBERT NATHAN CHEERS, 608 W. 10th Street; Chester, Pennsylvania,
LINTON GALE CHEERS, 5300 Summit Drive, S.E.; Washington, D.C.,
BLANCHE KENNEDY, P.O. Box 571, 15 N. Indiana Avenue; Atlantic
City, New Jersey 08401,
DAVID KENNEDY, 1107 Sheridan Street; Camden, New Jersey,
ANDREW KILSON, Barclay, Maryland,
RUTH MOORE, 461 West 148th Street; Apt. 3C; New York, New York
10031,
ERNEST CARTER, address unknown,
ANNIE C. KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland,
WILSON KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland,
JEREMIAH KENNEDY, JR., R.F.D. No. 2, Box 115; Centreville, Md.,
HELEN TRAVERS, 1605 Baltic Avenue; Atlantic City, New Jersey
08401,
ANNA BARBOUR, Box 73Z; Indian Head, Maryland 20640,
BESSIE CHEERS, 2516 N. Bouvier Street; Philadelphia, Pennsylvania
19132,
ELSIE COOLEY, 5554 Addison Street; Philadelphia, Pennsylvania
19143,
ARLINE GREEN, 7128 Lewis Road; Philadelphia, Pennsylvania 19138,
NELLIE POTTS, 1422 West 7th Street; Chester, Pennsylvania,
and the
Unknown Heirs, Devisees or Personal Representatives of the said
Philip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and
Rosie Cheers, deceased,

DEFENDANTS.

ORDER OF PUBLICATION

This is to give notice that on the 2nd day of November, 1973, a bill of complaint was filed in the Circuit Court for Queen Anne's County by the Plaintiffs against the Defendants whose last known addresses are given in the above titling of suit. The bill of complaint alleges in substance that:

1. Robert Cheers inherited from his father, Edward Chairs, two separate lots of land in the Third Election District of Queen Anne's County, Maryland, namely:

(a) Lot known as part of "White Marsh Resurveyed", bounded on the southwest by lands of or formerly of Irvin T. Kirsch, on the northwest by lands of which the ownership is unknown, on the northeast by lands of or formerly of Raymond C. Wiley, on the southeast by U.S. Route 213 and on the south by former U.S. Route 213, containing 9.405 acres by 1968 survey filed with the bill of complaint; being the same land described in the deed to Edward Chairs from Hannah Griffin dated January 5, 1839 and recorded among the land records of Queen Anne's County in Liber J.T., No. 2, folio 477; and

(b) A lot of woodland at or near the intersection of Brown's Corner Road and Coon Box Road now being surveyed for Plaintiff by J. R. McCrone, Jr., Inc., Registered Surveyors and Engineers, being the same land which was granted to Edward Chairs by Pere Wilmer by deed dated December 11, 1838 and recorded among the land records of Queen Anne's County in Liber J.T., No. 2, folio 458, and which is more particularly described in the proceedings in the Circuit Court for Queen Anne's County entitled "Peregrine Wilmer vs. Jacob Seth" and recorded in Liber T.M. and I.T., folio 51, a Chancery Record Book for Queen Anne's County, as containing 12 3/16 acres of land.

2. Robert Cheers died many years ago, intestate, a resident of Queen Anne's County, leaving surviving him his widow, Eliza Ann Gibbs Cheers, who has since died, and the following eight (8) heirs, their children: Eliza Frances Dyer, Hester Cordelia Kennedy, James Edward Cheers, Isaiah Cheers, Pere Henry Cheers, Albert Cheers, Benjamin Howard Cheers and Matthew Cheers.
3. Eliza Frances Dyer of Baltimore, Maryland, died intestate, a widow, without any descendant.
4. Hester Cordelia Kennedy, of Queen Anne's County died soon after World War I leaving as heirs her husband, David H. Kennedy, and three (3) children: Robert Kennedy, Deborah K. Carter and Jeremiah Kennedy.
5. David H. Kennedy left a Will, probated August 21, 1934 and recorded in Queen Anne's County Wills in Liber W.T.B., No. 3, folio 495, devising his real estate to Deborah K. Carter and Jeremiah Kennedy.
6. James Edward Cheers died about 1924, and his wife, Mary A. Cheers died later, both leaving eight (8) children as heirs: Deborah Coleman, William E. Cheers, Robert Cheers, Mary Eliza Cheers, Laura Washington, Esther Smith, Linwood Cheers and James Edward Cheers, Jr.
7. Isaiah Cheers died about 1952, leaving no spouse, descendant or any will.
8. Pere Henry Cheers died about 1950 leaving no spouse, descendant or any will, a resident of Atlantic City, New Jersey.
9. Albert Cheers died before James Edward Cheers; and his wife, Annie Cheers, died later, both leaving seven (7) children as heirs: Joseph Webster Cheers, John Cheers, Edward Cheers, Lorenzo Cheers, Albert Cheers, Jr., Addison Cheers and Blanche Kilson.

10. Benjamin Howard Cheers died many years ago, a resident of Philadelphia, Pennsylvania; and his wife, Kate, died later, both leaving three (3) children as heirs: Catherine Card, Mary Branch and Philip Cheers (residence, if living, unknown to Plaintiffs).
11. Matthew Cheers died about 1955 leaving no spouse, descendant or any will.
12. Robert Kennedy died before 1940, leaving no descendant or any will, but leaving his wife, Saphronia, surviving. She died a few years after her husband's death, a resident of New Castle County, Delaware, without having remarried, leaving no descendants.
13. Deborah K. Carter died on May 6, 1964. She left a will, probated May 16, 1964, recorded in Queen Anne's County Wills Liber E.C.W., No. 2, folio 36. Her interest in this real estate passed under her residuary clause to Blanche Kennedy, David Kennedy, Hester Kilson, Ruth Moore and Sterling Kennedy.

Deborah K. Carter had a husband, Ernest Carter, from whom she lived separate and apart for many years, whose residence, if living, is unknown to Plaintiffs.
14. Jeremiah Kennedy died many years ago, leaving as heirs his wife, Annie C., and eight (8) children: Sterling M. Kennedy, David Kennedy, Wilson Kennedy, Jeremiah Kennedy, Jr., Helen Travers, Blanche Kennedy, Anna Barbour and Ruth Moore.
15. Deborah Coleman died about 1967 leaving no spouse, descendants or any will.
16. William E. Cheers died several years ago, a resident of Philadelphia, Pennsylvania, leaving as heirs his wife, Bessie, and daughter, Elsie Cooley.
17. Robert Cheers died many years ago, a resident of Philadelphia Pennsylvania, leaving as heirs his wife, Rosie, and his adopted daughter, Arline Green. Rosie Cheers died about 1962 without any will.

18. Mary Eliza Cheers died many years ago, a resident of Baltimore City, Maryland, unmarried, leaving no descendant or any will.
19. Laura Washington died about 1959, a resident of Washington, D.C., leaving no spouse, descendant or any will.
20. Esther Smith died several years ago, a resident of Washington, D.C., leaving no spouse, descendant or any will.
21. Linwood Cheers died about 1953, a resident of Philadelphia, Pennsylvania, never having married, leaving no will.
22. James Edward Cheers, Jr. died about 1967, a resident of Washington, D.C., never having married, leaving no will.
23. Joseph Webster Cheers died on April 19, 1970, testate, and Anna V. Cheers qualified as Personal Representative of his Small Estate on November 2, 1973.
24. Albert Cheers, Jr. died several years ago, a resident of Delaware County, Pennsylvania, leaving no will or descendant, but leaving his wife, Nellie, now Nellie Potts.
25. Addison Cheers died about 1950, a resident of Delaware County, Pennsylvania, and his wife, Olive Gale Cheers, died about 1969, both leaving as heirs seven (7) children: Esther Cheers Groce, James Wesley Cheers, Ida Elizabeth Cheers, Alice LaVergn Cheers, Oliver Wendell Cheers, Albert Nathan Cheers and Linton Gale Cheers.
26. Hester Kilson died in October 1966, leaving her husband Andrew as her only heir and Petitioner of her Small Estate.
27. And that said lands cannot be divided without loss or injury to the parties entitled.

Decedents are alleged to have died residing in Queen Anne's County and without wills except as above stated.

The relief prayed in the Bill of Complaint is substantially as follows: Appointment of a trustee to sell said lands and convey same to the purchasers free and clear of claims of parties to the cause and of those claiming under them; division of

proceeds among said heirs; notices to creditors of Deborah Coleman, William E. Cheers, Esther Smith, James Edward Cheers, Jr., Albert Cheers, Jr. and Olive Gale Cheers; and such other and further relief as Plaintiffs' case may require.

Wherefore, it is ordered by the Circuit Court for Queen Anne's County, this 10th day of December, 1973, that Plaintiffs cause a copy of this order to be inserted in a newspaper published in Queen Anne's County once a week in each of three successive weeks before the 2nd day of January, 1974, giving notice to the said non-resident Defendants, to Philip Cheers, address unknown, to Ernest Carter, address unknown, and to the Unknown Heirs, Devisees or Personal Representatives of the said Philip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and Rosie Cheers, deceased, of the object and substance of the bill of complaint and warning them to show cause, if any there may be, on or before the 4th day of February, 1974, why a decree should not be passed as prayed.

Charles W. Cissel

Clerk

*Personal
Philip Cheers
Ernest Carter
D. C. P. D.*

Cause No.
In the Circuit Court for
Queen Anne's County,
in Equity.

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and
STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

PLAINTIFFS,

vs.

✓ JOHN CHEERS, Ruthsburg, Queen Anne, Maryland,
✓ EDWARD CHEERS, Corsica Neck; Centreville, Maryland,
✓ LORENZO CHEERS, 212 Lloyd Street; Chester, Pennsylvania 19013,
✓ BLANCHE KILSON, Starkey's Corner; Church Hill, Maryland,
✓ CATHERINE CARD, 5744 Jefferson Street; Philadelphia, Pennsylvania,
✓ MARY BRANCH, 2231 Willard Street; Philadelphia, Pennsylvania,
✓ PHILIP CHEERS, address unknown,
✓ ESTHER CHEERS GROCE, 1335 Green Street; Linwood, Pennsylvania,
✓ JAMES WESLEY CHEERS, 421 Engle Street; Chester, Pennsylvania,
✓ IDA ELIZABETH CHEERS, 1203 Norris Drive; Chester, Pennsylvania,
✓ ALICE LAVERGN CHEERS, 53 Pinewood Avenue; Central Islit, New York,
✓ OLIVER WENDELL CHEERS, 1335 Green Street; Linwood, Pennsylvania,
✓ ALBERT NATHAN CHEERS, 608 W. 10th Street; Chester, Pennsylvania,
✓ LINTON GALE CHEERS, 5300 Summit Drive, S.E.; Washington, D.C.,
✓ BLANCHE KENNEDY, P.O. Box 571, 15 N. Indiana Avenue; Atlantic City, New Jersey 08401,
✓ DAVID KENNEDY, 1107 Sheridan Street, Camden, New Jersey,
✓ ANDREW KILSON, Barclay, Maryland,
✓ RUTH MOORE, 461 West 148th Street, Apt. 3C; New York, New York 10031,
✓ ERNEST CARTER, address unknown,
✓ ANNIE C. KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland,
✓ WILSON KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland,
✓ JEREMIAH KENNEDY, JR., R.F.D. No. 2, Box 115; Centreville, Md.,
✓ HELEN TRAVERS, 1605 Baltic Avenue; Atlantic City, New Jersey 08401,
✓ ANNA BARBOUR, Box 73Z; Indian Head, Maryland 20640,
✓ BESSIE CHEERS, 2516 N. Bouvier Street; Philadelphia, Pennsylvania 19132,
✓ ELSIE COOLEY, 5554 Addison Street; Philadelphia, Pennsylvania 19143,
✓ ARLINE GREEN, 7128 Lewis Road; Philadelphia, Pennsylvania 19138,
✓ NELLIE POTTS, 1422 West 7th Street; Chester, Pennsylvania,
and the
Unknown Heirs, Devisees or Personal Representatives of the said
Philip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and
Rosie Cheers, deceased,

DEFENDANTS.

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say:

1. That Edward Chairs, late of Queen Anne's County, Maryland, died intestate more than a century ago, leaving surviving as his only heir his son, Robert, who became known as Robert Cheers.

2. That said Edward Chairs died seized and possessed of two lots or parcels of land situate in the Third Election District of Queen Anne's County, Maryland, to wit:

(a) A lot known as part of "White Marsh Resurveyed" situate on the north side of the state road known as U. S. Route No. 213 and on the north side of the county road known as former U. S. Route No. 213, which is described by metes bounds, courses and distances in accordance with a survey thereof made by William R. Nuttle, Registered Surveyor, dated September 26, 1968, a copy of which is filed herewith, as part of this bill, marked "Plaintiffs' Exhibit A", as follows:

Beginning for the same at a point in the centerline of old U. S. Rte. 213 (now county maintained), said point being the southwest corner of the herein described lands and the easternmost corner of a 2.009-acre lot formerly a part of the lands of Irvin T. Kirsch; and running, thence, by and with said lot N 39°58'20"W - 22.00' to an iron pipe and N 39°58'20"W - 405.49' to an iron pipe and the remaining lands of Kirsch; thence, by and with said Kirsch lands N 39°58'20"W - 573.56' to an iron pipe and lands the ownership of which is unknown; thence, by and with said unknown lands N 32°31'40"E - 373.66' to an iron pipe and the lands of Raymond C. Wiley; thence, by and with said Wiley lands S 39°07'50"E - 1314.77' to an iron pipe and the northwest side of U. S. Rte. 213; thence, by and with the right-of-way line of said road as shown on S. R. C. Plat 2860 the three following courses and distances: (1) S 52°22'30"W - 9.65', (2) S 37°17'30"E - 18.00', and (3) along an arc the radius of which is 1475' and the chord of which is S 53°20'40"W - 63.61' to the centerline of the aforementioned old U. S. Rte. 213; thence, by and with the centerline of said road N 86°42'W - 206.24' and along a curve the chord of which is S 83°11'20"W - 134.86' to the place of beginning. Containing in all 9.405 acres of land, more or less.

Being the same lands described in a deed from Hannah Griffin to Edward Chairs, dated January 5, 1839, and recorded in the Land Record Books of Queen Anne's County, Liber JT 2, folio 477.

A certified copy of said deed is filed herewith, as part of this bill, marked "Plaintiffs' Exhibit B".

(b) A lot of woodland at or near the intersection of Brown's Corner Road and Coon Box Road now being surveyed for Plaintiff by J. R. McCrone, Jr., Inc., Registered Surveyors and Engineers, being the same land which was granted to Edward Chairs by Pere Wilmer by deed dated December 11, 1838 and recorded among the land records of Queen Anne's County in Liber JT, No. 2, folio 458, and which is more particularly described in the

proceedings in the Circuit Court for Queen Anne's County entitled "Peregrine Wilmer vs. Jacob Seth" and recorded in Liber T.M. and I.T., folio 51, a Chancery Record Book for Queen Anne's County, as containing 12 3/16 acres of land. A certified copy of the last mentioned deed is filed herewith, as part of this bill, marked "Plaintiffs' Exhibit C".

3. That said Robert Cheers died many years ago, intestate, a resident of Queen Anne's County, leaving surviving him his widow, Eliza Ann Gibbs Cheers, who has since died, and the following eight (8) heirs, their children:

Eliza Frances Dyer
Hester Cordelia Kennedy
James Edward Cheers
Isaiah Cheers
Pere Henry Cheers
Albert Cheers
Benjamin Howard Cheers
Matthew Cheers

4. That said Eliza Frances Dyer died many years ago, intestate, a resident of Baltimore City, State of Maryland, a widow, leaving no descendant or descendants surviving her.

5. That said Hester Cordelia Kennedy died soon after World War I, intestate, a resident of Queen Anne's County, leaving surviving as her heirs her husband, David H. Kennedy, and the following three (3) children, as well as a grandchild, Hester Kilson, hereinafter named, nee Hester Jacobs:

Robert Kennedy
Deborah K. Carter
Jeremiah Kennedy

And that the said David H. Kennedy died testate, a resident of Queen Anne's County, on or about the 15th day of May, 1934, a certified copy of his Will being filed herewith as part of this bill, marked "Plaintiffs' Exhibit D". Said Will, dated April 23, 1930, was admitted to probate on August 21, 1934, and is recorded among the will records of Queen Anne's County in Liber W.T.B., No. 3, folio 495.

6. That said James Edward Cheers died about the year 1924, intestate, a resident of Queen Anne's County, leaving surviving as his heirs his wife, Mary A. Cheers, and the following eight (8) children, who were also the heirs of said Mary A. Cheers (who died intestate many years ago, a resident of Queen Anne's County, without having remarried):

Deborah Coleman
William E. Cheers
Robert Cheers
Mary Eliza Cheers
Laura Washington
Esther Smith
Linwood Cheers
James Edward Cheers, Jr.

7. That said Isaiah Cheers died about the year 1952, intestate, a resident of Queen Anne's County, a widower, leaving no descendant or descendants surviving him.

8. That said Pere Henry Cheers died before the year 1950, intestate, a resident of Atlantic City, State of New Jersey, a widower, leaving no descendant or descendants surviving him.

9. That said Albert Cheers died before the death of said James Edward Cheers, intestate, a resident of Queen Anne's County, leaving surviving as his heirs his wife Annie Cheers and the following seven (7) children, who were also the heirs of said Annie Cheers (who died intestate many years ago, a resident of Queen Anne's County, without having remarried):

Joseph Webster Cheers
John Cheers
Edward Cheers
Lorenzo Cheers
Albert Cheers, Jr.
Addison Cheers
Blanche Kilson

10. That said Benjamin Howard Cheers died many years ago, intestate, a resident of Philadelphia, Pennsylvania, leaving surviving as his heirs his wife, Kate Cheers, and the following three (3) children, who were also the heirs of said Kate Cheers (who died intestate many years ago):

Catherine Card
Mary Branch
Philip Cheers (residence, if living, unknown to Plaintiffs)

11. That said Matthew Cheers died about the year 1955, intestate, a resident of Queen Anne's County, a widower, leaving no descendant or descendants surviving him.

12. That said Robert Kennedy died before the year 1940, intestate, a resident of Queen Anne's County, leaving surviving no descendant or descendants but only his wife, Saphronia Kennedy, who died a few years after her husband's death, a resident of New Castle County, State of Delaware, without having remarried, leaving no descendant or descendants surviving her.

13. That said Deborah K. Carter died on the 6th day of May, 1964, a resident of Queen Anne's County, leaving a Will, dated April 10, 1964, admitted to probate on May 16, 1964, and recorded among the will records of Queen Anne's County in Liber E.C.W., No. 2, folio 36, of which a certified copy is filed herewith, as part of this bill, marked "Plaintiff's Exhibit E". Under Item FIFTH of said Will, Testatrix' estate having been solvent, fully administered and distributed, Testatrix' interest in the real estate above described passed to her five (5) residuary devisees:

Blanche Kennedy
David Kennedy
Hester Kilson
Ruth Moore
Sterling Kennedy

And that Deborah K. Carter had a husband, Ernest Carter, from whom she lived separate and apart for many years whose residence, if living, is unknown to Plaintiffs.

14. That said Jeremiah Kennedy died many years ago, intestate, a resident of Queen Anne's County, leaving surviving as his heirs his wife, Annie C. Kennedy, and the following eight (8) children:

Sterling M. Kennedy
David Kennedy
Wilson Kennedy
Jeremiah Kennedy, Jr.
Helen Travers
Blanche Kennedy
Anna Barbour
Ruth Moore

15. That said Deborah Coleman died about the year 1967, intestate, a resident of Queen Anne's County, a widow, leaving no descendant or descendants surviving her.

16. That said William E. Cheers died several years ago, intestate, a resident of Philadelphia, Pennsylvania, leaving surviving as his heirs his wife, Bessie Cheers, and his daughter, Elsie Cooley.

17. That said Robert Cheers died many years ago, intestate, a resident of Philadelphia, Pennsylvania, leaving surviving as his heirs his wife Rosie Cheers and his adopted daughter, Arline Green. Said Rosie Cheers died about the year 1962, intestate.

18. That said Mary Eliza Cheers died many years ago, intestate, a resident of Baltimore City, Maryland, unmarried, leaving no descendant or descendants surviving her.

19. That said Laura Washington died about the year 1959, intestate, a resident of Washington, D.C., leaving no husband, descendant or descendants surviving her.

20. That said Esther Smith died several years ago, intestate, a resident of Washington, D.C., leaving no husband, descendant or descendants surviving her.

21. That said Linwood Cheers died about the year 1953, intestate, a resident of Philadelphia, Pennsylvania, never having married.

22. That James Edward Cheers, Jr., died about the year 1967, intestate, a resident of Washington, D.C., never having married.

23. That said Joseph Webster Cheers died on April 19, 1970, a resident of Queen Anne's County, testate, and Anna V. Cheers qualified as Personal Representative of his Small Estate on the 2nd day of November, 1973.

A certified copy of her Order of Appointment is filed herewith as part of this bill marked "Plaintiffs' Exhibit F".

24. That said Albert Cheers, Jr., died several years ago, intestate, a resident of Delaware County, Pennsylvania, leaving surviving no descendant or descendants but only his wife, Nellie, who has since remarried and is named in these proceedings as Nellie Potts.

25. That said Addison Cheers died about the year 1950, intestate, a resident of Delaware County, Pennsylvania, leaving surviving as his heirs his wife, Olive Gale Cheers, and the following seven (7) children, who were also the heirs of said Olive Gale Cheers (who died intestate on or about October 23, 1969, a resident of Delaware County, Pennsylvania, without having remarried):

Esther Cheers Groce
James Wesley Cheers
Ida Elizabeth Cheers
Alice LaVergn Cheers
Oliver Wendell Cheers
Albert Nathan Cheers
Linton Gale Cheers

26. That said Hester Kilson died intestate, a resident of Queen Anne's County, in October, 1966, leaving surviving her as her only heir Andrew Kilson, her husband, who was also Petitioner of her Small Estate.

27. That said lands cannot be divided without loss or injury to the parties entitled.

TO THE END, THEREFORE:

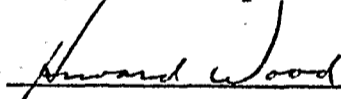
1. That a Trustee be appointed to sell said real estate and convey the same to the respective purchasers free and clear of all the claims of the parties to this cause and all those claiming by, from or under them or any of them.

2. That the proceeds of sale be divided among the parties entitled.

3. That notices to the creditors of Deborah Coleman, William E. Cheers, Esther Smith, James Edward Cheers, Jr., Albert Cheers, Jr. and Olive Gale Cheers may be issued and published.

4. And that your Orators may have such other and further relief as their case may require.

And, as in duty bound, etc.



Howard Wood
Attorney for Plaintiffs
119 Lawyers Row
Centreville, Maryland 21617
Telephone No.: 758-1460

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

December Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO:

Philip Cheers
address unknown

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

_____, next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of
the Small Estate of Joseph Webster Cheers, late of Queen Anne's County,
Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72;
Centreville, Maryland 21617

Issued the 6th day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

CHARLES W. CECIL
Clerk
(Seal of Court)

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

TRUE COPY

TEST: Charles W. Cecil CLERK

LIBER

9 PAGE 399

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

December

Return Day

File No. 5492Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Ernest Carter
address unknownYou are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of December

_____, next, to answer an action at the suit of

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of
the Small Estate of Joseph Webster Cheers, late of Queen Anne's County,
Maryland, deceased, and STERLING KENNEDY, R.F.D. No. 2, Box 72;
Centreville, Maryland 21617Issued the 6th day of November 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460CHARLES W. CECIL
Clerk
(Seal of Court)

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE December 18,
19 73, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

TRUE COPY

TEST: Charles W. Cecil CLERK

1974

ANNA V. CHEERS, ETC., ET AL, *
*
Plaintiffs *
*
vs. *
*
JOHN CHEERS, ET AL, *
*
Defendants *

In the Circuit Court
for
Queen Anne's County
in Equity
Cause No. 5492

AFFIDAVIT PROVING SERVICE ON BLANCHE KILSON

State of Maryland, Queen Anne's County, to wit:

I, the undersigned, Howard Wood, do hereby depose and say:

1. That Blanche Kilson, one of the Defendants, is a resident of Starkey's Corner, R.F.D. Church Hill, Queen Anne's County, Maryland, but was returned "NON EST" by the Sheriff of Queen Anne's County, who advised the undersigned that he had learned that said Defendant is temporarily residing at 1190 Franklin Avenue, Bronx, New York 10456.

2. That pursuant to Maryland Rules 111, 105a and 107a2 the undersigned personally forwarded to said Defendant at the last mentioned address copies of the summons for said Defendant, and of the Bill of Complaint, by registered mail, delivery restricted to the addressee, on the 21st day of November, 1973.

3. That said copies were in fact received by said Defendant on November 30, 1973, as is evidenced by her signature on the original return receipt which was returned to the undersigned by the post office and is attached hereto.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.

Howard Wood

Howard Wood

REGISTERED NO. 506	POSTMARK OF CENTREVILLE NOV 21 1973 MD. MAILING OFFICE
Value \$ No Value	Special Delivery \$
Reg. Fee \$ 95	Return Receipt \$ 15
Handling Charge \$	Restricted Delivery \$ 50
Postage \$ 16	<input type="checkbox"/> AIRMAIL
POSTMASTER (By) S. DeLuca	
FROM Howard Wood 119 LAWYERS ROW CENTREVILLE, Md. 21617	
TO Mrs. Blanche Kilson 1190 FRANKLIN AVE. BRONX, N.Y. 10456	

1973

PLEASE FURNISH SERVICE BY CHECKED BLOCK(S)

Show copy, date and address

Deliver ONLY to addressee

RECEIPT

Delivered to addressee on 11-30-73

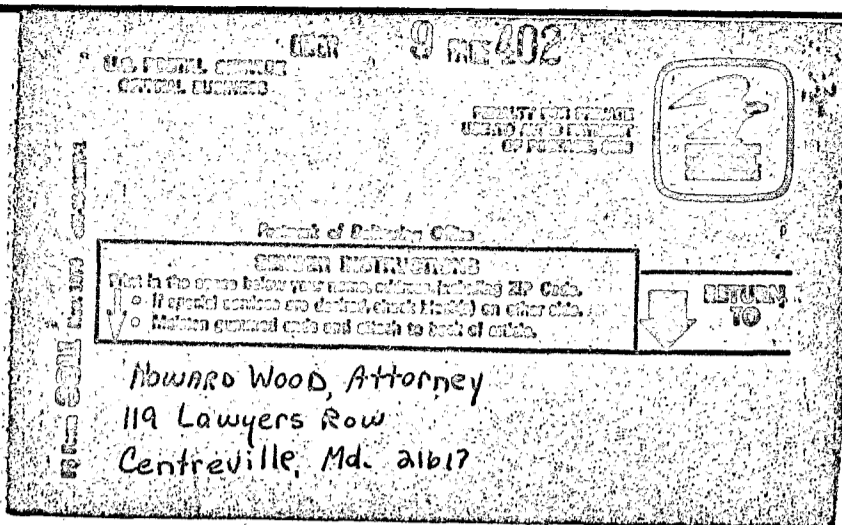
Blanche Kilson

Deliver to addressee only

11-30-73

Jan 11, 1974

FILED Jan 11, 1974



20/

ANNA V. CHEERS, ETC., ET AL,	*	In the Circuit Court
	*	
Plaintiffs	*	for
	*	
vs.	*	Queen Anne's County
	*	
JOHN CHEERS, ET AL,	*	in Equity
	*	
Defendants	*	Cause No. 5492

AFFIDAVIT PROVING SERVICE OF SUMMONS ON ANDREW KILSON

State of Maryland, Queen Anne's County, to wit:

I, the undersigned, Howard Wood, being first duly sworn according to law, do hereby depose and say:

1. That I am over 21 years of age and the Attorney of record for the Plaintiffs but not a party to this action.

2. That I did serve the attached equity summons on Andrew Kilson, one of the Defendants, on the 19th day of December, 1973, at Barclay, Queen Anne's County, Maryland, by reading the summons to said Defendant and leaving with him copies of said summons and the Bill of Complaint in this cause.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.

Howard Wood

Howard Wood

FILED Jan 11, 1974

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

January Return Day

File No. 5492

Docket C.W.C. No. 3, folio 159

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Andrew Kilson
Barclay, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of January

next, to answer an action at the suit of
Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and Sterling Kennedy, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

Issued the 10th day of December 19 73

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

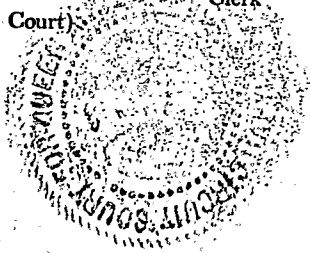
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE January 22,
1974, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles W. Cecil
Clerk

(Seal of Court)



FILED Jan 11, 19 74

LIBER

9 PAGE 403

Clay No 5492

Summoned, this 19th day of
December, 1973.
Howard Wood

22

Queen Anne's

RECORD-OBSERVER

Centreville, Md., Feb. 6 1974

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of Cause No. 5492 Anna V. Cheers

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 2nd day of Jan., 1974, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 12th day of Dec. 1973, and the last insertion on the 27th day of Dec. 1973.

THE RECORD-OBSERVER CORPORATION

By *Robert M. Thomas*

Filed Feb. 6, 1974

County, Maryland, namely:

(a) Lot known as part of "White Marsh Resurveyed", bounded on the southwest by lands of or formerly of Irvin T. Kirsch, on the northwest by lands of which the ownership is unknown, on the northeast by lands of or formerly of Raymond C. Wiley, on the southeast by U.S. Route 213 and on the south by former U.S. Route 213, containing 9.465 acres by 1933 survey filed with the bill of complaint; being the same land described in the deed to Edward Chairs from Hannah Griffin dated January 5, 1859 and recorded among the land records of Queen Anne's County in Liber J.T., No. 2, folio 477; and

(b) A lot of woodland at or near the intersection of Brown's Corner Road and Coon Box Road now being surveyed for Plaintiff by J.R. McCrone, Jr., Inc., Registered Surveyors and Engineers, being the same land which was granted to Edward Chairs by Pere Wilmer by deed dated December 11, 1839 and recorded among the land records of Queen Anne's County in Liber J.T., No. 2, folio 459, and which is more particularly described in the proceedings in the Circuit Court for Queen Anne's County entitled "Peregrine Wilmer vs. Jacob Seth" and recorded in Liber T.M. and I.T., folio 51, a Chancery Record Book for Queen Anne's County, as containing 12 3-16 acres of land.

2. Robert Cheers died many years ago, intestate, a resident of Queen Anne's County, leaving surviving him his widow, Eliza Ann Gibbs Cheers, who has since died, and the following eight (8) heirs, their children: Eliza Frances Dyer, Hester Cordelia Kennedy, James Edward Cheers, Isaiah Cheers, Pere Henry Cheers, Albert Cheers, Benjamin Howard Cheers and Matthew Cheers.

3. Eliza Frances Dyer of Baltimore, Maryland, died intestate, a widow, without any descendant.

4. Hester Cordelia Kennedy, of Queen Anne's County died soon after World War I leaving as heirs her husband, David H. Kennedy, and three (3) children: Robert Kennedy, Deborah K. Carter and Jeremiah Kennedy.

5. David H. Kennedy left a Will, probated August 21, 1934 and recorded in Queen Anne's County Wills Liber W.T.B., No. 3, folio 433, devising his real estate to Deborah K. Carter,

leaving as heirs his wife, Bessie, and daughter, Elsie Colley.

17. Robert Cheers died many years ago, a resident of Philadelphia, Pennsylvania, leaving as heirs his wife, Rosie, and his adopted daughter, Arline Green. Rosie Cheers died about 1932 without any will.

18. Mary Eliza Cheers died many years ago, a resident of Baltimore City, Maryland, unmarried, leaving no descendant or any will.

19. Laura Washington died about 1959, a resident of Washington, D.C., leaving no spouse, descendant or any will.

20. Esther Smith died several years ago, a resident of Washington, D.C., leaving no spouse, descendant or any will.

21. Linwood Cheers died about 1959, a resident of Philadelphia, Pennsylvania, never having married, leaving no will.

22. James Edward Cheers, Jr. died about 1937, a resident of Washington, D.C., never having married, leaving no will.

23. Joseph Webster Cheers died on April 19, 1970, testate, and Anna V. Cheers qualified as Personal Representative of his Small Estate on November 2, 1973.

24. Albert Cheers, Jr. died several years ago, a resident of Delaware County, Pennsylvania, leaving no will or descendant, but leaving his wife, Nellie, now Nellie Potts.

25. Addison Cheers died about 1850, a resident of Delaware County, Pennsylvania, and his wife, Olive Gale Cheers, died about 1880, both leaving as heirs seven (7) children: Esther Cheers Groce, James Wesley Cheers, Ida Elizabeth Cheers, Alice LaVergn Cheers, Oliver Wendell Cheers, Albert Nathan Cheers and Linton Gale Cheers.

26. Hester Kilson died in October 1966, leaving her husband Andrew as her only heir and Petitioner of her Small Estate.

27. And that said lands cannot be divided without loss or injury to the parties entitled.

Decedents are alleged to have died residing in Queen Anne's County and without wills except as above stated.

The relief prayed in the Bill of Complaint is substantially as follows: Appointment of a trustee to sell said lands and convey same to the purchasers free and clear of claims of parties to the cause and of those claiming under them; division of proceeds among said heirs; notices to creditors

NOTICE

Cause No. 5402

In the Circuit Court for Queen Anne's County, in Equity.

ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representative of the Small Estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased, and

STERLING KENNEDY, R.F.D. No. 2, Box 72; Centreville, Maryland 21617

PLAINTIFFS,

vs.

JOHN CHEERS, Rathsburg, Queen Anne, Maryland,

EDWARD CHEERS, Corlica Neck; Centreville, Maryland

LORENZO CHEERS, 212 Lloyd Street; Chester, Pennsylvania 19313,

BLANCHE KILSON, Starkey's Corner; Church Hill, Maryland,

CATHERINE CARD, 5744 Jefferson Street; Philadelphia, Pennsylvania,

MARY BRANCH, 2231 Willard Street; Philadelphia, Pennsylvania

PHILIP CHEERS, address unknown,

ESTHER CHEERS GROCE, 1335 Green Street; Linwood, Pennsylvania,

JAMES WESLEY CHEERS, 421 Engle Street; Chester, Pennsylvania,

IDA ELIZABETH CHEERS

1203 Nerris Drive; Chester, Pennsylvania.
ALICE LAVERGN CHEERS, 53 Pinewood Avenue; Central Islip, New York.
OLIVER WENDELL CHEERS, 1335 Green Street; Linwood, Pennsylvania.
ALBERT NATHAN CHEERS, 608 W. 10th Street; Chester, Pennsylvania.
LINTON GALE CHEERS, 5360 Summit Drive, S.E.; Washington, D.C.
BLANCHE KENNEDY, P.O. Box 571, 15 N. Indiana Avenue; Atlantic City, New Jersey 08401.
DAVID KENNEDY, 1107 Sheridan Street; Camden, New Jersey.
ANDREW KILSON, Barclay, Maryland.
RUTH MOORE, 461 West 146th Street; Apt. 3C; New York, New York 10031.
ERNEST CARTER, address unknown.
ANNIE C. KENNEDY, R.F.D. No. 2, Box 72; Centerville, Maryland.
WILSON KENNEDY, R.F.D. No. 2, Box 72; Centerville, Maryland.
JEREMIAH KENNEDY, JR., R.F.D. No. 2, Box 115; Centerville, Md.
HELEN TRAVERS, 1695 Baltic Avenue; Atlantic City, New Jersey 08401.
ANNA BARBOUR, Box 732; Indian Head, Maryland 20340.
BESSIE CHEERS, 2516 N. Bouvier Street; Philadelphia, Pennsylvania 19132.
ELSIE COOLEY, 5554 Addison Street; Philadelphia, Pennsylvania 19143.
ARLINE GREEN, 7128 Lewis Road; Philadelphia, Pennsylvania 19133.
NELLIE POTTS, 1422 West 7th Street; Chester, Pennsylvania,

and the Unknown Heirs, devisees or Personal Representatives of the said Phillip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and Rosie Cheers, deceased.

DEFENDANTS.

ORDER OF PUBLICATION

This is to give notice that on the 2nd day of November 1973, a bill of complaint was filed in the Circuit Court for Queen Anne's County by the Plaintiffs against the Defendants whose last known addresses are given in the above titling of suit. The bill of complaint alleges in substance that:

1. Robert Cheers inherited from his father, Edward Chairs, two separate lots of land in the Third Election District of Queen Anne's

and Jeremiah Kennedy.

6. James Edward Cheers died about 1924, and his wife, Mary A. Cheers died later, both leaving eight (8) children as heirs: Deborah Coleman, William E. Cheers, Robert Cheers, Mary Eliza Cheers, Laura Washington, Esther Smith, Linwood Cheers and James Edward Cheers, Jr.

7. Isaiah Cheers died about 1952, leaving no spouse, descendant or any will.

8. Pere Henry Cheers died about 1850 leaving no spouse, descendant or any will, a resident of Atlantic City, New Jersey.

9. Albert Cheers died before James Edward Cheers; and his wife, Annie Cheers, died later, both leaving seven (7) children as heirs: Joseph Webster Cheers, John Cheers, Edward Cheers, Lorenzo Cheers, Albert Cheers, Jr., Addison Cheers and Blanche Kilson.

10. Benjamin Howard Cheers died many years ago, a resident of Philadelphia, Pennsylvania; and his wife, Kate, died later, both leaving three (3) children as heirs: Catherine Card, Mary Branch and Phillip Cheers (residence, if living, unknown to Plaintiffs).

11. Matthew Cheers died about 1955 leaving no spouse, descendant or any will.

12. Robert Kennedy died before 1940, leaving no descendant or any will, but leaving his wife, Saphronia, surviving. She died a few years after her husband's death, a resident of New Castle County, Delaware, without having remarried, leaving no descendants.

13. Deborah K. Carter died on May 6, 1934. She left a will, probated May 16, 1964, recorded in Queen Anne's County Wills Liber E.C.W., No. 2, folio 36. Her interest in this real estate passed under her residuary clause to Blanche Kennedy, David Kennedy, Hester Kilson, Ruth Moore and Sterling Kennedy.

Deborah K. Carter had a husband, Ernest Carter, from whom she lived separate and apart for many years, whose residence, if living, is unknown to Plaintiffs.

14. Jeremiah Kennedy died many years ago, leaving as heirs his wife, Annie C., and eight (8) children: Sterling M. Kennedy, David Kennedy, Wilson Kennedy, Jeremiah Kennedy, Jr., Helen Travers, Blanche Kennedy, Anna Barbour and Ruth Moore.

15. Deborah Coleman died about 1837 leaving no spouse, descendants or any will.

16. William E. Cheers died several years ago, a resident of Philadelphia, Pennsylvania,

of Deborah Coleman, William E. Cheers, Esther Smith, James Edward Cheers, Jr., Albert Cheers, Jr. and Olive Gale Cheers; and such other and further relief as Plaintiffs' case may require.

Wherefore, it is ordered by the Circuit Court for Queen Anne's County, this 10th day of December, 1973, that Plaintiffs cause a copy of this order to be inserted in a newspaper published in Queen Anne's County once a week in each of three successive weeks before the 2nd day of January, 1974, giving notice to the said non-resident Defendants, to Phillip Cheers, address unknown, to Ernest Carter, address unknown, and to the Unknown Heirs, devisees or Personal Representatives of the said Phillip Cheers, Ernest Carter, Saphronia Kennedy, deceased, and Rosie Cheers, deceased, of the object and substance of the bill of complaint and warning them to show cause, if any there may be, on or before the 4th day of February, 1974, why a decree should not be passed as prayed.

CHARLES W. CECIL
Clerk

FILED: December 10, 1973

TRUE COPY

TEST: Charles W. Cecil
Clerk

3-12-23

22

ANNA V. CHEERS, ETC., ET AL,	*	In the Circuit Court
Plaintiffs	*	for
vs.	*	Queen Anne's County
JOHN CHEERS, ET AL.,	*	in Equity
Defendants	*	Cause No. 5492

MOTION FOR DECREE PRO CONFESSO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Anna V. Cheers, Personal Representative, etc. and Sterling Kennedy, Plaintiffs, by Howard Wood, their attorney, respectfully move your Honors to pass a Decree Pro Confesso against all of the Defendants and for grounds of their Motion, say:

1. The resident defendants, John Cheers, Edward Cheers, Annie C. Kennedy, Wilson Kennedy, Jeremiah Kennedy, Jr. and Anna Barbour have been returned summoned in the usual manner.
2. The resident defendant, Blanche Kilson, has been duly served by registered mail after having been returned non est pursuant to Maryland Rules 111, 105a, and 107a2, as appears by the affidavit of the undersigned attorney, filed herein on January 11, 1974.
3. That the resident defendant, Andrew Kilson, has been served by the undersigned attorney, who was appointed for this purpose by Order of this Court pursuant to Maryland rule 116a1, as appears by affidavit of the undersigned, filed herein on January 11, 1974.
4. That the Order of Publication has been duly issued and published against all the other defendants named in this cause as appears by Certificate of Publication of said Order of Publication filed herewith.

And for their statement of points, the Plaintiffs cite Md. Fule 675.

And as in duty bound, etc.

Howard Wood
 Howard Wood
 Attorney for Plaintiffs

Filed Feb 6, 1974

DECREE PRO CONFESSO

23

Upon the foregoing Motion, IT IS this 8th day of February, 1974, ADJUDGED, ORDERED and DECREED that the Bill of Complaint in this cause is hereby taken Pro Confesso against the Defendants and the Plaintiffs are granted leave to take testimony before one of the standing examiners of this court in support of the allegations of their Bill of Complaint.

B. Hackett Turner Jr.
 Judge

ANNA V. CHEERS,
Personal Representative,
etc., et al.,

Plaintiffs

vs.

JOHN CHEERS, et al.,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5492

TESTIMONY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The solicitor for the Plaintiffs, Howard Wood, having notified the subscriber, one of the regular examiners for this Honorable Court, of his desire to take testimony in this case, your examiner did attend on the 22nd day of October, 1974, in the law office of Howard Wood, 119 Lawyers Row, in the town of Centreville, Queen Anne's County, Maryland, at the hour of 1:30 o'clock P.M., there being present Anna V. Cheers and Sterling Kennedy, Plaintiffs, and Edward Cheers and John Cheers, two of the defendants and witnesses for Plaintiffs, and John G. Anthony, witness for the Plaintiffs, Howard Wood, the solicitor for the plaintiffs, and proceeded to take the following testimony, having sworn the witnesses and Cathy Higdon, stenographer, to wit:

Edward Cheers, the first witness of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

- Q. 1. Will you state your name and address, please.
- A. My name and address - Edward H. Cheers, Centreville, Maryland, Route 3.
- Q. 2. Mr. Cheers, who was your father?
- A. Albert Cheers.
- Q. 3. Could you state approximately how long ago your father died?
- A. I'm gonna' say he's been dead around 60 years.
- Q. 4. Who was his father?
- A. His father, I believe, was Robert Cheers.
- Q. 5. What is your understanding about who was the father of Robert Cheers.
- A. There's nothing I can say on that - I don't know.
- Q. 6. Do you know what property is involved in this case?
- A. Well, there's a piece of property ^{on the road} involved/coming from Burrsville toward Brown's Corner on the right, near the Coon Box farm they call it. That's just woodland.
- Q. 7. Do you have any idea how many acres there is supposed to be in that piece?
- A. I'm going to say it's around 7-8 acres.
- Q. 8. I now show you a copy of a paper marked "plaintiffs' exhibit C" and ask you whether you have ever heard of Edward Chairs - mentioned in that deed?
- A. Have I ever heard of the Edward Chairs mentioned in that deed?
- Q. 9. Yes.
- A. No sir, I have never heard of him.
- Q. 10. Is it possible that he was the father of Robert Cheers, your grandfather?
- A. I am not sure, Mr. Wood, because that was way back - before I come along.
- Q. 11. This deed is for woodland in the location you spoke of and it is a deed to Edward Chairs from Perry Wilmer and it's dated December 11, 1838.

This is a statement by Howard Wood, Attorney for the Plaintiffs in this case. In the first place, I will introduce a paper which I received on or about October 9, 1950 from Mrs. Deborah Kennedy Carter, now deceased, showing purportedly the family tree of the Cheers family showing that Edward and Alice Chairs were the parents of Robert Cheers who in turn had several children including Albert Cheers as one of them. I will ask that this paper be marked "Examiner's Exhibit 1."

I also certify that I have examined the title of two parcels of land, the subject of this suit and the one that was located on the Brown's Corner and Coon Box Roads described in a deed from Perry Wilmer to Edward Chairs dated December 11, 1838 of which a copy is filed in this case marked "Plaintiffs' Exhibit C" and is described further in Liber T.M. and J.T., folio 51, a Chancery record book in Queen Anne's County as containing 12 3/16 acres of land, this being in a suit brought by Perry Wilmer against Jacob Seth.

At this point, I will introduce a certified copy so marked "Plaintiffs Exhibit C" and ask that it be marked "Examiner's Exhibit 2". I further certify that I have examined the title of the other parcel of real estate located on U. S. Route No. 213 and described in a deed from Hannah Griffin to Edward Chairs dated January 5, 1839, and certified copy of which is marked "Plaintiffs' Exhibit B" and which I ask to be marked "Examiner's Exhibit No. 3" and admitted in evidence.

Q. 12. Now, Mr. Edward Cheers, you will recall that I was asking you about the woodland. Is there another piece of land involved in this case?

A. Not on that road, no.

Q. 13. Is there not a piece on Route No. 213 involved? That's the Centreville - Church Hill State Road.

A. There's a piece back in there, I don't know how much - across that branch. You have to cross the branch to get to another lot over there.

Q. 14. Where is it located? approximately?

A. Right on the road there on the double S.

Q. 15. Right by the double S turn?

A. Right. Go on back in there and cross a branch to get to another lot.

Q. 16. Does it have a house on it?

A. No, no house, just a lot back there.

At this point, I Howard Wood, will make an additional statement that I have obtained a survey by William R. Nuttle dated September, 1968 and marked "Plaintiffs' Exhibit A" and I now ask that this survey plat be introduced in evidence and marked "Examiner's Exhibit 4".

Q. 17. Now, Mr. Cheers, can you say who any of the other children of Robert Cheers were except for your father, Albert?

A. Isaiah Cheers, Ben Cheers

Q. 18. Benjamin?

A. Yes, Benjamin Cheers. Matthew Cheers, Henry Cheers, Jim Cheers

Q. 19. James Edward Cheers?

A. Yes. How many have you got there?

Q. 20. You have named six.

- A. Six. I think I'm right. Let me go over them again. Ben Cheers, Isaiah Cheers, Matt Cheers, Henry Cheers, and Jim Cheers. That's all I can remember.
- Q. 21. Do you recall any daughters? Any of Robert Cheers' daughters? He had two daughters also that you have not named. Can you recall their names? your father's sisters.
- A. No, I can't get them straight - none of his sisters. Wait a minute, yes there were two of them. One of them was Debbie Kennedy?
- Q. 22. No, you are another generation down. I'll get that from another witness. Now I'll ask you about your own brothers and sisters. In other words, name the children of Albert Cheers.
- A. Addison Cheers, Albert Cheers, Edward Cheers, Lorenzo Cheers, Blanche Cheers
- Q. 23. Is she now Blanche Kilson?
- A. Yes, Blanche Kilson. Webster Cheers
- Q. 24. Is he Joseph Webster?
- A. Joseph Webster Cheers, I think that's all.
- Q. 25. Did you mention John Cheers, who is present?
- A. Yes, and John Cheers.
- Q. 26. What was your mother's name?
- A. Annie, Annie Cheers.
- Q. 27. Did she die many years ago?
- A. Yes, she died a good many years ago, around 34-35 years ago, somewhere around there, I guess.
- Q. 28. Were they both residents of Queen Anne's County, your parents?
- A. Yes sir.
- Q. 29. Did either of them leave a will?
- A. No sir, there wasn't any will left.
- Q. 30. Mr. Cheers, with so many owners, will you state whether or not it would be possible to divide these lands among so many owners as now own them or would it be more practical to have them sold and divide the money?
- A. Well, I would say sell them and divide the money.
- Q. 31. What is your reason for that?
- A. Well, I thought everybody would be satisfied to divide the money.
- All right thank you very much.

John Cheers, the second witness of lawful age, having been duly sworn, deposes and says:
(questions asked by Mr. Howard Wood)

- Q. 1. Will you state your name and address, please.
- A. John Cheers, Centreville, Route 1.
- Q. 2. Mr. Cheers, who was your father?
- A. Albert Cheers.
- Q. 3. You are a brother of the witness that just testified, Edward Cheers?
- A. Yes.
- Q. 4. Can you name the children of Albert Cheers, your late father?
- A. I guess I can. Albert Cheers, Matthew Cheers, Jim Cheers, Henry Cheers.
- Q. 5. Do you recall any daughters of Robert Cheers or ever hearing of them?
- A. Hester.
- Q. 6. Hester? Who did she marry?
- A. Dave Kennedy.
- Q. 7. Did she have a sister? Was there another daughter in that family?
- A. I don't know.
- Q. 8. Are you familiar with the two pieces of land that your brother referred to and described?
- A. Well, I'm not too familiar with the property. I've been on the place but I haven't been around the place.
- A. 9. Was he correct when he said there was no house on the property on Route 213?
- A. Yes.
- Q. 10. That's correct?
- A. Yes, that's correct.
- Q. 11. Is it your opinion that these lands should be sold and the money divided?
- A. Yes.
- Q. 12. Why?
- A. I would think it would be all right to go ahead and sell it then divide the money.
- Q. 13. There is no way you could divide the property among so many owners?
- A. No.

Q. 14. Mr. Cheers, do you recall another daughter of Robert Cheers, other than Hesther Kennedy named Eliza Frances Dyer?

A. Eliza Frances Dyer, yes.

Q. 15. You believe she was a daughter of Robert Cheers?

A. Yes sir.

Q. 16. Do you know whether she died?

A. Yes sir, many years ago.

Q. 17. Did she leave any will?

A. Not that I know of.

Q. 18. Did she leave any descendant or descendants?

A. Not that I know of.

Thank you.

Sterling Kennedy, the third witness of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

- Q. 1. State your name and address, please.
- A. Sterling Milton Kennedy, Route 2, Centreville, Maryland.
- Q. 2. Mr. Kennedy, who were your parents?
- A. Jeremiah Kennedy was my father, and Annie Kennedy was my mother.
- Q. 3. Who were your grandparents on your father's side?
- A. Hesther Kennedy and Dave Kennedy.
- Q. 4. I show you a certified copy of the will of David Kennedy, is that correct? State whether or not that is a certified copy of the will of your grandfather, David H. Kennedy.
- A. Yes.
- Q. 5. Did he die a resident of Queen Anne's County?
- A. Yes.
- Q. 6. Approximately how long ago?
- A. I'll say 50 years.
- Q. 7. Now, when did your grandmother, Hesther Kennedy, die, if she did?
- A. I'll say she's been dead about 60 years. She died before my grandfather.
- Q. 8. Did she leave a will or not?
- A. Not that I know of.
- Q. 9. Who did she leave besides her husband surviving her? what children?
- A. Deborah and Robert, and Jeremiah.
- Q. 10. He was your father?
- A. Yes.
- Q. 11. Approximately how long ago did your father die?
- A. Around 25-30 years.
- Q. 12. Who did he leave surviving? Did he leave a wife?
- A. Yes.
- Q. 13. Her name?
- A. Annie C. Kennedy.

- Q. 14. What children did he leave?
- A. Blanche Kennedy, Ruth Moore, Helen Travers, David Kennedy, Jeremiah Kennedy
- Q. 15. Jeremiah, Jr.?
- A. Yes, Jr., Wilson Kennedy.
- Q. 16. You have not mentioned your sister, Anna.
- A. Oh, that's right - Anna Barbour.
- Q. 17. And, of course, yourself.
- A. Yes.
- Q. 18. Now, your aunt, Deborah Kennedy Carter, - approximately how long ago did she die?
- A. Around eighteen years. I am not sure.
- Q. 19. Your father didn't have any will, did he?
- A. No.
- Q. 20. I show you a certified copy of the will of Deborah K. Carter and ask you if that's what that is.
- A. Yes, that is correct.
- Q. 21. That's a paper marked "Plaintiffs' Exhibit E"; state what that is. A certified copy of whose will?
- A. Deborah Carter.
- Q. 22. Now I ask that the Plaintiffs' Exhibits D and E, already identified by the witness, be admitted into evidence and marked "Examiner's Exhibits 5 and 6".
- What, if anything, do you know about Deborah Kennedy Carter's husband?
- A. I did know him - that's about all.
- Q. 23. What was his name?
- A. Ernest Carter.
- Q. 24. When did you last hear of him being alive?
- A. It's been a long time. Long before she died. I couldn't say just how many years.
- Q. 25. You never heard of his death though, have you? Never heard that he died?
- A. No, I never heard of it, no.
- Q. 26. Where was he living when you last knew him?
- A. Washington, D.C.
- Q. 27. So you don't know whether he's still living or dead?
- A. No I don't. People say he is dead.

- Q. 28. You never heard of him leaving a will?
- A. No sir.
- Q. 29. You testified to a Robert Kennedy, your uncle?
- A. Yes.
- Q. 30. When did he die?
- A. It's been 15-20 years, 20-25, I don't know.
- Q. 31. Did he die a resident of Queen Anne's County?
- A. No, he died a resident of Wilmington, Delaware.
- Q. 32. Did he leave a will or not?
- A. No, not that I know of.
- Q. 33. Did he leave his wife surviving him?
- A. I believe his wife had passed before he did. I'm not quite sure, though.
- Q. 34. What was her name?
- A. Her name was Saphronia.
- Q. 35. And, where did she live?
- A. She lived in Wilmington.
- Q. 36. When she died, had she remarried, did she leave any descendant or descendants?
- A. No, not that I know of.
- Q. 37. Did she leave any will?
- A. No.
- Q. 38. Robert Kennedy had no descendants either?
- A. No.
- Thank you.
-

Miss Anna Cheers, the fourth witness of lawful age, having been duly sworn, deposes and says:
(questions asked by Mr. Howard Wood)

- Q. 1. Will you state your name and address, please.
- A. Anna V. Cheers, Route 1, Church Hill, Maryland.
- Q. 2. State whether or not you are the small estate administrator of the estate of Joseph Webster Cheers.
- A. I am the administrator of the small estate of Joseph Webster Cheers, deceased.
- Q. 3. I show you a paper marked "Plaintiffs' Exhibit F", and ask you if this is evidence of your appointment.
- A. Yes, it is.
- Q. 4. I ask that this be admitted in evidence and marked "Examiner's Exhibit 7".
- Miss Cheers, who was Joseph Webster Cheers to you?
- A. Joseph Webster Cheers was my father.
- Q. 5. He was the son of Albert Cheers?
- A. He was the son of the late Albert Cheers and Annie Cheers.
- Q. 6. Can you testify as to the deaths of other members of that prior generation? What can you say about James Edward Cheers?
- A. I didn't know James Edward Cheers.
- Q. 7. You don't know about how long ago he died?
- A. I don't remember him, he was dead before I was born.
- Q. 8. How old are you?
- A. 46.
- Q. 9. Who did he leaving surviving as his heirs?
- A. His wife, Mary Cheers, his sons, Robert Cheers, William Cheers, James Cheers
- Q. 10. James Edward, Jr.?
- A. Yes. His daughters, Deborah Cheers, Laura Cheers, Esther Cheers. That's all I can remember.
- Q. 11. Did you ever hear of a Mary Eliza Cheers or Linwood Cheers?
- A. Linwood, yes I knew him, Mary Eliza - I didn't know her.

- Q. 12. Who did Deborah Cheers marry?
- A. A Coleman. She was Deborah Cheers Coleman
- Q. 13. Laura?
- A. Laura was Laura Cheers Washington
- Q. 14. And Esther?
- A. I don't know that.
- Q. 15. Did James Edward Cheers leave a will that you ever heard of?
- A. Not that I know about.
- Q. 16. His wife, Mary A., did you ever hear of her leaving a will?
- A. I don't know that.
- Q. 17. Did you ever hear that she remarried?
- A. No, she didn't remarry.
- Q. 18. Both she and her husband died residents of Queen Anne's County?
- A. Yes.
- Q. 19. Can you testify as to the death of Perry Henry Cheers?
- A. Perry Henry Cheers died sometime before 1950 in Atlantic City.
- Q. 20. Who did he leave surviving him?
- A. I'm not sure, but I think there is two daughters.
- Q. 21. Could they be someone else?
- A. It could be, I am not sure they were his children. If they were, their names were Annie and Alice.
- Q. 22. Did he leave any wife surviving him?
- A. I don't know that.
- Q. 23. Can you testify concerning Benjamin Howard Cheers?
- A. He died in the state of Pennsylvania. I think that was during the 50's.
- Q. 24. And do you know who he left surviving?
- A. I don't know of any.
- Q. 25. Do you know if he left any will?
- A. No, I don't.
- Q. 26. Can you testify about Matthew Cheers?
- A. He died in Queen Anne's County, leaving no survivors.

- Q. 27. Approximately how long ago?
- A. 15 years.
- Q. 28. Did he leave any wife surviving him?
- A. No.
- Q. 29. Referring to your more immediate family - First, as to Albert Cheers, Jr., what can you say about him?
- A. He left surviving a wife, no children.
- Q. 30. What was her name?
- A. Nellie Cheers, who is now Nellie Potts.
- Q. 31. Did he leave a will?
- A. I don't know that.
- Q. 32. Where was he a resident when he died?
- A. 1422 West 7th Street, Chester, Pennsylvania.
- Q. 33. Did he leave any descendant or descendants?
- A. No.
- Q. 34. You never heard that he had a will?
- A. No.
- Q. 35. Than as to your Uncle Addison Cheers, what can you say?
- A. He left surviving a wife, who is now deceased.
- Q. 36. What was her name?
- A. Olive Gale Cheers, his children, Wesley Cheers, Esther Cheers, Ida Cheers, Wendell Cheers, Nathan Cheers, Alice LaVergn Cheers, Linton Gale Cheers.
- Q. 37. Did you name James Wesley Cheers?
- A. Yes, first.
- Q. 38. Esther Cheers married whom?
- A. Fred Groce, she is Esther Cheers Groce.
- Q. 39. Can you say approximately how long ago Addison Cheers died?
- A. February of 1960.
- Q. 40. 1960?
- A. Yes.
- Q. 41. And where was he a resident?
- A. Chester, Pennsylvania.

- Q. 42. Did you ever hear of him leaving a will?
- A. No, I don't know.
- Q. 43. Approximately how long ago did his wife, Olive, die?
- A. Five years, approximately five years.
- Q. 44. Where was she a resident?
- A. Chester Pennsylvania.
- Q. 45. Did you ever hear of her leaving a will?
- A. I don't know, I know James Wesley was the administrator.
- Q. 46. Did she remarry?
- A. No, she didn't.
- Q. 47. Can you state whether or not in your opinion it would be possible to divide these two pieces of land among all the owners.
- A. I think it would be impossible to divide these pieces of land among the owners.
- Q. 48. What is your reason for that?
- A. There are just too many heirs, therefore, I suggest we sell it.
- All right, thank you.
-

Sterling Kennedy, a former witness, was recalled.

- Q. 1. You testified to the heirs of your grandmother, Hester Kennedy, being her husband, David, and three children. Was there another heir?
- A. Hester
- Q. 2. What was her name?
- A. Hester Kilson.
- Q. 3. Was she first Hester Jacobs?
- A. Hester Jacobs, yes.
- Q. 4. Then she married a Kilson?
- A. Kilson, yes.
- Q. 5. What was his name?
- A. Andrew Kilson.
- Q. 6. Is she still living?
- A. No, she's dead.
- Q. 7. Approximately when did she die?
- A. She's been dead 6-7 years.
- Q. 8. Where was she a resident?
- A. Queen Anne's County.
- Q. 9. Did she leave her husband, Andrew, surviving her?
- A. Yes.
- Q. 10. Was he her only heir or did she leave any other heirs?
- A. No, he's the only heir. He's dead now.
- Q. 11. Did he leave any descendants?
- A. No.
- Q. 12. And you say Andrew Kilson has since died?
- A. Yes, he's been dead a year or more, now.
- Q. 13. Do you know who his heirs would be or are?
- A. The only one I would know - that would be his sister, Virginia.
- Q. 14. He didn't have any children?
- A. No.
- Q. 15. Did he have a will?
- A. No he didn't have any will. But I think he did have a son. I just can't recall his name - Linwood Kilson.

Q. 16. Andrew's son?

A. Yes.

Q. 17. Was he a son of Hester?

A. No.

Q. 18. But he was a son of Andrew?

A. Andrew, yes.

Q. 19. Was he born in wedlock?

A. I don't know

Q. 20. Do you know where he lives?

A. He lives in Grasonville.

Thank you very much.

Mr. John G. Anthony, being the fifth witness of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

Q. 1. What is your name and address?

A. John G. Anthony, address is Centreville, Route 2, Box 158.

Q. 2. Mr. Anthony, what connection have you had with the property of heirs of Robert and Eliza Cheers?

A. I've been seeing to it.

Q. 3. You've been seeing to it?

A. Yes sir.

Q. 4. Would you state whether or not in your opinion these lands could be divided among so many owners?

A. Well, I can't see it, with so many owners, it couldn't be divided.

Q. 5. You are familiar with both pieces of land?

A. Both pieces, yes sir.

Q. 6. Now, Mr. Anthony, can you say anything about the heirs of Benjamin Howard Cheers?

A. There's not much I can say. Those names were sent in by Ms. Bessie Cheers.

Q. 7. Now, who is Bessie Cheers?

A. William Cheers' widow, James Cheers' son.

Q. 8. Can you state who the members of that family are, the James Edward Cheers family?

A. James Edward's family?

Q. 9. Yes.

A. William, Mary Eliza, Esther, James, Linwood.

Q. 10. /Do you know about Mary Eliza Cheers?
What

A. That's one of James Cheers' daughters.

Q. 11. Is Mary Eliza still living?

A. No sir.

Q. 12. Approximately how long ago did she die?

A. It's been 30 years.

Q. 13. Where was she a resident at the time of her death?

A. Washington.

- Q. 14. Mary Eliza in Washington? Are you sure that wasn't Baltimore?
- A. It could have been.
- Q. 15. Did she leave any descendant or descendants? She wasn't married, was she?
- A. No sir.
- Q. 16. No descendants?
- A. No sir.
- Q. 17. How about Laura Washington?
- A. She was married too.
- Q. 18. Did she leave a husband surviving?
- A. No, indeed.
- Q. 19. How long ago did she die?
- A. I guess it's been 20 years.
- Q. 20. Did you ever hear of her leaving a will?
- A. No.
- Q. 21. Where was she a resident?
- A. In Washington.
- Q. 22. Did you ever hear of Mary Eliza Cheers leaving a will?
- A. No sir.
- Q. 23. How about Esther Smith? Where was she a resident?
- A. She was in Washington too.
- Q. 24. How many years ago did she die?
- A. I guess it's been 15 or 16.
- Q. 25. Did she leave a husband surviving?
- A. No.
- Q. 26. Did she leave any descendant or descendants?
- A. I don't know.
- Q. 27. What about Linwood Cheers?
- A. He passed away in Pennsylvania - Philadelphia.
- Q. 28. Did you ever hear of him leaving a will?
- A. No sir.
- Q. 29. Did he ever marry?
- A. No.

- Q. 30. Approximately how long ago did he die?
A. I guess 20 years, it might be a little longer.
- Q. 31. How about James Edward Cheers, Jr.?
A. He passed away in Washington, too.
- Q. 32. About how many years ago?
A. Around about 12 years.
- Q. 33. Did he leave any will?
A. No, not that I know of.
- Q. 34. Had he married?
A. No indeed.

I Howard Wood make this additional statement that I received from Mr. John G. Anthony who had received the same from Bessie Cheers, the wife of William Cheers, the following information concerning the heirs of Benjamin Howard Cheers, namely that he died many years ago without a will, in Philadelphia, Pennsylvania, leaving his wife, Kate Cheers, and three (3) children, who are also the heirs of Kate Cheers, who died without a will many years ago, namely Catherine Card, Mary Branch and Philip Cheers, but that the residence of Philip Cheers, if he is still living, is unknown to either of his sisters or to Mrs. Bessie Cheers, the informant.

- Q. 35. Mr. Anthony, state what you know about the death of William E. Cheers.
A. He was sick around about 2 weeks, he passed away in Philadelphia.
- Q. 36. Did he have a will?
A. Not that I know of.
- Q. 37. And who did he leave surviving? James Edward Cheers?
A. His wife, Bessie Cheers.
- Q. 38. Did he have a daughter?
A. Yes sir, Elsie.
- Q. 39. Do you know her last name?
A. I can't recall her last name now, but I think you have it.
- Q. 40. Could that be Elsie Cooley?
A. That's right.
- Q. 41. You recognize that?
A. Yes sir.

- Q. 42. Can you state what you know about Robert Cheers?
one of the sons of James Edward.
- A. Well, he left a wife and an adopted daughter.
- Q. 43. His wife's name?
- A. I just can't recall it.
- Q. 44. What is the name of the daughter?
- A. Rosie.
- Q. 45. His wife's name is Rosie, is she still living?
- A. No, she passed away.
- Q. 46. About how many years ago?
- A. She's been dead 14-15 years.
- Q. 47. Did she leave a will?
- A. Not that I know of.
- Q. 48. Did Robert Cheers leave a will?
- A. I don't know.
- Q. 49. Do you know the name of his adopted daughter?
- A. Arleen.
- Q. 50. Do you know her last name?
- A. I can't recall her last name.
- Q. 51. Could that be Arleen Green?
- A. That's right.
- Q. 52. Do you recognize that?
- A. Yes sir.
- Q. 53. Mr. Anthony, can you say anything about the children of
Perry Henry Cheers, what their names were?
- A. One of them was named Annie and the other named Alice.
- Q. 54. Annie and Alice, two daughters?
- A. That's right.
- Q. 55. Can you state whether they are living or dead?
- A. They both passed away, I think.
- Q. 56. Either of them leave any heirs?
- A. No sir, not that I know of.
Thank you.

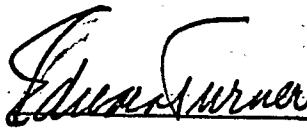
Miss Anna V. Cheers, a former witness, was recalled on October 29, 1974, at 4:30 o'clock P.M. at the office of Howard Wood, Attorney.

(questions asked by Mr. Howard Wood)

- Q. 1. You are Miss Anna V. Cheers, who was previously sworn and who previously testified on October 22, 1974, at this office in Equity Case No. 5492 in Queen Anne's County?
- A. Yes I am.
- Q. 2. Miss Cheers, do you recall your Great Uncle Isaiah Cheers?
- A. Yes I do.
- Q. 3. Do you recall the approximate time of his death?
- A. He died approximately 1942-1943.
- Q. 4. Could you say where he was a resident?
- A. He was a resident of Queen Anne's County.
- Q. 5. Did you ever hear of him leaving a will?
- A. He did not leave a will.
- Q. 6. Did he leave any wife surviving?
- A. He left no wife, no descendants.
- Q. 7. And do you or not recall Deborah Coleman, a child of your Great Uncle James Edward Cheers?
- A. Yes, I do.
- Q. 8. What can you say about the time of her death?
- A. She died June, 1967.
- Q. 9. Do you know where she was a resident at the time of her death?
- A. She was a resident of Queen Anne's County. She left no survivors or descendants.
- Q. 10. She was a widow?
- A. Yes, she was a widow.
- Q. 11. Did you ever hear of a will of hers?
- A. No, I never heard of her leaving a will.
-

There being no other witnesses to be examined or further testimony to be taken, your Examiner now makes his return and certifies that he was engaged as such Examiner in taking this testimony one day and examined five witnesses, making the costs chargeable in this Cause as follows, to wit:

Edward Turner, Examiner	\$ 10. ⁰⁰
Witness waived fee	.00
Cathy Higdon, Stenographer for transcribing testimony	<u>25.00</u>
Total.	\$ 35.00



Edward Turner
Examiner

Filed Oct. 30, 1974

Edward and Alice Cheers (1797)

Their only child

Robert and Eliza Ann Gibbs Cheers (1846)

Their children

Debby Ann (died in infancy)

- ✓ Eliza Frances - - married Samuel Dyer (1880)
- ✓ Hester Cordelia (5) - - - - married David H. Kennedy (1872)
- ✓ James Edward (8) - - - - - married Mary Anthony (1878)
- Isaiah - - - - - - - - - - married Rosa Turner (1890)
- Pere Henry (3) - - - - - - married Elizabeth Kimanoy (1888)
- ✓ Albert (7) - - - - - - - - - married Annie Wilson (1890)
- Robert Wesley
- Benjamin Howard (3) - - - - - married Kate Henry (1908)
- Matthew (1) - - - - - - - - - married Mary Newman (1902)

The only surviving child of Robert and Eliza Cheers.

October 9, 1970. Deborah K. Carter left this memo, re: possible partition suit.
About 15 A. across from Whitmarsh, north of Bloomfield
Did Edward or Robert Cheers leave any will?
S.R.C. took 25' ± some yrs. ago.
Matthew wants to sell.

Filed Oct 30, 1974

Examiner's Exhibit 1

FOR EXAMINER'S EXHIBITS # 2,3,4,5,6, & 7 filed on October 30, 1974
 SEE PLAINTIFF'S EXHIBITS A THRU F filed on November 2, 1973 with
 Bill of Complaint For Appointment of Trustee to Sell Real Estate.

ANNA V. CHEERS,
Personal Representative,
etc., et al.,

Plaintiffs

vs.

JOHN CHEERS, et al.,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5492

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Sterling Kennedy, Personal Representative of the Estate of Andrew Kilson, late of Queen Anne's County, Maryland, deceased, who was one of the defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint.

And that this Defendant consents to the sale of real estate and division of proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

A certified copy of the appointment of said Personal Representative is filed herewith and prayed to be taken as part of this Answer, being marked "Defendant Kilson Exhibit."

And, as in duty bound, etc.

Sterling M. Kennedy
Sterling Kennedy

Personal Representative of the Estate
of Andrew Kilson, deceased.

IN THE ORPHANS' COURT FOR
BEFORE THE REGISTER OF WILLS FOR

QUEEN ANNE'S
MARYLAND COUNTY,

In the Matter of

Andrew Kilson deceased

Estate No. 123

PETITION FOR ADMINISTRATION OF A SMALL ESTATE

The Petition of Sterling Kennedy, R.F.D. 2, Centreville, MD. being a cit-
Name Address

izen of the United States and of legal age, shows:

1. Andrew Kilson, the decedent, who was domiciled in Queen Anne's
County, State of Maryland died on July 23, 1974
at Deers Head State Hospital, Salisbury, Maryland

2. The decedent died ~~(with)~~ (without) a will.

3. Petitioner is entitled to be appointed personal representative of the decedent's estate under Section 5-104 of Article 93 of the Maryland Code for the following reasons: Petitioner has a pecuniary interest in the proper administration of the estate of the decedent.

4. This is the proper office in which to file the Petition because: Decedent was domiciled in Queen Anne's County at time of death.

5. The Petitioner has made a diligent search for a will of the decedent and, to the best of the knowledge of the Petitioner, ~~(the will accompanying this Petition dated _____ is the decedent's last will, and said will came into Petitioner's hands in the following manner)~~ (none exists):
None exists

6. There is attached hereto as a part hereof a list showing to the best of the knowledge of the Petitioner, the names and addresses of: (a) the interested persons as defined in Section 1-101 (f) of Article 93 and also, if the decedent died with a will, (b) the witnesses thereto.

7. All other proceedings regarding the decedent's estate are as follows:
None

8. The reason why any information required to be furnished by Sections 5-201 and 5-202 of Article 93 has not been furnished, is as follows:

Your Petitioner has made a diligent search to discover all property and debts of the decedent and has found that he possessed:
42/720 undivided interests in real estate about to be sold in equity case referred to below (est. value \$400.00).

The known creditors and the amounts due them are:
None. Widow paid funeral expense of \$855.00.

Legal proceedings pending in which the decedent was a party are as follows:
Chancery Cause No. 5492 in Circuit Court for Queen Anne's County

I (we) do hereby solemnly declare and affirm under the penalties of perjury that the information and representations contained in the foregoing Petition are true and correct according to my ~~(our)~~ knowledge, information and belief.

/s/ Sterling M. Kennedy
(Signature)

RW 2(1-1-70)

Defendant Kilson Exhibit

LIST OF ALL PERSONS INTERESTED IN
THE ESTATE OF ANDREW KILSON

<u>NAME</u>	<u>ADDRESS</u>	<u>RELATIONSHIP</u>	<u>AGE</u> (If under 21)
Beatrice Kilson	c/o Caratta Green 600 W. 30th Street Wilmington, Delaware 19802	Wife	
Virginia Quailes	1111 Bang Avenue Asbury Park, New Jersey	Sister	

NOT NECESSARY

PRELIMINARY ORDER

Upon the foregoing Petition it is ordered this day of November, 1974, by the Register of Wills of Queen Anne's County (1) That no formal administration upon the above estate is necessary; and (2) That the above Petition shall publish times in a newspaper of County a notice to Creditors to exhibit their claims, duly authenticated within thirty days after such notice.

.....
Register of Wills

FINAL ORDER

The Registrar of Wills having reviewed the Petition of Sterling Kennedy for proceedings in the small estate of Andrew Kilson, deceased, it is ORDERED this 12th day of November, 19 74, that Sterling Kennedy shall serve as personal representative of the small estate of Andrew Kilson; that he shall make payment of allowable funeral expenses and family allowances as provided in Section 3-201 and 8-106 of Article 93 of the Annotated Code of Maryland; that he shall sell property as necessary to satisfy such expenses and allowances.

IT IS FURTHER ORDERED that any property remaining shall be distributed in accordance with the (laws of intestacy of the State of Maryland) ~~(provisions of the last will and testament of the decedent)~~. After deduction of Court Costs, the balance made payable to Beatrice Kilson to partially reimburse her for payment of Funeral Expenses. If the estate's portion of Real Estate, when sold, brings more than \$400.00, the Petitioner shall report any additional amount to the Orphans' Court.

.....
/s/ Madlyn E. Wooters
Register of Wills

.....
/s/ Benj. L. Coppage

.....
/s/ Katharine B. Roe

.....
/s/ Edgar E. Walls Sr

LIBER 9 PAGE 434

In the Orphans' Court for Queen Anne's County, Maryland, Set: ||

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of Small Estate of Andrew Kilson, late of Queen Anne's County, deceased,

as filed and passed in this office on November 12, 1974
and recorded in Liber M.E.W. No. 1 Folio _____
in Record Book of Small Estates
in the Orphans' Court for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of my office this 12th day of November 1974.

Madelyn E. Wooters
Register of Wills for Queen Anne's County, Maryland

ANNA V. CHEERS,
Personal Representative,
etc., et al.,

Plaintiffs

vs.

JOHN CHEERS, et al.,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5492

DECREE

This cause standing ready for hearing and being submitted without argument, the Bill of Complaint, exhibits, testimony and exhibits and other proceedings were read and considered, whereupon the Court finds as follows:

(a) That the real estate which is the subject of this proceeding cannot be divided without loss or injury to the parties entitled.

(b) That Deborah Coleman, William E. Cheers, Esther Smith, James Edward Cheers, Jr., Albert Cheers, Jr., and Olive Gale Cheers appear to have died before January 1, 1970, but within twelve (12) years last past, owning undivided interests in said lands, but without administration having been had on their respective estates in Queen Anne's County, Maryland.

IT IS, therefore, this 20th day of November, 1974, by the Circuit Court for Queen Anne's County in Equity ADJUDGED, ORDERED AND DECREED as follows:

1. That *Howard Wood Esq.* is appointed Trustee to sell the real estate described in paragraph no. 2 of the Bill of Complaint as well as in the deeds filed with the Bill as Plaintiffs' Exhibits B and C and later marked Examiner's Exhibits 3 and 2, respectively.

2. That said real estate be sold at public sale to be conducted by said Trustee for the purpose of dividing the proceeds of sale among the parties entitled.

3. That before the Trustee shall proceed to act as such, he shall file with the Clerk of this Court a bond to the State of Maryland, with corporate surety to be approved by said Clerk, in the penalty of *Seven Thousand Dollars*

4. That he shall advertise the time, place, manner and terms of sale in a newspaper printed and published in said Queen Anne's County, for at least three successive weeks, the first insertion to be at least fifteen (15) days before the sale, and the last insertion to be not more than seven (7) days before the sale, said notice to provide payment of the entire purchase price in cash, or one-fourth (1/4) of the purchase price in cash and three-fourths (3/4) upon the final ratification of said sale by this Court, the deferred payment to bear interest from the day of sale, and be secured to the Trustee's satisfaction, full possession to be given upon final ratification and final settlement, when taxes and public charges shall be adjusted.

5. That he shall then proceed to make such sale at the appointed time and place, upon the above terms, by public auction, to the highest bidder for said property.

6. That as soon as practicable after said sale and in no event more than thirty (30) days after the date thereof, the said Trustee shall render to the Court a full and particular report of the proceedings relative to such sale in the form required by the Maryland Rules.

7. That, upon the final ratification of said sale, and full payment of the purchase money, he shall convey unto the purchaser or purchasers thereof, by a good and sufficient deed to be executed and acknowledged agreeably to law, the property so sold to him, free, clear and discharged of all claims of the parties to this cause, or of those claiming by, through or under them or any of them.

8. That said trustee shall bring into this Court all of the money arising from said sale to be disposed of under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to said trustee as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

9. And that, at the time of the first insertion or publication of the advertisement of sale above required, he shall publish in the same newspaper a notice to the creditors of Deborah Coleman, William E. Cheers, Esther Smith, James Edward Cheers, Jr., Albert Cheers, Jr., and Olive Gale Cheers, all deceased, requiring them to file their claims against said decedents with the Clerk of this Court within ninety (90) days of the date of said first insertion or be excluded from participating in the proceeds of said sale.

10. That said trustee, in addition to the published notice of sale required by paragraph #4 above, is authorized to publish notices thereof in such other newspapers or by such other means as he shall decide are reasonable.

B. Hackett Turner Jr.

JUDGE

FILED Nov 20, 1924

Cly 5492

LIBER 1 PAGE 590

RECORDED FOR DEED Nov. 20, 1974

State of Maryland)
) To Wit:
Queen Anne's County)

27

KNOW ALL MEN BY THESE PRESENTS, That we, Howard Wood, of Queen Anne's County, State of Maryland, as principal, and the Fidelity and Deposit Company of Maryland, a body corporate, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland, in the full and just sum of Seven Thousand Dollars (\$7,000.00), current money of the United States of America, to be paid to the said State of Maryland, or its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 20th day of November, 1974.

WHEREAS, the above bounden Howard Wood, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 20th day of November, 1974, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Anna V. Cheers, Personal Representative, etc., et al., Plaintiffs, vs. John Cheers, et al., Defendants", being Cause No. 5492 in the Circuit Court for Queen Anne's County in Equity;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Howard Wood, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation shall be void; otherwise to be and remain in full force and virtue in law.

SIGNED, sealed and delivered in the presence of:

Cathy Higdon Howard Wood (SEAL)
FIDELITY DEPOSIT COMPANY
OF MARYLAND

By: William M. Freestate
William M. Freestate
Its Attorney-in-Fact

ATTEST:

Cathy Higdon

Security approved and Bond filed Nov. 20, 1974
Charles W. Cecil
LIBER 9 PAGE 437

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from LIBER C.W.C. No. 1, folio 590, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 20th day of November, Nineteen Hundred and Seventy-four.

Charles W. Cecil

Clerk of the Circuit Court for Queen Anne's County

ANNA V. CHEERS,
Personal Representative,
etc., et al.,

Plaintiffs

vs.

JOHN CHEERS, et al.,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5492

28 ✓

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of real estate made in this cause by Howard Wood, the Trustee appointed to make such sale, unto your Honors, respectfully shows:

1. That pursuant to the Decree of this Honorable Court passed on the 20th day of November, 1974, your Trustee filed a bond in this Cause in the penalty of Seven Thousand Dollars (\$7,000.00) with corporate surety thereon which said bond was duly approved by the Clerk of this Court.

2. That thereupon pursuant to said Decree your Trustee advertised the property to be sold at public auction, in the Queen Anne's Record Observer, a newspaper printed and published in Queen Anne's County for three successive weeks, the publication dates being December 4, 1974, December 11, 1974, and December 18, 1974 as appears by the certificate of publication filed with this Report of Sale, and marked "Trustee's Exhibit A."

3. That pursuant to said notice your Trustee attended in front of the court house door in Centreville, Maryland at 2:00 P.M. on Thursday, December 19, 1974, and having had the auctioneer read aloud the notice as published in the Queen Anne's Record Observer then and there offered the properties described in the notice for sale by Joseph A. Jackson, Jr., Auctioneer; and did then and there sell Parcel No. 1 as described in said advertisement to William B. Schelhouse and Jane K. Schelhouse, his wife, as tenants by the entirety at and for the sum of Ten Thousand Five Hundred Dollars (\$10,500.00) they being then and there the highest bidders for said Parcel No. 1. Your Trustee then corrected the advertisement's description of Parcel No. 2 by verbal explanation in substance as follows: That Lawrence Callahan is the owner of a parcel of land lying at the intersection of the two public roads involved, which is about to be surveyed and is excluded from the sale, but that the property sold will contain twelve and three-sixteenths (12 3/16) acres, more or less, and will have frontage on both of said public roads commencing several feet from the intersection along each road; and did then and there sell said Parcel No. 2 to Elizabeth M. Flower at and for the sum of Seven Thousand Five Hundred Dollars (\$7,500.00), she being then and there the highest bidder for said Parcel No. 2.

4. That your Trustee intends to file an additional bond herein in the penalty of Eleven Thousand Dollars (\$11,000.00).

5. That the Buyers have complied with the terms of sale.

Respectfully submitted,

Howard Wood
(Howard Wood) Trustee

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 19th day of December, 1974, before me, the subscriber, a Notary Public for the State and County aforesaid, personally appeared Howard Wood, the trustee in the above entitled cause, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true and bona fide as therein stated and that the sale was fairly made.

Catherine M. Ngdot
Notary Public
My Commission Expires July 1, 1978



FILED Dec 20, 1974

Queen Anne's

RECORD-OBSERVER

Centreville, Md., December 20, 19 74

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of Trustee's Sale Cause NO. 5492

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 19th day of December, 19 74, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 4th day of Dec. 19 74, and the last insertion on the 18th day of Dec., 19 74.

THE RECORD-OBSERVER CORPORATION

By M. M. Monroe

Trustee's Exhibit A. FILED Dec 20, 1974

CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY, MARYLAND

WHEREAS, the Trustees of a Decree of the Circuit Court for Queen Anne's County, in Maryland, passed in and to the said Court, entitled "Edward Chiles vs. Frances Wilmer, et al., Uxoribus", will call at the Court House, in front of the Court House, in Annapolis, Maryland, on

WEDNESDAY, DECEMBER 19, 1974

at 2:00 o'clock P.M.

PARCEL NO. ONE

ALL that lot of land improved by a totally dilapidated dwelling situate in the Third Election District of Queen Anne's County, Maryland, on the northwest side of U.S. Route No. 213, described by survey by William R. Nuttle, dated September, 1931, as follows:

BEING for the name of a point in the centerline of old U.S. Rte. 213 (667 county maintained), said point being the northeast corner of the lands described leads and the eastward corner of a 2.672-acre lot formerly a part of the lands of John W. Blumley and running, thence, by and with said lot 18 1/2 degrees 17' 30" W—82.13 feet to an iron pipe and N 83 degrees 17' 30" W—122.45 feet to an iron pipe and the remaining land of Blumley, thence, by and with said Blumley lands N 83 degrees 17' 30" W—73.83 feet to an iron pipe and leads the corner of which is unknown; thence, by and with said unknown lands N 83 degrees 51' 49" E—573.66 feet to an iron pipe and the lands of Raymond C. Wiley; thence, by and with said Wiley lands S 83 degrees 07' 49" E—1314.77 feet to an iron pipe and the northwest side of U.S. Rte. 213; thence, by and with the right-of-way line of said road as shown on S.R.C. Plat 2129 the three following courses and distances: (1) S 83 degrees 27' 49" W—9.65 feet, (2) S 37 degrees 17' 30" E—12.5 feet, and (3) along an arc the radius of which is 120 feet and the chord of which is S 83 degrees 27' 49" W—12.5 feet, and also of the 2.672-acre lot of the aforementioned old U.S. Rte. 213; thence, by and with the centerline of said road N 83 degrees 17' 30" W—213.81 feet and along a curve the chord of which is S 83 degrees 11' 53" W—134.83 feet to the place of beginning, containing in all 9.465 acres of land, more or less, BEING the same land which was granted to Edward Chiles by Frances Wilmer by deed dated January 6, 1833 and recorded among the land records of Queen Anne's County in Liber J.T. No. 3, folio 477.

PARCEL NO. TWO

ALL that unimproved lot of woodland situate in the Third Election District of Queen Anne's County, Maryland, which is bounded on the northwest by the centerline of the public road known as Cape Fox Road, on the northeast by the centerline of the public road known as Queen's Corner Road, on the south by the cemetery lot of the Salem Lodge, on the southwest by the Annabelle W. Jordan land (C.H.T. 6-319), on the southeast and south by lands formerly of John Gibbs (A.B.G. 12-219) and also on the southeast by lands of Carlo G. Walters and wife (C.W.C. 21-031), containing 12 3/16ths acres of land, more or less; being the same land which was granted to Edward Chiles by Frances Wilmer by deed dated December 11, 1833 and recorded among the land records of Queen Anne's County in Liber J.T. No. 3, folio 483, and which is more particularly described in the proceedings in the Circuit Court for Queen Anne's County, entitled "Frances Wilmer vs. Jacob Gibbs" and recorded in Liber T.M. and I.T., folio 51, a Chancery Deed Book for Queen Anne's County.

TERMS OF SALE

Parcel No. 1 and Parcel No. 2 will be offered separately. The whole price for each parcel may be paid in cash on day of sale or one-fourth (1/4) of purchase price shall be payable in each on day of sale, the balance on final ratification of sale by said Court, said balance to bear interest from day of sale and to be allowed to the trustee's satisfaction; title papers and copies of recording deed, including transfer tax and tax stamps, to be at purchaser's expense. Taxes will be prorated as of day of final ratification and settlement, when full possession will be given.

HOWARD WOOD, TRUSTEE

ORDER NISI ON SALE

30

ANNA V. CHEERS, Personal Representative,
etc., et al,

Plaintiffs

vs.

John Cheers, et al

Defendants

In the Circuit Court
for Queen Anne's County
In Equity

Cause No. 5492

ORDERED, this 20th day of December, 1974, that
the sale of the real property, made and reported in this cause by
Howard Wood, Trustee, be ratified and confirmed,
on or after the 20th day of January, 1975, unless
cause to the contrary thereof be previously shown; provided a copy of this order be inserted
in some newspaper published in Queen Anne's County, Maryland, once in each of three suc-
cessive weeks before the 13th day of January, 1975.

The report states the amount of sales to be \$ 18,000.00

Charles W Cecil Clerk

Filed December 20, 1974

ORDER NISI ON SALE
ANNA V. CHEERS,
Personal Representative,
etc., et al, Plaintiffs
vs.
John Cheers, et al Defendants
++++
In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5492
++++
ORDERED, this 20th day of
December, 1974, that the sale
of the real property, made and
reported in this cause by
Howard Wood, Trustee, be
ratified and confirmed, on or
after the 20th day of January,
1975, unless cause to the
contrary thereof be previously
shown; provided a copy of this
order be inserted in some
newspaper published in Queen
Anne's County, Maryland, once
in each of three successive
weeks before the 13th day of
January, 1975.
The report states the amount
of sales to be \$18,000.00.
CHARLES W. CECIL,
Clerk
Filed: December 20, 1974
TRUE COPY
TEST: Charles W. Cecil, Clerk

Queen Anne's

31 RECORD-OBSERVER

Centreville, Md., January 15 1975

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify
that the Order nisi on sale

in the case/estate of Cause No. 5492

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S
RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's
County, Maryland, once a week for 3 successive weeks before the 13th
day of January, 1975, and that the first insertion of said advertisement
in said QUEEN ANNE'S RECORD-OBSERVER was on the 26th day of December
1974, and the last insertion on the 8th day of January, 1975

THE RECORD-OBSERVER CORPORATION

By *Mary M. Moore*

FILED Jan 16, 1975

LIBER 9 PAGE 441

cl, 5492

RECEIVED FOR RECORD May 2, 1975 ADDITIONAL BOND

32/

State of Maryland)
Queen Anne's County) To Wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Howard Wood, of Queen Anne's County, State of Maryland, as principal, and the Fidelity and Deposit Company of Maryland, a body corporate, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland, in the full and just sum of Eleven Thousand Dollars (\$11,000.00), current money of the United States of America, to be paid to the said State of Maryland, or its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 2nd day of May, 1975.

WHEREAS, the above bounden, Howard Wood, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 20th day of November, 1974, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Anna V. Cheers, Personal Representative, etc., et al., Plaintiffs, vs. John Cheers, et al., Defendants", being Cause No. 5492 in the Circuit Court for Queen Anne's County in Equity;

WHEREAS said trustee has heretofore filed an approved bond in the amount of Seven Thousand Dollars (\$7,000.00), and has now sold said real estate for Eighteen Thousand Dollars (\$18,000.00) and is therefore required to file this additional bond.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden, Howard Wood, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation shall be void; otherwise to be and remain in full force and virtue in law.

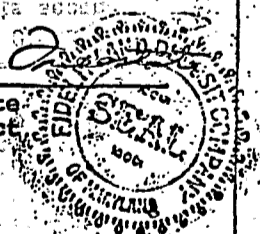
SIGNED, sealed and delivered in the presence of:

Catharine M. Hedges Howard Wood (SEAL)

FIDELITY DEPOSIT COMPANY OF MARYLAND

By: William M. Freestate

William M. Freestate
Its attorney-in-fact



WITNESSETH: Suzanne Hartinez

Security approved and Bond
Filed May 2, 1975

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from LIBER C.W.C. No. 1, folio 619, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County, this second day of May, Nineteen Hundred and Seventy-five.

Charles W Cecil
Clerk of the Circuit Court for Queen Anne's County

33

ANNA V. CHEERS,
Personal Representative,
etc., et al.,

Plaintiffs

vs.

JOHN CHEERS, et al.,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5492

FINAL RATIFICATION
OF SALE OF PARCEL #1

The above entitled matter coming before this Court, the proceedings having been read and considered by this Court, and this Court being satisfied that the sale of Parcel No. One of the real estate made and reported in this cause by Howard Wood, Trustee, was fairly and properly made, and no exceptions having been filed to the report of sale, and the Trustee having requested ratification of the sale of Parcel #1, but not of Parcel #2 at this time, IT IS ORDERED by the Circuit Court for Queen Anne's County, in Equity, this ^{4th} day of May, 1975, that the sale of the real estate described as Parcel No. One to William B. Schelhouse and Jane K. Schelhouse, his wife, for \$10,500.00 made and reported in this cause by Howard Wood, Trustee, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although due notice thereof appears to have been given as required by the preceding order nisi; and the said trustee is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers therefor to the Auditor.

B. Herbert Turner Jr.
JUDGE

FILED May 7, 1975

LCM 9 PAGE 443

ANNA V. CHEERS,
Personal Representative,
etc., et al.,

Plaintiffs

vs.

JOHN CHEERS, et al.,

Defendants

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In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5492

34

PETITION FOR SALE OF PARCEL NO. TWO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Howard Wood, Trustee in this cause, unto your Honors, respectfully shows:

1. That the sale herein reported of Parcel No. 2 to Elizabeth M. Flower for \$7,500.00 has not been settled owing to the fact that said parcel of land has now been surveyed and lacks any frontage on the Brown's Corner Road.

2. That your Trustee and Elizabeth M. Flower have agreed subject to the approval of your Honors that a 10% reduction in the price bid at the auction would represent an equitable abatement and that she and her husband Edwin A. Flower will pay \$6,750.00 for said property provided that the cost of the survey be paid by your Trustee from the proceeds.

WHEREFORE your Petitioner prays your Honors to approve the reduction suggested and order issuance and publication of a new Order Nisi as to Parcel No. 2 only.

Respectfully submitted,

Howard Wood
(Howard Wood) Trustee

FILED May 22, 1975

35

ORDER OF COURT

ORDERED this 27th day of May, 1975, by the Circuit Court for Queen Anne's County in Equity that the reduction of the sale price of Parcel No. 2 of the real estate herein reported as sold to Elizabeth M. Flower is hereby approved and that the sale be made by the Trustee to Edwin A. Flower and Elizabeth M. Flower, his wife, as tenants by the entirety at and for the sum of \$6,750.00, the cost of the survey of said parcel to be paid by the Trustee from the proceeds of sale and that the Clerk of this Court issue a new Order Nisi as to Parcel No. 2 only stating the price to be \$6,750.00, a copy of said Order Nisi to be published in the usual manner.

B. Hackett Turner Jr.
JUDGE

Filed May 27, 1975

36

ORDER NISI ON SALE

ANNA V. CHEERS, Personal Representa-
 tive, etc., et al,
 Plaintiffs
 vs.
 JOHN CHEERS, et al
 Defendants

In the Circuit Court
 for Queen Anne's County
 In Equity
 Cause No. 5492

ORDERED, this 27th day of May, 1975, that
 the sale of the real (Parcel No. 2 only) property, made and reported in this cause by
Howard Wood, Trustee, be ratified and confirmed,
 on or after the 27th day of June, 1975, unless
 cause to the contrary thereof be previously shown; provided a copy of this order be inserted
 in some newspaper published in Queen Anne's County, Maryland, once in each of three suc-
 cessive weeks before the 20th day of June, 1975.

The report states the amount of sales to be \$ 6,750.00

Charles W. Cecil Clerk

Filed May 27, 1975

37

Queen Anne's

RECORD-OBSERVER

June 25 1975
 Centreville, Md.

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify
 that the Order nisi

in the case/estate of Cause No. 5492

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S
 RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's
 County, Maryland, once a week for 3 successive weeks before the 20th day
 of June, 1975, and that the first insertion of said advertisement
 in said QUEEN ANNE'S RECORD-OBSERVER was on the 28th day of May
 1975, and the last insertion on the 11th day of June, 1975

THE RECORD-OBSERVER CORPORATION

By Anthony M. Moore

Filed June 25, 1975

38

ANNA V. CHEERS,
Personal Representative,
etc., et al.,

Plaintiffs

vs.

JOHN CHEERS, et al.,

Defendants

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In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5492

FINAL RATIFICATION
OF SALE OF PARCEL #2

The above entitled matter coming before this Court, the proceedings having been read and considered by this Court, and this Court being satisfied that the sale of Parcel No. Two of the real estate made and reported in this cause by Howard Wood, Trustee, was fairly and properly made, and no exceptions having been filed to the report of sale, and the Trustee having requested ratification of the sale of Parcel #2 at this time, IT IS ORDERED by the Circuit Court for Queen Anne's County, in Equity, this 7th day of July, 1975, that the sale of the real estate described as Parcel No. Two to Edwin A. Flower and Elizabeth M. Flower, his wife, for \$6,750.00 made and reported in this cause by Howard Wood, Trustee, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although due notice thereof appears to have been given as required by the preceding order nisi; and the said trustee is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers therefor to the Auditor.

B. Hackett Turner Jr.

JUDGE

FILED *July 7, 1975*

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff

v.

MARVIN A. DAVIS, JR.
LINDA D. DAVIS,

Defendants

CIVIL NO. W 75-53

5215

SEP -3-75 A 528787 *****40.00

PETITION TO FORECLOSE

Your petitioner, United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by George Beall, United States Attorney for the District of Maryland, respectfully represents:

1. The Farmers Home Administration is now, and has been at all times herein mentioned, an agency of the United States of America, having an office for the transaction of business at Coleman Enterprise Building, P. O. Box 214, Route 213, Chestertown, Maryland 21620.

2. On or about July 9, 1971, the defendants, Marvin A. Davis, Jr. and Linda D. Davis, his wife, being indebted to the United States by virtue of a loan made to said defendants in the sum of \$16,250.00 duly made, executed, and delivered to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, their Promissory Note wherein the said defendants covenanted AND AGREED TO REPAY SAID LOAN AS AND UNDER THE CONDITIONS THEREIN PROVIDED

88 1/21/75
USD 1/23/75

(1) Filed 16th of January, 1975.

Filed Sept. 3, 1975

LDER

9 PAGE 447

on or before ^{July 9, 2004}~~July 9, 1971~~ A true and complete copy of said Note is attached hereto as Exhibit A and is incorporated by reference herein as fully as if set forth at length herein.

3. To secure the payment of the aforesaid Note, the said defendants, on July 9, 1971, executed and delivered to the United States their indenture of mortgage, conveying to the United States the premises described therein as security for said debt; the said Mortgage was duly recorded in the Queen Anne's County Clerk's Office, Liber 56, Page 659. A true and complete copy of said Mortgage is attached hereto as Exhibit B and is incorporated by reference herein as fully as if set forth at length herein.

4. The United States is now the owner and holder of said Promissory Note and Mortgage; the said defendants, Marvin A. Davis and Linda D. Davis, his wife, defaulted in the payment of said Note by not making payments as required; as provided in said Note, and following such default, the United States elected to declare that by reason of said default, the entire balance of said Note remaining unpaid is due and payable forthwith; the defendants and each of them have failed to pay the same; and there is now past due upon said Note the sum of \$16,391.48, plus interest on that amount on and after September 23, 1974, which has accrued and is accruing at the daily rate of \$3.1594. A true and complete copy of the Statement of Account relative to the subject debt is attached hereto as Exhibit C and incorporated by reference herein as fully as if set forth at length herein.

5. By reason of the default of said defendants, the United States is entitled to an Order of this Court foreclosing said Mortgage and ordering the sale of the premises described in said Mortgage in the manner provided by law and ordering the application of the proceeds of such sale in payment of the judgment of the United States against the defendants, Marvin A. Davis, Jr. and Linda D. Davis, his wife.

6. In order to protect the interests of the United States in the assets during the pendency of these proceedings, it is requested by your petitioner that the United States Marshal for the District of Maryland be appointed Trustee without bond for that purpose.

WHEREFORE, the United States demands judgment and order of this Court;

(a) For the aggregate amount of the aforementioned sums and for such other amounts as the Court may find to be due from said defendants in the premises;

(b) Foreclosing the Mortgage described herein; ordering the premises described herein to be sold in the manner provided by law; and ordering that the proceeds be applied to the costs and expenses of sale, next in satisfaction of the Plaintiff's judgment against said defendants, and that the surplus, if any, be deposited in the account of the United States Marshal, subject to further order of the Court;

(c) For the appointment of the United States Marshal for the District of Maryland as Trustee to serve without bond;

(d) For such other and further relief as the Court may deem proper in the premises.

UNITED STATES OF AMERICA
George Beall
GEORGE BEALL
UNITED STATES ATTORNEY
DISTRICT OF MARYLAND

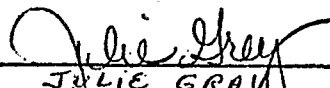
By *Virginia S. Draper*
Assistant United States Attorney
111 North Calvert Street
Baltimore, Maryland 21202
COM: 301-539-2940
FTS: 301-962-4822

UNITED STATES DISTRICT COURT
I hereby attest and certify
that the foregoing is a true and correct
copy of the original as it appears in my
legal custody.
JULY 1975
CLERK OF DISTRICT COURT
Deputy

STATE OF MARYLAND)
CITY OF BALTIMORE) TO WIT:

I HEREBY CERTIFY that on this 16th day of JANUARY, 1975, before me, the subscriber, a Notary Public of the State of Maryland, and ^{CITY} County of BALTIMORE, personally appeared, VIRGINIA S. DRAPER, Assistant United States Attorney for the District of Maryland, and made oath in due form of law that the matters and facts contained in the foregoing Petition to Foreclose are true to the best of ^{HER} his knowledge, information, and belief.

AS WITNESS my hand and Notarial seal.



JULIE GRAY
NOTARY PUBLIC

My commission expires JULY 1, 1978.

Form FHA 440-16
(Rev. 7-9-70)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

9-452

KIND OF LOAN:

FO RH

NONFARM

504

FO-NFE RRH

SW(ind.) LH

RL

PROMISSORY NOTE
(INSURED LOAN)

STATE			
Maryland			
COUNTY			
Queen Anne's County			
CASE NO.			
24-16-282,057			
FINANCE OFFICE USE ONLY			
46	57	LC	IA

Date July 9th, 19 71

FOR VALUE RECEIVED, the undersigned (whether one or more persons, herein called "Borrower") jointly and severally promise to pay to the order of the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, (herein called the "Government") at its office in

Chestertown, Maryland 21620 THE PRINCIPAL SUM OF
SIXTEEN THOUSAND TWO HUNDRED AND FIFTY

DOLLARS (\$ 16,250.00), plus INTEREST on the UNPAID PRINCIPAL balance at the RATE of SEVEN AND ONE QUARTER PERCENT (7 1/4%) PER ANNUM. The said PRINCIPAL and

INTEREST shall be PAYABLE in the FOLLOWING 34 INSTALLMENTS on or before the FOLLOWING DATES: (Number of installments)

\$ 668.00 JANUARY 1, 19 72, \$ 1,308.00 ANNUALLY thereafter on JANUARY 1, until the PRINCIPAL and INTEREST are fully paid except that the FINAL INSTALL-

MENT of the entire indebtedness evidenced hereby, if not sooner paid, shall be due and PAYABLE

THIRTY-THREE (33) YEARS from the DATE of this NOTE. The consideration herefor shall support any agreement modifying the foregoing schedule of payments.

Every payment made on any indebtedness evidenced by this note shall be applied first to interest computed to the effective date of the payment and then to principal.

Prepayments of scheduled installments, or any portion thereof, may be made at any time at the option of Borrower. Refunds and extra payments, as defined in the regulations of the Farmers Home Administration according to the source of funds involved, shall, after payment of interest, be applied to the installments last to become due under this note and shall not affect the obligation of Borrower to pay the remaining installments as scheduled herein.

Borrower agrees that the Government at any time may assign this note and insure the payment thereof, and in such case, though the note is not held by the Government, Borrower shall continue to pay to the Government, as collection agent for the holder, all installments of principal and interest as scheduled herein.

While this note is held by an insured lender, prepayments made by Borrower may, at the option of the Government, be remitted by the Government to the holder promptly or, except for final payment, be retained by the Government and remitted to the holder on either a calendar quarter basis or an annual installment due date basis. The effective date of every payment made by Borrower, except payments retained and remitted by the Government on an annual installment due date basis, shall be the date of the United States Treasury check by which the Government remits the payment to the holder. The effective date of any prepayment retained and remitted by the Government to the holder on an annual installment due date basis shall be the date of the prepayment by Borrower, and the Government will pay the interest to which the holder is entitled accruing between the effective date of any such prepayment and the date of the Treasury check to the holder.

Borrower hereby certifies that he is unable to obtain sufficient credit elsewhere to finance his actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near his community for loans for similar purposes and periods of time.

Property constructed, improved, purchased, or refinanced in whole or in part with the loan evidenced hereby shall not be leased, assigned, sold, transferred, or encumbered, voluntarily or otherwise, without the written consent of the Government. Unless the Government consents otherwise in writing, Borrower (a) will personally operate such property as a farm with his own and his family's labor if this is an FO loan, or (b) will personally occupy and use such property if this is an RH loan on a "nonfarm tract" or a section 504 RH loan.

FHA 440-16 (Rev. 7-9-70)

EXHIBIT A
Position

REFINANCING AGREEMENT: If at any time it shall appear to the Government that Borrower may be able to obtain a loan from a responsible cooperative or private credit source at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will, at the Government's request, apply for and accept a loan in sufficient amount to pay this note in full and, if the lender is a cooperative, to pay for any necessary stock. This paragraph and the preceding paragraph shall not apply to any cosigner signing this note pursuant to Section 502 of the Housing Act of 1949 to compensate for deficient repayment ability of other undersigned person(s).

DEFAULT hereunder shall constitute default under any other instrument evidencing a debt of Borrower owing to or insured by the Government or securing or otherwise relating to such a debt; and default under any such other instrument shall constitute default hereunder. **UPON ANY SUCH DEFAULT**, the Government at its option may declare all or any part of any such indebtedness immediately due and payable.

This note is given as evidence of a loan to Borrower made or insured by the Government pursuant to the Consolidated Farmers Home Administration Act of 1961 if the box opposite "FO", "FO-NFE", "RL", or "SW(Ind.)", is checked under the heading "KIND OF LOAN" or pursuant to Title V of the Housing Act of 1949 if the box opposite "RH", "RRH", or "LH", is checked. This note shall be subject to the present regulations of the Farmers Home Administration and to its future regulations not inconsistent with the express provisions hereof.

Presentment, protest, and notice are hereby waived.

P.O. Box 402
Chester Harbor
Chestertown, Maryland 21620
(Post-office address of Borrower, include ZIP Code)

Marvin A. Davis, Jr. (SEAL)
Marvin A. Davis, Jr. (HUSBAND)

Linda D. Davis (SEAL)
Linda D. Davis (WIFE)

Analgamated Bank of New York
New York, New York

Pay to the order of _____

PAY TO THE ORDER OF THE
UNITED STATES OF AMERICA
FARMERS HOME ADMINISTRATION

ANALGAMATED BANK OF NEW YORK

UNITED STATES OF AMERICA
FARMERS HOME ADMINISTRATION

By: *H. W. Hacker*

H W HACKER

(Title)

11/1/75
11/4/79
Form FIA 427-1 MD
(Rev. 9-1-70)

EVER 9 PAGE 454
Position 5

RECEIVED FOR RECORD JUL 11 1971 2:57 PM

REAL ESTATE MORTGAGE FOR MARYLAND
(INSURED LOANS TO INDIVIDUALS)

KNOW ALL MEN BY THESE PRESENTS, Dated July 9, 1971,
WHEREAS, the undersigned Marvin A. Davis, Jr., and Linda D. Davis, his wife,

residing in Kent County, Maryland, whose post office address
is Box 402, Chestertown, Maryland 21620,

herein called "Borrower," are (is) justly indebted to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, herein called the "Government," as evidenced by one or more certain promissory note(s) or assumption agreement(s), herein called "note" (if more than one note is described below, the word "note" as used herein shall be construed as referring to each note singly or all notes collectively, as the context may require), said note being executed by Borrower, being payable to the order of the Government in installments as specified therein, authorizing acceleration of the entire indebtedness at the option of the Government upon any default by Borrower, and being further described as follows:

<u>Date of Instrument</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>	<u>Due Date of Final Installment</u>
July 9, 1971	\$16,250.00	7 1/4%	July 9, 2004

WHEREAS, the note evidences a loan to Borrower in the principal amount specified therein, made with the purpose and intention that the Government, at any time, may assign the note and insure the payment thereof pursuant to the Consolidated Farmers Home Administration Act of 1961, or Title V of the Housing Act of 1949; and

WHEREAS, when payment of the note is insured by the Government, it may be assigned from time to time and each holder of the insured note, in turn will be the insured lender; and

WHEREAS, when payment of the note is insured by the Government, the Government will execute and deliver to the insured lender along with the note an insurance endorsement insuring the payment of all amounts payable to the insured lender in connection with the loan; and

WHEREAS, when payment of the note is insured by the Government, the Government by agreement with the insured lender set forth in the insurance endorsement may be entitled to a specified portion of the payments on the note, to be designated the "annual charge"; and

WHEREAS, a condition of the insurance of payment of the note will be that the holder will forego his rights and remedies against Borrower and any others in connection with the loan evidenced thereby, as well as any benefit of this instrument, and will accept the benefits of such insurance in lieu thereof, and upon the Government's request will assign the note to the Government; and

WHEREAS, it is the purpose and intent of this instrument that, among other things, at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall secure payment of the note; but when the note is held by an insured lender, this instrument shall not secure payment of the note or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an indemnity mortgage to secure the Government against loss under its insurance endorsement by reason of any default by Borrower;

NOW, THEREFORE, in consideration of the loan(s) and (a) at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the payment of the note, to secure prompt payment of the note and any renewals and extensions thereof and any agreements contained therein, including any provision for the payment of an insurance or other charge, (b) at all times when the note is held by an insured lender, to secure performance of Borrower's agreement herein to indemnify and save harmless the Government against loss under its insurance by reason of any default by Borrower, and (c) in any event and at all times to secure the prompt payment of all advances and expenditures made by the Government, with interest, as hereinafter described, and the performance of every covenant and agreement of Borrower contained herein or in any supplementary agreement, Borrower does hereby grant, convey, mortgage, assign, and forever warrant unto the Government the following property situated in the State of Maryland, County(ies) of

Queen Anne

EXHIBIT B

LIBER 56 PAGE 659

FHA 427-1 MD (Rev. 9-1-70)

ALL those lots known as Lot Nos 717 and 718, situate, lying and being in the Second Election District of Queen Anne's County, State of Maryland, as shown on a Plat entitled "Section No. 2 of Chester Harbor" which said plat is recorded among the Land Records of Queen Anne's County, Maryland, in Liber T.S.P. No. 49, folio 300.

BEING part of the premises granted and conveyed unto the Morris Millwork Company, by deed dated May 20, 1970 from Chester Harbor, Inc., and recorded among the Land Records for Queen Anne's County, Maryland, in Liber C.W.C. No. 48, folio 320.

BEING also the same premises conveyed by deed dated June 24, 1971 from The Morris Millwork Company to the borrowers herein, and recorded or intended to be recorded immediately prior hereto.

together with all rights, interests, emements, hereditments and appurtenances thereunto belonging, the rents, issues, and profits thereof and revenues and income therefrom, all improvements and personal property now or later attached thereto or reasonably necessary to the use thereof, including, but not limited to, ranges, refrigerators, or carpeting purchased or financed in whole or in part with loan funds, all water, water rights, and water stock pertaining thereto, and all payments at any time owing to Borrower by virtue of any sale, lease, transfer, conveyance or condemnation of any part thereof or interest therein-all of which are herein called "the property";

TO HAVE AND TO HOLD the property unto the Government and its assigns forever in fee simple.

BORROWER for himself, his heirs, executors, administrators, successors and assigns WARRANTS THE TITLE to the property to the Government against all lawful claims and demands whatsoever except any liens, encumbrances, easements, reservation, or conveyances specified hereinabove, and COVENANTS AND AGREES as follows:

- (1) To pay promptly when due any indebtedness to the Government hereby secured and to indemnify and save harmless the Government against any loss under its insurance of payment of the note by reason of any default by Borrower. At all times when the note is held by an insured lender, Borrower shall continue to make payments on the note to the Government, as collection agent for the holder.
- (2) To pay to the Government such fees and other charges as may now or hereafter be required by regulations of the Farmers Home Administration.
- (3) At all times when the note is held by an insured lender, any amount due and unpaid under the terms of the note, less the amount of any annual charge, may be paid by the Government to the holder of the note as provided in the insurance endorsement for the account of Borrower. Any amount due and unpaid under the terms of the note, whether it is held by the Government or by an insured lender, may be credited by the Government on the note and thereupon shall constitute an advance by the Government for the account of Borrower. Any advance by the Government as described in this paragraph shall bear interest at the note rate from the date on which the amount of the advance was due to the date of payment to the Government.
- (4) Whether or not the note is insured by the Government, the Government may at any time pay any other amounts required herein to be paid by Borrower and not paid by him when due, as well as any costs and expenses for the preservation, protection, or enforcement of this lien, as advances for the account of Borrower. All such advances shall bear interest at the rate borne by the note which has the highest interest rate.
- (5) All advances by the Government as described in this instrument, with interest, shall be immediately due, and payable by Borrower to the Government without demand at the place designated in the latest note and shall be secured hereby. No such advance by the Government shall relieve Borrower from breach of his covenant to pay. Such advances, with interest, shall be repaid from the first available collection received from Borrower. Otherwise, any payment made by Borrower may be applied on the note or any indebtedness to the Government secured hereby, in any order the Government determines.
- (6) To use the loan evidenced by the note solely for purposes authorized by the Government.
- (7) To pay when due all taxes, liens, judgments, encumbrances, and assessments lawfully attaching to or assessed against the property and promptly deliver to the Government without demand receipts evidencing such payments.
- (8) To keep the property insured as required by and under insurance policies approved by, delivered to, and retained by the Government.
- (9) To maintain improvements in good repair and make repairs required by the Government; operate the property in a good and husbandmanlike manner; comply with such farm conservation practices and farm and home management plans as the Government from time to time may prescribe; and not to abandon the property, or cause or permit waste, lessening or impairment of the security covered hereby, or, without the written consent of the Government, cut, remove, or lease any gravel, oil, gas, coal, or other minerals except as may be necessary for ordinary domestic purposes.

- (10) To comply with all laws, ordinances, and regulations affecting the property.
- (11) To pay or reimburse the Government for expenses reasonably necessary or incidental to the protection of the lien and priority hereof and to the enforcement of or the compliance with the provisions hereof and of the note and any supplementary agreement (whether before or after default), including but not limited to costs of evidence of title to and survey of the property, costs of recording this and other instruments, attorneys' fees, trustees' fees, court costs, and expenses of advertising, selling, and conveying the property.
- (12) Neither the property nor any portion thereof or interest therein shall be leased, assigned, sold, transferred, or encumbered, voluntarily or otherwise, without the written consent of the Government. The Government shall have the sole and exclusive rights as mortgagee hereunder, including but not limited to the power to grant consents, partial releases, subordinations, and satisfaction, and no insured lender shall have any right, title or interest in or to the lien or any benefits hereof.
- (13) At all reasonable times the Government and its agents may inspect the property to ascertain whether the covenants and agreements contained herein or in any supplementary agreement are being performed.
- (14) The Government may extend and defer the maturity of and renew and reamortize the debt evidenced by the note or any indebtedness to the Government secured hereby, release from liability to the Government any party so liable thereon, release portions of the property from and subordinate the lien hereof, and waive any other rights hereunder, without affecting the lien or priority hereof or the liability to the Government of Borrower or any other party for payment of the note or indebtedness secured hereby except as specified by the Government in writing.
- (15) If at any time it shall appear to the Government that Borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source, at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will, upon the Government's request, apply for and accept such loan in sufficient amount to pay the note and any indebtedness secured hereby and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with such loan.
- (16) Default hereunder shall constitute default under any other real estate, or under any personal property or other, insured by the Government and executed or assumed by Borrower, and default under any such other security instrument shall constitute default hereunder.
- (17) SHOULD DEFAULT occur in the performance or discharge of any obligation secured by this instrument, or should any one of the parties named as Borrower die or be declared an incompetent, a bankrupt, or an insolvent, or make an assignment for the benefit of creditors, the Government, at its option, with or without notice, may: (a) declare the entire amount unpaid under the note and any indebtedness to the Government hereby secured immediately due and payable, (b) for the account of Borrower incur and pay reasonable expenses for repair or maintenance of and take possession of, operate or rent the property, (c) upon application by it and production of this instrument, without other evidence and without notice of hearing of said application, have a receiver appointed for the property, with the usual powers of receivers in like cases, (d) foreclose this instrument as provided herein or by law, and (e) enforce any and all other rights and remedies provided herein or by present or future law.
- (18) The proceeds of foreclosure sale shall be applied in the following order to the payment of: (a) costs and expenses incident to enforcing or complying with the provisions hereof, (b) any prior liens required by law or a competent court to be so paid, (c) the debt evidenced by the note and all indebtedness to the Government secured hereby, (d) inferior liens of record required by law or a competent court to be so paid, (e) at the Government's option, any other indebtedness of Borrower owing to or insured by the Government, and (f) any balance to Borrower. At foreclosure or other sale of all or any part of the property, the Government and its agents may bid and purchase as a stranger and may pay the Government's share of the purchase price by crediting such amount on any debts of Borrower owing to or insured by the Government, in the order prescribed above.
- (19) As against the debt evidenced by the note and indebtedness to the Government hereby secured, with respect to the property, Borrower (a) hereby relinquishes, waives, and conveys all rights, inchoate or consummate, of descent, dower, curtesy, homestead, valuation, appraisal, and exemption, to which Borrower is or becomes entitled under the laws and constitution of the jurisdiction where the property lies, and (b) hereby agrees that any right provided by such laws or constitution for redemption or possession following foreclosure sale shall not apply, and that no right of redemption or possession shall exist after foreclosure sale.
- (20) This instrument shall be subject to the present regulations of the Farmers Home Administration, and to its future regulations not inconsistent with the express provisions hereof.
- (21) Notices given hereunder shall be sent by certified mail, unless otherwise required by law, addressed, unless and until some other address is designated in a notice so given, in the case of the Government to Farmers Home Administration, United States Department of Agriculture, at Trenton, New Jersey 08607, and in the case of Borrower to him at his post office address stated above.
- (22) Upon default by Borrower as aforesaid, in addition to any other remedies provided by law, Borrower hereby assents to the passage of a decree for the sale of the property and Borrower hereby also authorizes the Government, its successors or assigns, after any default in the covenants or conditions of this instrument, to sell the property. Any such sale, whether under the above assent to a decree or under the above power of sale, shall be under the provisions of Article 66 of the Public General Laws of Maryland, or under any other General or Local Laws of the State of Maryland relating to mortgages, or any supplement, amendment or addition thereto.

PROVIDED that if the indebtedness hereby secured is duly paid and each and every covenant, condition, agreement, and obligation, contingent or otherwise, contained herein, secured hereby or arising hereunder is fully performed and discharged, this mortgage shall be void; otherwise to remain in full force and effect.

Witness the hand(s) and seal(s) of Borrower the day and year first above written.

TEST:

Anthony Libersky
Anthony Libersky (Witness)

Marvin A. Davis, Jr. (SEAL)
Marvin A. Davis, Jr.

Linda D. Davis (SEAL)
Linda D. Davis

STATE OF MARYLAND

COUNTY OF Kent

ACKNOWLEDGMENT AND AFFIDAVIT

I hereby certify that on this 9th day of July, 1971, before me, a Notary Public of the State of Maryland, in and for the said County, personally appeared Marvin A. Davis, Jr., and Linda D. Davis, his wife, mortgagor(s),

and acknowledged the foregoing mortgage to be their act. At the same time also appeared John R. Blanchfield, Jr.,

agent of the mortgagee, and made oath that the consideration set forth in said mortgage is true and bona fide as therein set forth, and that the amount of the aforesaid loan has been paid over and disbursed to said mortgagor(s) at or before the time of execution of this mortgage, and also made oath that he is the agent of the mortgagee and authorized to make this affidavit.

Witness my hand and Notarial Seal.

(NOTARIAL SEAL)

Anthony Libersky
Anthony Libersky Notary Public.

My commission expires the 1st day of July, 1974.

STATE OF MARYLAND,
QUEEN ANNES COUNTY, SOI.
I HEREBY CERTIFY THAT
THIS MORTGAGE WAS
RECEIVED FOR RECORD IN THIS
OFFICE ON JULY 1971 AT 2:55 P.M.
RECORDED IN
LIBER 56 PAGE 662
RECORD BOOK FOR QUEEN ANNES
COUNTY
Linda D. Davis CLERK.

9 PAGE 458
REGISTRATION
NO. 64103
OF ACCOUNT

CASE NO. 24-18-289067

United States of America



DEPARTMENT OF AGRICULTURE
WASHINGTON

OCT 8 1974
STATE OFFICE
DELAWARE

I, EARL L. BUTZ, Secretary of Agriculture of the United States, pursuant to Title 28, United States Code, Section 1733, do hereby certify that the annexed copy, or each of the specified number of annexed copies, is a true, correct and compared copy of a document in my official custody as hereinnfter described:

Certified Statement of Account of Marvin A. Davis, Jr., of
Queene Anne County, Maryland, as certified by Charles W.
Shuman, Acting Director, Finance Office, Farmers Home Administra-
tion, St. Louis, Missouri, dated September 23, 1974.

In testimony whereof I have hereunto caused the
seal of the Department of Agriculture to be affixed
and my name subscribed in the District of Columbia,
this 30th day of September, 19 74.

Earl L. Butz
Secretary

By *James D. Shuman*
Acting Assistant General Counsel

(Signed pursuant to the authority of 37 F.R. 3617)

OGC 74
7-73

Form FHA 451-11
Rev. 10-12-70)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
FINANCE OFFICE
ST. LOUIS, MISSOURI 63103

STATEMENT OF ACCOUNT

Luis Guinot, Jr., Director
TO: Community Development Division
Washington, D. C. 20250

CASE NO.
24-18-289067

This is to certify that

NAME(S) Marvin A. Davis, Jr. AND _____ OF _____

ADDRESS (Include ZIP Code) Queene Anne County, MD

is (are) indebted to the United States of America as reflected by the following statement of account:

TRANSACTIONS HAVE BEEN RECORDED THROUGH _____ INTEREST HAS BEEN ACCRUED THROUGH September 23, 1974 (Check appropriate Mark)

CHARGES CREDITS STATUS BY LOAN TYPE ADVANCES IN DETAIL DETAIL STATUS OF INDIVIDUAL ACCOUNTS

DATE	LOAN CODE			LOAN ADVANCES AND OTHER CHARGES	PAYMENTS AND CREDITS		UNPAID BALANCES		DAILY INTEREST ACCRUAL
	KIND	FUND	NUMBER		INTEREST	PRINCIPAL	INTEREST	PRINCIPAL	
	<u>NOTE ACCOUNT</u>								
07-09-71	46	7.250	01	16250.00					
Total	46	7.250	01	16250.00	3235.54	344.24	485.72	15905.76	3.1594
	<u>ADVANCES BY GOVERNMENT</u>								
10-01-73	46	7.250	01	56.00	Insurance				
01-01-74				141.11	Default Charge				
04-16-74				329.25	Taxes				
Total	46	7.250	01	526.36	5.97	526.36	- 0 -	- 0 -	- 0 -
TOTAL				16776.36	3241.51	870.60	485.72	15905.76	3.1594

Shelby W. Sturman
(Signature of approving official)

DATE OF CERTIFICATION
SEP 23 1974

Acting Director, Finance Office
(Title)

Position: C

FHA 451-11 (Rev. 10-12-70)

459 9 PAGE 459

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,)
)
) Plaintiff)
)
) v.)
)
) MARVIN A. DAVIS, JR.)
) LINDA D. DAVIS,)
)
) Defendants)

CIVIL NO. W-75-53

ORDER

Upon consideration of the Petition of the United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by George Beall, United States Attorney for the District of Maryland, seeking sale of certain real property described in the Real Estate Mortgage referred to in said Petition, it is this *23rd* day of *January*, 1975,

ORDERED:

1. The United States Marshal for the District of Maryland is hereby appointed Trustee without bond.
2. The said Trustee is hereby directed to sell on behalf of the Farmers Home Administration, its successors or assigns, or its duly authorized attorney, the property set forth in said Mortgage in accordance with the terms and powers conferred upon him therein, after having first notified all interested parties by publishing said notification


(2) Filed: *23rd of January, 1975*

once a week for at least four (4) weeks prior to the date of the sale in a newspaper of general circulation in the county in which the property lies.

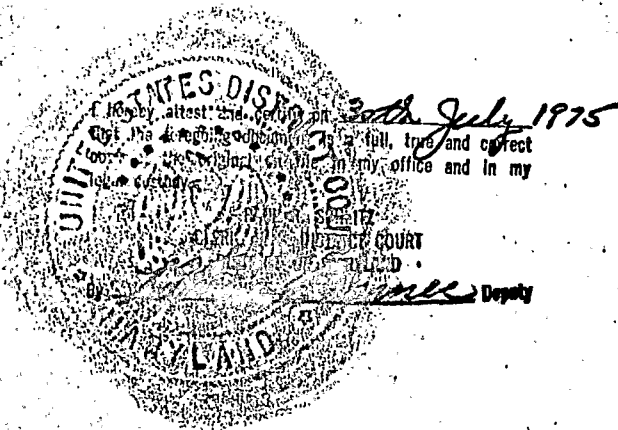
3. The terms of said sale shall be all cash; a deposit of fifteen percent (15%) of the purchase price shall be required at the time of sale, the balance to be paid within ten (10) days after final ratification of said sale by this Court. In the event of default by the purchaser, the property shall be resold at the risk and cost of the defaulting purchaser. All conveyancing, recording, revenue stamps, and other expenses of sale shall be at the cost of the purchaser.

4. After said Trustee has complied with the order of this Court, such sale shall be reported back to this Court for approval and ratification.

5. The proceeds of such sale shall be deposited into the account of the United States Marshal to be distributed as the Court shall direct after review and accounting thereof.



U. S. Magistrate
United States District Court



VSD:GZ/74-2312
USA-35-47
Ed. 11/2/66

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. W-75-53

v.

MARVIN A. DAVIS and his wife
LINDA D. DAVIS
Defendants

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of Sale by JOHN W. SPURRIER, United States
Marshal for the District of Maryland, Trustee in the above-entitled matter,
by JERVIS S. FINNEY, United States Attorney for the District of
Maryland, and VIRGINIA S. DRAPER, Assistant United States
Attorney for said District, respectfully represents:

RECEIVED
APR 11 2 57 PM '75
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

1. That MARVIN A. DAVIS and his wife LINDA D. DAVIS
Having defaulted in their payments on their promissory note to the United
States (Department of Agriculture), notice of sale of certain
real property described in the real estate mortgage referred to in the
Petition to Foreclose heretofore filed by the United States was duly given
by publication in Kent County News, a newspaper published
in Chestertown, Maryland.
2. That pursuant to the Order of this Honorable Court dated
January 23, 1975, authorizing the Trustee to sell the aforesaid property
of MARVIN A. DAVIS and his wife LINDA D. DAVIS, a public sale
was held on April 2, 19 75, on the premises known as
Lots 717 and 718 Chester Harbor, Chestertown, Maryland 21620,
said property being covered by the real estate mortgage heretofore filed in
this proceeding.

③ Filed: 11th April 1975

USA-35-47
Ed. 11/2/66
(Page 2)

3. That JOHN W. SPURRIER, United States Marshal,
Trustee, conducted the public sale.

4. That the said property was sold to Mrs. Harriette D. Hall,
a private party, for the sum
of \$ 16,645.00, said purchaser being the highest bidder therefor.

Jervis S. Finney
JERVIS S. FINNEY
United States Attorney

Virginia S. Draper
VIRGINIA S. DRAPER
Assistant United States Attorney
405 United States Courthouse
111 N. Calvert Street
Baltimore, MD 21202
301/962-4822 FTS
301/539-2940 LOCAL

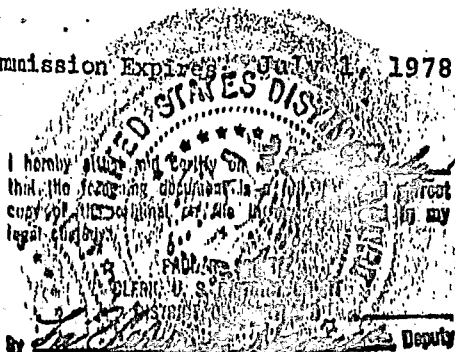
STATE OF MARYLAND)
CITY of BALTIMORE) SS:

I HEREBY CERTIFY that on this 11th day of APRIL, 19 75,
before me, the subscriber, a Notary Public of the State of Maryland, in and
for the CITY OF BALTIMORE, personally appeared
JOHN W. SPURRIER, United States Marshal for the District of
Maryland, Trustee, and made oath in due form of law that the facts stated in
the foregoing Report of Sale are true as therein set forth, and that the sale
thereby reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Julie Grey
Notary Public
Julie Grey

My Commission Expires July 1, 1978


I hereby certify that the foregoing document is a true and correct copy of the original, and that I am a duly qualified Notary Public in and for the State of Maryland.
By [Signature] Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff

-vs-

MARVIN A. DAVIS and his
wife LINDA D. DAVIS,

Defendants

*
*
*
*
*
*
*
*
*
*

CIVIL NO. W-75-53

AMENDMENT TO REPORT OF SALE

MR. CLERK:

The Report of Sale, filed with this Honorable Court on April 11, 1975, by John W. Spurrier, United States Marshal for the District of Maryland, Trustee in the above-entitled matter, by Jervis S. Finney, United States Attorney for the District of Maryland, and Virginia S. Draper, Assistant United States Attorney for said District, should be amended as follows:

That the said property was sold to Mrs. Harriette D. Hall, a private party, for the sum of \$16,800.00, said purchaser being the highest bidder therefor.

Jervis S. Finney
JERVIS S. FINNEY
United States Attorney

Virginia S. Draper
VIRGINIA S. DRAPER
Assistant United States Attorney
405 United States Courthouse
111 N. Calvert Street
Baltimore, Maryland 21202
301/539-2940

RECEIVED
APR 17 5 02 PM '75
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

⑤ Filed: 18th April 1975
EVER 9 PAGE 465

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff

-vs-

MARVIN A. DAVIS and his
wife LINDA D. DAVIS,
Defendants

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CIVIL NO. W-75-53

RECEIVED
APR 17 5 02 PM '75
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

AMENDED
ORDER NISI

ORDERED this 18th day of April, 1975, by the
United States District Court for the District of Maryland,
that the sale of the real property described in the above-
entitled proceedings, made and reported by John W. Spurrier,
United States Marshal for the District of Maryland, Trustee,
to Mrs. Harriette D. Hall, a private party, for the sum of
\$16,800.00, said purchaser being the highest bidder therefor,
be ratified and confirmed unless cause to the contrary be
shown on or before the 12th day of June, 1975, provided that
a copy of this Order be inserted in some newspaper published in
~~some newspaper published in~~ Chestertown, Maryland, once a week
for three successive weeks preceding May 12, 1975.

MP

R. Dorsey Watkins
R. DORSEY WATKINS, Judge
United States District Court

ll.

I hereby attest and certify on 30th July 1975
that the foregoing document is a full, true and correct
copy of the original and is in my office and in my
legal custody.

By *[Signature]* Deputy
CLERK OF DISTRICT COURT
DISTRICT OF MARYLAND
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

-VS-

MARVIN A. DAVIS, JR., and
his wife LINDA D. DAVIS,

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CIVIL NO. W-75-53

AFFIDAVIT BY PURCHASER -- MD RULE BR 6b3

STATE OF MARYLAND

County of Montgomery }
of Montgomery }

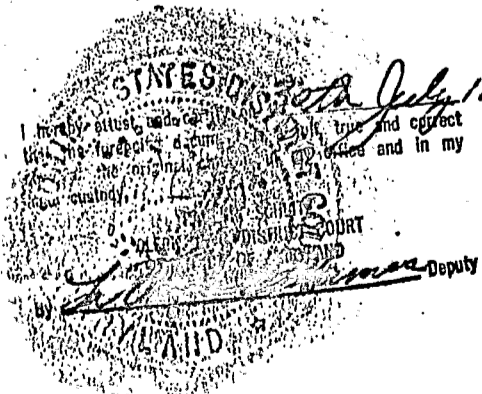
SS:

RECEIVED
MAY 21 4 12 PM '75
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

I HEREBY CERTIFY that on this 20th day of May, 1975, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared NORRIS HALL, and his wife, HARRIETTE D. HALL, purchasers at the foreclosure sale in this cause and made oath in due form of law that they are the purchasers and purchased same as principals and not as agents for anyone and that they have not directly or indirectly discouraged anyone from bidding for the said property mentioned in the said Report of Sale.

Norris Hall
NORRIS HALL

Harriette D. Hall
HARRIETTE D. HALL



Robert C. Smith
Notary Public
My Commission Expires: July 1, 1978

VSD:GZ/74-2312
USA-35-49
Ed. 11/2/66

9 JUL 1975

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. W-75-53

v.

MARVIN A. DAVIS, JR., and
his wife LINDA D. DAVIS
Defendants

* * * * *

ORDER

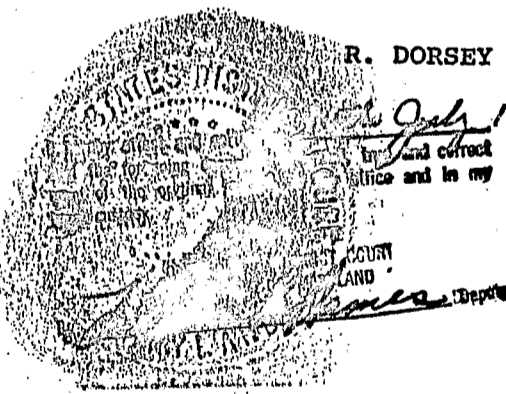
Compliance having been had with the Order of this Court dated
April 18, 19 75, requiring publication of sale made by
JOHN W. SPURRIER, United States Marshal for the District of
Maryland, Trustee, on April 2, 19 75, as evidenced by
Certification of Publication heretofore filed, and no cause to the contrary
having been shown,

IT IS ORDERED this 30th day of June, 19 75, by
the United States District Court for the District of Maryland, that the sale
heretofore reported in these proceedings to XXX Norris Hall and his
wife Harriette D. Hall, their successors
and assigns, at and for the sum of \$ 16,800.00, be and the same is
hereby ratified and confirmed.

RECEIVED
JUN 24 4 10 PM '75

R. Dorsey Watkins

R. DORSEY WATKINS, Judge
United States District Court



30 July 1975
by *Land correct*
office and in my

sl

MicroFilmed
Date JUL 2 1975

⑩ Filed: 30th June 1975.

LAW OFFICES

Cooper & Wadkovsky

215 COURT STREET

CHESTERTOWN, MARYLAND 21620

BASIL WADKOVSKY
RICHARD R. COOPER

(301) 778-4066
(301) 778-4067

August 7, 1975

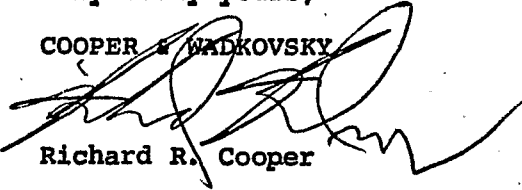
Mr. Charles W. Cecil, Clerk
Circuit Court
Queen Anne's County
Centreville, Maryland 21617

Dear Mr. Cecil:

I talked to your good clerks concerning the enclosed documents. I would like to file the deed, the United States Marshal's deed and also in a separate proceeding file all of the proceedings of foreclosure under an equity proceeding. I think Senator Turner has done several of these. I would like to record these papers in the same manner. I am sure that your good clerk is going to have questions to ask me with respect to taxes and so forth. I would appreciate knowing exactly how much this is going to cost, letting me know and I can get the cost from my client. Thank you very much for your time and cooperation in this matter.

Very truly yours,

COOPER & WADKOVSKY


Richard R. Cooper

RRC:esw

enclosure

MEMO 9 PAGE 470
from the office of
CLERK OF THE CIRCUIT COURT

CHARLES W. CECIL, Clerk

Queen Anne's County
Centerville, Maryland 21617
758-1773

August 12, 1975

Mrs. Whiteley:

This is to advise that I contacted the Tax Office to see if the taxes were paid, like you thought, and they said they had sent a tax bill to the last owners, Marvin A. Davis and wife at address of Box 402, Chestertown, Md. and it had been returned.

So they say the amount of \$264.70 in taxes is still due. Their number is 758-0419, if you want to contact them.

Charles W. Cecil, Clerk

C/as

Enc: Your copy of Deed and the Bill for everything.
I will hold your papers here until I hear from you.

8/26/75
Will be working in new deed with
more consideration.

QE \$ 106.00

Cause No. 5604

In the Circuit Court for

Queen Anne's County

in Equity

OCT-3-74 * 28240 *****25.00
OCT-3-74 A 528240 *****25.00

EDWARD CHEERS, Corsica Neck, Centreville, Maryland 21617,
JOHN CHEERS, Ruthsburg, Queen Anne, Maryland 21657 and
ANNA V. CHEERS, Church Hill, Maryland 21623, Personal Representa-
tive of the small estate of Joseph Webster Cheers, late of Queen
Anne's County, Maryland, deceased,

PLAINTIFFS

vs.

✓ LORENZO CHEERS, 212 Lloyd Street, Chester, Pennsylvania 19013,
✓ BLANCHE KILSON, Starkey's Corner, Church Hill, Maryland 21623,
A ✓ NELLIE POTTS, 1422 West 7th Street, Chester, Pennsylvania,
A ✓ ESTHER CHEERS GROCE, 1335 Green Street, Linwood, Pennsylvania,
A ✓ JAMES WESLEY CHEERS, 421 Engle Street, Chester, Pennsylvania 19013,
A ✓ IDA ELIZABETH CHEERS, 1203 Norris Drive, Chester, Pennsylvania,
A ✓ ALICE LAVERGN CHEERS, 53 Pinewood Avenue, Central Islit, New York,
A ✓ OLIVER WENDELL CHEERS, 1335 Green Street, Linwood, Pennsylvania,
A ✓ ALBERT NATHAN CHEERS, 608 West 10th Street, Chester, Pennsylvania
and
A ✓ LINTON GALE CHEERS, 5300 Summit Drive, S.E., Washington, D.C.,

DEFENDANTS

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators, complaining, say:

1. That Albert Cheers, late of Queen Anne's County, Mary-
land, died intestate approximately sixty (60) years prior to the
filing of this Bill of Complaint, leaving surviving his wife,
Annie Cheers, and the following seven (7) children as his heirs,
said children having been also the heirs of said Annie Cheers,
who also died intestate a resident of Queen Anne's County without
having remarried, in or about the year 1935, the names of said
children being as follows:

Joseph Webster Cheers
John Cheers (one of your Orators)
Edward Cheers (one of your Orators)
Lorenzo Cheers (one of the Defendants)
Albert Cheers, Jr.
Addison Cheers
Blanche Kilson (one of the Defendants)

2. That said Albert Cheers died, seized and possessed of
two (2) lots or parcels of land adjacent to each other and situate
in the Third Election District of Queen Anne's County, State of
Maryland, to wit:

(a) ALL that part of the "Sherman Lot" of land adjoining lands formerly of John B. Brown, J. Hersey Hall and Jonathan Stant, bounded on one side by the public road leading from Brown's Corner to Ashland, on another side by the public road leading from Clannihan's Corner to the farm formerly of Noah Clough and Mrs. Daniel Leibig and on another side by the lands formerly of the said J. Hersey Hall, being the same land which was granted to the said Albert Cheers by John B. Brown, Jr., Trustee, by deed dated October 6, 1897 and recorded among the land records of Queen Anne's County in Liber W.H.C. No. 7, folio 372, a certified copy of said deed being filed herewith as part of this Bill marked "Plaintiffs' Exhibit A."

(b) ALL that lot or parcel of land lying on the north side of the public road known as the Clough Road which may be described by metes and bounds, courses and distances, according to the deed next hereinafter mentioned as follows, to wit:

BEGINNING at a stone on the south side of the public road leading from Brown's Corner to the Brick School House at the end of the eleventh line of the whole tract from which this lot is carved or taken and running thence with the twelfth line of the said whole tract south twelve degrees west, forty four perches to the aforesaid "Clough Road"; thence with said road south seventy five degrees west, thirteen perches, thence north sixty five perches to the aforesaid road leading from Brown's Corner to the Brick School house; thence with the aforesaid eleventh line of the said whole tract south forty nine and one half degrees east, twenty eight and eight tenths perches to the aforesaid Beginning stone, containing six acres of land, more or less. BEING the same land which was granted to the said Albert Cheers by Sarah Bailey Smith and Willard S. Smith, her husband, by deed dated January 13, 1906 and recorded among said land records in Liber S.S. No. 2, folio 2, a certified copy of said deed being filed herewith as part of this Bill, marked "Plaintiffs' Exhibit B."

3. That the said Joseph Webster Cheers died on April 19, 1970, a resident of Queen Anne's County, testate, and Anna V. Cheers qualified as Personal Representative of his Small Estate on the 2nd day of November, 1973.

A certified copy of her Order of Appointment is filed herewith as part of this Bill marked "Plaintiffs' Exhibit C."

4. That the said Albert Cheers, Jr., died several years ago, intestate, a resident of Delaware County, Pennsylvania, leaving surviving no descendant or descendants but only his wife, Nellie, who has since remarried and is named in these proceedings as Nellie Potts.

5. That said Addison Cheers died about the year 1950, intestate, a resident of Delaware County, Pennsylvania, leaving surviving as his heirs his wife, Olive Gale Cheers, and the following seven (7) children, who were also the heirs of said Olive Gale Cheers (who died intestate on or about October 23, 1969, a resident of Delaware County, Pennsylvania, without having remarried):

Esther Cheers Groce
James Wesley Cheers
Ida Elizabeth Cheers
Alice LaVergn Cheers
Oliver Wendell Cheers
Albert Nathan Cheers
Linton Gale Cheers

Said children are all named as Defendants herein.

6. That said lands cannot be divided without loss or injury to the parties entitled.

TO THE END, THEREFORE:

1. That a Trustee be appointed to sell said real estate and convey the same to the respective purchasers free and clear of all the claims of the parties to this cause and all those claiming by, from or under them or any of them.

2. That the proceeds of sale be divided among the parties entitled.

3. That notices to the creditors of Albert Cheers, Jr. and Olive Gale Cheers may be issued and published.

4. And that your Orators may have such other and further relief as their case may require.

And, as in duty bound, etc.

Howard Wood

Howard Wood
Attorney for Plaintiffs
119 Lawyers Row
Centreville, Maryland 21617
Telephone No.: 758-1460

FILED Oct 3, 1974

2, Mr. Clerk - Please issue summons for all Defendants, and return all non-resident Defendants' copies of Bill, with writ of subpoena attached, to me for service by registered mail. First, please ask Judge Turner to sign attached Order to eliminate need for serving exhibits. Please make all writs returnable to November, 1974, return day.
Equity 5604
Howard Wood

FILED Oct 3, 1974

13

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9 PAGE 474 1

EDWARD CHEERS, ET AL.,
PLAINTIFFS
VS.
LORENZO CHEERS, ET AL.,
DEFENDANTS

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*

In the Circuit Court for
Queen Anne's County

in Equity

Cause No. 5604

Ordered this *9th* day of October, 1974, by the Circuit Court for Queen Anne's County in Equity that inasmuch as the exhibits filed with the Bill of Complaint in this case are unnecessary to a full understanding of the essential cause of action, copies of the exhibits need not be served with summons on any of the defendants.

B. Herbert Turner Jr.

JUDGE

FILED *Oct 4*, 1974.

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

4

Return Day

File No. 5604

Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

Lorenzo Cheers
TO: 212 Lloyd Street
Chester, Pennsylvania 19013

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of _____

Return Day _____, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

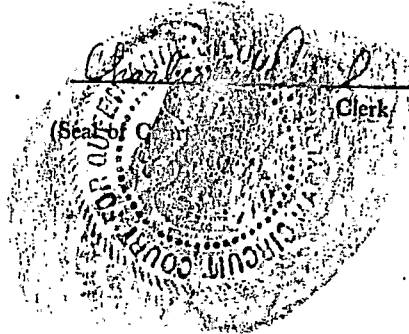
Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____



NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS OF SERVICE, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.
Copy of summons and Bill of Complaint delivered to Howard Wood, Attorney for Plaintiffs to be mailed to defendant by registered mail.

LIBER

9 475

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

Return Day

File No. 5604

Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Nellie Potts
1422 West 7th Street
Chester, Pennsylvania

You are hereby summoned to the Circuit Court for Queen Anne's County to the ~~First Monday~~ of _____

Return Day _____, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

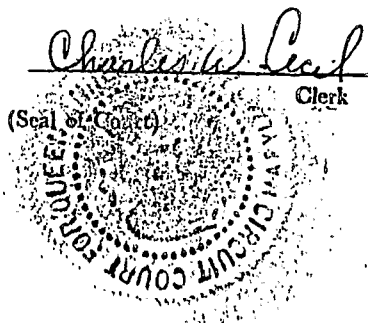
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS OF SERVICE, ~~FE~~ FE, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.
Copy of summons and Bill of Complaint delivered to Howard, Attorney for Plaintiffs to be mailed to defendant by registered mail.



6
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

Return Day

File No. 5604

Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Esther Cheers Groce
1335 Green Street
Linwood, Pennsylvania

You are hereby summoned to the Circuit Court for Queen Anne's County to the ~~First Monday~~ of Return Day, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

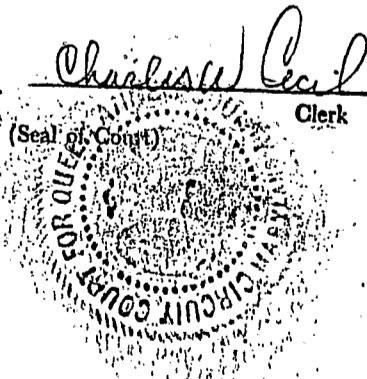
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS OF SERVICE, 9/7 THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU. Copy of summons and Bill of Complaint delivered to Howard, Attorney for Plaintiffs to be mailed to defendant by registered mail.



Circuit Court For Queen Anne's County

EQUITY SUMMONS:

Return Day

File No. 5604

Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: James Wesley Cheers
421 Engle Street
Chester, Pennsylvania 19013

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of

Return Day, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

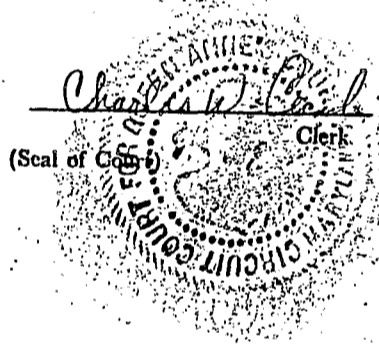
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME:

ADDRESS:

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE WITHIN SIXTY DAYS OF SERVICE, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONESSO AGAINST YOU. Copy of summons and Bill of Complaint delivered to Howard, Attorney for Plaintiffs to be mailed to defendant by registered mail.



Circuit Court For Queen Anne's County

8/

EQUITY SUMMONS:

Return Day

File No. 5604

Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Ida Elizabeth Cheers
1203 Norris Drive
Chester, Pennsylvania

You are hereby summoned to the Circuit Court for Queen Anne's County to the ~~First Monday~~ of _____

Return Day _____, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

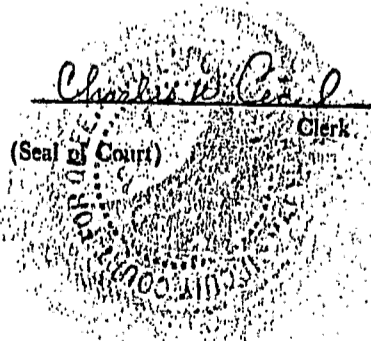
Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____



NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS OF SERVICE,

~~HE~~ /, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Copy of summons and Bill of Complaint delivered to Howard Wood, Attorney for Plaintiffs to be mailed to defendant by registered mail.

LIBER

9 MAY 1979

9 | 9 ME 480 |

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

Return Day _____
File No. 5604
Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Alice Lavergn Cheers
53 Pinewood Avenue
Central Islit, New York

You are hereby summoned to the Circuit Court for Queen Anne's County to the ~~First Monday~~ of _____

Return Day _____, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

Christina A. [Signature]
Clerk
(Seal of Court)

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS OF SERVICE, ~~IF~~ IF, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Copy of summons and Bill of Complaint delivered to Howard Wood, Attorney for Plaintiffs to be mailed to defendant by registered mail.

10
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

Return Day _____
File No. 5604
Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Oliver Wendell Cheers
1335 Green Street
Linwood, Pennsylvania

You are hereby summoned to the Circuit Court for Queen Anne's County to the ~~First Monday of~~ _____
Return Day _____, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

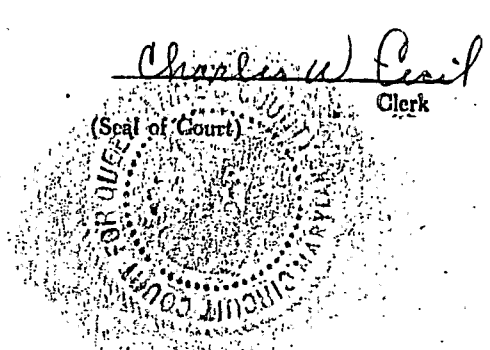
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS
OF SERVICE,
FE / _____, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.
Copy of summons and Bill of Complaint delivered to Howard Wood, Attorney for
Plaintiffs to be mailed to defendant by registered mail.



[9 OCT 1974]
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

Return Day _____

File No. 5604

Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Albert Nathan Cheers
608 West 10th Street
Chester, Pennsylvania

You are hereby summoned to the Circuit Court for Queen Anne's County to the ~~First Monday~~ of _____

Return Day _____, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS OF SERVICE, ~~THE~~ PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.
Copy of summons and Bill of Complaint delivered to Howard Wood, Attorney for Plaintiffs to be mailed to defendant by registered mail.

Charles J. ...
Clerk
(Seal of Court)

12
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

Return Day

File No. 5604

Docket C.W.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Linton Gale Cheers
5300 Summit Drive, S.E.
Washington, D. C.

You are hereby summoned to the Circuit Court for Queen Anne's County to the ~~Place~~ Place Monday of

Return Day, next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centreville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

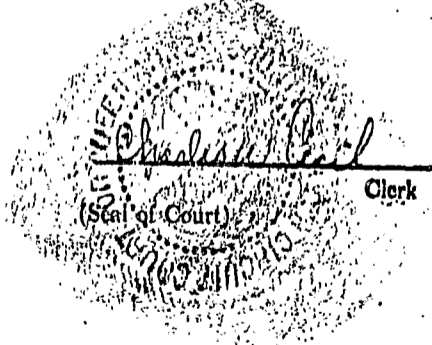
NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ~~ON OR BEFORE~~ WITHIN SIXTY DAYS OF SERVICE, IF THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU. Copy of summons and Bill of Complaint delivered to Howard Wood, Attorney for Plaintiffs to be mailed to defendant by registered mail.



9 PAGE 484
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

3/

____ November ____ Return Day

File No. 5604

Docket C.A.C. No. 3, folio 273

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Blanche Kilson
Starkey's Corner
Church Hill, Maryland 21623

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of November
____ next, to answer an action at the suit of Edward Cheers, Corsica Neck, Centre-
ville, Maryland 21617, John Cheers, Ruthsburg, Queen Anne, Maryland 21657 and
Anna V. Cheers, Church Hill, Maryland 21623, Personal Representative of the small
estate of Joseph Webster Cheers, late of Queen Anne's County, Maryland, deceased

Issued the 4th day of October 19 74

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Howard Wood
119 Lawyers Row
ADDRESS: Centreville, Maryland 21617
758-1460

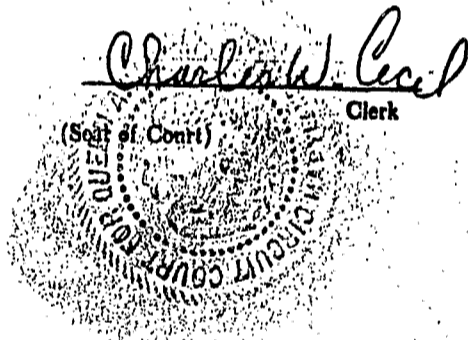
NAME: _____

ADDRESS: _____

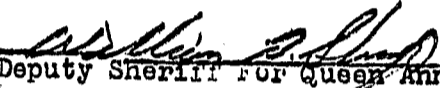
NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE November 19,
19 74, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED Oct 14, 19 74



Summons served, copy of Summons and Bill Of Complaint left with Blanche Kilson
this 13th day of October 1974.


Deputy Sheriff for Queen Anne's County

Chy No 5604

Bill of Complaint

EDWARD CHEERS, ET AL.,
PLAINTIFFS

vs.

LORENZO CHEERS, ET AL.,
DEFENDANTS

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In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5604

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Nellie Potts, one of the Defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint.

And that this Defendant consents to the sale of real estate and division of proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

And, as in duty bound, etc.

Nellie Potts

Nellie Potts

*Copy received
Howard Wood
Att. for Plaintiff*

Filed Feb. 24, 1935

EDWARD CHEERS, ET AL.,

PLAINTIFFS

vs.

LORENZO CHEERS, ET AL.,

DEFENDANTS

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In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5604

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Esther Cheers Groce, one of the Defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint.

And that this Defendant consents to the sale of real estate and division of proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

And, as in duty bound, etc.

Esther Cheers Groce
Esther Cheers Groce

*Copy received
Howard Wood
Atty for Plaintiffs*

Filed Feb. 24, 1975

EDWARD CHEERS, ET AL.,
PLAINTIFFS

vs.

LORENZO CHEERS, ET AL.,
DEFENDANTS

* In the Circuit Court for
*
* Queen Anne's County
*
* in Equity
*
* Cause No. 5604

16

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

James Wesley Cheers, one of the Defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint.

And that this Defendant consents to the sale of real estate and division of proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

And, as in duty bound, etc.

James Wesley Cheers
James Wesley Cheers

*Copy received
Howard Wood
att. for Plaintiffs*

Filed Feb. 24, 1975

EDWARD CHEERS, ET AL.,

PLAINTIFFS

vs.

LORENZO CHEERS, ET AL.,

DEFENDANTS

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In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5604

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Alice LaVergn Cheers, one of the Defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint. * *excepta*

And that this Defendant consents to the sale of real estate and division of proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

And, as in duty bound, etc.

Alice LaVergn Cheers
Alice LaVergn Cheers

* *Addison Howard C Cheers did not die in 1950 or that decade.*

*Copy received
Howard Wood
Atty for Plaintiffs*

Filed Feb. 24 1975

*1/13/70
Feb 1968
says Howard C.*

EDWARD CHEERS, ET AL.,
PLAINTIFFS

VS.

LORENZO CHEERS, ET AL.,
DEFENDANTS

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In the Circuit Court for
Queen Anne's County

in Equity

Cause No. 5604

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Oliver Wendell Cheers, one of the Defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint.

And that this Defendant consents to the sale of real estate and division of proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

And, as in duty bound, etc.

Oliver W. Cheers
Oliver Wendell Cheers

By: [Signature]

REPROD MAMBER
Notary Public, State of New York
No. 31-2496700
Qualified in New York County
Commission Expires March 30, 1925

*Copy received
Edward Wood
Atty for Plaintiffs*

Filed Feb. 24, 1925



EDWARD CHEERS, ET AL.,

PLAINTIFFS

VS.

LORENZO CHEERS, ET AL.,

DEFENDANTS

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In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5604

ANSWER

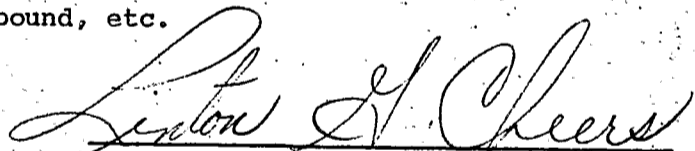
TO THE HONORABLE, THE JUDGES OF SAID COURT:

Linton Gale Cheers, one of the Defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint.

And that this Defendant consents to the sale of real estate and division or proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

And, as in duty bound, etc.



Linton Gale Cheers

*Copy received
Edward Wood
Atty for Plaintiffs*

Filed Feb. 24, 1975

9 OCT 1974

20

EDWARD CHEERS, ET AL., *
 PLAINTIFFS *
 vs. *
 LORENZO CHEERS, ET AL., *
 DEFENDANTS *

In the Circuit Court for
 Queen Anne's County
 in Equity
 Cause No. 5604

AFFIDAVIT PROVING SERVICE ON TWO DEFENDANTS

State of Maryland, Queen Anne's County, to wit:

I, the undersigned, Howard Wood, being first duly sworn according to law, do hereby depose and say:

1. That I am over 21 years of age and the Attorney of record for the Plaintiffs but not a party to this action.
2. That service of process was warranted in this cause owing to the fact that it is a land action and an action in rem under Rules 111 and 105. Accordingly service was made under Rule 107b2.
3. That copies of the summons and original pleading were mailed personally on October 8, 1974 to Ida Elizabeth Cheers, 1203 Norris Drive, Chester, Pennsylvania 19013, and to Albert Nathan Cheers, 608 W. 10th Street, Chester, Pennsylvania 19013, by certified mail marked "Deliver to Addressee Only".
4. That said copies were in fact received by said Defendants as evidenced by their respective signatures on the original return receipts which are attached to this Affidavit.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.

Howard Wood

 Howard Wood

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

Show address where delivered Deliver ONLY to addressee

RECEIPT
 Received the numbered article described below

REGISTERED NO. _____ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
Albert N. Cheers

CERTIFIED NO. *492910* SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. _____

DATE DELIVERED *10-15-74* SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

Deliver to addressee only

Filed Feb. 25, 1975

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

Show address where delivered Deliver ONLY to addressee

RECEIPT
 Received the numbered article described below

REGISTERED NO. _____ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
Ida Elizabeth Cheers

CERTIFIED NO. *492911* SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. _____

DATE DELIVERED *10-10-74* SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

Deliver to addressee only

2

21

EDWARD CHEERS, ET AL.,	*	In the Circuit Court for
	*	
PLAINTIFFS	*	Queen Anne's County
	*	
vs.	*	
	*	in Equity
LORENZO CHEERS, ET AL.,	*	
	*	
DEFENDANTS	*	Cause No. 5604

MOTION FOR DECREE PRO CONFESSO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Edward Cheers, John Cheers and Anna V. Cheers, Personal Representative, etc., Plaintiffs, by Howard Wood, their attorney, respectfully move your Honors to pass a Decree Pro Confesso against Blanche Kilson, Ida Elizabeth Cheers and Albert Nathan Cheers, three of the Defendants, and for grounds of their motion, say:

1. The resident Defendant, Blanche Kilson, has been returned summoned in the usual manner.
2. The non resident Defendants, Ida Elizabeth Cheers and Albert Nathan Cheers, have been duly served by registered mail as appears by the Affidavit of the undersigned attorney, filed herein on the same day as the filing of this Motion.
3. That the time for filing their initial pleading has expired with respect to all three of said Defendants, none of whom has answered the Bill of Complaint or filed any other pleading herein.

And for their statement of points, the Plaintiffs cite Md. Rule 675.

And, as in duty bound, etc.

Howard Wood
Howard Wood
Attorney for Plaintiffs

Filed Feb. 25, 1975

DECREE PRO CONFESSO

22

Upon the foregoing Motion, IT IS this 26th day of February, 1975, ADJUDGED, ORDERED and DECREED that the Bill of Complaint in this cause is hereby taken Pro Confesso against the three above named Defendants and the Plaintiffs are granted leave to take testimony before one of the standing examiners of this court in support of the allegations of their Bill of Complaint.

B. Hackett Turner, Jr.
Judge

FILED Feb 26, 1975

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTYEdward Cheers, et al

Law No. _____

Equity No. 5604

VS.

Lorenzo Cheers et al
_____Date: Feb. 26, 1975

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

To:

Blanche Kilson
Starkey's Corner
Church Hill, Maryland 21623*(Address)*

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default~~ decree pro confesso was entered against you in the above entitled case on February 26, 1975.

You may be able to avoid a final judgment/decree by taking immediate action in the proceeding.

Clerk

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY

EDWARD CHEERS et al

Law No. _____

Equity No. 5604

VS.

LORENZO CHEERS et al

Date: Feb. 26, 1975

NOTICE OF JUDGMENT BY DEFAULT
OR
DECREE PRO CONFESSO

To:

Mrs. Ida Elizabeth Cheers
1203 Norris Drive
Chester, Pennsylvania 19013

(Address)

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default~~/decree pro confesso was entered against you in the above entitled case on February 26, 1975.

You may be able to avoid a final ~~judgment~~/decree by taking immediate action in the proceeding.

Clerk

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY

EDWARD CHEERS et al

Law No. _____

Equity No. 5604

VS.

LORENZO CHEERS et al

Date: February 26, 1975

**NOTICE OF JUDGMENT BY DEFAULT
OR
DECREE PRO CONFESSO**

To:

Mr. Albert Nathan Cheers
608 W. 10th Street
Chester, Pennsylvania 19013
(Address)

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default~~ decree pro confesso was entered against you in the above entitled case on February 26, 1975.

You may be able to avoid a final ~~judgment~~ decree by taking immediate action in the proceeding.

Clerk

EDWARD CHEERS, ET AL., * In the Circuit Court for
 *
 PLAINTIFFS * Queen Anne's County
 *
 vs. * in Equity
 *
 LORENZO CHEERS, ET AL., *
 *
 DEFENDANTS * Cause No. 5604

MOTION BY SUCCESSOR IN INTEREST

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Anna V. Cheers, Personal Representative of the estate of Lorenzo Cheers, late of Queen Anne's County, Maryland, deceased, respectfully suggests and moves as follows:

1. That Lorenzo Cheers, one of the Defendants, departed this life intestate, a resident of Queen Anne's County, Maryland, on the 30th day of December, 1974.

2. That the undersigned, Anna V. Cheers, has qualified as Personal Representative of the small estate of said Lorenzo Cheers, deceased.

WHEREFORE, the undersigned, Anna V. Cheers, moves your Honors to pass an Order making her a party to this action, and defend the same, in place of Lorenzo Cheers, deceased.

And, as in duty bound, etc.

Anna V. Cheers

(Anna V. Cheers)
 Personal Representative of the
 Small Estate of Lorenzo Cheers,
 deceased.

ADMISSION OF SERVICE

On this 27th day of February, 1975, I hereby admit having received a copy of the foregoing Motion.

Howard Wood

Howard Wood
 Attorney for Plaintiffs

Filed February 27, 1975

ORDER OF COURT

ORDERED, this 27th day of February, 1975, by the Circuit Court for Queen Anne's County in Equity, that Anna V. Cheers, Personal Representative of the estate of Lorenzo Cheers, deceased, is hereby made a party to this action and is hereby directed to defend the same in place of such decedent and to attach to her Answer a certified copy of her appointment as said Personal Representative.

B. Harbette Turner

JUDGE

Filed February 27, 1975

9 PAGE 497

EDWARD CHEERS, ET AL.,
PLAINTIFFS
vs.
LORENZO CHEERS, ET AL.,
DEFENDANTS

In the Circuit Court for
Queen Anne's County
in Equity
Cause No. 5604

25

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT;

Anna V. Cheers, Personal Representative of the Estate of Lorenzo Cheers, late of Queen Anne's County, Maryland, deceased, who was one of the Defendants for Answer to the Bill of Complaint, respectfully says:

That this Defendant admits each and every allegation of the Bill of Complaint.

And that this Defendant consents to the sale of real estate and division of proceeds of sale among the parties entitled including this Defendant, and to the other relief prayed in the Bill without the necessity of any further notice to this Defendant.

A certified copy of the appointment of said Personal Representative is filed herewith and prayed to be taken as part of this Answer, being marked "Defendant Cheers Exhibit."

And, as in duty bound, etc.

Anna V. Cheers
Anna V. Cheers

Personal Representative of the Estate of Lorenzo Cheers, deceased.

*Copy of above Answer Received
Howard Wood, Attorney for Plaintiff*

Filed February 28, 1975

Examiner's Exhibit D

STATE OF MARYLAND

IN THE ORPHANS COURT FOR
BEFORE THE REGISTER OF WILLS FOR

QUEEN ANNE'S COUNTY,
MARYLAND

In the Matter of
LORENZO CHEERS
deceased

Estate No. 128

PETITION FOR ADMINISTRATION OF A SMALL ESTATE

The Petition of Anna V. Cheers, Church Hill, Maryland being a citizen
Name Address
of the United States and of legal age, shows:

1. Lorenzo Cheers, the decedent, who was domiciled in Queen Anne's
County, State of Maryland died on December 30, 1974, at Easton, Md.

2. The decedent died (with) (without) a will.

3. Petitioner is entitled to be appointed personal representative of the decedent's estate under
Section 5-104 of Article 93 of the Maryland Code for the following reasons:

She is a niece (daughter of deceased brother) of decedent, who
left no spouse, descendant or parent surviving him.

4. This is the proper office in which to file the Petition because: Decedent was domiciled
in Queen Anne's County at death.

5. The Petitioner has made a diligent search for a will of the decedent and, to the best of the
knowledge of the Petitioner, (the will accompanying this Petition dated _____ is
the decedent's latest will, and said will came into Petitioner's hands in the following manner)
(none exists):

None exists

6. There is attached hereto as a part hereof a list showing to the best of the knowledge of the
Petitioner, the names and addresses of: (a) the interested persons as defined in Section 1-101 (f) of
Article 93 and also, if the decedent died with a will, (b) the witnesses thereto.

7. All other proceedings regarding the decedent's estate are as follows:

None

8. The reason why any information required to be furnished by Sections 5-201 and 5-202 of Ar-
ticle 93 has not been furnished, is as follows:

All has been furnished

Your Petitioner has made a diligent search to discover all property and debts of the decedent
and has found he possessed: 1/28th interest in lands sold in Chancery No.
5492 for \$18,000 gross, and 1/7th interest in unimproved lot of land
of his late father Albert Cheers, to be sold in Chancery No. 5604 and
The known creditors and the amounts due them are: valued by Petitioner at
\$12,000 gross.

Dashiell Funeral Home \$1761.40; various food stores \$272.00.

Legal proceedings pending in which the decedent was a party are as follows:

Above pending equity proceedings in Queen Anne's County Circuit Court.

WHEREFORE, the Petitioner prays that he be granted letters appointing him personal repre-
sentative of the decedent's estate and that the aforesaid will, if any, be admitted to (administrative)
(judicial) probate, and that the following additional relief be granted:

Decedent be found to have died intestate.

I (we) do hereby solemnly declare and affirm under the penalties of perjury that the informa-
tion and representations contained in the foregoing Petition are true and correct according to my
(our) knowledge, information and belief.

Anna Wood
(Attorney for Estate)

Anna V. Cheers
(Signature)

(Signature)

(Signature)

IN THE MATTER OF THE ESTATE * In the Orphans' Court of
 OF *
 * Queen Anne's County
 *
 LORENZO CHEERS, DECEASED. * Small Estate No. _____

List of Interested Persons

Heirs: All Adults

Robert John Cheers, Ruthsburg, Queen Anne, Maryland 21657,
 brother

Edward Henry Cheers, Corsica Neck, Centreville, Maryland 21617,
 brother

Blanche Kilson, Starkey's Corner, Church Hill, Maryland 21623,
 sister

The following children of Addison Cheers, deceased brother:

Esther Cheers Groce, 1335 Green Street, Linwood, Pennsylvania

James Wesley Cheers, 421 Engle Street, Chester, Pennsylvania 19013

Ida Elizabeth Cheers, 1203 Norris Drive, Chester, Pennsylvania

Alice LaVergn Cheers, 69 Hawthorne Ave., Babylon, New York 11702

Oliver Wendell Cheers, 1335 Green Street, Linwood, Pennsylvania

Albert Nathan Cheers, 608 West 10th Street, Chester, Pennsylvania

Linton Gale Cheers, 5300 Summit Drive, S.E., Washington, D.C.

The following children of Joseph Webster Cheers, deceased brother:

James Cheers, 1208 E. 22nd Street, Wilmington, Delaware

John Cheers, 1335 W. 6th Street, Wilmington, Delaware

William Cheers, 34 Memorial Drive, New Castle, Delaware

Eleanor Cheers, Copper, Rte. 1, Box 58 1/2, Church Hill, Maryland

Marie Tingle, R.F.D. 2, Centreville, Maryland

Thelma Cheers, Rte. 1, Church Hill, Maryland

Dorothy Bailey, Rte. 2, Centreville, Maryland

Catherine Smith, P. O. Box 43, St. Leonards, Maryland

Fay Cheers Jones, 54 Briarcliff Drive, New Castle, Delaware

Bessie Cheers Lively, 54 Briarcliff Drive, New Castle, Delaware

Andra Kornagay, 610 W. 20th Street, Wilmington, Delaware

Anna V. Cheers, R.F.D. No. 1, Box 58 3/4, Church Hill, Maryland

PRELIMINARY ORDER

Upon the foregoing Petition it is ordered this 25th day of February 19 75 by the Register of Wills of Queen Anne's County (1) That no formal administration upon the above estate is necessary; and (2) That Anna V. Cheers shall serve as personal representative of the small estate of Lorenzo Cheers; That he shall sell property as necessary to satisfy such expenses and allowances as provided in Section 3-201 and 8-106 of Article 93 of the Annotated Code of Maryland; and (3) That the above Petitioner (shall publish 1 times in a newspaper of Queen Anne's County a notice to Creditors to exhibit their claims, duly authenticated within thirty days after such notice) (~~is not required to give notice to Creditors~~).

Madlyn E. Winters
Register of Wills

Benjamin C. Coffey

Katharine B. Roe

J. Fred Connolly Jr.
Judges

FINAL ORDER

The Register of Wills having reviewed the Petition of Anna V. Cheers for proceedings in the small estate of Lorenzo Cheers, it is

ORDERED this _____ day of _____, 19 75, that he shall make payment of all expenses and allowances as provided in Section 3-201 and 8-106 of Article 93 of the Annotated Code of Maryland.

IT IS FURTHER ORDERED that any property remaining shall be distributed in accordance with the (laws of intestacy of the State of Maryland) (~~provisions of the last will and testament of the~~ ~~with and testament of the decedent probated~~).

Register of Wills

Judges

CHECK LIST:

Safe Keeping Wills

Custody of Wills

Petition Docket

Deputy _____

In the Orphans' Court for Queen Anne's County, Maryland, Sec: [

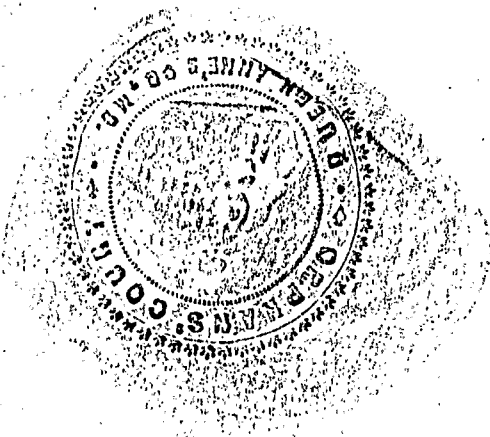
The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and afore-
going is a true copy of Proceedings in the Small Estate of Lorenzo Cheers,
late of Queen Anne's County deceased, and Preliminary Order passed

as filed and passed in this office on February 25, 1975

and recorded in Liber M.E.W. No. 1 Folio -

in Record Book of Small Estates

in the Orphans' Court for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF I hereunto subscribe my
name and affix the seal of my office this 26th
day of February 19 75.

Madlyn E. Wooters
Register of Wills for Queen Anne's County, Maryland

EDWARD CHEERS, ET AL.,

PLAINTIFFS

vs.

LORENZO CHEERS, ET AL.,

DEFENDANTS

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In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5604

26

TESTIMONY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The solicitor for the Plaintiffs, Howard Wood, having notified the subscriber, one of the regular examiners for this Honorable Court, of his desire to take testimony in this case, your examiner did attend on the 20th day of March, 1975, in the law office of Howard Wood, 119 Lawyers Row, in the town of Centreville, Queen Anne's County, Maryland, at the hour of 4:00 o'clock P.M., there being present Anna V. Cheers, Edward Cheers, and John Cheers, Plaintiffs, Howard Wood, the solicitor for the Plaintiffs, and proceeded to take the following testimony, having sworn the witnesses and Cathy Higdon, stenographer, to wit:

John Cheers, the first witness of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

- Q. 1. Would you state your name and address, please?
- A. Centreville, Maryland, Route 1.
- Q. 2. And your name?
- A. Robert John Cheers.
- Q. 3. Mr. Cheers, are you one of the children of the late Albert Cheers?
- A. Yes sir.
- Q. 4. You remember your father?
- A. Yes sir.
- Q. 5. About how old were you at the time of his death?
- A. I was around between 10 and 11 years old.
- Q. 6. And, Mr. Cheers, what is your age now?
- A. Seventy-four.
- Q. 7. Seventy-four years old?
- A. Yes sir.
- Q. 8. Your father was a resident of Queen Anne's County at the time of his death?
- A. Yes sir.
- Q. 9. Could you state the names of his children that he left surviving him?
- A. Yes, it would be Addison Cheers, Albert Cheers, Lorenzo Cheers, Edward Cheers, Johnnie Cheers, Webster Cheers, and one sister, Blanche Kilson.
- Q. 10. He also left your mother surviving?
- A. Yes sir.
- Q. 11. And what was her name?
- A. Annie Cheers.
- Q. 12. Did he leave any will, to your knowledge?
- A. No, not to my knowledge.
- Q. 13. Now, as to your mother, about how long ago was her death, if you recall? Or do you remember your age at that time?
- A. I just can't recall it.

Q. 14. Would you say you were still a young man at that time?

A. Yes sir, I guess I was around in my twenties.

Q. 15. Was she a resident of Queen Anne's or not? at the time of her death?

A. Yes sir.

Q. 16. Did she leave any will?

A. No sir.

Q. 17. Did she leave the same children as your father?

A. Yes sir.

Q. 18. And they were all still living at the time of her death?

A. Yes sir, all of them were living at the time of her death.

Q. 19. When your father died he owned some real estate in Queen Anne's County.

A. That's right.

Q. 20. Now, Mr. Cheers, I show you a certified copy of a deed from John B. Brown, Jr., Trustee, dated October 6, 1897 recorded among the land records of Queen Anne's County in Liber W.H.C. No. 7, page 372, and it is a deed to Albert Cheers for part of the Sherman Lot of land in the Third Election District of Queen Anne's County adjoining lands of J. Hersey Hall. Can you state whether or not this is part of the land that your father owned at the time of his death?

A. Yes sir, as far as I know.

H. WOOD: At this point the certified copy of the deed just described and marked "Plaintiffs' Exhibit A" was introduced in evidence and marked "Examiner's Exhibit A".

Q. 21. Mr. Cheers, I now show you another certified copy of a deed being from Sarah Bailey Smith and Willard S. Smith, her husband, dated January 13, 1906 and recorded among the land records of Queen Anne's County in Liber S.S. No. 2, page 2, and it is a deed to Albert Cheers for property in the Third Election District of Queen Anne's County, Maryland on the north side of the public road known as the Clough Road and it begins at a stone on the south side of the road leading from Brown's Corner to The Brick School House, containing six acres of land, more or less. Can you state whether or not that lot is part of the land that your father owned at the time of his death?

A. Yes sir.

H. WOOD: At this point the certified copy of the deed just described and marked "Plaintiffs' Exhibit B" was introduced in evidence and marked "Examiner's Exhibit B".

At this time, I will thank you and call another witness.

Edward Cheers, the second witness of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

- Q. 1. Mr. Cheers, will you state your name.
- A. Edward H. Cheers.
- Q. 2. And your address.
- A. Church Hill, Route 1.
- Q. 3. Did you hear your brother's testimony just now?
- A. Not so good, sir.
- Q. 4. I will ask you to describe the land that your father, Albert Cheers, owned at the time of his death.
- A. Well there's 9 acres of it. It was 2 different deeds, 3 acres in one, 6 acres in the other one, on the right hand side of the road going from Brown's Corner to Brick School House.
- Q. 5. And it's right on the intersection of two roads, isn't it?
- A. That's right.
- Q. 6. Do you know the name of the other road or not?
- A. One road, I will say Brick School House Road, as close as I can come to it, the other road is Van Clark Road, what we call it.
- Q. 7. Is that the same as the Clannihan Shop Road?
- A. Yes sir, going right from Clannihan Shop.
- Q. 8. Is that partly cleared and partly wooded, or what?
- A. Yes, partly cleared and the other part is wooded. It's all been tillable.
- Q. 9. At one time it was all tillable?
- A. Yes sir, at one time it was all tillable.
- Q. 10. How much is woodland now, if you know?
- A. I don't know.
- Q. 11. Perhaps I should ask you how much you think is cleared?
- A. I'm going to say it's about 3 acres of it cleared.
- Q. 12. Is that right in the intersection, the cleared land?
- A. That's right, right to the forks in the road.

- Q. 13. There's no building on it, is there?
- A. No building at all.
- Q. 14. At this time, as you know, your father's heirs are numerous. Would you say that it would be possible to divide the land or not among all his heirs?
- A. No sir, I would say, if I understand you right, to sell the whole thing and divide the money.
- Q. 15. Is that because there are so many heirs that each piece, if it were divided, would be too small?
- A. That's right, it would.
- Q. 16. I will ask you to state your mother's name and about when she died, if you know.
- A. Annie Cheers, it's hard for me to go back to when she died. She's been dead around 40 years.
- Q. 17. How old were you when your father died?
- A. I was 21.
- Q. 18. How old are you now?
- A. I just had a birthday of 81.
- Q. 19. Did either of your parents leave a will?
- A. No, he didn't leave any will.
- Q. 20. Did your mother leave a will?
- A. No sir.
- Q. 21. Can you state the names of all the children?
- A. There's Addison Cheers, Albert Cheers, Edward Cheers, Lorenzo Cheers, Webster Cheers, Johnnie Cheers, Blanche Kilson.
- Q. 22. Is Webster Cheers the same person as Joseph Webster Cheers?
- A. That's right, Joseph Webster.

Thank you, and I will call another witness.

Anna V. Cheers, the third witness of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

Q. 1. Miss Cheers, will you state your name and address, please.

A. Anna V. Cheers, Route 1, Box 58 3/4, Church Hill, Maryland.

Q. 2. You heard the testimony of Mr. John Cheers and Mr. Edward Cheers. What relation are they to you?

A. They are my uncles.

Q. 3. Was their testimony accurate to the best of your knowledge?

A. To the best of my knowledge, the testimony was accurate.

Q. 4. Are you familiar with the real estate that they described?

A. Yes, I am.

Q. 5. In your opinion, would it be practical or not to divide this real estate among the present heirs of your grandfather, Albert Cheers?

A. In my opinion, it is impossible to divide the real estate among the heirs.

Q. 6. What is the reason for that?

A. There are so many of us.

Q. 7. What was the name of your father?

A. Joseph Webster Cheers.

Q. 8. Do you recall the approximate date of his death?

A. April 19, 1970.

Q. 9. Was he a resident of Queen Anne's County or not?

A. Yes he was.

Q. 10. Did he leave a will or not?

A. Yes he did.

Q. 11. Has anyone qualified in the Orphans' Court of Queen Anne's County as Personal Representative of his estate?

A. I am.

Q. 12. I show you a certified copy marked "Plaintiffs' Exhibit C" and ask you whether that is evidence that you have been so appointed.

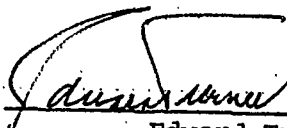
A. This is evidence that I have been so appointed.

- H. WOOD: At this point, the certificate marked "Plaintiffs' Exhibit C" was introduced in evidence and marked "Examiner's Exhibit C"
- Q. 13. Did you know your uncle, Albert Cheers, Jr.?
- A. Yes I did.
- Q. 14. Can you state approximately when he died?
- A. April of 1966.
- Q. 15. Did he or not leave a will?
- A. I don't know.
- Q. 16. Do you know where he resided at the time of his death?
- A. Chester, Pennsylvania, 1422 West 7th Street.
- Q. 17. Do you know whether he left any descendant or descendants surviving him?
- A. His wife, Nellie, who is now Nellie Cheers Potts.
- Q. 18. No children or grandchildren, or other descendants?
- A. No.
- Q. 19. Did you know your uncle, Addison Cheers?
- A. Yes.
- Q. 20. Do you know approximately the date of his death?
- A. February, 1960.
- Q. 21. Now that is the year 1960 and not 1950?
- A. 1960 is definite.
- Q. 22. Did he leave a will or not, to your knowledge?
- A. I don't know.
- Q. 23. Where was he a resident at the time of his death?
- A. Chester, Pennsylvania.
- Q. 24. Do you know who his heirs were?
- A. Yes I do, at the time, his wife, Olive Gale Cheers, and sons - Wesley Cheers, Nathan Cheers, Wendall Cheers and Linton Gale Cheers, girls - Esther Cheers Groce, Ida Cheers and Alice LaVergn Cheers.
- Q. 25. Their full names are listed in the Bill and I will ask you to state their full names. Does Wesley Cheers have a first name, James?
- A. Yes James Wesley Cheers.

- Q. 26. Ida Cheers, is she Ida Elizabeth Cheers or not?
- A. Yes.
- Q. 27. You mentioned Nathan, does he have a name of Albert Nathan Cheers?
- A. Yes.
- Q. 28. Miss Cheers, are you or are you not the Personal Representative of the estate of your Uncle Lorenzo Cheers?
- A. I am.
- Q. 29. Approximately when was his death?
- A. December 31, 1974.
- Q. 30. Where was he a legal resident at the time of his death?
- A. Queen Anne's County.
- Q. 31. Were you appointed in Queen Anne's County?
- A. Yes.
- Q. 32. I show you your Answer attached to the paper marked "Defendant Cheers Exhibit" and ask you whether or not that is evidence of your appointment of such?
- A. Yes it is.
- H. WOOD: The Answer and attached Defendant Cheers Exhibit at this point were introduced in evidence and marked "Examiner's Exhibit D".

There being no other witnesses to be examined or further testimony to be taken, your Examiner now makes his return and certifies that he was engaged as such Examiner in taking this testimony one day and examined three witnesses, making the costs chargeable in this Cause as follows, to wit:

Edward Turner, Examiner	\$ 10.00
Witness waived fee	.00
Cathy Higdon, Stenographer for transcribing testimony	<u>15.00</u>
Total.	\$ 25.00



Edward Turner
Examiner

Filed Mar 27, 1975

land record book for Queen Anne's county aforesaid, to which said deed and the references therein, reference is hereby made for a more particular description of the land hereby conveyed, together with all the buildings and improvements thereon, and the rights, way, easements and appurtenances thereto.

Witness his hand and seal

Witness:
William E. Thompson

William H. Forman 

State of Maryland, Queen Anne's County, to wit: I hereby certify that on the twentieth day of March, in the year eighteen hundred and ninety eight before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County personally appeared William H. Forman and acknowledged the aforesaid deed to be his act and deed

William E. Thompson
Justice of the Peace


W.H.C. 7/372

Queen Anne's County, to wit: Be it remembered that on the twentieth day of March, in the year one thousand eight hundred and ninety eight, the following Deed was brought to be recorded, to wit:

This Deed made this sixth day of October, eighteen hundred and ninety seven, by John B. Brown Jr. of Queen Anne's County, and State of Maryland, Trustee, Witnesseth, Whereas by a decree of the Orphans Court for Queen Anne's County, passed on the second day of April eighteen hundred and ninety five, in the case of *William vs. William Potts and others*, the said John B. Brown Jr. was appointed Trustee to sell the land decreed to be sold and did sell the hereinafter described tract of land to Albert Cheers of the said county and State at and for the sum of one hundred dollars, which said sum has been fully paid and which said sale was duly ratified by the said Court upon the fifth day of October, eighteen hundred and ninety seven.

Now therefore in consideration of the premises said one dollar he the said John B. Brown Jr. Trustee, grants unto the said Albert Cheers, all the right, title and interest of all the parties to the aforesaid suit and all persons bound thereby in and to all that part of the "Sherman Lot" of land situate in the Third District of Queen Anne's County aforesaid adjoining the lands now or recently owned by John B. Brown Jr. Percy Hall and Jonathan Stant bounded on one side by the public road leading from Browns Corner to Schlaud, on another side by the public road leading from Schlaud's Corner to the farm of Noah Clough and Mrs. Daniel Leibig or the Noah Clough new road and on another side by the lands of the said Percy Hall, it being the same property that was conveyed by Jonathan Stant and wife to William B. Potts by deed dated September 24, 1888 and recorded in Liber N. S. No 2 folio 114 &c one of the land Record Books of Queen Anne's County aforesaid. Witness the hand and seal of the

Attest: William E. Thompson

John B. Brown Jr. 
Trustee

Examiner's
Exhibit A

PLAINTIFFS' EXHIBIT A

State of Maryland, Queen Anne's County to wit: I hereby certify that on the sixth day of October, eighteen hundred and ninety seven before me the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County aforesaid personally appeared John B Brown Jr Trustee as aforesaid, and acknowledged the foregoing instrument to be his act.

William E. Thompson
Justice of the Peace

Queen Anne's County to wit: Be it remembered that on the seventeenth day of March, in the year one thousand eight hundred and ninety eight the following Bill of Sale was brought to be recorded, to wit:

State of Maryland, Queen Anne's County to wit: I William Plolack of Queen Anne's County and State of Maryland, in consideration of the sum of Two Hundred (\$200) Dollars paid me by John St Emory of Queen Anne's County and State of Maryland do hereby bargain and sell to the said John St Emory the following property, to wit: one gray horse (name white), one gray horse (name John) one hack wagon and harness, one horse cart and harness, one road cart and harness, one red cow.

Witness my hand and seal this sixteenth (16) day of March in the year one thousand eight hundred and ninety eight (1898)

Witness
Jno C Sackett

W. P. Clark

Original made to Jno St Emory Queen Anne's Co. Md. 17/1898

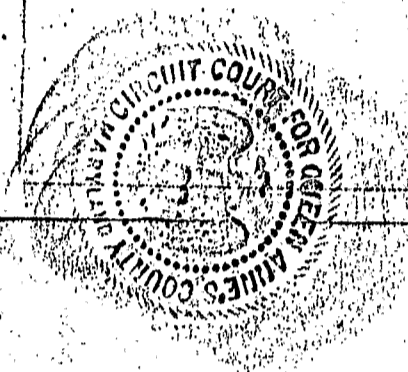
State of Maryland, Queen Anne's County, to wit: I hereby certify that on this sixteenth (16) day of March in the year eighteen hundred and ninety eight, before the subscriber a Justice of the Peace of said State and for the county aforesaid personally appeared William Plolack and acknowledged the foregoing bill of sale to be his act, and at the same time before me also appeared John St Emory and made oath in due form of law that the consideration in said bill of sale is true and bona fide as therein set forth.

Jno C. Sackett, J.P.

State of Maryland,
County of Queen Anne's, to wit: -

I Hereby Certify that the foregoing was truly taken and
copied from Liber W.H.C.# 7, folio 372, a Land
Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I have hereunto subscribed
my name and affixed the Seal of the Circuit Court
for Queen Anne's County this 3rd day of October,
1974 .



Charles St. Cecil
Clerk of Circuit Court for Q A's Co.

FILED Oct 3, 1974

Queen Annes County to wit: be it remembered, that on the seventh day of September in the year nineteen hundred and six the following deed was brought to be recorded to wit:

This deed of conveyance made this thirteenth day of January in the year nineteen hundred and six, by Sarah Bailey Smith and Willard S. Smith, her husband, of Queen Annes County, State of Maryland, Witnesseth that, for and in consideration of one hundred and thirty two dollars, the receipt of the whole of which amount being hereby acknowledged, the said Sarah Bailey Smith and Willard S. Smith, her husband, do hereby grant and convey unto Albert Lebere, of Queen Annes County, aforesaid, his heirs and assigns, in fee simple, all that lot or parcel of land situate in the third election district of Queen Annes County, State of Maryland, lying on the north side of the public road known as "The Blough Road" and which may be described by metes and bounds, courses and distances, as follows, to wit: Beginning at a stone on the south side of the public road leading from "Browne Leber" to the Brick School House at the end of the eleventh line of the whole tract from which this lot is carved or taken, and running thence with the twelfth line of the said whole tract south twelve degrees west, forty four perches to the aforesaid "Blough Road"; thence with said road south seventy five degrees west, thirteen perches; thence north sixty five perches to the aforesaid road leading from Browne Leber to the Brick School House; thence with the aforesaid eleventh line of the said whole tract south forty nine and one half degrees east, twenty eight and eight tenths perches to the aforesaid Beginning stone, containing six acres of land, more or less, and being part of the tract or farm known as "The Blough Farm", "The Beard Farm" and "The Hall Farm", which was conveyed to the said Sarah Bailey Smith by The Workingmens Permanent Building and Loan Association of Queen Annes County by deed bearing date the twenty fifth day of June, in the year nineteen hundred and recorded in Liber N. H. L. No. 10, folio 510, a land record book for Queen Annes County aforesaid; to which deed, and the references in the same made, reference is hereby made for a more particular description of the land hereby granted. And the said Sarah Bailey Smith covenants that she will warrant, specially the land hereby conveyed and will execute, such othes and further assurances of title hereto as may be, or become necessary.

Witness their hands and seals.

J. M. Woodford,
State of Maryland

Sarah Bailey Smith
Willard S. Smith

Queen Annes County To wit: I hereby certify that, on this thirteenth day of January, in the year nineteen hundred and six, before me, the undersigned, a justice of the peace of the State of Maryland, in and for Queen Annes County, personally appeared Sarah Bailey Smith and Willard S. Smith, her husband, and each

Original and this in court case No. 12-194

acknowledged the foregoing deed of conveyance to be their respective acts.

J. H. Woodford
Justice of the Peace.

Queen Anne's County to wit: be it remembered that on the eleventh day of September in the year nineteen hundred and six the following deed was brought to be recorded, to wit:

This Deed of conveyance, made this tenth day of September, in the year nineteen hundred and six, by Joseph H. Phillips and Annie Phillips, his wife, of Kent County, in the State of Maryland, but now temporarily in Queen Anne's County, in the said State, witnesseth that for and in consideration of the sum of fifteen hundred dollars, the receipt of the same being hereby acknowledged, the said Joseph H. Phillips and Annie Phillips, his wife, do hereby grant and convey unto William F. Phillips, of Queen Anne's County, State of Maryland, his heirs and assigns, in fee simple, all tracts, parts of tracts or parcels of land called "Holdings Chance Woodhouse", "Woodhouse Addition", "Mount Gibbon", "Nicholas's Fancy" or by whatever name or names the same may be called and known, situate in the first election district of Queen Anne's County, State of Maryland, and lying on the south side of the public road leading from Sudbreville to Smyrna and to Petens corner, adjoining the land of William J. Belknap on the west, the land of James Herrick, Jr. and the lands of others, and being the land devised to Rebecca C. Phillips, nee Merchant, by the last will and testament of her father Noah Merchant, duly executed to pass real estate, duly admitted to probate and now of record in Liber T. C. No. 2, folio 913 &c, a will record book in the office of the Register of Wills for Queen Anne's County aforesaid, and which descended from the said Rebecca C. Phillips to the said Joseph H. Phillips and William F. Phillips, her only children and heirs at law: the interest and estate hereby conveyed, being one half of the land and estate so aforesaid, devised to the said Rebecca C. Phillips and being one hundred acres of land more or less, and also five acres of land more or less, adjoining and enclosed with the above said land, devised to said Joseph H. Phillips and William F. Phillips by their father, Samuel Phillips, late of Queen Anne's County, deceased. And the said Joseph H. Phillips covenants that he will warrant specially the property hereby conveyed and will execute such other assurances of said land as may be requisite.

Witness their hands and seals

Witness:

J. H. Woodford
State of Maryland

Joseph H. Phillips
Annie Phillips

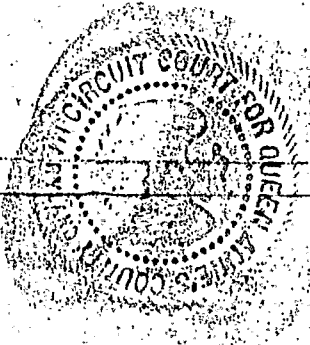
To Wit: I hereby certify that on this tenth day of September, in the year nineteen hundred and six, before me, the undersigned, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared, Joseph

Original of James's will to the Register, Anne's 27th 1896.

State of Maryland,
County of Queen Anne's, to wit: -

I Hereby Certify that the foregoing was truly taken and
copied from Liber S. S. #2, folio 2, a Land
Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I have hereunto subscribed
my name and affixed the Seal of the Circuit Court
for Queen Anne's County this 3rd day of October,
1974.



Charles H. Cecil
Clerk of Circuit Court for Q A's Co.

FILED Oct 3, 1974

IN THE ORPHANS' COURT FOR
BEFORE THE REGISTER OF WILLS FOR

Queen Anne's COUNTY,
MARYLAND

In the Matter of

Joseph Webster Cheers deceased

Estate No. 95

PETITION FOR ADMINISTRATION OF A SMALL ESTATE

The Petition of Anna V. Cheers, Churchill, Md.
Name Starkey's Corner Address being a cit-
izen of the United States and of legal age, shows:

1. Joseph Webster Cheers, the decedent, who was domiciled in Queen Anne's
County, State of Maryland died on April 19, 1970
at RFD Church Hill, Maryland.

2. The decedent died (with) (without) a will.

3. Petitioner is entitled to be appointed personal representative of the decedent's estate under Section
5-104 of Article 93 of the Maryland Code for the following reasons: She is named as
Executrix of decedent's will

4. This is the proper office in which to file the Petition because: decedent was
domiciled in Queen Anne's County at the time of his death

5. The Petitioner has made a diligent search for a will of the decedent and, to the best of the knowledge
of the Petitioner, (the will accompanying this Petition dated June 3, 1967 is the decedent's lat-
est will, and said will come into Petitioner's hands in the following manner) (~~none exists~~):
said will was retrieved from the Register of Wills of Queen
Anne's County having been filed for safe keeping in the office of
The Register of Wills

6. There is attached hereto as a part hereof a list showing to the best of the knowledge of the Petitioner,
the names and addresses of: (a) the interested persons as defined in Section 1-101 (f) of Article 93 and also,
if the decedent died with a will, (b) the witnesses thereto.

7. All other proceedings regarding the decedent's estate are as follows:
There are no such proceedings

8. The reason why any information required to be furnished by Sections 5-201 and 5-202 of Article 93
has not been furnished, is as follows:
All such information has been furnished

Your Petitioner has made a diligent search to discover all property and debts of the decedent and has
found that he possessed: real estate, having estimated value of \$300.00, namely:
An undivided 1/28 interest in the real estate of which Robert

Cheers, decedent's grandfather, died seized and possessed many years
ago, now about to be sold through the Circuit Court for Queen Anne's
County

The known creditors and the amounts due them are:

George Deshield, Easton, Md., funeral expense - \$ 995.00

Family allowance \$1,000.00 (Home Mortgage Balance also)

Legal proceedings pending in which the decedent was a party are as follows:

None

I (we) do hereby solemnly declare and affirm under the penalties of perjury that the information and rep-
resentations contained in the foregoing Petition are true and correct according to my (our) knowledge, informa-
tion and belief.

Anna V. Cheers
(Signature)

RW 2(1-1-70)

PLAINTIFFS' EXHIBIT C Examiner's Exhibit C

IN THE MATTER OF
JOSEPH WEBSTER CHEERS,
DECEASED

*
*
*
*
*

In the Orphans' Court of
Queen Anne's County
Small Estate No. 95

List of Interested Persons

Heirs:

James Cheers, son, 1208 E. 22nd Street; Wilmington, Delaware
John Cheers, son, 1335 W. 6th Street; Wilmington, Delaware
William Cheers, son, 34 Memorial Drive; New Castle, Delaware
Eleanor Cheers Copper, daughter, Rte. 1, Box 58 1/2; Church Hill,
Maryland
Marie Tingle, daughter, R.F.D. No. 2; Centreville, Maryland
Thelma Cheers, daughter, Rte. 1; Church Hill, Maryland
Dorothy Bailey, daughter, Rte. 2; Centreville, Maryland
Catherine Smith, daughter, P.O. Box 43; St. Leonards, Maryland
Fay Cheers Jones, daughter, 54 Briarcliff Drive; New Castle, Del.
Bessie Cheers Lively, daughter, 54 Briarcliff Drive; New Castle,
Delaware
Andra Kornagay, daughter, 1910 Baynard Blvd.; Wilmington, Del.
Anna V. Cheers, daughter, R.F.D. No. 1, Box 58 3/4; Church Hill,
Maryland 21623
Eliza Jane Cheers, wife, R.F.D. No. 1, Box 58 3/4, Church Hill,
Maryland 21623

Witnesses to Will:

Emily Ann Dadds Centreville, Maryland 21617
M. Thomas Connolly Centreville, Maryland 21617
David C. Bryan Centreville, Maryland 21617

NOT NECESSARY

PRELIMINARY ORDER

Upon the foregoing Petition it is ordered this day of 19....., by the Register of Wills of County (1) That no formal administration upon the above estate is necessary; and (2) That the above Petitioner shall publishtimes in a newspaper of County a notice to Creditors to exhibit their claims, duly authenticated within thirty days after such notice.

.....
Register of Wills

FINAL ORDER

The Register of Wills having reviewed the Petition of Anna V. Cheers for proceedings in the small estate of Joseph Webster Cheers It is ORDERED this 2nd day of .. November 19 73....., that Anna V. Cheers shall serve as personal representative of the small estate of ..Joseph Webster Cheers.....; that he shall make payment of allowable funeral expenses and family allowances as provided in Section 3-201 and 8-106 of Article 93 of the Annotated Code of Maryland; that he shall sell property as necessary to satisfy such expenses and allowances.

William E. Watson
Register of Wills

IT IS FURTHER ORDERED that any property remaining shall be distributed in accordance with the ~~provisions of the last will and testament of the decedent probated~~ - Filed and not probated in accordance with Article 93 - 5-603 a (iv)

FINAL ORDER

Proceeds from sale of Real Estate in the estimated amount of \$300.00 to be made payable to Eliza J. Cheers, surviving spouse to reimburse herself for payment of funeral expenses.

William E. Watson
Register of Wills

Passed this 6th day of November, 1973.

Katharine B. Roe
Edgar E. Walker

In the Orphans' Court for Queen Anne's County, Maryland, Scilicet

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and afore-
going is a true copy of Proceedings in the Small Estate of JOSEPH WEBSTER CHEERS,
late of Queen Anne's County, deceased,

November 2, 1973
as filed and passed in this office on November 6th, 1973
and recorded in Liber M.E.W. No. 1 Folio 217
in Record Book of Small Estates
in the Orphans' Court for Queen Anne's County, Maryland.



IN TESTIMONY WHEREOF I hereunto subscribe my
name and affix the seal of my office this 3rd
day of October 19 74.

Madeline Z. Webster
Register of Wills for Queen Anne's County, Maryland

FILED Oct 3, 1974

Chy 56p4
Dear Judge Turner,
Please appoint me
as Trustee. Bond might be
set at \$10,000.
4/7/75
Howard Wood

9-522

EDWARD CHEERS, ET AL.,	*	In the Circuit Court for
	*	
PLAINTIFFS	*	Queen Anne's County
	*	
vs.	*	in Equity
	*	
LORENZO CHEERS, ET AL.,	*	Cause No. 5604
	*	
DEFENDANTS	*	

DECREE

This cause standing ready for hearing and being submitted without argument, the Bill of Complaint, exhibits, testimony and exhibits and other proceedings were read and considered, whereupon the Court finds as follows:

(a) That the real estate which is the subject of this proceeding cannot be divided without loss or injury to the parties entitled.

(b) That Albert Cheers, Jr. appears to have died before January 1, 1970, but within twelve (12) years last past, owning an undivided interest in said lands, but without administration having been had on his respective estates in Queen Anne's County, Maryland.

IT IS, therefore, this *4th* day of *April*, 1975, by the Circuit Court for Queen Anne's County in Equity ADJUDGED, ORDERED AND DECREED as follows:

1. That *Howard Wood Eng* is appointed Trustee to sell the real estate described in paragraph no. 2 of the Bill of Complaint as well as in the deeds filed with the Bill as Plaintiffs' Exhibits A and B and later marked Examiner's Exhibits 1 and 2, respectively.
2. That said real estate be sold at public sale to be conducted by said Trustee for the purpose of dividing the proceeds of sale among the parties entitled.
3. That before the Trustee shall proceed to act as such, he shall file with the Clerk of this Court a bond to the State of Maryland, with corporate surety to be approved by said Clerk, in the penalty of *Ten Thousand Dollars (\$10,000.00)*
4. That he shall advertise the time, place, manner and terms of sale in a newspaper printed and published in said Queen Anne's County, for at least three successive weeks, the first insertion to be at least fifteen (15) days before the sale, and the last insertion to be not more than seven (7) days before the sale, said notice to provide payment of the entire purchase price in cash, or one-fourth (1/4) of the purchase price in cash and three-fourths (3/4) upon the final ratification of said sale by this Court, the deferred payment to bear interest from the day of sale, and be secured to the Trustee's satisfaction, full possession to be given upon final ratification and final settlement, when taxes and public charges shall be adjusted.

1460

5. That he shall then proceed to make such sale at the appointed time and place, upon the above terms, by public auction, to the highest bidder for said property.

6. That as soon as practicable after said sale and in no event more than thirty (30) days after the date thereof, the said Trustee shall render to the Court a full and particular report of the proceedings relative to such sale in the form required by the Maryland Rules.

7. That, upon the final ratification of said sale, and full payment of the purchase money, he shall convey unto the purchaser or purchasers thereof, by a good and sufficient deed to be executed and acknowledged agreeably to law, the property so sold to him, free, clear and discharged of all claims of the parties to this cause, or of those claiming by, through or under them or any of them.

8. That said trustee shall bring into this Court all of the money arising from said sale to be disposed of under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to said trustee as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

9. And that, at the time of the first insertion or publication of the advertisement of sale above required, he shall publish in the same newspaper a notice to the creditors of Albert Cheers, Jr., deceased, requiring them to file their claims against said decedent with the Clerk of this Court within ninety (90) days of the date of said first insertion or be excluded from participating in the proceeds of said sale.

10. That said trustee, in addition to the published notice of sale required by paragraph #4 above, is authorized to publish notices thereof in such other newspapers or by such other means as he shall decide are reasonable.

B. Hackett Turner, Jr.
JUDGE

FILED April 7, 1975

9 524

1 614

RECEIVED FOR RECORD April 8, 1975

State of Maryland)
Queen Anne's County) To Wit:

28

KNOW ALL MEN BY THESE PRESENTS, That we, Howard Wood, of Queen Anne's County, State of Maryland, as principal, and the Fidelity and Deposit Company of Maryland, a body corporate, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland, in the full and just sum of Ten Thousand Dollars (\$10,000.00), current money of the United States of America, to be paid to the said State of Maryland, or its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 8th day of April, 1975.

WHEREAS, the above bounden Howard Wood, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 7th day of April, 1975, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Edward Cheers, et al., Plaintiffs, vs. Lorenzo Cheers, et al., Defendants", being Cause No. 5604 in the Circuit Court for Queen Anne's County in Equity;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Howard Wood, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation shall be void; otherwise to be and remain in full force and virtue in law.

SIGNED, sealed and delivered in the presence of:

Catherine M. Higdon Howard Wood (SEAL)

FIDELITY DEPOSIT COMPANY OF MARYLAND

By: William M. Freestate
William M. Freestate
Its attorney-in-fact

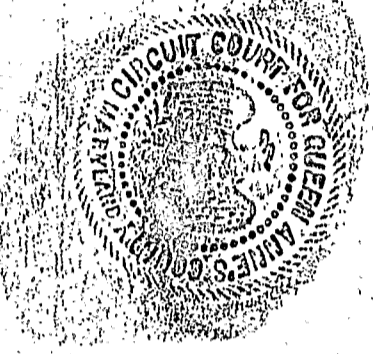
ATTEST:
Susan D. Martiney

Security approved and Bond filed April 8, 1975.

Charles W. Cecil Clerk
Circuit Court for Queen Anne's County

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from
LIBER C.W.C. NO. 1, folio 614, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe
my name and affix the seal of the Circuit
Court for Queen Anne's County, this eighth
day of April, Nineteen Hundred and Seventy-
five.

Charles W. Cecil

Clerk of the Circuit Court for
Queen Anne's County

ORDER NISI ON SALE

30

EDWARD CHEERS, et al,

vs.

LORENZO CHEERS, et al.

In the Circuit Court
for Queen Anne's County
In Equity

Cause No. 5604

ORDERED, this 30th day of April, 19 75, that
the sale of the real property, made and reported in this cause by
Howard Wood, Trustee, be ratified and confirmed,
on or after the 2nd day of June, 19 75, unless
cause to the contrary thereof be previously shown; provided a copy of this order be inserted
in some newspaper published in Queen Anne's County, Maryland, once in each of three suc-
cessive weeks before the 26th day of May, 19 75.

The report states the amount of sales to be \$ 4,000.00

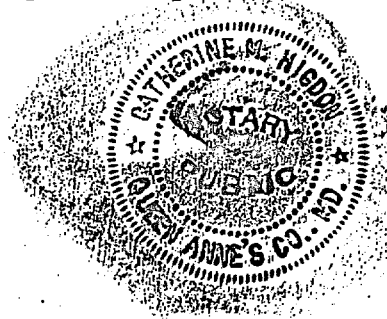
Charles W Cecil Clerk

Filed April 30, 1975

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 30th day of April, 1975, before me, the subscriber, a Notary Public for the State and County aforesaid, personally appeared Howard Wood, the trustee in the above entitled cause, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true and bona fide as therein stated and that the sale was fairly made.

Catherine M. Nigdon
Notary Public
My Commission Expires July 1, 1978



FILED April 30, 1975

TRUSTEE'S SALE
OF REAL ESTATE

9 PAGE 528

Queen Anne's

RECORD-OBSERVER

Centreville, Md., April 30 19 75

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed April 7, 1975, in Cause No. 5604 in said Court, entitled "EDWARD CHEERS, ET AL., PLAINTIFFS vs. LORENZO CHEERS, ET AL., DEFENDANTS" will sell at public sale to the highest bidder, in front of the Court House door in Centreville, Maryland, on

TUESDAY, APRIL 29, 1975

at 1:30 o'clock, P.M., E.D.T., ALL that unimproved lot of land, partly cleared and partly wooded, situate in the Third Election District of Queen Anne's County, Maryland, lying in the apex of the intersection of the two public roads herein, bounded on the northeast by the Brown's Corner-Brick School House Road, on the south by the Clannihan Shop Road (formerly known as the Clough Road) and on the west by the third line of the 8-acre portion thereof, herein described, composed of the two (2) following lots:

Lot No. 1: ALL that lot, formerly part of the tract known as the Clayland Farm, The Board Farm and The Hill described as follows: BEGINNING at a stone on the east side of the public road leading from "Brown's Corner" to the "Brick School House" at the end of the eleventh line of the whole tract from which this lot is carved or taken and running thence with the twelfth line of the said whole tract twelve degrees west, forty-four perches to the said "Clough Road" thence with said road south five degrees west, thirteen perches, thence north five perches to the aforesaid road leading from "Brown's Corner" to the Brick School House; thence with the aforesaid eleventh line of the said whole tract nine and one-half degrees east, twenty-eight and eight perches to the aforesaid Beginning stone, containing (3) acres of land, more or less; BEING the same and all the land which was granted to Albert Cheers by Sarah Smith and Willard S. Smith, her husband, by deed dated January 13, 1908, and recorded among the land records of Queen Anne's County, Maryland, in Liber S.S. No. 2, folio

Lot No. 2: ALL that part of the former "Sherman Lot" lying lands formerly of John B. Brown, J. Hersey Hall and Jonathan Stant, bounded by the two (2) above described roads and by Lot No. 1 above described, formerly owned by J. Hersey Hall. Said Lot No. 2 is supposed to contain three (3) acres of land, more or less; BEING the same and all of the land which was granted to the said Albert Cheers by John B. Brown, Jr., Trustee, by deed dated October 6, 1897, and recorded among the land records of said Queen Anne's County, Maryland, in Liber W.H.C. No. 7, folio

TERMS OF SALE

Lot No. 1 and Lot No. 2 will be offered together as one parcel. The whole price may be paid in cash on day of sale or one-fourth (1/4) of purchase price shall be payable in cash on day of sale, the balance on final ratification of sale by said Court, said balance to bear interest from day of sale and to be secured to the Trustee's satisfaction; title papers and costs of recording deed, including transfer tax and tax stamps, to be at purchaser's expense. Taxes will be provided as of day of final ratification and settlement, when full possession will be given.

HOWARD WOOD, TRUSTEE

JOSEPH A. JACKSON, JR.
Auctioneer

NOTICE TO CREDITORS

ALL creditors of Albert Cheers, Jr., deceased, are hereby notified that they must file their claims against said decedent with the Clerk of the Circuit Court for Queen Anne's County, in Equity, within ninety (90) days from April 9, 1975, or be excluded from participating in the proceeds of the undivided interest in said real estate left by said decedent.

HOWARD WOOD, TRUSTEE in
Chancery Cause No. 5604

31-4-23

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Trustee's Sale of Real Estate and Notice to Creditors

in the case/estate of Cause No. 5604

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 29th day of April, 19 75, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th day of April, 19 75, and the last insertion on the 23rd day of April, 19 75

THE RECORD-OBSERVER CORPORATION

By Anthony J. Thomas

Trustee's Exhibit A
FILED April 30, 1975

ORDER NISI ON SALE

30

EDWARD CHEERS, et al.
vs.
LORENZO CHEERS, et al.

In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5604

ORDERED, this 30th day of April, 19 75, that
the sale of the real property, made and reported in this cause by
Howard Wood, Trustee, be ratified and confirmed,
on or after the 2nd day of June, 19 75, unless
cause to the contrary thereof be previously shown; provided a copy of this order be inserted
in some newspaper published in Queen Anne's County, Maryland, once in each of three suc-
cessive weeks before the 26th day of May, 19 75.

The report states the amount of sales to be \$ 4,000.00

Charles W. Cecil Clerk

Filed April 30, 1975

May 5 1975

RECEIVED FOR RECORD May 2, 1975 12PM 1 PAGE 618

ADDITIONAL BOND

State of Maryland)
Queen Anne's County) To Wit:

31

KNOW ALL MEN BY THESE PRESENTS, That we, Howard Wood, of Queen Anne's County, State of Maryland, as principal, and the Fidelity and Deposit Company of Maryland, a body corporate, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland, in the full and just sum of Four Thousand Dollars (\$4,000.00), current money of the United States of America, to be paid to the said State of Maryland, or its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 2nd day of May, 1975.

WHEREAS, the above bounden Howard Wood, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 7th day of April, 1975, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Edward Cheers, et al., Plaintiffs, vs. Lorenzo Cheers, et al., Defendants", being Cause No. 5604 in the Circuit Court for Queen Anne's County in Equity;

WHEREAS said trustee has heretofore filed an approved bond in the amount of Ten Thousand Dollars (\$10,000.00), and has now sold said real estate for Fourteen Thousand Fifty Dollars (\$14,050.00) and is therefore required to file this additional bond.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Howard Wood, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

SIGNED, sealed and delivered in the presence of:

Catherine M. Hedges Howard Wood (SEAL)

FIDELITY DEPOSIT COMPANY OF MARYLAND

By: William M. Freestate
William M. Freestate
Its attorney-in-fact

ATTEST:

Susan W. Martiney

Security approved and filed
Filed May 2, 1975

Charles H. Cook, Clerk

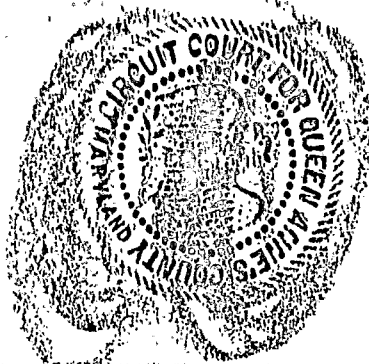


NOTARY PUBLIC

STATE OF MARYLAND

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from LIBER C.W.C. No. 1, folio 618, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I herunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County, this second day of May, Nineteen Hundred and Seventy-five.

Charles W. Cecil
Charles W. Cecil, Clerk
Circuit Court for Queen Anne's County

ORDER NISI ON SALE

32

EDWARD CHEERS, et al,
vs.
LORENZO CHEERS, et al.

In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5604

ORDERED, this 8th day of May, 19 75, that the sale of the real property, made and reported in this cause by Howard Wood, Trustee, be ratified and confirmed, on or after the 9th day of June, 19 75, unless cause to the contrary thereof be previously shown; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of three successive weeks before the 2nd day of June, 19 75.

The report states the amount of sales to be \$ 14,050.00.

Charles W. Cecil Clerk

Filed May 8, 1975

33

ORDER NISI ON SALE
EDWARD CHEERS, et al,
vs.
LORENZO CHEERS, et al.
+++++
In the Circuit Court
for Queen Anne's County
In Equity
Cause No. 5604
+++++
ORDERED, this 8th day of
May, 1975, that the sale of the
real property, made and
reported in this cause by
Howard Wood, Trustee, be
ratified and confirmed, on or
after the 9th day of June, 1975,
unless cause to the contrary
thereof be previously shown;
provided a copy of this order
be inserted in some newspaper
published in Queen Anne's
County, Maryland, once in
each of three successive weeks
before the 2nd day of June,
1975.
The report states the amount
of sales to be \$14,050.00.
CHARLES W. CECIL,
Clerk
Filed May 8, 1975
TRUE COPY
TEST: Charles W. Cecil,
Clerk
31-5-23

Queen Anne's
RECORD-OBSERVER
Centreville, Md., June 25 19 75

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Order nisi

in the case/estate of Cause No. 5604

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 2nd day of June, 19 75, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 14th day of May 19 75, and the last insertion on the 28th day of May, 19 75

THE RECORD-OBSERVER CORPORATION
By Methy M. Moore

Filed June 25, 1975

9 531

34

EDWARD CHEERS, ET AL.,

PLAINTIFFS

vs.

LORENZO CHEERS, ET AL.,

DEFENDANTS

*
*
*
*
*
*
*
*

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5604

FINAL RATIFICATION OF SALE

The above entitled matter coming before this Court, the proceedings having been read and considered by this Court, and this Court being satisfied that the sale of the real estate made and reported in this cause by Howard Wood, Trustee, was fairly and properly made, and no exceptions having been filed to the report of sale, and the Trustee having requested ratification of the sale, IT IS ORDERED by the Circuit Court for Queen Anne's County, in Equity, this 30th day of June, 1975, that the sale of the real estate made and reported in this cause by Howard Wood, Trustee, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although due notice, thereof appears to have been given as required by the preceding order nisi; and the said trustee is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers therefor to the Auditor.

B. Hachett Turner

JUDGE

FILED June 30, 1975

20
C. MAURICE WEIDEMEYER,
Assignee

vs.

CHARLES A. MERRITT, II

In The Circuit Court
for Queen Anne's County

In Equity

Cause No. 5440

FINAL RATIFICATION OF AUDIT

ORDERED, by the Court that the account if the Auditor is finally ratified and confirmed, C. Maurice Weidemeyer, Assignee, is directed to apply the proceeds accordingly, with a due proportion of interest as the same has been or may be received.

Dated: February 25, 1974

Charles L. Cecil
Clerk of the Circuit Court for
Queen Anne's County.

Filed February 25, 1974

NISI RATIFICATION OF AUDIT

C. Maurice Weidemeyer, Assignee

vs.

Charles A. Merritt, II

In the Circuit Court
for Queen Anne's County
In Equity

Cause No. 5440

ORDERED, this 7th day of February, 19 74, that the report and account filed in these proceedings by J. Thomas Clark, Auditor, be ratified on or after the 25th day of February, 19 74, unless cause to the contrary thereof be previously shown; provided ~~copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of two successive weeks before the _____ day of _____, 19_____~~

Charles M. Coit Clerk

Filed Feb 7, 1974

18
C. MAURICE WEIDEMEYER,
Assignee, etc.

vs

CHARLES A. MERRITT, II

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY NO. 5440

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned Court Auditor hereby certifies that on February 7, 1974, the date the audit in the above entitled cause was filed in this Court, that he did, by U. S. First Class Mail, notify the following interested parties to this cause, to wit:

F. Clifford Hane, Esquire
Attorney for Assignee, etc.
Queenstown, Maryland 21658

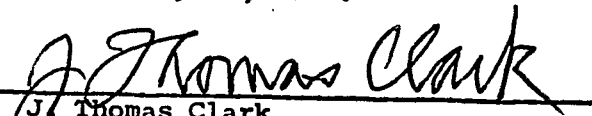
J. B. Stevens, Jr., Esquire
Attorney for Defendant
15 West Street, P.O. Box 365
Annapolis, Maryland 21401

C. Maurice Weidemeyer, Esquire
Assignee for Purpose of Foreclosure
236 Main Street
Annapolis, Maryland 21401

Baldwin Service Center, Inc.
Attention: Frank G. Baldwin, Jr., Trustee
c/o C. Maurice Weidemeyer, Esquire
236 Main Street
Annapolis, Maryland 21401

Charles A. Merritt, II
c/o J. B. Stevens, Jr., Esquire
15 West Street, P.O. Box 365
Annapolis, Maryland 21401

Pursuant to Rule 12d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned, was mailed to each of the above named persons at the above stated address, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, notifying each of them that said account was filed on February 7, 1974, with the Clerk of the Circuit Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before February 22, 1974, and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on February 25, 1974.


J. Thomas Clark
Auditor

Filed February 7, 1974

17

C. MAURICE WEIDEMEYER,
Assignee, etc.

vs

CHARLES A. MERRITT, II

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY NO. 5440

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto your Honor respectfully represents:

1. That this account is stated at the request of F. Clifford Hane, Attorney for Assignee, and wherein it appears that the proceeds of the sale are sufficient to pay the expenses of the sale and the mortgage debt. The remaining proceeds were disbursed to Charles A. Merritt, II.

2. That the previous audit filed in this cause was mistaken due to the fact that the wrong information was submitted to your auditor, and this audit is stated based on the revised information that has been presented to your auditor.

Respectfully submitted,

J. Thomas Clark
Auditor

February 1, 1974.

Cause No. 5440

The proceeds of the sale of land reported in this cause, in account with C. Maurice Weidemeyer, Assignee, of the mortgage foreclosed in these proceedings (and vendor of said land)

Cr.

1973

June 4	By gross proceeds of the sale of said land, per report of said vendor, to wit: -----	\$17,000.00
	Plus three (3) months interest @ \$76.50 per month -----	<u>229.50</u>
	Total Credits -----	\$17,229.50

Dr.

To C. Maurice Weidemeyer, Assignee and vendor, per terms of mortgage ----- \$1,000.00

To do., for an amount paid Charles W. Cecil, Clerk, for advanced court costs, per receipt exhibited, to wit: ----- 15.00

To do., for an amount due Charles W. Cecil, Clerk, for court costs:

1. Costs of Clerk	\$ 41.00	
2. Appearance to F. Clifford Hane, for C. Maurice Weidemeyer, Assignee	10.00	
3. Appearance to J. B. Stevens, Jr., for Defendant	<u>10.00</u>	61.00

To do., for an amount paid Charles W. Cecil, Clerk, for advanced Court costs, per receipt exhibited, to wit: 4.50

To do., Bay Times, per receipt exhibited, to wit: (Advertising sale) 43.50

To do., Record-Observer, per receipt exhibited, to wit:

1. Advertising sale	\$137.74	
2. Order Nisi	<u>14.00</u>	151.75

To do., Fidelity & Deposit Company, for Trustee's bond, per receipt exhibited, to wit: 80.00

To do., Oscar A. Schulz, Treasurer for four (4) months taxes paid at settlement, to wit: 163.45

February 7, 1974

J. Thomas Clark
Auditor
9 PAGE 537

To do., for an amount due Joseph Jackson, Auctioneer, for fee for crying sale, to wit: \$ 42.50

To J. Thomas Clark, Auditor, as follows:
 1. His fee for stating audit \$90.00
 2. His expenses involved in stating audit and notifying parties 5.00 95.00

To C. Maurice Weidemeyer, Assignee, for Baldwin Service Center, Inc., by their Trustee, Frank G. Baldwin Jr., to wit:
 1. Principal balance of \$13,787.68 mortgage
 2. Interest from 1/3/73 to 12/28/73 951.76 14,739.44

To Charles A. Merritt, II, balance remaining in foreclosure proceedings 833.36
\$17,229.50 \$17,229.50
 \$17,229.50

February 7, 1974

J Thomas Clark
 Auditor

Filed Feb. 7, 1974

15
C. MAURICE WEIDEMEYER,
Assignee, etc.

vs

CHARLES A. MERRITT, II

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY NO. 5440

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned Court Auditor hereby certifies that on February 1, 1974, the date the audit in the above entitled cause was filed in this Court, that he did, by U. S. First Class Mail, notify the following interested parties to this cause, to wit:

F. Clifford Hane, Esquire, Esquire
Attorney for Assignee, etc.
Queenstown, Maryland 21658


J. B. Stevens, Jr., Esquire
Attorney for Defendant
15 West Street, P.O. Box 365
Annapolis, Maryland 21404

C. Maurice Weidemeyer, Esquire
Assignee for Purpose of Foreclosure
236 Main Street
Annapolis, Maryland 21401

Baldwin Service Center, Inc.
Attention: Frank G. Baldwin, Jr., Trustee
c/o C. Maurice Weidemeyer, Esquire
236 Main Street
Annapolis, Maryland 21401

Charles A. Merritt, II
c/o J. B. Stevens, Jr., Esquire
15 West Street, P.O. Box 365
Annapolis, Maryland 21404

Pursuant to Rule 12d, Rules of the Second Judicial Circuit of Maryland, a copy of the audit duly certified by the undersigned, was mailed to each of the above named persons at the above stated address, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, notifying each of them that said account was filed on February 1, 1974, with the Clerk of the Circuit Court, Centreville, Maryland, and that exceptions to said audit must be filed on or before February 18, 1974, and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on February 19, 1974.



J. Thomas Clark
Auditor

February 1, 1974

FILED Feb 1, 1974

14 / C. MAURICE WEIDEMEYER,
Assignee, etc.

vs

CHARLES A. MERRITT, II

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY NO. 5440

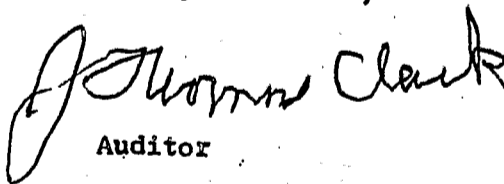
TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto your Honor respectfully represents:

1. That this account is stated at the request of F. Clifford Hane, Attorney for Assignee, and wherein it appears that the proceeds of the sale are sufficient to pay the expenses of the sale and the mortgage debt. The remaining proceeds were disbursed to Charles A. Merritt, II.

2. That in the within account, F. Clifford Hane, Attorney for the Assignee and vendor, is charged with the proceeds of sale made by the Assignee, and he is allowed thereafter a sum for commissions, several court costs, the premium on the corporate bond, an amount for auctioneer's fee for crying sale, the several advertising costs, the cost of State and County Taxes, and the fee and expenses of your auditor, the balance of the mortgage indebtedness and the balance was disbursed to the Mortgagor.

Respectfully submitted,


Auditor

February 1, 1974

Cause No. 5440

The proceeds of the sale of land reported in this cause,
in account with C. Maurice Weidemeyer, Assignee, of the mortgage
forclosed in these proceedings (and vendor of said land)

Cr.

1973

June 4 By gross proceeds of the sale of said land, per report
of said vendor, to wit: ----- \$17,000.00

Dr.

To C. Maurice Weidemeyer, Assignee and vendoe, per terms of mortgage		\$1,000.00
To do., for an amount paid Charles W. Cecil, Clerk, for advanced court costs, per receipt exhibited, to wit:		15.00
To do., for an amount due Charles W. Cecil, Clerk, for court costs:		
1. Costs of Charles W. Cecil, Clerk	\$41.00	
2. Appearance to F. Clifford Hane, for C. Maurice Weidemeyer, Assignee	10.00	
3. Appearance to J. B. Stevens, Jr. for Defendant	<u>10.00</u>	61.00
To do., for an amount paid Charles W. Cecil, Clerk, for advanced Court costs, per receipt exhibited, to wit:		4.50
To do., Bay Times, per receipt exhibited, to wit:		
1. Advertising sale		43.50
To do., Record-Observer, per receipt exhibited, to wit:		
1. Advertising sale	\$137.74	
2. Order Nisi	<u>14.00</u>	151.75
To do., Fidelity & Deposit Company, for Trustee's bond, per receipt exhibited, to wit:		80.00
To do., Oscar A. Schulz, Treasurer for taxes due, per receipt, to wit:		471.93
To do., for an amount due Joseph Jackson, Auctioneer, for fee for crying sale, to wit:		42.50

February 1, 1974

J Thomas Clark
Auditor

To do., J. Thomas Clark, Auditor,
as follows:

1. His fee for stating audit	\$45.00	
2. His expenses involved in stating audit and notifying parties	<u>5.00</u>	\$ 50.00

To do., Baldwin Service Center, Inc. by their Trustee Frank G. Baldwin, Jr.		\$14,511.53
---	--	-------------

To Charles A. Merritt, II, balance remaining in foreclosure proceedings	<u>568.29</u>	
	\$17,000.00	\$17,000.00

February 1, 1974

J Thomas Clark
Auditor

FILED Feb 1, 1974

13

C. MAURICE WEIDEMEYER,
Assignee, etc.

vs.

CHARLES A. MERRITT, II.

* IN THE CIRCUIT COURT
* FOR QUEEN ANNE'S COUNTY

* In Equity
No. 5440

ORDER ON EXCEPTIONS TO SALE and
ORDER OF RATIFICATION OF SALE

Having heard arguments from counsel on the exceptions to the sale in these proceedings, it is this 11th day of October, 1973,

ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Exceptions to the sale be and they are hereby overruled;

AND IT IS FURTHER ORDERED, this 11th day of October, 1973, that the sale made and reported by C. Maurice Weidemeyer, Assignee as herein set forth, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, and the said C. Maurice Weidemeyer, Assignee as aforesaid, be allowed the usual Commissions, and subject to the proper expenses as he shall produce for the Auditor.

B. Hackett Turner Jr.

Judge.

FILED Oct 11, 1973



ASSIGNMENT OFFICE
CIRCUIT COURT FOR QUEEN ANNE'S COUNTY
P.O. Box 67
CENTREVILLE, MARYLAND 21617
Telephone: 758-1773

DATE: September 27, 1973

TO: F. Clifford Hane, Esquire
Queenstown, Maryland 21658

J. B. Stevens, Jr., Esquire
15 West Street, P. O. Box 365
Annapolis, Maryland 21404

RE: C. Maurice Weidemeyer, Assignee, etc. vs. Charles A. Merritt, II
Chy. No. 5440

A HEARING ON THE ~~MOTIONS~~ Exceptions to Sale

HAS (x) ~~BEEN~~ () BEEN SET FOR Thursday, October 11, 1973 AT 10:30^AM.

Any request for a change of this hearing date must be submitted to the Assignment Clerk within five (5) days of the receipt of this notice, together with the reasons therefor. Thereafter any request for continuance must be submitted to the Court by written motion and will be considered only under the appropriate provisions of Maryland Rule 527.

Assignment Clerk

LAW OFFICES
C. MAURICE WEIDEMEYER
238 MAIN STREET
ANNAPOLIS, MARYLAND 21401

TELEPHONES
266-8049
263-3957
269-0885
AREA CODE 301

July 25, 1973

Mr. Charles W. Cecil
Clerk, Circuit Court for
Queen Anne's County, Maryland
Centreville, Maryland 21617

Re: Mortgaged Real Estate of Charles A. Merritt,
C. Maurice Weidemeyer, Assignee - Equity No. 5440

Dear Mr. Cecil:

Enclosed please find "Answer to Exceptions to Sale"
in the above entitled matter, and will you please file
said Answer in the case.

Thanking you for your cooperation, I am,

Very truly yours,


C. Maurice Weidemeyer

CMW:MH

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IN RE: THE MORTGAGED REAL ESTATE : IN THE CIRCUIT COURT FOR
OF CHARLES A. MERRITT, II :
C. MAURICE WEIDEMEYER, : QUEEN ANNE'S COUNTY
Assignee, etc. :
: Equity No. 5440

ANSWER TO EXCEPTIONS TO SALE

C. Maurice Weidemeyer, Assignee for Purposes of Foreclosure, by his Attorney, F. Clifford Hane, for Answer to the Exceptions filed herein, says as follows:

1. The Mortgagor claims that he was never properly notified of the sale until after it had taken place. The facts are, that in compliance with Rule W-74(2B), a letter was sent to the Mortgagor by Certified Mail/addressed to Mr. Charles A. Merritt, II, Lakeland Road, Severna Park, Maryland 21146, on May 25, 1973, That one week after the sale on June 4, 1973, namely, June 11th, Charles A. Merritt, II, visited the office of the Assignee for Purposes of Foreclosure and claimed that he had just that day received the certified mail containing the letter and advertisement of sale. On the envelope which the Mortgagor received, was stamped that first notice had been left for him on May 26, 1973, advising that certified mail was held for him, and that second notice had been left for him on June 1, 1973, so that any delay in receiving the notice was not the fault of the Assignee who had complied with the Rule, but rather was the fault of the Mortgagor who delayed from May 26th to June 11th in picking up the mail addressed to him after notification of which had been given to him by the U. S. Postal Department.

2. The property was sold at public auction at the Court House door and after several bids received was sold for the final high bid of \$17,000.00. The original amount of the mortgage was \$16,300.00, and your Assignee believes this was a fair and reasonable price and was not inadequate nor was it

so grossly inadequate so as to cause the setting aside of the sale.

3. The notification requirements set forth in the mortgage were complied with and it will be noticed that the mortgage provisions are as follows:

"And the said Mortgagor, in accordance with the provisions of Article LXVI of the Code of Public General Laws of the State of Maryland, 'The Maryland Rules of Procedure' or of any other General or Local Laws of the State of Maryland relating to mortgages, including any amendments, supplements, or additions thereto, does hereby (1) declare his assent to the passing of a decree for the sale of the herein described property at any time after the recording of this mortgage, (said sale to take place after a default has occurred in any of the conditions of this mortgage, as herein provided); and the said Mortgagor does hereby (2) also authorize the said Mortgagee, its successors or assigns, or _____, its duly authorized Attorney, after any such default shall have occurred as aforesaid, to sell the hereby mortgaged property. And such sale may be of the property as a whole and it shall not be the duty of the party selling to sell the same in parts or in lots but such party may do so and the sale shall be made after giving twenty days notice of the time, place, manner and terms of sale in some newspaper printed in the county in which the land is situated; and the party selling may also give such other notice as he may deem expedient; and the terms of the sale may be all cash upon ratification of the sale or such other terms as the party selling may deem expedient."

It must be noted that the mortgage authorizes the sale to be made in accordance with Maryland Rules of Procedure and authorizes the sale to be made of the mortgaged property as a whole and also authorizes the Mortgagee to sell the property in lots or parcels, but to do so give twenty days notice, if he decides to sell the mortgaged property in parcels or lots. It will be noted that the mortgaged property was sold as an entirety and that strict compliance was had in accordance with the Rules of Court, namely, Rule W74 (2) (a) (i).

In addition to advertising the property three successive weeks prior to the sale in the Queen Anne Record Observer, it

was also advertised in the Bay Times so that more than adequate advertisement was given to the sale.

WHEREFORE having fully answered, Assignee prays

1. That the exceptions filed herein be overruled, and
2. That if deemed necessary by this Court, a hearing be held on the matter of the exceptions filed herein.

C. Maurice Weidemeyer
C. Maurice Weidemeyer, Assignee

Clifford Hane, per pro.
F. Clifford Hane
Attorney for Assignee

CERTIFICATE OF MAILING

I hereby certify that on this 25th day of July, 1973, a copy of the foregoing Answer to Exceptions to Sale was mailed, postage prepaid, to J. B. Stevens, Jr., 15 West St., P. O. Box 365, Annapolis, Maryland 21404, Attorney for Defendant.

C. Maurice Weidemeyer
C. Maurice Weidemeyer, Assignee

Filed July 27, 1973

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

C. MAURICE WEIDEMEYER,
Assignee, etc.

*

VS.

*

NO. 5440 EQUITY

*

CHARLES A. MERRITT, II

* * * * *

EXCEPTIONS TO SALE

Charles A. Merritt, II, by J. B. Stevens, Jr., his attorney, excepts to the sale reported in these proceedings and for reasons says:

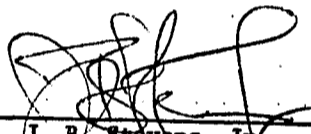
1. That he was never properly notified of the sale until after it had taken place.

2. That the purchase price at the sale was so inadequate that the sale should be set aside.

3. That the notice requirements set forth in the mortgage instrument were not complied with.

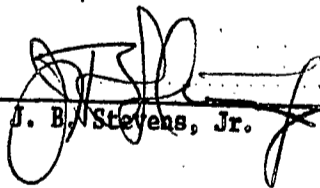
4. And for such other and further reasons as shall be shown at the Hearing hereon.

AND, AS IN DUTY BOUND, ETC.



J. B. Stevens, Jr.
15 West Street, P. O. Box 365
Annapolis, Maryland 21404
269-0644
Attorney for Defendant

I HEREBY CERTIFY that on this 11th day of July, 1973, I mailed a copy of the foregoing to C. Maurice Weidemeyer, Assignee, Main Street, Annapolis, Maryland 21401 and to F. Clifford Hane, Attorney for Assignee, Centreville, Maryland 21617.


J. B. Stevens, Jr.

Filed July 12, 1973

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ORDER NISI ON SALE

C. MAURICE WEIDEMEYER,
Assignee, etc.

vs.

CHARLES A. MERRITT, II.

In the Circuit Court
for Queen Anne's County
In Equity

Cause No. 5440

ORDERED, this 12th day of June, 19 73, that
the sale of the real property, made and reported in this cause by
F. Clifford Hane, Attorney, be ratified and confirmed,
on or after the 13th day of July, 1973, unless
cause to the contrary thereof be previously shown; provided a copy of this order be inserted
in some newspaper published in Queen Anne's County, Maryland, once in each of three suc-
cessive weeks before the 6th day of July, 19 73

The report states the amount of sales to be \$ 17,000.00

Charles W Cecil Clerk

Filed June 12, 1973

LWER 9 PAGE 551

9 MAY 552

9
C. MAURICE WEIDEMEYER,
Assignee, etc.

vs.

CHARLES A. MERRITT, II.

* IN THE CIRCUIT COURT
* FOR QUEEN ANNE'S COUNTY

* In Equity
No. 5440

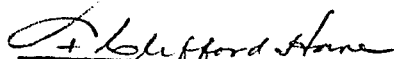
REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of C. Maurice Weidemeyer, Assignee for foreclosure and collection of the mortgage in the above entitled cause, respectfully shows:

That after giving a bond with security for the faithful discharge of his duties as Assignee aforesaid, which bond was duly approved; and having given notice of the time, place, manner and terms of the sale by advertisements inserted in the Queen Anne's Record-Observer and The Bay Times, newspapers published in Queen Anne's County, for more than three (3) successive weeks preceding the sale, and also having notified the Respondent by Certified Mail dated May 25, 1973, in accordance with Rule W74(2)(b), said Assignee, C. Maurice Weidemeyer did, pursuant to said notice, on Monday, June 4, 1973, at 1 o'clock P.M., attend on the premises and then and there sold the property so advertised, and more fully described on the attached advertisement of sale, containing in all 20.006 acres of land, more or less. All of said property was sold as an entirety, to Harold M. Legg and Oscar Legg, Jr., as joint tenants and not as tenants in common, for the sum of \$17,000.00, they having offered the greatest price therefor.


C. Maurice Weidemeyer, Assignee


F. Clifford Hane,
Attorney for Assignee.

**ASSIGNEE'S SALE OF
VALUABLE FEE SIMPLE PROPERTY**

Under and by virtue of the power of sale contained in a mortgage from Charles A. Merritt, II to Frank G. Baldwin, Jr., Trustee for the Baldwin Service Center, Inc., Profit Sharing Trust, dated June 2, 1972, and recorded among the Land Records of Queen Anne's County, Maryland, in Liber No. 64, at folio 489 (default having occurred thereunder), the undersigned Assignee for the purpose of foreclosure of said mortgage will offer for sale by public auction at the Court House door, Centreville, Queen Anne's County Court House,

MONDAY, JUNE 4, 1973

at 1 o'clock P. M.

the property described in said mortgage, lying and being in Queen Anne's County, State of Md., being two parcels of land and being more particularly described in a deed dated June 2, 1972, from Frank G. Baldwin, Jr., Trustee for the Baldwin Service Center, Inc., Profit Sharing Trust, to Charles A. Merritt, II and recorded or intended to be recorded immediately prior to the aforesaid mortgage, and being more particularly described in said deed recorded among said Land Records in Liber CVC 64 folio 489 as follows:

BEGINNING FOR THE FIRST at a point being situated on the North 53 degree, 32 minute, West 100.00 foot line as mentioned in a deed of conveyance by and between Arno Baker and Robert Baker, unto Masvold Investment Co., Inc. by deed dated March 5, 1952 and recorded among the Land Records of Queen Anne's County in TSP 65, folio 149; said point being situated where the North 53 degree, 32 minute West line intersects the Eastmost edge of Md. Rt. 8 as laid out 150.00 feet wide and being situated 100.00 feet from the beginning thereof; thence said point so fixed and running with the eastmost edge of Md. Rt. 8 with a curve bearing to the right and having a radius of 2316.79 feet and an arc length of 162.03 feet and a chord bearing North 30 degrees, 53 minutes, 50 seconds East 161.94 feet to the point of tangency; thence North 32 degrees, 35 minutes East 1517.13 feet; thence North 55 degrees, 44 minutes, 50 seconds East 69.97 feet; thence North 79 degrees, 59 minutes, 29 seconds East 233.69 feet; thence South 47 degrees, 22 minutes, 20 seconds East 79.26 feet to the West side of Batts Neck Road; thence running with the West side of Batts Neck Road, South 63 degrees, 37 minutes, 30 seconds West 471.90 feet to intersect the North 37 degree, 08 minute West 173.5 foot line of the above mentioned conveyance; thence running with the outlines of the above mentioned conveyance the following courses and distances; North 37 degrees, 22 minutes, 10 seconds West 159.70 feet to a concrete monument found; thence South 23 degrees, 53 minutes, 00 seconds West 1217.55 feet to a concrete monument found; thence North 61 degrees, 53 minutes, 00 seconds West 289.77 feet to a concrete monument found; thence South 25 degrees, 03 minutes, 50 seconds West 159.20 feet thence North 53 degrees, 36 minutes, 10 seconds West 160.69 feet to the beginning thereof. Containing in all 16.37 acres of land, more or less.

BEGINNING FOR THE SECOND at a point being situated on the North 76 degree, 47 minute, West 400.5 foot line as mentioned in a deed of conveyance by and between Arno Baker and Robert Baker unto Masvold Investment Company, Incorporated, by deed dated March 5, 1952 and recorded among the Land Records of Queen Anne's County in Liber TSP 65, folio 149; said point being also situated where the North 76 degree, 47 minute, West line intersects the Eastmost edge of Md. Rt. 8 as laid out 150.00 feet wide and being situated 200.61 feet from the beginning thereof; thence leaving said point so fixed and running with the Eastmost edge of Md. Rt. 8 with a curve bearing to the right and having a radius of 2316.79 feet and a chord bearing North 19 degrees, 18 minutes, 13 seconds East 925.49 feet to intersect the South 18 degree, 30 minute, West 273.10 foot line as mentioned in the above conveyance; thence leaving the eastmost edge of Md. Rt. 8 and running with the outlines of the above mentioned conveyance South 63 degrees, 52 minutes, 50 seconds West 190.20 feet; thence South 53 degrees, 21 minutes, 10 seconds East 177.00 feet; thence South 23 degrees, 23 minutes, 30 seconds West 623.72 feet; thence South 67 degrees, 04 minutes, 10 seconds East 137.10 feet; thence South 20 degrees, 28 minutes, 50 seconds West 52.20 feet to a concrete monument found; thence North 77 degrees, 06 minutes, 10 seconds West 289.61 feet to the beginning thereof. Containing in all 9.633 acres of land, more or less.

TERMS OF SALE: A cash deposit of 10 per cent will be required of purchaser at time and place of sale, balance of purchase money upon final ratification of sale by the Circuit Court of Queen Anne's County, and to bear interest at six percent from the date of sale to date of settlement. Taxes and all other assessments to be adjusted to date of sale, purchaser to bear all costs of conveying, revenue stamps and transfer taxes. The property will be sold as an entirety only; and subject to any encumbrances, restrictions or covenants of record affecting same, if any.

C. MAURICE WEBBEMEYER (Atty.)

Assignee for Purposes of

Foreclosure

23 Main Street

Annapolis, Md. 21401

391-202-8049

F. CLEFFORD HANE

Atty. for Assignee

Queenstown, Md. 21658

827-8787

JOS. A JACKSON, JR. Auctioneer

33-5-30

STATE OF MARYLAND

*

To wit:

*

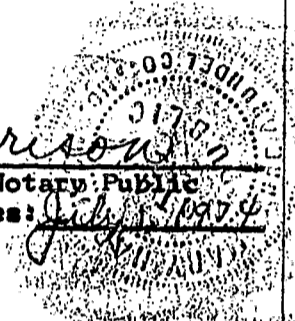
ANNE ARUNDEL COUNTY

*

I HEREBY CERTIFY that on this 7th day of June, 1973,
 before me, the subscriber, a Notary Public of the State of Maryland,
 in and for the County aforesaid, personally appeared C. MAURICE
 WEIDEMEYER, Assignee, who made oath in due form of law that the
 facts stated in the foregoing Report of Sale are true as therein
 set forth, and that the sale thereby reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Mary Harrison
 Notary Public
 My Commission expires: July 1, 1974



Filed June 12, 1973

8/

C. MAURICE WEIDEMEYER,
Assignee, etc.

vs.

CHARLES A. MERRITT, II.

* IN THE CIRCUIT COURT
* FOR QUEEN ANNE'S COUNTY
* In Equity
No. 5440

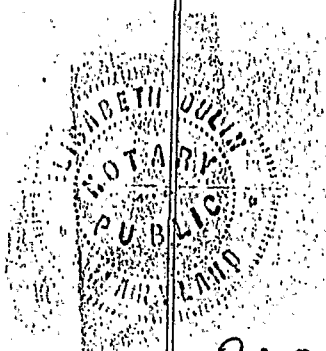
AUCTIONEER'S AFFIDAVIT

The undersigned hereby certifies that the annexed bill or statement of the fees and sums due me, set forth in detail, are all and singular of the fees and sums due me, and that I have not paid, or will not pay, directly or indirectly, any sum or consideration to anyone for employing me, or aiding me to be employed to make the sale for which the annexed bill or statement was rendered, and that the sale of the property mentioned in the Report of Sale, in Queen Anne's County, State of Maryland, was fairly made.

Joe Jackson, Jr.
Joe Jackson, Jr.
Auctioneer

Subscribed and sworn to before me, a Notary Public in and for Queen Anne County, State of Maryland, by JOE JACKSON, Jr., Auctioneer, this 11th day of June, 1973.

Elizabeth Duler
Notary Public
My Commission expires: July, 1974



Subd June 12, 1973

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C. MAURICE WEIDEMEYER,
Assignee, etc.

vs.

CHARLES A. MERRITT, II.

* IN THE CIRCUIT COURT
* FOR QUEEN ANNE'S COUNTY

* In Equity
* No. 5440

PURCHASERS' AFFIDAVIT

STATE OF MARYLAND

QUEEN ANNE'S COUNTY

*
* To wit:
*

I HEREBY CERTIFY that on this 7th day of June, 1973,
before me, the subscriber, a Notary Public of the State of
Maryland, in and for the County aforesaid, personally appeared
HAROLD M. LEGG and OSCAR LEGG, Jr., purchasers at the foreclosure
sale in this cause, and they made oath in due form of law that
they attended the sale and purchased the property mentioned
therein; that there are no other persons interested as principals
therein, and that they have not directly or indirectly discouraged
anyone from bidding for the said property referred to in these
proceedings in Queen Anne's County, Maryland, and mentioned in
the Report of Sale heretofore filed herein.

Ruth E. Foster

Notary Public

My Commission expires July 1, 1974

Harold M. Legg
Harold M. Legg

Oscar Legg, Jr.
Oscar Legg, Jr.

Filed June 12, 1973

ASSIGNEE'S SALE OF VALUABLE FEE SIMPLE PROPERTY

Under and by virtue of the power of sale contained in a mortgage from Charles A. Merritt, II to Frank G. Baldwin, Jr., Trustees for the Baldwin Service Center, Inc., Profit Sharing Trust, dated June 2, 1972, and recorded among the Land Records of Queen Anne's County, Maryland, in Liber No. 64, at folio 439 (default having occurred thereunder), the undersigned Assignee for the purpose of foreclosure of said mortgage will offer for sale by public auction at the Court House door, Centreville, Queen Anne's County Court House,

MONDAY, JUNE 4, 1973

at 1 o'clock P. M.

the property described in said mortgage, lying and being in Queen Anne's County, State of Md., being two parcels of land and being more particularly described in a deed dated June 2, 1972, from Frank G. Baldwin, Jr., Trustee for the Baldwin Service Center, Inc., Profit Sharing Trust, to Charles A. Merritt, II and recorded or intended to be recorded immediately prior to the aforesaid mortgage, and being more particularly described in said deed recorded among said Land Records in Liber CVC 64 folio 439 as follows:

BEGINNING FOR THE FIRST at a point being situated on the East 1/2 degree, 23 minutes, West 189.09 foot line as mentioned in a deed of conveyance by and between Anne Baker and Robert Baker, unto Maryland Investment Co., Inc. by deed dated March 5, 1961 and recorded among the Land Records of Queen Anne's County in TSP 63, folio 149; said point being situated where the North 03 degree, 53 minute West line intersects the Eastmost edge of Md. Rt. 6 as laid out 159.69 feet wide and being situated 169.99 feet from the beginning thereof; thence said point so fixed and running with the eastmost edge of Md. Rt. 6 with a curve bearing to the right and having a radius of 2316.79 feet and an arc length of 162.93 feet and a chord bearing North 39 degrees, 59 minutes, 53 seconds East 161.64 feet to the point of tangency; thence North 22 degrees, 35 minutes East 1517.19 feet; thence North 63 degrees, 44 minutes, 50 seconds East 69.97 feet; thence North 79 degrees, 53 minutes, 20 seconds East 265.00 feet; thence South 47 degrees, 22 minutes, 20 seconds East 79.26 feet to the West side of Batts Neck Road; thence running with the West side of Batts Neck Road, South 68 degrees, 37 minutes, 30 seconds West 471.60 feet to intersect the North 67 degree, 08 minute West 173.5 foot line of the above mentioned conveyance; thence running with the outlines of the above mentioned conveyance the following courses and distances; North 67 degrees, 22 minutes, 10 seconds West 153.70 feet to a concrete monument found; thence South 26 degrees, 53 minutes, 00 seconds West 1217.55 feet to a concrete monument found; thence North 61 degrees, 53 minutes, 00 seconds West 239.77 feet to a concrete monument found; thence South 25 degrees, 69 minutes, 50 seconds West 159.20 feet thence North 58 degrees, 46 minutes, 10 seconds West 150.69 feet to the beginning thereof. Containing in all 16.37 acres of land, more or less.

BEGINNING FOR THE SECOND at a point being situated on the North 76 degree, 47 minute, West 439.5 foot line as mentioned in a deed of conveyance by and between Anne Baker and Robert Baker unto Maryland Investment Company, Incorporated, by deed dated March 5, 1961 and recorded among the Land Records of Queen Anne's County in Liber TSP 63, folio 149; said point being also situated where the North 76 degree, 47 minute, West line intersects the Eastmost edge of Md. Rt. 6 as laid out 169.99 feet wide and being situated 230.81 feet from the beginning thereof; thence leaving said point so fixed and running with the Eastmost edge of Md. Rt. 6 with a curve bearing to the right and having a radius of 2316.79 feet and a chord bearing North 10 degrees, 10 minutes, 13 seconds East 645.40 feet to intersect the South 19 degree, 39 minute, West 579.10 foot line as mentioned in the above conveyance; thence leaving the eastmost edge of Md. Rt. 6 and running with the outlines of the above mentioned conveyance South 63 degrees, 52 minutes, 50 seconds West 150.20 feet; thence South 59 degrees, 21 minutes, 10 seconds East 177.00 feet; thence South 23 degrees, 23 minutes, 30 seconds West 623.72 feet; thence South 67 degrees, 04 minutes, 10 seconds East 137.10 feet; thence South 20 degrees, 23 minutes, 50 seconds West 62.29 feet to a concrete monument found; thence North 77 degrees, 63 minutes, 10 seconds West 230.81 feet to the beginning thereof. Containing in all 3.630 acres of land, more or less.

TERMS OF SALE: A cash deposit of 10 per cent will be required of purchaser at time and place of sale, balance of purchase money upon final ratification of sale by the Circuit Court of Queen Anne's County, and to bear interest at six percent from the date of sale to date of settlement. Taxes and all other assessments to be adjusted to date of sale, purchaser to bear all costs of conveyancing, revenue stamps and transfer taxes. The property will be sold as an entirety only; and subject to any easements, restrictions or covenants of record affecting same, if any.

C. MAURICE WERDENBERGER (Atty.)

Assignee for Purposes of

Foreclosure

233 Main Street

Annapolis, Md. 21401

391-202-8030

F. CLIFFORD HANE

Atty. for Assignee

Queenstown, Md. 21658

657-6787

JOS. A JACKSON, JR. Auctioneer

51-B-00

Queen Anne's **RECORD-OBSERVER**

Centreville, Md., June 12, 1973

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of Assignee's Sale
Merritt, II Frank G. Baldwin

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 4th day of June, 1973, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 16th day of May, 1973, and the last insertion on the 30th day of May, 1973.

THE RECORD-OBSERVER CORPORATION

By *M. M. Morrow*

Saled June 12, 1973

July 5440

6/

RECEIVED FOR RECORD June 4 1973

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

KNOW ALL MEN BY THESE PRESENTS:

That we, C. MAURICE WEIDEMEYER

.....as Principal,
and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws
of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and
just sum of TWENTY THOUSAND AND NO/100 -
(\$20,000.00) Dollars,
to be paid to the said State or its certain Attorney, to which payment well and truly to be made, and done, we
bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns
jointly and severally, firmly by these presents.

Sealed with our seals and dated this 31st day of May
in the year of our Lord seventy-three

Whereas, the above bounden C. Maurice Weidemyer

by virtue of the power contained in a mortgage from Charles A. Merritt, II

to Frank G. Baldwin, Jr., Trustee for Baldwin Service Center, Profit Sharing Trust
bearing date the 2nd day of June, 1972 and recorded
among the mortgage records of Queen Anne's County

In Liber No. 64 Folio 439 and C. Maurice Weidemyer, Assignee for Mortgage Foreclosure

is about to sell the land and premises described in said mortgage, default having been made in the payment
of the money so specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden
C. Maurice Weidemyer

do and shall well and truly and faithfully perform the trust reposed in him
under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any
Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof then the above
obligation to be void, otherwise to be and remain in full force and virtue in law.

In Testimony Whereof, the above bounden C. Maurice Weidemyer

has hereto set his hand and seal and the said body corporate has caused these presents to be
duly signed by its Attorney-in-Fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of:

Mary Harrison C. Maurice Weidemyer (SEAL)
C. Maurice Weidemyer

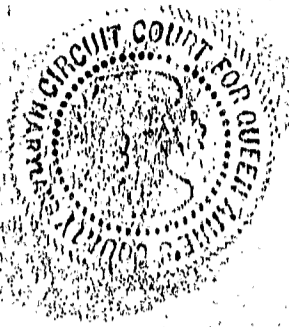
Witness: FIDELITY AND DEPOSIT COMPANY OF MARYLAND
Ardis D. King As to Surety By John H. Hopkins, IV Attorney-in-Fact
MID 2174-310, 188179
Mortgagee's or Attorney's Bond

Certified copy of Power
of Attorney attached

Security approved and Bond filed June 4 1973
LIBER 1 PAGE 499 Charles W. Cecil Club

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from Liber C.W.C. No. 1, folio 499, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 4th day of June, Nineteen Hundred and Seventy-Three.

Charles W. Geil

 Clerk of the Circuit Court for
 Queen Anne's County

3/

IN RE: THE MORTGAGED REAL ESTATE OF * IN THE
 CHARLES A. MERRITT, II * CIRCUIT COURT
 * FOR
 * QUEEN ANNE'S COUNTY
 * Equity No. 5440
 * * * * *

STATEMENT OF ACCOUNT

Original Amount of Mortgage	\$ 16,300.00
Less payments on account of principal	<u>2,522.32</u>
Balance of principal due	\$ 13,787.68
Plus interest at 7% due and unpaid from January 3, 1973	<u> </u>

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

FRANK G. BALDWIN, JR., Trustee for Baldwin Service Center, Inc., Profit Sharing Trust, deposes and says that he is the Trustee named in Mortgage herein and that the foregoing is a just and true account of mortgage thereon.

Frank G. Baldwin, Jr. (SEAL)
 Frank G. Baldwin, Jr.

SUBSCRIBED and SWORN to before me this 5 day of May, 1973.

Madame M. [Signature]
 Notary Public
 My Commission expires July 7, 1974.

Filed May 10, 1973

Recorded in Liber CWC #74 folio 64

2

C LIBER **74** PAGE **64** **O**

No. 72,301
Re. 51510 RECEIVED FOR RECORD May 10, 1973

Assignment

N
OF MORTGAGE FROM Charles A. Merritt II

TO Frank G. Baldwin, Jr., Trustee AS RECORDED IN

LIBER CWC NO. 64 FOLIO 439

~~THIS~~ TO Be filed in Chancery No. 5440

May 5, 1973

FOR VALUE RECEIVED,
I hereby assign the herein Mortgage unto C. Maurice Weidemeyer,
Attorney, for purposes of Foreclosure.

Frank G. Baldwin, Jr.
Frank G. Baldwin, Trustee for
Baldwin Service Center, Inc.,
Profit Sharing Trust

Madame M. Davis
Witness

Return To

Calvert Land Title Corporation
The Codd Building
Severna Park, Maryland 21146

Filed May 10, 1973

LIBER **9** PAGE **563**

IN RE: THE MORTGAGED REAL ESTATE OF * IN THE
CHARLES A. MERRITT, II * CIRCUIT COURT
 C. MAURICE WEIDEMEYER, Assignee * FOR
 or * QUEEN ANNE'S COUNTY
 CHARLES A. MERRITT, II * Equity No. 5446

* * * * * \$15.00 Pd
 R-51510

ORDER TO DOCKET SUIT

MISTER CLERK:

Please file the original mortgage and docket this fore-
 closure suit.

C. Maurice Weidemeyer
 C. Maurice Weidemeyer
 236 Main Street
 Annapolis, Maryland 21401
 268-5049
 Attorney for Purposes of Foreclosure

Lo Lufford Lane
 Queenstown Md 21658
 atty for assignee
 827-2787

Filed May 10, 1973

IN THE MATTER OF
 NELLIE RINGGOLD HOPKINS
 FOR THE APPOINTMENT OF A
 GUARDIAN OF THE PERSON AND PROPERTY

IN THE CIRCUIT COURT FOR
 QUEEN ANNE'S COUNTY
 IN EQUITY NO. 5552

PETITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

MAY 30-74 * 23914 *****25.00

MAY 30-74 A 23914 *****25.00

The Petition of Ellen Hopkins Momberger, by Edward Turner, her Attorney, represents unto your Honors:

1. That Nellie Ringgold Hopkins is a Caucasian female, age 88 years, whose address for many years has been Benton's Pleasure, Chester, Queen Anne's County, Maryland, and who is alleged to be incompetent.
2. That your Petitioner is a daughter of the said Nellie Ringgold Hopkins.
3. That the said Nellie Ringgold Hopkins is now and has been for quite some time residing at the home of your Petitioner which is also located in Benton's Pleasure, Chester, Queen Anne's County, Maryland, and whose mailing address is P. O. Box 136, Chester, Maryland 21619.
4. That the names and addresses of the remaining interested persons are:
 - a. Ellen Hopkins Momberger, the Petitioner, daughter, P. O. Box 136, Chester, Maryland 21619.
 - b. Elizabeth Hopkins Thomas, daughter, Harbor View, Chester, Maryland 21619.
5. That the reason for seeking the appointment is that the said Nellie Ringgold Hopkins is suffering from arteriosclerotic cardiovascular disease and cerebral insufficiency, which appears permanent and has caused marked mental incapacity. The prognosis of the Doctors is that this condition will cause further deterioration and there is no hope for improvement or cure. That this summary of her condition is supported by the signed and verified certificates of two physicians, who both attended the alleged incompetent before the filing of this Petition. One of the physicians, Dr. Ralph E. Libby, has examined the alleged incompetent person within ten days of this Petition. That your Petitioner attaches hereto as a part hereof, marked "Exhibit A - 1, 2 and 3" and "Exhibit B" the signed and verified certificates of the two attending physicians with respect to the mental condition of Nellie Ringgold Hopkins. Dr. Ralph E. Libby of Grasonville, Maryland examined the alleged incompetent on three occasions, that is to say April 7, 1974, April 29, 1974 and May 29, 1974 ; and Dr. John R. Smith, Jr. also examined the alleged incompetent on two occasions, that is to say April 19, 1974 and May 3, 1974.
6. That from the above stated condition as reflected in the aforementioned Doctor's reports, it is alleged that the said Nellie Ringgold Hopkins, is unable to manage her affairs and will be so for some time, and that to protect the person and property of the alleged incompetent your Petitioner prays that a guardian be appointed to take care of the person and property of the said Nellie Ringgold Hopkins, according to the laws of the State of Maryland.
7. That your Petitioner informs the Court that the said alleged incompetent is the sole owner of the following assets:
 - a. Improved real estate, formerly her residence at Benton's Pleasure, Fourth Election District of Queen Anne's County, State of Maryland, of the value of approximately \$ 60,000.00.

b. A Savings Account at Loyola Federal Savings and Loan Association (Glen Burnie Branch) Account no. 610737, in the amount of \$ 5,688.30.

c. A Checking Account in the Annapolis Banking and Trust Company, Annapolis, Maryland, No. 5503729995 in the amount of \$ 1,031.68.

d. The alleged incompetent person receives monthly rent from two cottages located on her residence property in the amount of \$ 140.00 per month, and also receives a Social Security check monthly in the amount of \$ 82.00.

WHEREFORE, your Petitioner hereby applies for appointment as Trustee for the said alleged incompetent and does, therefore, pray this Honorable Court to pass an Order:

A. Directing the said alleged incompetent to be summoned within ten (10) days by subpoena directed to the Sheriff of Queen Anne's County, Maryland.

B. Require that within the same time a copy of the Summons, Petition and Order shall be left with the person with whom the alleged incompetent resides, and as the alleged incompetent resides with the Petitioner service of process is prayed to be made in addition upon an attorney designated by the Court, who shall investigate the facts of the case and shall report in writing his findings to the Court in accordance with Maryland Rule R-76.

C. Setting this Petition for hearing on or after fifteen (15) days from the date of said Order.

D. Giving notice to such other persons as the Court may require.

E. Appointing a Trustee to protect and manage the person and property of Nellie Ringgold Hopkins.

F. Allowing an appearance and answer at any time before or after any decree of appointment of a Trustee for said alleged incompetent which may be passed by this Honorable Court in the premises.

Respectfully submitted,

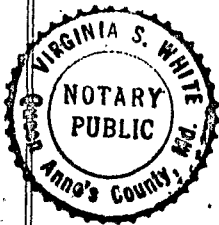
Edward Turner
Edward Turner
Attorney for Petitioner
109 Lawyers Row
Centreville, Maryland 21617
Telephone: 758-1795

Ellen Hopkins Momberger
Ellen Hopkins Momberger
Petitioner

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 30th day of May, 1974, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ELLEN HOPKINS MOMBERGER, and made oath in due form of law that the matters and facts set forth in the foregoing Petition are true to the best of her knowledge, information and belief.

WITNESS my hand and Notarial Seal.



Virginia S. White
Virginia S. White
Notary Public
My commission expires July 1, 1974.

FILED May 30, 1974

EXHIBIT A 1

Ralph E. Libby, M.D.
GRASONVILLE, MARYLAND 21666
TELEPHONE 827-8818

APR. 16 REC'D

April 15, 1974

Edward Turner, Atty.
109 Lawyers Row
Centreville, Md. 21617

Dear Sir:

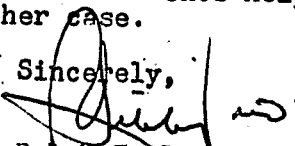
Mrs. Nellie Hopkins, a patient of mine, has through her relatives asked me to indicate her physical and mental status to you.

She has the diagnosis of (1) arterio-sclerotic cardiovascular disease and (2) cerebral insufficiency. She is taking diuretics and Digitalis for these conditions. She is forgetful and repeated comments 5-6 times during her last visit to me (4-7-74).

This is a gradually developing complication of hardening of the arteries and increases with age. I believe she has been getting progressively more senile mentally for some time. Unfortunately there is no cure.

I hope these comments help you in your dealing with her case.

Sincerely,


Ralph E. Libby, M.D.

REL:sg

FILED May 30, 1974

LIBER

9 PAGE 567

MAY 2 1 ENT'D

Ralph E. Libby, M.D.
GRASONVILLE, MARYLAND 21636

TELEPHONE 627-6816

May 1, 1974

Edward Turner, Atty.
Centreville
Maryland 21617

Dear Sir:

On 4-29-74 Mrs. Nellie Hopkins, was again seen by me for medical care. At this time she was found to be incapable of significant mentation without help. I noted that she did not know the day of the week, nor did she remember having been in my office on 4-7-74. It was obvious to me that she is incapable of caring for her personal needs alone as she turned to her daughter for help with even the simplest of questions.

She denied knowledge of having sold or having been asked to sell her property. She did not seem to remember of any^{one} had talked about it.

I believe she is incompetent and has been for some time even prior to this year. The condition is a complication of arteriosclerosis and does not come suddenly.

No one else has contacted me regarding her status nor do we release information without prior authorization.

I trust this helps your consideration of her case.

Sincerely,


Ralph E. Libby, M.D.

REL/sg

FILED May 30, 1974

EXHIBIT A 3

Ralph E. Libby, M.D.
GRASONVILLE, MARYLAND 21638

TELEPHONE 827-8618

May 29, 1974

Edward Turner, Atty.
Centreville
Maryland 21617

Dear Sir:

On 5-29-74 Mrs. Nellie Hopkins, was again seen by me for medical care. At this time, she was found to be incapable of significant mentation without help. I noted that she did not know the day of the week, nor did she remember having been in my office on 4-29-74. It was obvious to me that she is incapable of caring for her personal needs alone as she turned to her daughter for help with even the simplest of questions.

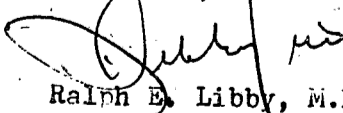
She denied knowledge of having sold or having been asked to sell her property. She did not seem to remember of any had talked about it.

I believe she is incompetent and has been for some time even prior to this year. The condition is a complication of arteriosclerosis and does not come suddenly.

No one else has contacted me regarding her status nor do we release information without prior authorization.

I trust this helps your consideration of her case.

Sincerely,



Ralph E. Libby, M.D.

REL/sg

FILED May 30, 1974 UCR

9 MAY 5 1974

JOHN R. SMITH, JR., M.D.
110 BROADWAY
CENTREVILLE, MARYLAND

May 20, 1974

Edward Turner, Esq.
109 Lawyers Row
Centreville, Maryland 21617

Dear Mr. Turner:

Mrs. Nellie Hopkins has been examined in my office on April 19, 1974 for evaluation of her mental status. She showed obvious memory defects, particularly for recent events.

I saw her again May 3, 1974, at which time I confirmed my opinion that she is not competent to handle her own affairs.

I feel she should have guardianship for her protection.

Sincerely,

John R. Smith, Jr.
John R. Smith, Jr., M.D.

JRS/11

FILED May 30, 1974

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

Show address where delivered Deliver ONLY to addressee

RECEIPT
Received the numbered article described below 5552

REGISTERED NO. 1700
CERTIFIED NO. 1
INSURED NO.
DATE DELIVERED 6-6-74

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
Edward Turner

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

POSTMARK OF CENTREVILLE MD 1974

REGISTERED NO. 9700

Value \$	100.00	Special Delivery \$	
Reg. Fee \$	95	Return Receipt \$	15
Handling Charge \$		Restricted Delivery \$	
Postage \$	20	AIRMAIL	<input type="checkbox"/>
POSTMASTER (BY)	PFC		
FROM	C/Key Court 21617		

TO ELIZA HOPKINS THOMAS
HARBOR VIEW CHESTER MD 21614

IN THE MATTER OF : IN THE CIRCUIT COURT FOR
 NELLIE RINGGOLD HOPKINS : QUEEN ANNE'S COUNTY
 FOR THE APPOINTMENT OF A : IN EQUITY NO. 5552
 GUARDIAN OF THE PERSON AND PROPERTY
 : : : : :

PETITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Ellen Hopkins Momberger, by Edward Turner, her attorney, and Elizabeth H. Thomas, by Walter Litvinuck, her attorney, represents unto your Honors:

1. That a Petition and affidavit was filed in this Court the 30th day of May, 1974, and a Show Cause Order was signed the 3rd day of June, 1974, notifying all inter-ester persons to show cause on or before the 24th day of June, 1974, why Nellie Ringgold Hopkins should not be declared a Disabled Person under the provisions of Article 93A of the Annotated Code of Maryland and Maryland Rule V 77.

2. That the interested persons, Ellen Hopkins Momberger and Elizabeth H. Thomas, consent and agree to the appointment of Edward Turner, Esquire, and Walter Litvinuck, Esquire, as Guardians of the Person and Property of Nellie Ringgold Hopkins.

WHEREFORE, your Petitioner prays:

A. That the Court pass an Order appointing Edward Turner and Walter Litvinuck as Guardians of Nellie Ringgold Hopkins, a disabled person, with full power and authority to care for and manage and protect the estate of said disabled person in accordance with the provisions of Article 93A of the Annotated Code of Maryland and Maryland Rule V 77.

B. That this Petitioner have such further relief as the case may require.

Respectfully submitted,

Edward Turner

Edward Turner,
 Attorney for Petitioner
 109 Lawyer's Row
 Centreville, Maryland 21617
 Telephone: 758-1795

Ellen Hopkins Momberger

Ellen Hopkins Momberger,
 Petitioner

Walter Litvinuck

Walter Litvinuck
 Attorney for Petitioner
 Chester, Maryland 21619
 Phone: 643-5081

Elizabeth H. Thomas

Elizabeth H. Thomas,
 Petitioner

WE HEREBY CERTIFY under penalty of perjury that the facts set forth in the above Petition are true.

Elizabeth H. Thomas

Elizabeth H. Thomas

Ellen Hopkins Momberger

Ellen Hopkins Momberger

FILED Aug 2, 1974

CLERK

571

5

IN THE MATTER OF	:	IN THE CIRCUIT COURT FOR
NELLIE RINGGOLD HOPKINS	:	QUEEN ANNE'S COUNTY
FOR THE APPOINTMENT OF A	:	IN EQUITY NO. <u>5552</u>
GUARDIAN OF THE PERSON AND PROPERTY	:	
	:	

ORDER OF COURT

UPON the foregoing Petition and affidavit, IT IS ORDERED this 3rd day of August, 1974, by the Circuit Court for Queen Anne's County, in Equity, that Edward Turner and Walter Litvinuck be and they are hereby appointed Guardians ^{of the Property} of Nellie Ringgold Hopkins, a Disabled Person: with full power and authority to care for and manage and protect the Estate of said disabled person, in accordance with the provisions of Article 93A of the Annotated Code of Maryland and Maryland Rule V 77, without enlargement or limitation; but before the said Guardians shall proceed to act as such, they shall give a corporate bond to the State of Maryland in the penalty of \$60,000⁰⁰, with a surety or sureties to be approved by this Court or the Clerk thereof, for the faithful discharge of their duties as such Guardians.

James A. Lorie
 Judge

Filed Aug. 7, 1974

RECEIVED FOR RECORD *August 1974*

LINER 1 PAGE 576

Bond No. 1-764-650

GUARDIAN BOND
QUEEN ANNE'S COUNTY, MARYLAND

Case No. 5552

Guardianship No. 5552

Know All Men by These Presents: This 3rd day of August, 1974

That we, Edward Turner and Walter Litvinuck and
THE OHIO CASUALTY INSURANCE COMPANY

of Queen Anne's County
County, are held and firmly bound to the State of Maryland, in the sum of \$ 60,000.00

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above

Edward Turner and Walter Litvinuck

as Guardians of the Property of Nellie Ringgold Hopkins, a Disabled Person
of Queen Anne's County County, they shall faithfully account with the Circuit Court of

Queen Anne's County, Maryland, ~~as directed by law~~, as directed by law, for the management of the property
Disabled person
and Estate of the ~~same~~ under their care, and also shall deliver up said property, agreeably to the Order of the

said Court, or the directions of law, and shall in all respects perform the duty of GUARDIAN to the said

Nellie Ringgold Hopkins, a Disabled Person

according to law, then the above obligation shall cease; it shall otherwise remain in full force and virtue in law.

Edward Turner
109 Lawyers Row
Address Centreville, Maryland 21617

Walter Litvinuck
Address Chester, Maryland 21619

THE OHIO CASUALTY INSURANCE COMPANY
201 Padonia Road, West
Address Timonium, Maryland 21093

Michael E. Badolato
Michael E. Badolato, Attorney-in-fact

Queen Anne's
ORDERED BY THE CIRCUIT COURT FOR COUNTY, MARYLAND, Sitting as the Orphans' Court.

The bond filed this 3rd day of August, 1974, is hereby approved; AND

Edward Turner and Walter Litvinuck

heresy appointed Guardians to Nellie Ringgold Hopkins, a Disabled Person

and certificate thereof is Ordered to be issued under seal of this Court.

Charles H. Beck
Clerk

Filed August 16, 1974

Certified copy of Power
of Attorney attached

9 AUG 1974

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from
LIBER C.W.C. No. 1, folio 576, a Bond Record Book for Queen Anne's County.



IN TESTIMONY WHEREOF, I hereunto subscribe
my name and affix the Seal of the Circuit
Court for Queen Anne's County, this sixteenth
day of August, Nineteen hundred and Seventy-
four.

Clerk of the Circuit Court for
Queen Anne's County

IN THE MATTER OF
NELLIE RINGGOLD HOPKINS

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY NO. 5552

PETITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Edward Turner and Walter Litvinuck, Guardians for Nellie Ringgold Hopkins, a Disabled Person, represents unto your Honors:

1. That the Petitioners were appointed Guardians for Nellie Ringgold Hopkins, a Disabled Person, by Decree of this Court the ^{3rd} day of *August*, 1974.
2. That one of the assets of the Guardianship is real estate described as follows:

All that lot or parcel of ground known as the "Harry Hopkins Property" which is improved by a one story home, two cottages and garage, being part of Lots 10 and 11 of the development known as Benton's Pleasure, which property is more particularly described among the Land Records of Queen Anne's County in Liber ASG, Jr. No. 16 folio 600.
3. That Nellie Ringgold Hopkins is presently in a nursing home and will need funds to defray the expenses involved in her care and maintenance .
4. That your Petitioners feel there is a need and necessity to sell the real estate described in order to make available the funds necessary for her care and maintenance.
5. That your Petitioners had the described property appraised by Charles E. Anthony, Jr., which reflected a fair market value of \$ 51,500.00 . A copy of the appraisal is attached herewith and is intended to be made a part hereof.
6. That William C. Thomas and Elizabeth H. Thomas, his wife, desire to purchase the property for the ~~sum of~~ **Fifty Five Thousand Dollars (\$55,000.00)**.
7. That the interested parties, Ellen Hopkins Momberger and Elizabeth H. Thomas, consent and agree to the sale of the property to William C. Thomas and Elizabeth H. Thomas, his wife for \$ 55,000.00 and have joined in said Petition for the purpose of expressing their consent thereto.

WHEREFORE, your Petitioners pray:

A. That this Court pass an Order authorizing the Petitioners to sell the hereinbefore described real estate unto William C. Thomas and Elizabeth H. Thomas, his wife, at and for the sum of \$55,000.

B. And also that this Court further pass this order authorizing your Petitioners as Guardians, aforesaid, to execute a deed

of conveyance of the real estate to William C. Thomas and Elizabeth H. Thomas, His wife.

C. That your Petitioners have such further relief as the case may require.

Respectfully submitted,

~~Ellen Hopkins Mosberger~~ Edward Turner
 Ellen Hopkins Mosberger
 Edward Turner, Esq.
 Petitioner
 109 Lawyer's Row
 Centreville, Maryland, 21617
 Telephone: 758-1795

Elizabeth H. Thomas
 Elizabeth H. Thomas
Walter Litvinuck
 Walter Litvinuck, Esq.
 Petitioner
 Chester, Maryland 21619
 Phone: 643-5081

WE HEREBY CERTIFY under penalty of perjury that the facts set forth in the above Petition are true.

Edward Turner
 Edward Turner

Walter Litvinuck
 Walter Litvinuck

Filed August 16, 1974

APPRAISAL
THE PROPERTY OWNED BY
NELLIE R. HOPKINS
QUEEN ANNE'S COUNTY
MARYLAND

FOR
EDWARD R. TURNER
WALTER LITVINUCK
GUARDIANS FOR
NELLIE R. HOPKINS

BY
CHARLES E. ANTHONY, JR.
APPRAISER
CENTREVILLE, MARYLAND

CHARLES E. ANTHONY, JR.
CENTREVILLE, MARYLAND
21617

July 27, 1974

Mr. Edward R. Turner
Mr. Walter Litvinuck
Attorneys at Law
Centreville, Maryland 21617

RE: Appraisal of Nellie R. Hopkins Property

Dear Gentlemen:

In accordance with your request, I have appraised the above mentioned property.

The total appraised value is Fifty One Thousand Five Hundred (\$51,500) Dollars.

I submit herewith a report which describes the method of approach and sets forth a description of the property, together with an analysis of data and reasoning underlying the conclusions derived in my investigation.

If you have any questions, please contact me.

Respectfully submitted,



Charles E. Anthony, Jr.
Appraiser

CEA:mvw
Encl.

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

Page 1

PURPOSE OF APPRAISAL:

To determine the fair market value of subject property. Fair market value being the price in terms of money that a property would sell for in the open market, within a reasonable length of time; the seller not being obliged to sell and the buyer not being obliged to buy.

LIMITING AND CONTINGENT CONDITIONS:

1. No report on title is included herewith and said title is considered good for the purpose of this appraisal. This appraisal is based on the promise that subject is free and clear of all mortgage indebtedness and there are no liens or special assessments against subject.
2. The appraiser shall not be required to give testimony or appear in court by reason of this appraisal with reference to the property described herein, unless prior arrangements have been made therefore.

DATE OF VALUATION:

July 27, 1974

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

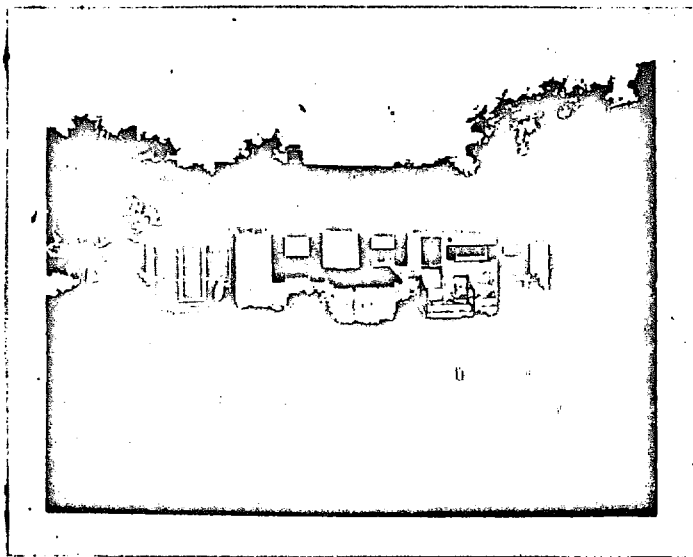
Page 2

LOCATION OF PROPERTY:

This property is located in the Fourth Election District of Queen Anne's County, Maryland. A map is attached showing the location.

DESCRIPTION OF PROPERTY:

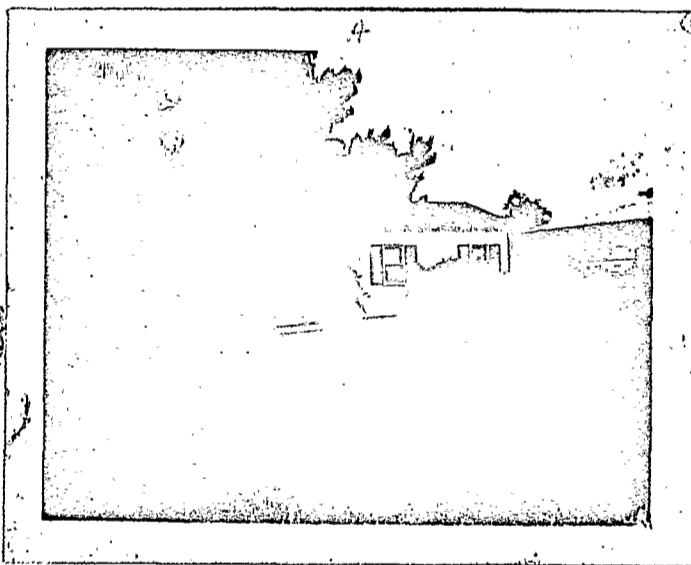
This property consists of two improved waterfront lots in Benten's Pleasure located on Cox Creek. This is a very desirable residential area. Total waterfront of both lots is 200 feet.



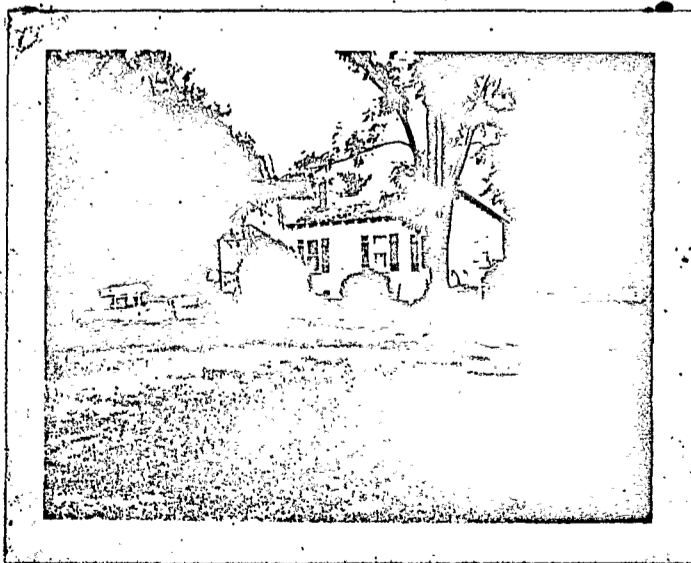
Dwelling

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

Page 3



Cottage A



Cottage B

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

Page 4

TITLE REFERENCE:

ASG 16/600

HIGHEST AND BEST USE:

Single family residence with rental of one or
both cottages.

VALUATION METHOD:

The Market Approach is used to determine the value of the land, wherein comparable sales of similar property are considered. The Cost Approach is used to determine the value of the improvements, wherein the replacement cost is determined less depreciation.

COST APPROACH: (For value of improvements)

Dwelling - One story frame with screen perch. Fair condition. 23 years old. Cheap grade.

14,052 cu. ft. living area @ \$1.23	\$17,284
160 sq. ft. perch @ \$5.27	<u>843</u>
	\$18,127
Depreciation 25%	<u>-4,532</u>
Value	\$13,595

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

Page 5

Cottage A - One story frame in fair condition.

Estimated to be 20 to 30 years old.

Cheap grade.

5,760 cu. ft. of living area @ \$1.07 \$ 6,163

Depreciation 50% -3,082

Value \$ 3,081

Cottage B - One story frame in fair condition.

Estimated to be 20 to 30 years old.

Cheap grade.

7,680 cu. ft. of living area @ \$1.01 \$ 7,757

Depreciation 50% -3,878

Value \$ 3,879

Storage building, frame 16'x30' Value \$ 500

Pier 4'x90' poor condition Value \$ 500

Depreciated Value Improvements \$21,555

MARKET APPROACH: (Land Value)

The following are recent sales of unimproved water-front lots in the immediate area of subject. Attached is a photocopy of the tax map showing the locations of the sales in Benton's Pleasure.

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

Page 6

Comparable #1:

Robert K. Barton from Leonard Drissel, Jr. Lot #4, Benton's Pleasure, 600 feet from subject. 100 feet of waterfrontage by 650 feet of depth. Deed dated November 13, 1974 and recorded CWC 79/250. Consideration \$25,000. This lot offers an additional non-waterfront building site which requires a downward adjustment of \$6,000. The adjusted sale price is \$19,000 indicating a value of \$190 per waterfront foot.

Comparable #2:

C. Willard Thomas from Robert Sherwood. Lots #5 and #6 Benton's Pleasure, 500 feet from subject. 200 feet of waterfrontage by 620 feet of depth. Deed dated June 29, 1972 and recorded CWC 65/303. Consideration \$30,000. This lot offers an additional non-waterfront building site which requires a downward adjustment of \$6,000. This sale also included a well and septic system which requires a downward adjustment of \$1,500. The total adjustment is minus \$7,500 indicating an adjusted sale price of \$22,500. Date of sale requires an upward adjustment of 30%. The final adjusted sale price is \$29,250 or \$146 per waterfront foot.

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

Page 7

Comparable #3:

James B. Carter from Dian Nacrelli. Lot #2, Roy Golt Subdivision 2 miles from subject cross country. 100 feet of waterfront by 295 feet of depth. Deed dated September 19, 1973 and recorded CWC 77/620. Consideration \$20,000. No adjustment for date of sale is necessary because the appraiser is of the opinion that the property sold for above the market at time of sale. Subject has location advantage requiring a downward adjustment of 20%. The adjusted consideration is \$16,000 indicating a value for subject of \$160 per waterfront foot.

SUMMATION OF COMPARABLE SALES:

Sale #1 indicates a waterfront foot value of \$190.

Sale #2 indicates a waterfront foot value of \$146.

Sale #3 indicates a waterfront foot value of \$160.

After a careful consideration of the comparable sales the appraiser is of the opinion that \$150 per waterfront foot is a fair evaluation of subject.

APPRAISAL: Property Owned By
Nellie R. Hopkins
Queen Anne's County, Maryland

Page 8

FINAL APPRAISED VALUE:

Depreciated Value of Improvements	\$21,555
Land - 200 feet waterfront @ \$150	30,000
	<u>\$51,555</u>
Rounded to \$51,500	

Final Appraised Value is Fifty One Thousand Five Hundred
(\$51,500) Dollars.

A copy of the appraiser's qualifications is attached.

The undersigned hereby certifies that to the best of his knowledge and belief, the statements contained in this appraisal are correct, the opinions stated are based on a full and fair consideration of all pertinent facts available, and that he has no present nor contemplated interest in this property, or other interests which would affect his statements or values.

After weighing all factors herein reported to the best of his knowledge and experience, it is his opinion that the appraisal value stated in this report is correct.

Respectfully submitted,

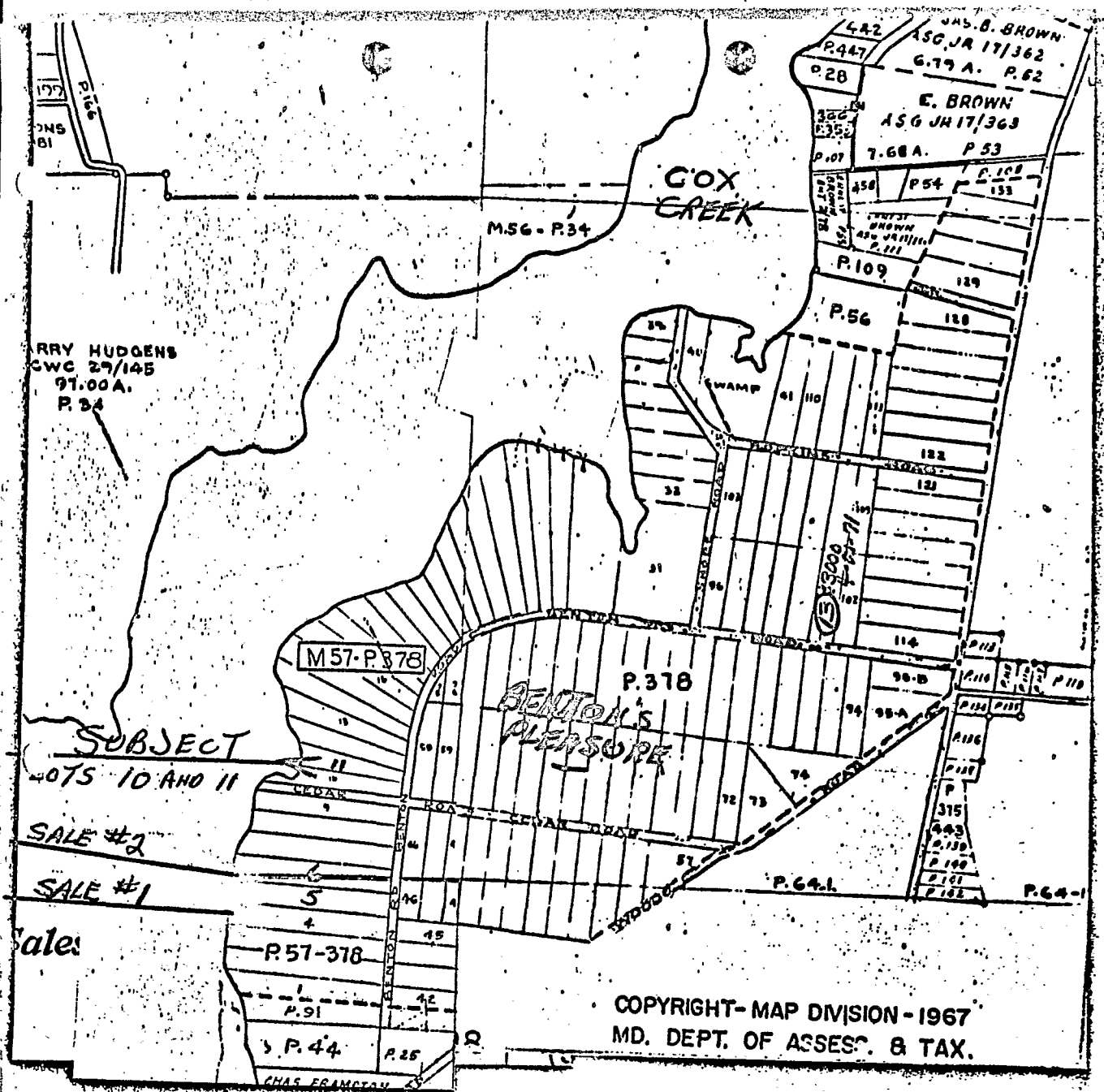


Charles E. Anthony, Jr.

CHARLES E. ANTHONY, JR.
106 SOUTH LIBERTY STREET
CENTREVILLE, MARYLAND
21017

QUALIFICATIONS OF CHARLES E. ANTHONY, JR.

1. Fifteen years experience as a licensed Real Estate Broker in Maryland.
2. State of Maryland appraiser for acquisition of Tuckahoe State Park.
3. Past member of Local, State and National Association of Real Estate Boards.
4. Past president of Maryland State Chapter of Farm and Land Brokers and Kent-Queen Anne's Real Estate Board.
5. Qualified as an Expert Real Estate Witness many times in Queen Anne's County Circuit Court.
6. Past member National Institute of Farm and Land Brokers and one of two "Accredited Farm Brokers" in the State of Maryland, when awarded in 1962.
7. Instructor in Real Estate at Chesapeake College for spring semester 1968.
8. Graduate of University of Maryland College of Agriculture, with Bachelor of Science Degree.
9. Named "Realtor of the Year" by Kent-Queen Anne's County Real Estate Board in 1961 and 1968.
10. Presently employed as Supervisor of Assessments for Queen Anne's County since March 1971.



IN THE MATTER OF
NELLIE RINGGOLD HOPKINS

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
IN EQUITY NO. 5552

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:
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:
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ORDER OF COURT

UPON the foregoing Petition and affidavit, IT IS ORDERED this 5th day of August, 1974, by the Circuit Court for Queen Anne's County, in Equity, that Edward Turner and Walter Litvinuck, Guardians for Nellie Ringgold Hopkins, a Disabled Person, are authorized to sell the real estate in the Guardianship Estate unto William C. Thomas and Elizabeth H. Thomas, his wife, at and for the sum of \$55,000, and IT IS FURTHER ORDERED they are authorized to execute the deed of conveyance unto the said William C. Thomas and Elizabeth H. Thomas, his wife.

James A. Erise
JUDGE

Filed August 16, 1974

IN THE MATTER OF : IN THE CIRCUIT COURT FOR
 NELLIE RINGGOLD HOPKINS, : QUEEN ANNE'S COUNTY
 INCOMPETENT : IN EQUITY NO. 5552

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The following is a list of the assets in the above entitled matter as of August 3, 1974, this being the date that Edward Turner and Walter Litvinuck were appointed Guardians:

REAL ESTATE

Two improved waterfront lots in Benton's
 Pleasure located on Cox Creek, Fourth
 Election District of Queen Anne's County,
 appraised at and for the sum of - \$ 51,500.00

BANK ACCOUNT

Centreville National Bank of Maryland
 Centreville, Maryland 21617 - Checking
 Account No. 068640-06 (funds turned over
 to Edward Turner and Walter Litvinuck,
 Guardians for Nellie Ringgold Hopkins on
 October 7, 1975 from her personal checking
 and savings accounts, and that is the
 date the above account was opened) - 1,221.17

PERSONAL PROPERTY

Misc. - - - 10.00
 TOTAL ASSETS - - - \$ 52,731.17

Respectfully submitted,

Edward Turner
 Edward Turner

Walter Litvinuck
 Walter Litvinuck
 Guardians for Nellie Ringgold Hopkins

FILED
 NOV 4 1975

LIBER

9 PAGE 592

15
IN THE MATTER OF
NELLIE RINGGOLF HOPKINS,
INCOMPETENT

vs.

In the Circuit Court for Queen Anne's County

No. 5552, IN EQUITY

Judgment

Int. from

Costs

Credits


Recorded in Liber _____ folio _____

Mr. Charles W. Cecil, Clerk:

Clerk of the Circuit Court for Queen Anne's County.

You will please have recorded in Judgment En Extenso the following numbered papers in the above entitled case: One and Exhibits, Four, Five, Six, Seven, Eight and Eleven.

FILED
NOV 10 1975


Attorney, ~~Edward~~ Edward Turner, One of the
Guardians for Nellie R. Hopkins

UNITED STATES DISTRICT COURT

FOR THE
DISTRICT OF MARYLAND

DEC -1-75 * 21886 *****73 00
DEC -1-75 A 921886 *****33 00
DEC -1-75 A 921885 *****40 00

UNITED STATES OF AMERICA,
Plaintiff

v.

LOUIS EUGENE DODD, SCOTTOWN
DEVELOPMENT, QUEENSTOWN,
MARYLAND 21658
ALBERTA MAE DODD, SCOTTOWN
DEVELOPMENT, QUEENSTOWN
MARYLAND 21658,

Defendants)

CIVIL NO. Y 75-610
Chy. # 5750

RECEIVED
MAY 13 4 22 PM '75
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

PETITION TO FORECLOSE

Your petitioner, United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, respectfully represents:

1. The Farmers Home Administration is now, and has been at all times herein mentioned, an agency of the United States of America, having an office for the transaction of business at Coleman Enterprise Building, P. O. Box 214, Route 213, Chestertown, Maryland 21620.

2. On or about May 9, 1972, the defendants, Louis Eugene Dodd and Alberta Mae Dodd, his wife, being indebted to the United States by virtue of a loan made to said defendants in the sum of \$16,500.00 duly made, executed, and delivered to the United States of America, acting through

(1) Filed: 13th of May, 1975

the Farmers Home Administration, United States Department of Agriculture, their Promissory Note wherein the said defendants covenanted and agreed to repay said loan as, and under the conditions, therein provided on or before May 9, 2005. A true and complete copy of said Note is attached hereto as Exhibit A and is incorporated by reference herein as fully as if set forth at length herein.

3. To secure the payment of the aforesaid Note, the said defendants, on May 9, 1972, executed and delivered to the United States their indenture of mortgage, conveying to the United States the premises described therein as security for said debt; the said Mortgage was duly recorded in the Queen Anne's County Clerk's Office, Liber 63, Page 597. A true and complete copy of said Mortgage is attached hereto as Exhibit B and is incorporated by reference herein as fully as if set forth at length herein.

4. The United States is now the owner and holder of said Promissory Note and Mortgage; the said defendants, Louis Eugene Dodd and Alberta Mae Dodd, his wife, defaulted in the payment of said Note by not making payments as required; as provided in said Note, and following such default, the United States elected to declare that by reason of said default, the entire balance of said Note remaining unpaid is due and payable forthwith; the defendants and each of them have failed to pay the same; and there is now past due upon said Note the sum of \$18,609.35, plus interest on that amount on and after February 20, 1975, which has accrued and is accruing at the daily rate of \$3.4200. A true and complete copy of the Statement of Account relative to the subject debt is attached hereto as Exhibit C and incorporated by reference herein as fully as if set forth at length herein.

5. By reason of the default of said defendants, the United States is entitled to an Order of this Court foreclosing said Mortgage and ordering the sale of the premises described in said Mortgage in the manner provided by law and ordering the application of the proceeds of such sale in payment of the judgment of the United States against the defendants, Louis Eugene Dodd and Alberta Mae Dodd, his wife.

6. In order to protect the interests of the United States in the assets during the pendency of these proceedings, it is requested by your petitioner that the United States Marshal for the District of Maryland be appointed Trustee without bond for that purpose.

WHEREFORE, the United States demands judgment and order of this Court:

(a) For the aggregate amount of the aforementioned sums and for such other amounts as the Court may find to be due from said defendants in the premises;

(b) Foreclosing the Mortgage described herein; ordering the premises described herein to be sold in the manner provided by law; and ordering that the proceeds be applied to the costs and expenses of sale, next in satisfaction of the Plaintiff's judgment against said defendants, and that the surplus, if any, be deposited in the account of the United States Marshal, subject to further order of the Court;

(c) For the appointment of the United States Marshal for the District of Maryland as Trustee to serve without bond;

(d) For such other and further relief as the Court
may deem proper in the premises.

UNITED STATES OF AMERICA

Jervis S. Finney
JERVIS S. FINNEY
UNITED STATES ATTORNEY
DISTRICT OF MARYLAND

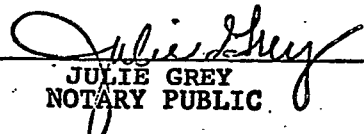
By *Virginia S. Draper*

Assistant United States Attorney
111 North Calvert Street
Baltimore, Maryland 21202
COM: 301-539-2940
FTS: 301-962-4822

STATE OF MARYLAND)
CITY) TO WIT:
~~COUNTY~~/OF Baltimore)

I HEREBY CERTIFY that on this 13 day of MAY 1975, before me, the subscriber, a Notary Public of the State of Maryland, and ~~County~~ of City of Baltimore, personally appeared, Virginia S. Draper, Assistant United States Attorney for the District of Maryland, and made oath in due form of law that the matters and facts contained in the foregoing Petition to Foreclose are true to the best of ~~his~~ ^{her} knowledge, information, and belief.

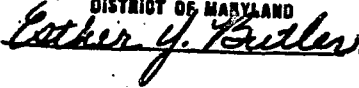
AS WITNESS my hand and Notarial seal.



JULIE GREY
NOTARY PUBLIC

My commission expires July 1, 1978.

I hereby certify on 10/21/75
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal custody.

PAUL R. SCHLITZ
CLERK, U. S. DISTRICT COURT
DISTRICT OF MARYLAND
By  Deputy

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff

v.

LOUIS EUGENE DODD, SCOTTOWN
DEVELOPMENT, QUEENSTOWN,
MARYLAND 21658
ALBERTA MAE DODD, SCOTTOWN
DEVELOPMENT, QUEENSTOWN
MARYLAND 21658,

Defendants)

CIVIL NO. Y-75-610

ORDER

Upon consideration of the Petition of the United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, seeking sale of certain real property described in the Real Estate Mortgage referred to in said Petition, it is this 14th day of May, 1975,

ORDERED:

1. The United States Marshal for the District of Maryland is hereby appointed Trustee without bond.
2. The said Trustee is hereby directed to sell on behalf of the Farmers Home Administration, its successors or assigns, or its duly authorized attorney, the property set forth in said Mortgage in accordance with the terms and powers conferred upon him therein, after having first


(2) Filed: 14th of May, 1975

notified all interested parties by publishing said notification once a week for at least four (4) weeks prior to the date of the sale in a newspaper of general circulation in the county in which the property lies.

3. The terms of said sale shall be all cash; a deposit of fifteen percent (15%) of the purchase price shall be required at the time of sale, the balance to be paid within ten (10) days after final ratification of said sale by this Court. In the event of default by the purchaser, the property shall be resold at the risk and cost of the defaulting purchaser. All conveyancing, recording, revenue stamps, and other expenses of sale shall be at the cost of the purchaser.

4. After said Trustee has complied with the order of this Court, such sale shall be reported back to this Court for approval and ratification.

5. The proceeds of such sale shall be deposited into the account of the United States Marshal to be distributed as the Court shall direct after review and accounting thereof.


U. S. Magistrate
United States District Court

I hereby affirm and certify on 10/21/75
that this document is a full, true and correct
copy of the original on file in my office and in my
possession.

PAUL R. SCHLITZ

CLERK OF THE COURT

By Ester J. Butler Deputy

USA-35-47
Ed. 11/2/66
VSU:GZ/75-1114

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. Y-75-610

v.

LOUIS EUGENE DODD and his wife
ALBERTA MAE DODD
Defendants

* * * * *

REPORT OF SALE

RECEIVED
JUL 21 4 38 PM '75
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of Sale by John W. Spurrier, United States Marshal for the District of Maryland, Trustee in the above-entitled matter, by Jervis S. Finney, United States Attorney for the District of Maryland, and Virginia S. Draper, Assistant United States Attorney for said District, respectfully represents:

1. That Louis Eugene Dodd and his wife Alberta Mae Dodd

Having defaulted in their payments on their promissory note to the United States (Department of Agriculture), notice of sale of certain real property described in the real estate mortgage referred to in the Petition to Foreclose heretofore filed by the United States was duly given by publication in Queen Anne's Record Observer, a newspaper published in Centreville, Maryland.

2. That pursuant to the Order of this Honorable Court dated May 14, 1975, authorizing the Trustee to sell the aforesaid property of Louis Eugene Dodd and his wife Alberta Mae Dodd, a public sale was held on July 8, 19 75, on the premises known as Lot No. 5, Block A, Scottown Development, Queenstown, Maryland 21658,

said property being covered by the real estate mortgage heretofore filed in this proceeding.

⑤ Filed 23rd of July, 1975

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. Y-75-610

v.

LOUIS EUGENE DODD and his wife
ALBERTA MAE DODD
Defendants

* * * * *

ORDER NISI

ORDERED, this 23rd day of July, 19 75, by
the United States District Court for the District of Maryland, that the
sale of the real property described in the above-entitled proceedings,
made and reported by John W. Spurrier, United States Marshal
for the District of Maryland, Trustee, to the Farmers Home Administration
of the U.S. Department of Agriculture, for the sum of \$ 19,082.00,
said purchaser being the highest bidder therefor, be ratified and confirmed
unless cause to the contrary be shown on or before the 29th day of
SEPTEMBER, 19 75, provided that a copy of this Order be inserted
in some newspaper published in Centreville, Maryland, once
a week for three successive weeks preceding AUGUST 27, 19 75.

Frank A. Kaufman
Judge

United States District Court

~~JOSEPH P. WOODRICK~~
FRANK A. KAUFMAN

I hereby attest and certify on 10/21/75
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal custody.

PAUL R. SCHLITZ
CLERK, U. S. DISTRICT COURT
DISTRICT OF MARYLAND

By Eatherly Butler Deputy

USA-35-49
Ed. 11/2/66
DHF:JLM
75-1114

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. Y-75-610

v.

LOUIS EUGENE DODD and his
wife ALBERTA MAE DODD

Defendants.

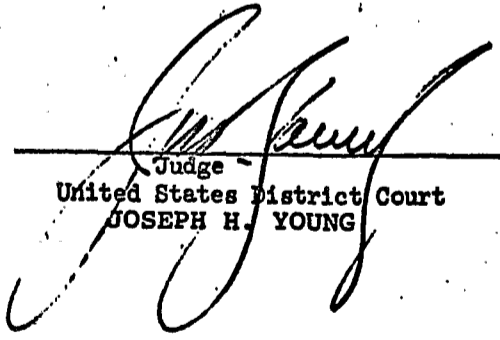
* * * * *

RECEIVED
OCT 1 11 00 AM '75
CLERK,
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

ORDER

Compliance having been had with the Order of this Court dated
May 14, 19 75, requiring publication of sale made by
John W. Spurrier, United States Marshal for the District of
Maryland, Trustee, on July 8, 19 75, as evidenced by
Certification of Publication heretofore filed, and no cause to the contrary
having been shown,

IT IS ORDERED this 3rd day of October, 19 75, by
the United States District Court for the District of Maryland; that the sale
heretofore reported in these proceedings to the Farmers Home Administration,
United States Department of Agriculture, its successors
and assigns, at and for the sum of \$ 19,082.00, be and the same is
hereby ratified and confirmed.



Judge
United States District Court
JOSEPH H. YOUNG

I hereby attest and certify on PA/R/S
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal custody.

PAUL R. SCHLITZ
CLERK, U. S. DISTRICT COURT
DISTRICT OF MARYLAND
By Eatherly Butler Deputy

MicroFilmed
Date OCT 6 1975

① Filed 3 October, 1975

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DEC-5-75 * 22066 *****70 M
DEC-5-75 A 22066 *****30 M
DEC-5-75 A 22065 *****40 M

UNITED STATES OF AMERICA,
Plaintiff

-vs-

CIVIL NO. M 75-611
5754

LOUIS HENRY ANDERSON, JR.,
Post Office Box 104,
Grasonville, Maryland 21638,

ADA BEATRICE ANDERSON,
Post Office Box 104,
Grasonville, Maryland 21638,

Defendants

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MAY 13 4 33 PM '75

PETITION TO FORECLOSE

Your petitioner, United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, respectfully represents:

1. The Farmers Home Administration is now, and has been at all times herein mentioned, an agency of the United States of America, having an office for the transaction of business at Coleman Enterprise Building, Post Office Box 214, Route 213, Chestertown, Maryland 21620.
2. On or about September 25, 1970, the defendants, Louis Henry Anderson, Jr. and Ada Beatrice Anderson, his wife, being indebted to the United States by virtue of a loan made to said defendants in the sum of \$14,950.00 duly made, executed, and delivered to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, their Promissory Note wherein the

(1) Filed: 13th of May, 1975

FILED
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said defendants covenanted and agreed to repay said loan as, and under the conditions, therein provided on or before September 25, 2003. A true and complete copy of said Note is attached hereto as Exhibit A and is incorporated by reference herein as fully as if set forth at length herein.

3. To secure the payment of the aforesaid Note, the said defendants, on September 25, 1970, executed and delivered to the United States their indenture of mortgage, conveying to the United States the premises described therein as security for said debt; the said Mortgage was duly recorded in the Queen Anne's County Clerk's Office, Liber 50, Page 181. A true and complete copy of said Mortgage is attached hereto as Exhibit B and is incorporated by reference herein as fully as if set forth at length herein.

4. The United States is now the owner and holder of said Promissory Note and Mortgage; the said defendants, Louis Henry Anderson, Jr. and Ada Beatrice Anderson, his wife, defaulted in the payment of said Note by not making payments as required; as provided in said Note, and following such default, the United States elected to declare that by reason of said default, the entire balance of said Note remaining unpaid is due and payable forthwith; the defendants and each of them have failed to pay the same; and there is now past due upon said Note the sum of \$17,591.50, plus interest on that amount on and after February 5, 1975, which has accrued and is accruing at the daily rate of \$2.8592. A true and complete copy of the Statement of Account relative to the subject debt is attached hereto as Exhibit C and incorporated by reference herein as fully as if set forth at length herein.

- 3 -

5. By reason of the default of said defendants, the United States is entitled to an Order of this Court foreclosing said Mortgage and ordering the sale of the premises described in said Mortgage in the manner provided by law and ordering the application of the proceeds of such sale in payment of the judgment of the United States against the defendants, Louis Henry Anderson, Jr. and Ada Beatrice Anderson, his wife.

6. In order to protect the interests of the United States in the assets during the pendency of these proceedings, it is requested by your petitioner that the United States Marshal for the District of Maryland be appointed Trustee without bond for that purpose.

WHEREFORE, the United States demands judgment and order of this Court;

(a) For the aggregate amount of the aforementioned sums and for such other amounts as the Court may find to be due from said defendants in the premises;

(b) Foreclosing the Mortgage described herein; ordering the premises described herein to be sold in the manner provided by law; and ordering that the proceeds be applied to the costs and expenses of sale, next in satisfaction of the plaintiff's judgment against said defendants, and that the surplus, if any, be deposited in the account of the United States Marshal, subject to further order of the Court;

(c) For the appointment of the United States Marshal for the District of Maryland as Trustee to serve without bond;

(d) For such other and further relief as the Court may deem proper in the premises.

UNITED STATES OF AMERICA

Jervis S. Finney
JERVIS S. FINNEY
United States Attorney

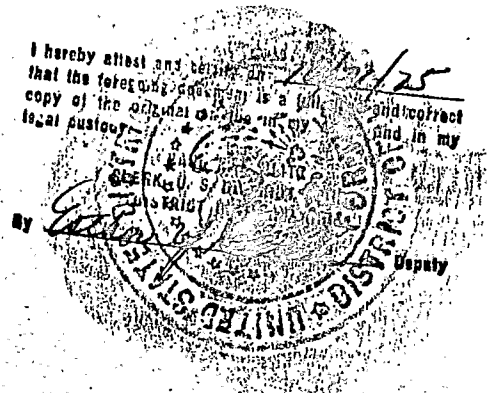
Virginia S. Draper
VIRGINIA S. DRAPER
Assistant United States Attorney
405 United States Courthouse
111 N. Calvert Street
Baltimore, Maryland 21202
301/962-4822 FTS
301/539-2940 LOCAL

STATE OF MARYLAND)
) TO WIT:
CITY OF BALTIMORE)

I HEREBY CERTIFY that on this 13 day of May, 1975, before me, the subscriber, a Notary Public of the State of Maryland, and City of Baltimore, personally appeared Virginia S. Draper, Assistant United States Attorney for the District of Maryland, and made oath in due form of law that the matters and facts contained in the foregoing Petition to Foreclose are true to the best of her knowledge, information, and belief.

AS WITNESS my hand and Notarial seal.

Julie Grey
JULIE GREY, Notary Public
My Commission Expires July 1, 1978



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff,

-vs-

LOUIS HENRY ANDERSON, Jr.,
Post Office Box 104,
Grasonville, Maryland 21638

ADA BEATRICE ANDERSON,
Post Office Box 104,
Grasonville, Maryland 21638,

Defendants

CIVIL NO. M-75-611

O R D E R

Upon consideration of the Petition of the United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, Jervis S. Finney, United States Attorney for the District of Maryland, seeking sale of certain real property described in the Real Estate Mortgage referred to in said Petition, it is this 14th day of May, 1975,

ORDERED

1. The United States Marshal for the District of Maryland is hereby appointed Trustee without bond.
2. The said Trustee is hereby directed to sell on behalf of the Farmers Home Administration, its successors or assigns, or its duly authorized attorney, the property set forth in said Mortgage in accordance with the terms and powers conferred upon him therein, after having first notified all interested parties by publishing said notification


(2) Filed: 14th of May, 1975

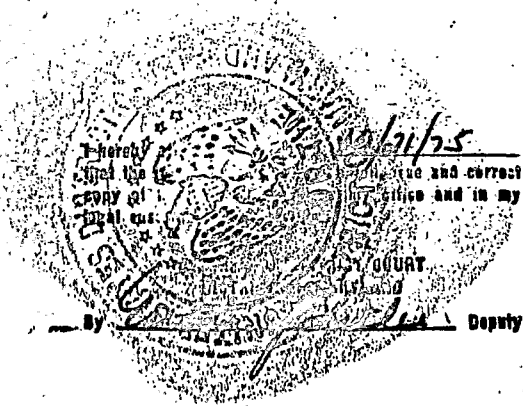
once a week for at least four (4) weeks prior to the date of the sale in a newspaper of general circulation in the county in which the property lies.

3. The terms of said sale shall be all cash; a deposit of fifteen percent (15%) of the purchase price shall be required at the time of sale, the balance to be paid within ten (10) days after final ratification of said sale by this Court. In the event of default by the purchaser, the property shall be resold at the risk and cost of the defaulting purchaser. All conveyancing, recording, revenue stamps, and other expenses of sale shall be at the cost of the purchaser.

4. After said Trustee has complied with the order of this Court, such sale shall be reported back to this Court for approval and ratification.

5. The proceeds of such sale shall be deposited into the account of the United States Marshal to be distributed as the Court shall direct after review and accounting thereof.


U. S. Magistrate
United States District Court



USA-35-47
Ed. 11/2/66

VSD:GZ/75-0043

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. M-75-611

v.

LOUIS HENRY ANDERSON, JR.
and his wife ADE BEATRICE ANDERSON
Defendants

* * * * *

REPORT OF SALE

RECEIVED
JUL 21 4 38 PM '75
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of Sale by John W. Spurrier, United States Marshal for the District of Maryland, Trustee in the above-entitled matter, by Jervis S. Finney, United States Attorney for the District of Maryland, and Virginia S. Draper, Assistant United States Attorney for said District, respectfully represents:

1. That Louis Henry Anderson, Jr. and his wife Ada Beatrice Anderson Having defaulted in their payments on their promissory note to the United States (Department of Agriculture), notice of sale of certain real property described in the real estate mortgage referred to in the Petition to Foreclose heretofore filed by the United States was duly given by publication in the Kent County News, a newspaper published in Chestertown, Maryland.

2. That pursuant to the Order of this Honorable Court dated May 14, 1975, authorizing the Trustee to sell the aforesaid property of Louis Henry Anderson, Jr. and h/w Ada Beatrice Anderson, a public sale was held on July 8, 19 75, on the premises known as Lout #2, R & R Development, Grasonville, Maryland 21638, said property being covered by the real estate mortgage heretofore filed in this proceeding.

⑤ Filed 23rd July, 1975.

USA-35-48
Ed. 11/2/66
VSD:GZ/75-0043

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. M-75-611

v.

LOUIS HENRY ANDERSON, JR. and his
wife ADA BEATRICE ANDERSON
Defendants

* * * * *

ORDER NISI

ORDERED, this 23rd day of July, 19 75, by
the United States District Court for the District of Maryland, that the
sale of the real property described in the above-entitled proceedings,
made and reported by John W. Spurrier, United States Marshal
for the District of Maryland, Trustee, to the Farmers Home Administration,
U.S. Department of Agriculture, for the sum of \$ 18,109.00,
said purchaser being the highest bidder therefor, be ratified and confirmed
unless cause to the contrary be shown on or before the 22nd day of
September, 19 75, provided that a copy of this Order be inserted
in some newspaper published in Chestertown, Maryland, once
a week for three successive weeks preceding August 20, 19 75.

James R. Miller, Jr.
Judge
United States District Court
James R. Miller, Jr.

I hereby certify and certify that the foregoing is a true and correct copy of the original on file in my legal custody.
By *[Signature]* Deputy

USA-35-49
Ed. 11/2/66
DHF:JLM
75-0043

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CLERK,
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. M-75-611

v.

LOUIS HENRY ANDERSON, JR.
and his wife ADA BEATRICE
ANDERSON

Defendants

* * * * *

ORDER

Compliance having been had with the Order of this Court dated
July 23, 19 75, requiring publication of sale made by
John W. Spurrier, United States Marshal for the District of
Maryland, Trustee, on July 8, 19 75, as evidenced by
Certification of Publication heretofore filed, and no cause to the contrary
having been shown,

IT IS ORDERED this 25th day of September, 19 75, by
the United States District Court for the District of Maryland, that the sale
heretofore reported in these proceedings to the Farmers Home Administration,
United States Department of Agriculture, its successors
and assigns, at and for the sum of \$ 18,109.00, be and the same is
hereby ratified and confirmed.

James R. Miller
Judge
United States District Court
JAMES R. MILLER, JR

I hereby attest and certify that the foregoing document is a true and correct copy of the original on file in my legal custody.

By *[Signature]*
Clerk of the District of Maryland

⑦

Filed 25 41 of Sept, 1975

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Date
OCT 8 1975

Case Photographed in Error.

LATER 9 PAGE 614

FANNIE LOUISE WATERS
Price
Maryland 21656
COMPLAINANT

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY

vs.

BRYANT CRANSTON WATERS
2415 North Market Street
Wilmington, Delaware 19802
RESPONDENT

EQUITY NO. 5896

BILL OF COMPLAINT

NOV -9-76 * 24195 ***** 00
NOV -9-76 A 24195 ***** 00

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Fannie Louise Waters, Complainant, by Edward Turner, her attorney, complaining, says:

1. That the parties hereto were married June 17, 1966, in Wilmington, New Castle County, Delaware, by Reverend Lawson, a Minister of the Gospel.
2. That your Complainant is a resident of Queen Anne's County and has been a resident of the State of Maryland for more than one (1) year prior to the filing of this Bill of Complaint; and that the Respondent is a resident of Wilmington, New Castle County, Delaware.
3. That there were two children born as a result of this marriage namely; ROSALIND LOUISE WATERS, born October 20, 1970, and STACY WILMORE WATERS, born March 8, 1969, who are now and have always been in the custody of your Complainant.
4. That the parties hereto separated in or about the month of June or July, 1971, and have lived separate and apart without any cohabitation and without interruption for the three year period from the aforementioned June or July, 1971, to the date of the filing of this Bill of Complaint; and said separation is deliberate and final and beyond any reasonable expectation of reconciliation.
5. That the Respondent is not in the Military Service of the United States or any nation allied with the United States.


TO THE END, THEREFORE:

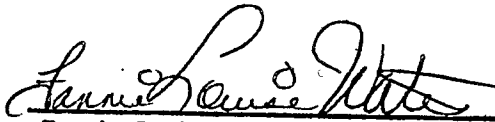
1. That your Complainant may be divorced A VINCULO MATRIMONII from the said Bryant Cranston Waters.
2. That your Complainant may be awarded the guardianship and custody of the minor children, namely, Rosalind Louise Waters and Stacy Wilmore Waters, and that the Respondent may be required to contribute a reasonable sum for the support and maintenance of said minor children.

FILED
NOV 9 1976

3. That your Complainant may have such other and further relief as her case may require.

AND, AS IN DUTY BOUND, ETC.

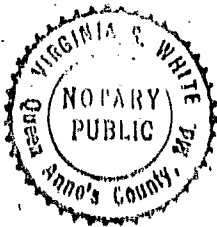

Edward Turner
Attorney for Complainant
109 Lawyers Row
Centreville, Maryland 21617
Telephone: 758-1795

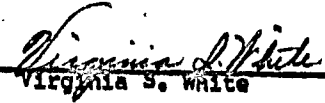

Fannie Louise Waters
Complainant

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 3rd day of November, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County and State aforesaid, personally appeared FANNIE LOUISE WATERS, the Complainant, and she made oath in due form of law that the matters and facts set forth in the foregoing Bill of Complaint are true to the best of her knowledge, information and belief.

AS WITNESS my hand and notarial seal.




Virginia S. White
Notary Public
My commission expires July 1, 1978.

Case Photographed in Error

Case Photographed in Error

CIRCUIT COURT FOR QUEEN ANNE'S COUNTY

EQUITY SUMMONS:



_____ Return Day

File No. 5896 Chy.

Docket C.W.C. #5

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, to wit:

TO THE SHERIFF OF QUEEN ANNE'S COUNTY, GREETING:

You are hereby commanded to summon

BRYANT CRANSTON WATERS
2415 North Market Street
Wilmington, Delaware 19802

of _____ County, to the Circuit Court for Queen Anne's County,

~~XXXXXX~~ _____ ~~XXXXXX~~ to answer an action at the

suit of **FANNIE LOUISE WATERS**
Price
Maryland 21656

and have you then and there this Writ:

WITNESS, The Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

Issued 9th day of November, 1976.

TO THE PERSON(S) SUMMONED:

Personal attendance in court on the day named in the summons is not required; you have ~~XXXXXX~~ **SIXTY** days from date of service ~~XXXXXX~~ to answer or make your defense. Unless you answer or make other defense within the time named, Plaintiff(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Plaintiff(s) Attorney's

Name: Edward Turner
109 Lawyers Row
Address: Centreville, Md. 21617
758-1795

Name: _____

Address: _____

Charles H. Bell Clerk

Copy of summons and proceedings delivered to Attorney for service.

SHERIFF'S RETURN

I HEREBY CERTIFY that on the _____ day of _____, 19____, I read the within writ to the Defendant—therein named, and copy of process and pleadings left with _____

Sheriff of _____ County

FANNIE LOUISE WATERS
 Price
 Maryland 21656
 COMPLAINANT

vs.

BRYANT CRANSTON WATERS
 2415 North Market Street
 Wilmington, Delaware 19802
 RESPONDENT

IN THE CIRCUIT COURT FOR
 QUEEN ANNE'S COUNTY
 EQUITY NO. 5896

CERTIFICATE OF REGISTERED MAIL
NOTICE TO NON-RESIDENT RESPONDENT

The undersigned, Attorney for the Complainant, Fannie Louise Waters, does hereby certify that the certified copy of the Bill of Complaint was served on Bryant Cranston Waters, Respondent, by mailing the same to him at his last known address, 2415 North Market Street, Wilmington, Delaware 19802, on November 9, 1976, and that service of the same was accepted by Bryant Cranston Waters on November 13, 1976, per certified mail notice and return receipt attached hereto and made a part hereof.

Edward Turner

Edward Turner
 Attorney for Complainant
 109 Lawyers Row
 Centreville, Maryland 21617

NOV 1 1976

PS Form 3800, Jan. 1976

1. The following service is requested (check one):

Show to whom and date delivered..... 15¢

Show to whom, date, & address of delivery..... 25¢

RESTRICTED DELIVERY.
 Show to whom and date delivered..... 25¢

RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery..... 25¢

2. ARTICLE IDENTIFICATION

Mr. Bryant Cranston Waters
 2415 North Market Street
 Wilmington, Delaware 19802

3. ARTICLE IDENTIFICATION

REGISTERED NO. 311971

4. I have received the article described above.

SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY

6. ADDRESS (Complete only if required)

7. UNABLE TO DELIVER REASON

No. 311971

RECEIPT FOR CERTIFIED MAIL

SENT TO	Mr. Bryant Cranston Waters	POSTMARK OR DATE
STREET AND NO.	2415 North Market Street	CENTREVILLE NOV 9 1976 MD.
P.O., STATE AND ZIP CODE	Wilmington, Dela 19802	
OPTIONAL SERVICES FOR ADDITIONAL FEES		
RETURN RECEIPT SERVICES	<input checked="" type="checkbox"/> Show to whom and date delivered (with restricted delivery)	PS FORM 3800 JAN 1976
	<input type="checkbox"/> Show to whom, date, and where delivered (with restricted delivery)	
SPECIAL DELIVERY (extra fee required)		
NO INSURANCE COVERAGE PROVIDED—NOT FOR INTERNATIONAL MAIL		(See other side) ☆ GPO: 1975-O-391-452

FILED
 NOV 15 1976

LIBER 9 PAGE 617

Case Photographed in Error

FANNIE LOUISE WATERS
Price
Maryland 21656
COMPLAINANT

9 618

IN THE CIRCUIT COURT FOR
QUEEN ANNE'S COUNTY
EQUITY NO. 5896

VS.

BRYANT CRANSTON WATERS
2415 North Market Street
Wilmington, Delaware 19802
RESPONDENT

DECREE PRO CONFESSO

The Respondent, Bryant Cranston Waters, having been duly summoned to appear to the Bill of Complaint to answer said Bill of Complaint filed in this cause, and having failed to appear and answer thereto, according to the exigency of the said writ:

IT IS THEREUPON, this 12th day of January, 1977, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED AND DECREED, that the Complainant is entitled to relief in the premises, and that the Bill of Complaint be and is hereby taken pro confesso against the Respondent, Bryant Cranston Waters, but because it doth not certainly appear to what relief the Complainant is entitled, it is further ADJUDGED AND ORDERED that leave is granted to the Complainant to take testimony before any one of the standing Examiners of this Court to support the allegations of the Bill.

K. Thomas Ferguson

JUDGE

FILED
JAN 12 1977

Case Photographed in Error

HENRY W. CARMILE
323 N. Calhoun Street
Baltimore, Md. 21217,

Plaintiff

vs.

WILL CARMILE, also known as
Walter Johnson, address unknown,

and

Unknown Heirs, Devisees or
Personal Representatives of the
said Will Carmile, a/k/a, Walter
Johnson, and of Susie Pritchett,
deceased, and of Lillie Dodd,
deceased, and of Charles Wilson,
deceased,

Defendants

* In the Circuit Court for

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Queen Anne's County

in Equity

Cause No. 2076 ~~577~~ 533 ****40 00
JAN 28-76 A 523633 ****40 00

BILL TO QUIET TITLE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1. That your Orator is in actual peaceable possession of all that lot or parcel of land, improved by a dwelling, situate in the Town of Church Hill in the Second Election District of Queen Anne's County, Maryland, at the extreme easterly end of Agnes Street, bounded on the east by land of or formerly of Harry F. Callahan, on the south by land of or formerly of John Thomas, on the west by land of or formerly of James Seney and on the north by Agnes Street, having a frontage on said street of 200 feet, more or less, being the same land which was granted by Frances C. Legg, single, unto William Henry Dodd for life, with remainder to your Orator in fee simple, by deed dated April 8, 1958, and recorded among the land records of Queen Anne's County in Liber T.S.P. No. 40, folio 287, of which a photocopy is filed herewith marked "Plaintiff's Exhibit A", the said William Henry Dodd having died on December 17, 1973.

2. That the above described real estate is the same lot of land which was granted to Charles Wilson by J. Frank Temple and wife by deed dated November 4, 1890 and recorded among said land records in Liber W.D. No. 5, folio 120, of which a photocopy is filed herewith, marked "Plaintiff's Exhibit B".

3. That the said Charles Wilson died intestate in 1927, residing in Queen Anne's County, seized and possessed of said real estate, leaving surviving him as his heirs a daughter, Lillie Dodd, and Susie Pritchett, a granddaughter and the child of Mollie Wilson, a daughter of the decedent who predeceased him.

4. That the said Lillie Dodd was in exclusive, actual, notorious, adverse possession of said real estate from 1927 until her death, which occurred on July 23, 1952. During this period she claimed title adversely to Susie Pritchett.

5. That the said Lillie Dodd died intestate, residing in Queen Anne's County, leaving surviving her as her heirs her husband, the said William Henry Dodd, and two sons, your Orator and the Defendant Will Carmile, also known as Walter Johnson, if the latter was indeed then living.

6. That the said William Henry Dodd and your Orator granted said real estate to the said Frances C. Legg by deed dated October 29, 1957 and recorded on April 8, 1958 in said Liber T.S.P. No. 40, folio 285, of which a photocopy is filed herewith marked "Plaintiff's Exhibit C".

7. That your Orator has been informed that Susie Pritchett died many years ago. He has been unable to ascertain the identity of her successors in interest, having inquired of certain long standing residents of the Town of Church Hill, namely E. W. Sterling, Bessie L. Deaton and Mary Rebecca Hollingsworth.

8. That your Orator has no knowledge of whether Will Carmile, a/k/a Walter Johnson, is living or dead, or of the identity of his successors in interest if he has died, having heard nothing of him since about the year 1937.

9. That no hostile outstanding claim is being actively asserted against your Orator's title to said real estate.

10. That no action at law or proceeding in equity is pending to enforce or test the validity of your Orator's title to said real estate or of any claim adverse to said title.

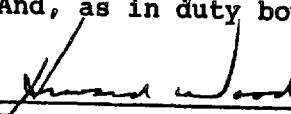
The undersigned does solemnly declare and affirm under the penalties of perjury that the contents of paragraph 7 relating to inquiries of residents of Church Hill, Maryland, are true.

TO THE END, THEREFORE:

1. That a decree may be passed by your Honors to the effect that your Orator has absolute ownership and the right of disposition of said real estate and enjoining the assertion by Defendants or any of them of their respective claims by any action at law or otherwise.

2. That your Honors may order the Sheriff of Queen Anne's County to set up a copy of an Order of Publication upon the land, in accordance with Rule 111a in lieu of service by publication pursuant to Section b of Rule 105.

And, as in duty bound, etc.


Howard Wood
Attorney for Plaintiff
119 Lawyers Row
Centreville, Maryland 21617
Telephone: 758-1460

FILED
JAN 28 1976

ORDER OF COURT

2
ORDERED this 29th day of January 1976, by the Circuit Court for Queen Anne's County in Equity that an Order of Publication be issued against the Defendants and that the Sheriff set up a copy of said Order of Publication upon the land and thereafter file his certificate in this cause proving the fact and date of posting.

B. Hacht Turner Jr.
JUDGE

FILED
JAN 29 1976

RECEIVED FOR RECORD April 8 1958

THIS DEED, made this 8th day of April, 1958, by and between FRANCES C. LEGG, single lady, of Queen Anne's County, State of Maryland, party of the first part; and WILLIAM HENRY DODD, of Queen Anne's County, State of Maryland, party of the second part.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part, Frances C. Legg, does hereby grant and convey unto the party of the second part, William Henry Dodd, for and during the term of his natural life and no longer, and from and after the death of the said William Henry Dodd to Henry Carmile, his heirs and assigns, in fee simple, the following described real estate, to wit:

ALL that lot or parcel of land situate, lying and being in or near the Town of Church Hill, in the Second Election District of Queen Anne's County, State of Maryland, in that section of the said Town known as "New Town" which said lot or parcel of land is situate at the extreme Easterly end of Agnes Street, bounded on the East by the lands of Harry S. Callahan, on the South by the lands of John Thomas, on the West by the lands of James Seney and on the North by the aforesaid Agnes Street, having a frontage on said Street of 200 feet, more or less; and

BEING all that land conveyed unto Frances C. Legg by William Henry Dodd and Henry Carmile by deed of even date herewith, recorded or intended to be recorded among the Land Records of Queen Anne's County immediately prior hereto.

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

TO HAVE AND TO HOLD said lot or parcel 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 William Henry Dodd, for and during the term of his natural life, and no longer, and from and after the death of the said William Henry Dodd to Henry Carmile, his heirs and assigns, in fee simple, forever.

AND the said party of the first part, Frances C. Legg, does hereby covenant that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that she will warrant specially the property hereby granted and conveyed; and that she will execute such further assurances of the same as may be requisite.

Plaintiff's Exhibit A

Examiner's Exhibit A

FILED
JAN 28 1976

Original made by Henry Carmile
323 N. Calhoun St.
P. O. Box 17
Annapolis, Md.

WITNESS the hand and seal of said Grantor:

TEST:

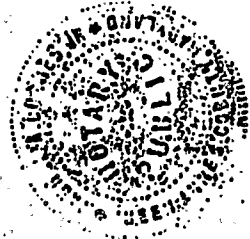
Mitchell A. Downes, Jr. Frances C. Legg (SEAL)
(Frances C. Legg)

STATE OF MARYLAND,
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that on this 8th day of April, 1957, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Frances C. Legg, single lady, and she acknowledged the foregoing Deed to be her act.

WITNESS my hand and Notarial Seal.

Mitchell A. Downes, Jr.
NOTARY PUBLIC
My Comm. Expires: May 4, 1959



A Notary Public, in and for the County of Arapahoe, duly commissioned and qualified, and authorized by the laws of Colorado, do take the same; that I am well acquainted with his hand writing, and verily believe the signature to the said acknowledgment is genuine; and further that the aforesaid instrument is executed and acknowledged according to the laws of said State.

Arapahoe County
State of Colorado
J. H. Smith

In Testimony Whereof, I have set my hand and affixed my official seal, at Denver, in said County, this 29 day of Oct. A.D. 1890.
J. H. Smith
County Clerk.

W.D. 5/120

Queen Anne's County, to wit: Be it remembered, that on the fifth day of November, in the year One Thousand eight hundred and ninety, the following Deed was brought to be recorded, to wit:

This Deed, made this fourth day of November, Eighteen hundred and ninety, by J. Frank Temple and Mary E. Temple, his wife, Betwixt and Betwixt, that in consideration of the sum of seventy five dollars; We the said J. Frank Temple and Mary E. Temple, his wife, do hereby grant and convey unto Charles Johnson, of Church Hill, Queen Anne's County, Maryland, all that lot of land, situated near Church Hill, and Southeast therefrom, being a part of a lot of land which was conveyed to the said J. Frank Temple by J. & B. Palmer Keating, Masters to sell the real estate of Dr. J. H. Green, deceased, said Deed bearing date December the first Eighteen hundred and eighty seven, and recorded in Liber N. D. N. 1. folio 38; a Land Record Book for Queen Anne's County; and said lot of land being on the South side of Agnes Street and at the extreme Easterly end of said Agnes Street, and beginning at the North end of a divisional line between the lot of land owned by Stephen H. Deat and the land hereby conveyed, and running South west by and with said divisional line a distance two hundred feet, and from thence in a Southeasterly direction to the lands of Miss Ford and from thence by and with lands of Miss Ford in a North Easterly direction to the South side of the aforesaid Agnes Street, and from thence by and with the South side of Agnes Street to the place of Beginning.
Deat John H. Carter.

J. Frank Temple
Mary E. Temple

State of Maryland; Queen Anne's County, to wit: I hereby certify that on this third day of November, Eighteen hundred and ninety, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared J. Frank Temple and Mary E. Temple, his wife and did each acknowledge the foregoing Deed to be their respective acts.
John H. Carter, J. P.

1777. Enclosed by delivery to C. E. Williams Dec. 30 1890

JAN 28 1896

PLAINTIFF'S EXHIBIT A

Common's Exhibit A

RECEIVED FOR RECORD April 8, 1958

THIS DEED, made this 29th day of October 1957, by and between WILLIAM HENRY DODD, widower, of Queen Anne's County, State of Maryland, and HENRY CARMILE, ^{widower} of Baltimore City, State of Maryland, parties of the first part; and FRANCES C. LEGG, of Queen Anne's County, State of Maryland, party of the second part.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part, William Henry Dodd and Henry Carmile, do hereby grant and convey unto the party of the second part, Frances C. Legg, her heirs and assigns, in fee simple, the following described real estate, to wit:

ALL that lot or parcel of land situate, lying and being in or near the Town of Church Hill, in the Second Election District of Queen Anne's County, State of Maryland, in that section of the said Town known as "New Town" which said lot or parcel of land is situate at the extreme Easterly end of Agnes Street, bounded on the East by the lands of Harry S. Callahan, on the South by the lands of John Thomas, on the West by the lands of James Seney and on the North by the aforesaid Agnes Street, having a frontage on said Street of 200 feet, more or less; and

BEING all the lands of which Lillie Dodd died seized and possessed and which upon her death vested in said Grantors as her only heirs at law.

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

TO HAVE AND TO HOLD said lot or parcel 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 Frances C. Legg, her heirs and assigns, in fee simple, forever.

AND the said parties of the first part, William Henry Dodd and Henry Carmile, do 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 hereby granted and conveyed; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said Grantors:

*Original mailed to Henry Carmile
707 An. P.O.*

ISP 40/285

F I L E D
JAN 28 1976

Plaintiff's Exhibit C

Carmine's Exhibit C

LIBER

9 PAGE 625

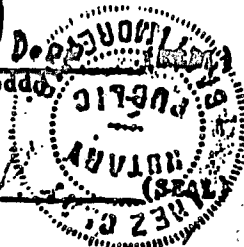
TEST:

Wichel A. Downes Jr

WILLIAM HENRY DODD (His X MARK)
(William Henry Dodd)

Wichel A. Downes Jr

Henry Carmile
(Henry Carmile)



STATE OF MARYLAND,
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that on this 23 day of October, 1957, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared William Henry Dodd, widower, and he acknowledged the foregoing Deed to be his act.

WITNESS my hand and Notarial Seal.



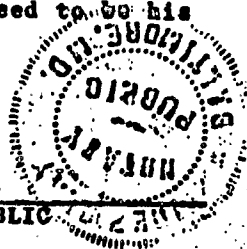
Wichel A. Downes Jr
NOTARY PUBLIC
My Comm. Expires: May 4, 1959
(WICHEL A. DOWNES JR)

STATE OF MARYLAND,
CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 29 day of October, 1957, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid, personally appeared Henry Carmile, ^{widower} and he acknowledged the foregoing Deed to be his act.

WITNESS my hand and Notarial Seal.

Wichel A. Downes Jr
NOTARY PUBLIC
My Comm. Expires:



3

HENRY W. CARMILE
323 N. Calhoun Street
Baltimore, Md. 21217,

Plaintiff

vs.

WILL CARMILE, also known as
Walter Johnson, address unknown,

and

Unknown Heirs, Devisees or
Personal Representatives of the
said Will Carmile, a/k/a Walter
Johnson, and of Susie Pritchett,
deceased, and of Lillie Dodd,
deceased, and of Charles Wilson,
deceased,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5774

ORDER OF PUBLICATION

This is to give notice that on the 28th day of January, 1976 a Bill of Complaint was filed in the Circuit Court for Queen Anne's County by the Plaintiff against the Defendants, all of whose whereabouts are unknown. The Bill of Complaint alleges in substance that Plaintiff is in actual peaceable possession of all that lot or parcel of land, improved by a dwelling, situate in the Town of Church Hill in the Second Election District of Queen Anne's County, Maryland, at the extreme easterly end of Agnes Street, bounded on the east by land of or formerly of Harry F. Callahan, on the south by land of or formerly of John Thomas, on the west by land of or formerly of James Seney and on the north by Agnes Street, having a frontage on said street of 200 feet, more or less, being the same land which was granted by Frances C. Legg, single, unto William Henry Dodd for life, with remainder to the Plaintiff in fee simple, by deed dated April 8, 1958 and recorded among the land records of Queen Anne's County in Liber T.S.P. No. 40, folio 287, and that the said William Henry Dodd died on December 17, 1973; that the above described real estate is the same lot of land which was granted to Charles Wilson by J. Frank Temple and wife by deed dated November 4, 1890 and recorded among said land records in Liber W.D. No. 5, folio 120; that the said Charles Wilson died intestate in 1927, residing in Queen Anne's County, seized and possessed of said real estate, leaving surviving him as his heirs a daughter, Lillie Dodd, and Susie Pritchett, a granddaughter and the child of Mollie Wilson, a daughter of the decedent who predeceased him; that the said Lillie Dodd was in exclusive, actual, notorious, adverse possession of said real estate from 1927 until her death, which occurred on July 23, 1952. During this period she claimed title adversely to Susie Pritchett; that the said Lillie Dodd died intestate, residing in Queen Anne's County, leaving surviving her as her heirs her husband, the said William Henry Dodd, and two sons, the Plaintiff and the Defendant Will Carmile, also

known as Walter Johnson, if the latter was indeed then living; that the said William Henry Dodd and the Plaintiff granted said real estate to the said Frances C. Legg by deed dated October 29, 1957 and recorded on April 8, 1958 in said Liber T.S.P. No. 40, folio 285; that the Plaintiff has been informed that Susie Pritchett died many years ago. He has been unable to ascertain the identity of her successors in interest, having inquired of certain long standing residents of the Town of Church Hill, namely E. W. Sterling, Bessie L. Deaton and Mary Rebecca Hollingsworth; that the Plaintiff has no knowledge of whether Will Carmile, a/k/a Walter Johnson, is living or dead, or of the identity of his successors in interest if he has died, having heard nothing of him since about the year 1937; that no hostile outstanding claim is being actively asserted against the Plaintiff's title to said real estate; that no action at law or proceeding in equity is pending to enforce or test the validity of the Plaintiff's title to said real estate or of any claim adverse to said title.

The relief prayed in the Bill of Complaint is substantially as follows:

1. That a decree may be passed by the Court to the effect that the Plaintiff has absolute ownership and the right of disposition of said real estate and enjoining the assertion by Defendants or any of them of their respective claims by any action at law or otherwise;
2. That an order of publication be issued against the Defendants and that a copy thereof be promptly posted on the land by the Sheriff of Queen Anne's County.

WHEREUPON it is ORDERED by the Circuit Court for Queen Anne's County this 29th day of January, 1976 that the Plaintiff cause a copy of this Order to be delivered to the Sheriff of Queen Anne's County for posting on the land, giving notice to the said Will Carmile, a/k/a Walter Johnson, and to the unknown heirs, devisees or Personal Representatives of the said Will Carmile, a/k/a Walter Johnson, and of the said Susie Pritchett, deceased, and of Lillie Dodd, deceased, and of Charles Wilson, deceased, of the object and substance of the Bill of Complaint and warning them to show cause, if any there may be, on or before the 29th day of March, 1976 why a decree should not be passed as prayed.

Charles W. Cecil

Charles W. Cecil, Clerk

FILED
JAN 29 1976

HENRY W. CARMILE
323 N. Calhoun Street
Baltimore, Md. 21217,

Plaintiff

vs.

WILL CARMILE, also known as
Walter Johnson, address unknown,
and

Unknown Heirs, Devisees or
Personal Representatives of the
said Will Carmile, a/k/a Walter
Johnson, and of Susie Pritchett,
deceased, and of Lillie Dodd,
deceased, and of Charles Wilson,
deceased,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5774

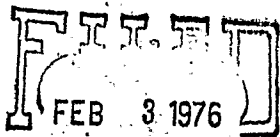
SHERIFF'S CERTIFICATE AS TO POSTING

TO THE HONORABLE, THE JUDGES OF SAID COURT:

I, the undersigned, George B. Sharp, Sheriff of Queen Anne's County, Maryland, do hereby certify that on the 29th day of January, 1976, I did post a true copy of the Order of Publication passed in the above entitled cause on January 28, 1976 on the real estate described in said cause being the lot of land improved by a dwelling situate in the Town of Church Hill in the Second Election District of Queen Anne's County, Maryland, on the south side of and at the extreme easterly end of Agnes Street, known as the Henry W. Carmile property and formerly known as the Lillie Dodd property, now occupied by Catherine V. Rhyanes, Tenant.

WITNESS my hand this 3rd day of February, 1976:

George B. Sharp
(George B. Sharp)



5

9-11-630

HENRY W. CARMILE,
PLAINTIFF

In the Circuit Court for

VS.

Queen Anne's County

WILL CARMILE, a/k/a
Walter Johnson, and
the Unknown Heirs, Devisees
or Personal Representatives of
the said Will Carmile, a/k/a
Walter Johnson, and of Susie
Pritchett, deceased, and of
Lillie Dodd, deceased and of
Charles Wilson, deceased,

in Equity

DEFENDANTS

Cause No. 5774

MOTION FOR DECREE PRO CONFESSO

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Henry W. Carmile, Plaintiff, by Howard Wood, his attorney, respectfully moves your Honors to pass a Decree Pro Confesso against Will Carmile, a/k/a Walter Johnson, and the unknown heirs, devisees or Personal Representatives of the said Will Carmile, a/k/a Walter Johnson, and of Susie Pritchett, deceased, Lillie Dodd, deceased, and Charles Wilson, deceased, being all of the Defendants, and for grounds of his motion, says:

1. That the Order of Publication directed against all of said Defendants has been duly posted on the real estate described in this cause by the Sheriff of Queen Anne's County on January 28, 1976 as appears by the Sheriff's Certificate as to Posting filed in this cause on February 3, 1976.
2. That the time for filing their initial pleading has expired with respect to all of said Defendants, none of whom has answered the Bill of Complaint or filed any other pleading herein.

And for his statement of points, the Plaintiff cites Maryland Rule 675.

And as in duty bound, etc.

FILED
MAR 30 1976

Howard Wood

(Howard Wood)
Attorney for Plaintiff

DECREE PRO CONFESSO

Upon the foregoing Motion, it is, this ^{1st} day of ^{April} ~~March~~, 1976 by the Circuit Court for Queen Anne's County in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint in this cause is hereby taken pro confesso against all of the Defendants, and the Plaintiff is granted leave to take testimony before one of the standing examiners of this Court in support of the allegations of his Bill of Complaint.

FILED
APR 2 1976

B. Hazellett Turner Jr.

JUDGE

1
HENRY W. CARMILE,
Plaintiff

vs.

WILL CARMILE, also known as
Walter Johnson, address unknown,
and

Unknown Heirs, Devisees or
Personal Representatives of the
said Will Carmile, a/k/a Walter
Johnson, and of Susie Pritchett,
deceased, and of Lillie Dodd,
deceased, and of Charles Wilson,
deceased,

Defendants

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5774

TESTIMONY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The solicitor for the Plaintiff, Howard Wood, having notified the subscriber, one of the regular examiners for this Honorable Court, of his desire to take testimony in this case, your examiner did take the following testimony on the 23rd day of April, 1976, in the law office of Howard Wood, 119 Lawyers Row, in the town of Centreville, Queen Anne's County, Maryland, at the hour of 2:00 o'clock P.M., there being present Henry W. Carmile, Plaintiff, and Howard Wood, the solicitor for the Plaintiff, and proceeded to take the following testimony, having sworn the witness and Catherine M. Higdon, stenographer, to wit:

FILED
APR 26 1976

9-531

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9 132

Henry W. Carmile, the witness, of lawful age, having been duly sworn, deposes and says:
(questions by Mr. Howard Wood)

- Q. 1. Will you please state your name and address for the record.
- A. Henry Wilson Carmile, 323 North Calhoun Street, Baltimore 23, Maryland.
- Q. 2. What is the zip code, 23?
- A. Yes, 23.
- Q. 3. Then I had it wrong as 21217? So 21223 is the correct zip code?
- A. That is right.
- Q. 4. Now, Mr. Carmile, will you state whether or not you are interested in some real estate at Church Hill, Maryland?
- A. I am interested in some property.
- Q. 5. What property is that?
- A. That is the Lillie Dodd property.
- Q. 6. Has anyone questioned your right to possession of this property?
- A. No.
- Q. 7. As a matter of fact, you are in possession as landlord?
- A. Yes sir.
- Q. 8. How long have you had possession of this property?
- A. About 17 years.
- Q. 9. Where is it located?
- A. It is located in Church Hill, Maryland on a street called Agnes Street.
- Q. 10. Now I show you a paper from Equity Case 5774 in Queen Anne's County marked "Plaintiff's Exhibit A" and ask you to identify this paper for the record.
- A. It looks to me like a paper that was drawn up by Henry Dodd to get a deed to the property.
- Q. 11. This is, in other words, a copy of a deed?
- A. Yes.
- Q. 12. Can you state whether or not it is for the property in question? Did you see that your name is on this copy of deed?
- A. That is right.

- Q. 13. Also that of William Henry Dodd?
- A. That is right.
- Q. 14. And did you see whether or not this is for the property known as the Lillie Dodd property?
- A. Yes.
- Q. 15. Can you state whether or not William Henry Dodd is still living?
- A. He's dead.
- Q. 16. Do you know approximately when he died?
- A. No I don't know that. The Social Services here in Centreville, Maryland, they know.
- Q. 17. Can you say how many years ago his death occurred?
- A. I'll say about 3 years.
- Q. 18. Now, Mr. Carmile, I show you another paper marked "Plaintiff's Exhibit B" from the same case. Again it appears to be a copy of a deed, and ask you whether or not this is for the same real estate in question in this case. Can you tell from the description of the land that it is the same land known as the Lillie Dodd property?
- A. Yes that is the Lillie Dodd property.
- Q. 19. This is the deed, is it not, to Charles Wilson from J. Frank Temple and his wife?
- A. I know absolutely nothing about that because that business was conveyed between my grandfather and he's been dead about 80 years.
- Q. 20. And your grandfather, is that Charles Wilson?
- A. Yes. I know nothing about where my grandfather got it from?
- Q. 21. Never heard it mentioned that he got it from J. Frank Temple?
- A. No.
- Q. 22. This is the deed dated November 4, 1890. Do you think your grandfather was living about that time?
- A. I couldn't tell you that truthfully to save my life because I left that part of the country when I was about 13 years of age.
- Q. 23. When was that, when you left Church Hill?
- A. About 1909 or 1910, way back then.
- Q. 24. Do you know approximately when your grandfather died?
- A. Yes because I went to his funeral. Now, that's been 30 or 35 years.

- 9-1004
- Q. 25. Was he a resident of Queen Anne's County at the time of his death?
- A. Yes he was.
- Q. 26. Did he leave any will?
- A. No, not that I know of.
- Q. 27. Who were his heirs when he died?
- A. My mother, Lillie Boler.
- Q. 28. Her name was Lillie Boler?
- A. No, her name was Lillie Wilson, at the time.
- Q. 29. At the time of his death?
- A. Yes, at the time of his death. She was Lillie Wilson, but she married a Boler. Then after Boler, she married a Dodd.
- Q. 30. In addition to your mother, what other heir did your grandfather leave surviving him?
- A. Well, there wasn't anyone living at the time except my mother, because the other two sisters were dead.
- Q. 31. Who were they, the other two sisters?
- A. One was named Mollie, the other was named Stella.
- Q. 32. Mollie, did she leave a child?
- A. I don't know that either.
- Q. 33. Then who is Susie Pritchett's mother?
- A. That's the lady who I said, the oldest daughter of Charles Wilson.
- Q. 34. What was her first name?
- A. Susie.
- Q. 35. No, what was Susie's mother's first name?
- A. Mollie.
- Q. 36. So Mollie did leave a child?
- A. Yes.
- Q. 37. Susie, who survived Charles Wilson?
- A. Yes sir. Mollie died in Highlands, New Jersey. I never knew Susie; I only knew she had a daughter named Susie.
- Q. 38. Do you know approximately when Susie died?
- A. No, I don't.

- Q. 39. Do you know that Susie has died?
- A. Yes I do.
- Q. 40. How do you know that?
- A. Well, when my mother died, Lawyer Downes asked me about the property. And I said that nobody inherited the property except Henry Dodd, he had a third interest in the property because he was married to my mother.
- Q. 41. That is William Henry Dodd?
- A. Yes, that is William Henry Dodd. That gave him a third interest in the property as long as he was married to my mother. Now he continued with a third interest in the property until he died. I didn't touch it or attempt to sell it until after his death.
- Q. 42. So when your mother died, you were then confident that Susie Pritchett had already died prior to that?
- A. That's right.
- Q. 43. How did you obtain that information?
- A. I didn't get that information from my mother because she was another one of those drifters. We never saw her.
- Q. 44. Susie Pritchett was a drifter?
- A. I hadn't seen her in 40-45 years. When I left, I left everything behind except my mother.
- Q. 45. Did you or not ever hear that Susie had died?
- A. Well, there was a rumor that she had died.
- Q. 46. During your mother's lifetime, following your grandfather's death, who was in possession of the property?
- A. Well, my mother was in possession of the property when her father died. But when he died, I took over to pay taxes on it. And when I built this house on it, I then continued to pay taxes on it.
- Q. 47. You built a house on the property for your mother?
- A. Yes.
- Q. 48. Approximately when did you do that?
- A. 1929 or 1930
- Q. 49. Your grandfather had already died?
- A. Oh, yes, a long time ago.
- Q. 50. When did your mother's death occur?
- A. About 17 years ago.
- Q. 51. Did she leave any will?
- A. No, she didn't.

A. So when she died, that's when Lawyer Downes came in because I didn't know what to do about the property. See, the property went back to the state for about six months. He got it back from the state. It cost me \$275.00.

Q. 52. When your mother died without a will, was she residing in Queen Anne's County?

A. Yes she was.

Q. 53. And who were her heirs? Her husband William Henry Dodd and yourself, as one son?

A. That's right, and myself.

Q. 54. And you had a brother?

A. I haven't seen him in 40-45 years.

Q. 55. Has there been any rumor about his death or not?

A. No.

Q. 56. So actually, you don't know whether he's living or dead?

A. The last that was heard from him was he came with a name of Walter Johnson. He went out on a ship from Sparrows Point. Nobody has ever heard from him.

Q. 57. I show you another copy of deed marked "Plaintiff's Exhibit C" from this case and ask you to identify it.

A. It is the same deed that Lawyer Downes drew up for the same property.

Q. 58. And it is from Mr. Dodd and yourself to Frances Legg as a straw party, is that right?

A. That is right.

Q. 59. Now, Mr. Carmile, has there been any claim against your title to this land by anyone?

A. No, no one.

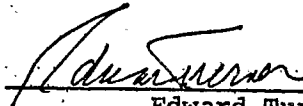
Thank you.

Note: The three (3) copies of deeds marked "Plaintiff's Exhibits A, B and C" were then marked "Examiner's Exhibits A, B and C" respectively. In addition, Howard Wood, Attorney for Plaintiff, confirmed for the record the allegations of paragraph No. 7 of the Bill of Complaint, he having made the inquiries referred to therein. Said paragraph reads as follows:

"That your Orator has been informed that Susie Pritchett died many years ago. He has been unable to ascertain the identity of her successors in interest, having inquired of certain long standing residents of the Town of Church Hill, namely E. W. Sterling, Bessie L. Deaton and Mary Rebecca Hollingsworth."

There being no other witnesses to be examined or further testimony to be taken, your Examiner now makes his return and certifies that he was engaged as such Examiner in taking this testimony one day and examined one witness, making the costs chargeable in this Cause as follows, to wit:

Edward Turner, Examiner	\$	10.00
Witness waived fee		.00
Catherine M. Higdon, stenographer for transcribing testimony		<u>15.00</u>
Total.\$	25.00



Edward Turner
Examiner

HENRY W. CARMILE,
PLAINTIFF

VS.

WILL CARMILE, a/k/a
Walter Johnson, and

the Unknown Heirs, Devisees
or Personal Representatives
of the said Will Carmile,
a/k/a Walter Johnson, and of
Susie Pritchett, deceased,
and of Lillie Dodd, deceased,
and of Charles Wilson,
deceased,

DEFENDANTS

In the Circuit Court for

Queen Anne's County

in Equity

Cause No. 5774

DECREE

The Bill of Complaint, Testimony and other proceedings in this Cause having been read and considered, the Court hereby finds that Henry W. Carmile, Plaintiff, is in actual, peaceable possession of the real estate described in the Bill and Testimony, that his grandfather, Charles Wilson, died intestate in or prior to 1930 residing in Queen Anne's County, seized and possessed of said real estate, leaving surviving him as his heirs a daughter, Lillie Wilson (who later became by marriage Lillie Boler, and thereafter Lillie Dodd) and Susie Pritchett, a granddaughter, the child of Mollie Wilson, a daughter of Charles Wilson who predeceased him; that said Lillie Dodd was in exclusive, actual, notorious, adverse possession of said real estate from the time of the death of Charles Wilson until her death, at least 17 years ago; that she died intestate, residing in Queen Anne's County, and that she left surviving as her heirs her husband, William Henry Dodd, and Plaintiff, her son. Another son, Will Carmile, a/k/a Walter Johnson, may or may not have survived her; that Susie Pritchett died many years ago without known successors in interest, nor are there any known successors in interest of Will Carmile, a/k/a Walter Johnson, if deceased; that no hostile outstanding claim is being actively asserted against, nor is any action at law or proceeding in equity pending to enforce or test Plaintiff's title or of any claim adverse to Plaintiff's title to said real estate, which is a fee simple estate acquired by deed marked "Plaintiff's Exhibit A" and "Examiner's Exhibit A" in these proceedings.

IT IS THEREUPON this 10th day of May, 1976, ADJUDGED, ORDERED and DECREED by the Circuit Court for Queen Anne's County in Equity and by the authority of said Court that Henry W. Carmile has absolute ownership and the right of disposition of said real estate; and the Defendants in this cause and each of them be and they are hereby enjoined from the assertion of any claims against Plaintiff's title to said real estate by any action at law or otherwise.

FILED
MAY 10 1976

B. Hechett Turner Jr.
JUDGE

AREA CODE 301
263-9285
263-9286

SAMUEL M. IVREY
ATTORNEY AT LAW
GLOUCESTER AND GREEN STREETS
ANNAPOLIS, MD. 21401

WASHINGTON 261 - 2171
BALTIMORE 269-5464

October 28, 1975

Clerk of the Circuit Court
Queen Anne's County
Centreville, Maryland

Dear Mr. Clerk:

Enclosed kindly find various documents concerning the Psaromatis foreclosure together with the original mortgage which contains the assignment to me. I shall appreciate your filing the enclosures in the equity case and having the assignment recorded and then filed in the case.

Very truly yours,

Samuel M. Ivrey
Samuel M. Ivrey

SMI/jm
Enclosures

ENC 9 MAR 639

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IN THE MATTER OF
THE MORTGAGED REAL ESTATE
OF

VASILIOS P. PSAROMATIS and
MARGARET J. PSAROMATIS, his wife

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY

NO. EQUITY

* * * * *

CLERK OF THE COURT:

OCT 31-75 * 2 936 *****00
OCT 31-75 A 92 936 *****00

Please docket this case, file the original Mortgage,
Statement of Mortgage Debt, Military Affidavit and Bond.

Samuel M. Ivrey

Samuel M. Ivrey - Assignee

FILED
OCT 31 1975

LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
203-0205
203-0206
WASHINGTON
201-2171
BALTIMORE
209-5464

LIBER

9 PAGE 642

LIBER

85 PAGE 516

RECEIVED FOR RECORD
RECORDED IN LIBER 85
85 FOLIO 515

1974 JUL -5 AM 11: 27

Land RECORD FOR
QUEEN ANNE'S CO., MD.
CHARLES W. CECIL, CLERK

JUL -5-74 * 25237 *****13.00
JUL -5-74 A 25237 *****13.00

The mortgagor agrees to pay a late charge not to exceed the greater of Two (\$2.00) Dollars or five per cent (5%) of the total amount of any delinquent or late periodic installment of interest and principal which is received at the office of the mortgagee more than fifteen (15) calendar days after the due date thereof to cover the extra expense involved in handling delinquent payments.

This mortgage is made under and subject to the provisions of Article 66 of the Public General Laws of Maryland, and any supplement amendment, or addition thereto.

It is hereby agreed that this Mortgage shall also secure future advances as provided by Chapter 178 of the Laws of Maryland passed at the January Session of the General Assembly in the year 1955 or any supplement, amendment, or addition thereto.

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

To have and to hold the said lot(s) of ground and premises unto the said body corporate, party hereto of the second part, its successors and assigns, in fee simple, forever.

If, however, the said Mortgagor (s), his, her or their heirs, personal representatives or assigns, shall make the payments and perform the covenants herein on his, her or their part contained, then this mortgage shall be void.

And the said mortgagor(s) **VASILIOS P. PSAROMATIS and MARGARET J. PSAROMATIS, his wife** for themselves, their heirs, personal representatives or assigns, covenant(s) with the said Annapolis Federal Savings and Loan Association, as follows:

- I. To repay the indebtedness, together with interest, as herein provided.
- II. To keep the buildings on the premises insured against loss by fire and other hazards for the benefit of the mortgagee in some company acceptable to the mortgagee, to the extent of its lien thereon, and to deliver the policy to the mortgagee.
- III. Not to remove or demolish any buildings now on the premises and to keep the improvements in as good order and repair as at the present time. Should the security for the loan be placed in jeopardy due to lack of maintenance or repair, the mortgagee may enter upon the premises, make needed improvements, add the reasonable cost thereof to the principal balance of the loan, and said sum shall be subject to the same rate of repayment as the remainder of the loan.
- IV. To pay all taxes, water rent, insurance, public dues and assessments of every kind whatsoever, for which the property hereby mortgaged may become liable when payable. The mortgagee being hereby authorized to pay the same, and the amount so paid shall ~~then~~ be added to the principal debt named herein and bear interest at the rate of 9% per annum from the date of said payment, and said mortgagee shall have a lien hereunder on said premises for the amount so paid, together with said interest thereon.
- V. That the holder of this mortgage in any action to foreclose it, shall be entitled (without regard to the adequacy of any security for the debt) to the appointment of a receiver to collect the rents and profits of said premises and account therefor as the Court may direct.
- VI. That should the title to the herein mortgaged property be acquired by any persons or corporation, other than the mortgagor(s), by voluntary or involuntary grant or assignment, by descent, inheritance, operation of law or in any other manner, without the mortgagee's written consent, then the whole of said principal sum shall become due and owing as herein provided.
- VII. That the whole of said principal sum shall become due after default in the payment of any monthly installment, as herein provided, for thirty days or after default in the performance of any of the foregoing covenants for thirty days, only, however, after notice and demand in either event having been served on the mortgagor(s) in person or by mail, to the mortgagors' last known address.

And it is agreed that until default is made, the said mortgagor(s), his, her or their heirs, personal representatives or assigns may retain possession of the mortgaged property.

And the said mortgagor(s) consent(s) that a decree may be passed for the sale of said property (the sale to take place after a default in any of the conditions of the mortgage, as herein provided), under the provisions of Section 720 to 732 inclusive, of Chapter 123, of the Laws of Maryland, passed at the January session in the year 1898—or any supplement thereto—or this mortgage may be foreclosed and the property herein described sold, at any time after default, by the said mortgagee, its successors or assigns, or by its duly authorized Attorney or Agent, under Article LXVI, Sections 6 to 10, inclusive, of the Maryland Code (1939) Public General Laws, or under any other General or Local Law of the State of Maryland relating to mortgages. And upon any sale of said property, under the powers herein granted, the proceeds shall be applied as follows:

First, to the payment of all expenses incident to said sale, including a commission to the party making sale of said property equal to the commission usually allowed Trustees for making sale of similar property by virtue of a Court having equity jurisdiction, and a reasonable Attorney's fee to the Attorney conducting the foreclosure proceedings, but not less than three hundred dollars:

Second, to the extinguishment of all claims of the mortgagee, its successors or assigns; and

Third, the balance, if any, to the said mortgagor(s), his, her or their heirs, personal representatives or assigns.

AND the said Mortgagor(s), for themselves, their heirs, personal representatives and assigns do(es) hereby covenant that immediately upon the first insertion of the notice of sales as aforesaid, under the powers hereby granted, there shall be and become due by them to the party inserting said advertisement, all expenses incident to said advertisement or notice, all court costs and expenses incident to the foreclosure proceedings under this Mortgage and a commission on the total Mortgage debt, principal and interest equal to one-half the percentage allowed as commissions to trustees making sale under decrees of the Circuit Court of Queen Anne's County in Equity, which said expenses, costs and commissions the said Mortgagor(s) for themselves, their heirs, personal representatives, or assigns, hereby covenant to pay; and the said Mortgagee, its successors or assigns, or its Attorney or Agents, shall not be required to receive the principal and interest only of said Mortgage debt in satisfaction thereof, unless the same be accompanied by a tender of said expenses, costs and commissions, but said sale may be proceeded with, unless prior to the day appointed therefor, legal tender be made of said principal, interest, costs, expenses and commissions.

WITNESS the Hand(s) and Seal(s) of the said Mortgagor(s).

WITNESS:

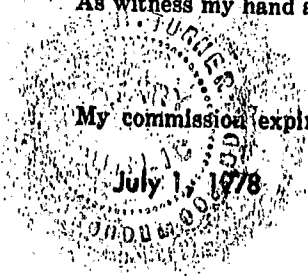
Carole M. Turner
Carole M. Turner

Vasilios P. Psaromatis (SEAL)
Vasilios P. Psaromatis (SEAL)
Margaret J. Psaromatis (SEAL)
Margaret J. Psaromatis (SEAL)

State of Maryland, Anne Arundel County, to wit:

I HEREBY CERTIFY, that on this 3rd day of July in the year one thousand nine hundred and seventy-four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Anne Arundel County, personally appeared VASILIOS P. PSAROMATIS and MARGARET J. PSAROMATIS, his wife, the mortgagor(s) named in the foregoing mortgage and he, she or they acknowledged said mortgage to be his, her or their act. At the same time also appeared PETER J. LOMBARDI, President of Annapolis Federal Savings and Loan Association, a body corporate, the mortgagee, and made oath in due form of law that the consideration mentioned in said mortgage is true and bona fide as therein set forth, and that the amount of the loan which said mortgage has been given to secure, was paid over and disbursed by the party secured by the mortgage to the borrower at a time no later than the final and complete execution of the mortgage.

As witness my hand and Notarial Seal.



Carole M. Turner
Carole M. Turner Notary Public.

I hereby certify that this instrument was prepared under the direction of an attorney admitted to practice before the Court of Appeals of Maryland.

Benjamin Michaelson, Jr.
Benjamin Michaelson, Jr., Attorney

DOCUMENT NO. 81 798

RECEIVED FOR RECORD
No. 2 RECORDED IN LIBER CWC
Re 1096 FOLIO 518
RECORDED FOR RECORD

1975 OCT 31 PM 1:50

RECORDED FOR
QUEEN ANNE'S CO. REC.
CHARLES W. CECIL, CLERK

Assignment

OCT 31-75 * 2 935 *****5 00
OCT 31-75 A #2 935 *****5 00

OF MORTGAGE FROM Vasilios P. Psaromatis and Margaret J. Psaromatis h/w
TO Annapolis Federal Savings and Loan Association AS RECORDED IN

LIBER CWC NO. 85 FOLIO 515

Be Placed in Chy# 5742

FOR VALUE RECEIVED, Annapolis Federal Savings and Loan Association of Annapolis, Maryland, a body corporate, hereby assigns the within Mortgage and the debt secured thereby to Samuel M. Ivrey, Assignee, for the purpose of foreclosure.
AS WITNESS the name of said body corporate by the hand of its Senior Vice President, its corporate seal affixed hereto and duly attested.

ATTEST: ANNAPOLIS FEDERAL SAVINGS & LOAN ASSOCIATION

Clayton J. [Signature]

Marion J. Minker
Marion J. Minker
Senior Vice President

FILE NO. AF# 3089
PREPARED BY hvs
PROOFREAD [Signature]

3

IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. EQUITY
* * * * *		

STATEMENT OF MORTGAGE DEBT

STATEMENT of the Mortgage claim of Annapolis Federal Savings and Loan Association, under a Mortgage from Vasilios P. Psaromatis and Margaret J. Psaromatis, his wife, dated July 3, 1974 and recorded among the Land Records of Queen Anne's County in Liber C.W.C. 85, folio 515, said Mortgage being in Default.

BALANCE due on principal to November 30, 1975	\$33,726.53
INTEREST due to December 2, 1975	<u>16.70</u>
TOTAL DUE	\$33,743.23

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, to wit:

I HEREBY CERTIFY that on this 28th day of October, 1975, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Peter J. Lombardi, President of Annapolis Federal Savings and Loan Association, and made oath in due form of law that the foregoing is a true statement of the amount remaining due on its Mortgage claim described therein, and that it has not received any security or any satisfaction therefor other than the Deed of Mortgage in said statement mentioned.

AS WITNESS my hand and Notarial Seal.

Samuel M. Ivrey

 Samuel M. Ivrey - Notary Public

My Commission Expires:

July 1, 1978

FILED
OCT 31 1975

LAW OFFICES
 SAMUEL M. IVREY
 ANNAPOLIS, MD
 AREA CODE 301
 203-8205
 203-8206
 WASHINGTON
 201-2121
 BALTIMORE
 268-8284

Military Affidavit under the Soldiers' and Sailors' Civil Relief Act of 1940 and Amendment thereto of October 6, 1942.

4

IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. EQUITY
* * * * *		

MILITARY AFFIDAVIT

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, to wit:

I HEREBY CERTIFY that before me, the subscriber, a Notary Public of the said State, in and for the County aforesaid, personally appeared Peter J. Lombardi, President of Annapolis Federal Savings and Loan Association, and made oath in due form of law that he knows the Defendants herein, and that to the best of his knowledge, information and belief:

1. Said defendants are not in the military service of the United States.
2. Said defendants are not in the military service of any nation allied with the United States.
3. Said defendants have not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended.
4. Said defendants are not members of the Enlisted Reserve Corps who have been ordered to report for military service.

Peter J. Lombardi

 Peter J. Lombardi, Affiant

SUBSCRIBED AND SWORN to before me, this 28th day of October, 1975.

Samuel M. Ivrey

 Samuel M. Ivrey - Notary Public

LAW OFFICES
 SAMUEL M. IVREY
 ANNAPOLIS, MD.
 AREA CODE 301
 263-9285
 263-9286
 WASHINGTON
 201-2171
 BALTIMORE
 269-5484

FILED
OCT 31 1975

RECEIVED FOR RECORD DATE 21, 1975

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

5

KNOW ALL MEN BY THESE PRESENTS:

That we, Samuel M. Ivrey, Assignee,

as Principal, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of FOURTY THOUSAND AND NO/100 (\$40,000.00)

Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, and done, we bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns jointly and severally, firmly by these presents.

Sealed with our seals and dated this 28th day of October in the year of our Lord One Thousand Nine Hundred Seventy-Five

Whereas, the above bounden Samuel M. Ivrey, Assignee,

by virtue of the power contained in a mortgage from Vasilios P. Paaronatis and Margaret J. Paaronatis, his wife to Annapolis Federal Savings and Loan Association bearing date the 3rd day of July, 1974 and recorded among the mortgage records of Queen Anne's County in Liber C.M.C. No. 05 Folio 515 and

Samuel M. Ivrey, Assignee, is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Samuel M. Ivrey, Assignee,

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

In Testimony Whereof, the above bounden Samuel M. Ivrey, Assignee,

has hereto set his hand and seal and the said body corporate has caused these presents to be duly signed by its Attorney-in-Fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of:

[Signature]

[Signature]
Samuel M. Ivrey, Assignee (SEAL)

Witness:
[Signature]

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

As to Surety

By *[Signature]*
Samuel M. Ivrey Attorney-in-Fact

Notary Public - Attorney's Fund

Surety approved as per
Letter Oct. 31, 1975.

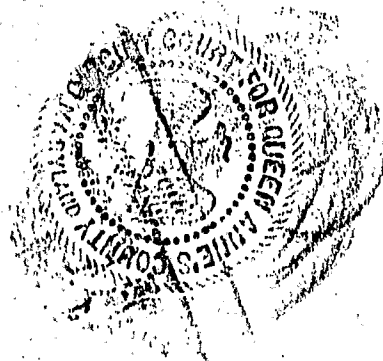
Certified copy of power
of attorney attached

UNDER 1 PAGE 631

9 PAGE 027

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from Liber C.W.C. No. 1, folio 631, a Bond Record Book for Queen Anne's County.



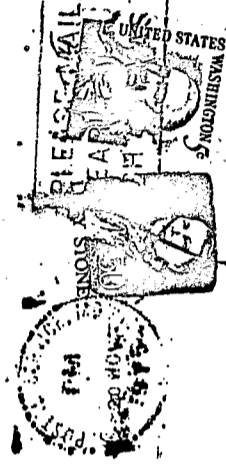
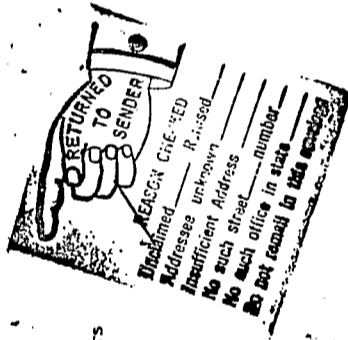
IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 31st day of October, Nineteen Hundred and Seventy-five.

Charles W. Cecil

Clerk of the Circuit Court
for Queen Anne's County

SAMUEL M. IVREY
ATTORNEY AT LAW
GLOUCESTER AND GREEN STREETS
ANNAPOLIS, MD. 21401

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown



RETURN RECEIPT
REQUESTED

Mr. and Mrs. Vasilios P. Psaromatis
84 Bayside Drive
Stevensville, Maryland 21666

NAME _____
1st Notice _____
2nd Notice _____
Return 12-6-78

CERTIFIED
No. 285012
MAIL

CERTIFIED - RETURN RECEIPT REQUESTED.



SENDER: Complete items 1, 2, and 3. Add post address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢

RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Mr. & Mrs. Vasilios P. Psaromatis
84 Boyside Drive
Stevensville, Maryland 21665

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED
	285012	

(Always obtain signatures of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
Moved Left no Address

7. CARRIER INITIALS
S.A.

★ GPO: 1973-O-623-047



AREA CODE 301
263-9285
263-9286

SAMUEL M. IVREY
ATTORNEY AT LAW
CLOUCESTER AND GREEN STREETS
ANNAPOLIS, MD. 21401

WASHINGTON 261-2171
BALTIMORE 269-5454

November 20, 1975

Mr. and Mrs. Vasilios P. Psaromatis
84 Bayside Drive
Stevensville, Maryland 21666

Re: Loan Account #11665 - Annapolis Federal Savings and Loan
Association

Dear Mr. and Mrs. Psaromatis:

You are hereby notified that your property covered by the
above mentioned mortgage account and designated as Lot 14,
Block 16, Section 1 of Bay City, Fourth Election District, Queen
Anne's County, Maryland, will be sold at foreclosure on Tuesday,
December 2, 1975 at 2:00 P.M., at the Court House Door, Centreville,
Maryland.

The terms of sale are as follows: A deposit of \$2,000.00,
either in cash or by certified check, will be required of the purchaser
on the date of sale, balance of the purchase money with interest
thereon at 9% per annum to be paid in cash upon final ratification
of sale. Taxes and other assessments to be adjusted to date of
sale. Conveyancing, transfer tax, recording fees, notary fees,
examination of title and revenue stamps to be at the cost of the
purchaser. The property will be sold subject to covenants and
restrictions of record, if any.

Very truly yours,

Samuel M. Ivrey

SMI/ce

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

EQUITY
5742

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO	POSTMARK OR DATE
Mr. and Mrs. Vasilios P. Psaromatis	NOV 20 1975 ANNAPOLIS MD
STREET AND NO.	
84 Bayside Drive	
P.O., STATE AND ZIP CODE	
Stevensville, Maryland 21666	
OPTIONAL SERVICES FOR ADDITIONAL FEES	
RETURN RECEIPT SERVICES	1. Shows to whom and date delivered 15¢ With delivery to addressee only 65¢
	2. Shows to whom, date and where delivered .. 35¢ With delivery to addressee only 85¢
DELIVER TO ADDRESSEE ONLY	50¢
SPECIAL DELIVERY (extra fee required)	50¢

No 285012

PS Form 3800 Apr. 1971 NO INSURANCE COVERAGE PROVIDED— (See other side) NOT FOR INTERNATIONAL MAIL * GPO : 1974 O - 551-454

9 PAGE 651

SAMUEL M. IVREY
ATTORNEY AT LAW
GLOUCESTER AND GREEN STREETS
ANNAPOLIS, MD. 21401

9 PAGE 652



RETURNED TO SENDER
REASON:
[Handwritten initials: M, J, W]
[Handwritten initials: M, J, W]
[Handwritten initials: M, J, W]

M J W
no

Mr. and Mrs. Vasilios P. Psaromatis
84 Bayside Drive
Stevensville, Maryland 21666

ARBA CODE 301
263-9283
263-9284

WASHINGTON 261-2171
BALTIMORE 267-9464

SAMUEL M. IVREY
ATTORNEY AT LAW
GLOUCESTER AND GREEN STREETS
ANNAPOLIS, MD. 21401

October 28, 1975

Mr. and Mrs. Vasilios P. Psaromatis
84 Bayside Drive
Stevensville, Maryland 21666

Re: Loan Account No. 11665

Dear Mr. and Mrs. Psaromatis:

Kindly be advised that due to the fact that your mortgage account with Annapolis Federal Savings and Loan Association as stated above is delinquent, I have been instructed to commence foreclosure proceedings.

For your information, the property covered under that mortgage account will be advertised in the Queen Anne's Record Observer commencing on November 5, 1975, and will be sold on Tuesday, December 2, 1975 at 2:00 P.M., at the Court House Door, Centreville, Maryland.

Very truly yours,

Samuel M. Ivrey

BMI/ce

EQUITY
5742

6

IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. 5742 EQUITY
* * * * *		

ASSIGNEE'S REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Samuel M. Ivrey, Assignee, filed in these proceedings, authorized to make sale of the property therein mentioned in the event of default thereunder, respectfully shows:

That the mortgage, being in default, having given bond with surety which was duly approved, and having given 20 days notice of time, place, manner and terms of sale by advertisement in the Queen Anne's Record Observer, a newspaper printed and published in Queen Anne's County, Maryland, he did, pursuant to said notice of sale, attend in person at the Court House Door, on December 2, 1975, the time and place mentioned in said advertisement, and then and there in the presence of a number of persons, did proceed to sell at public sale the property mentioned in said mortgage, to wit:

ALL THAT LOT OF GROUND situate in Queen Anne's County, being Lot No. 14, Block 16, Section 1 of Bay City, per plat recorded among the Land Records of Queen Anne's County in Plat Book T.S.P. 1, folio 10.

SAID PROPERTY BEING SOLD TO LESTER LEONARD
_____ , at and for the sum of \$ 38,300.00

being at that price then and there the highest bidder therefor.

THE said purchaser(s) have/has agreed to comply with the terms of sale. The agreement of the purchaser, certificate of the auctioneer, and Report Of Sale are filed herewith, all of which is respectfully submitted.

AND, as in duty bound, etc.

LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
263-9285
263-9286
WASHINGTON
261-2171
BALTIMORE
269-5464

FILED
DEC - 2 1975

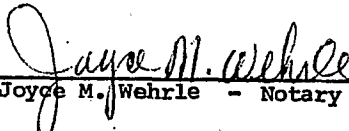
Samuel M. Ivrey

Samuel M. Ivrey, Assignee

STATE OF MARYLAND, WORCESTER COUNTY, to wit:

I HEREBY CERTIFY that on this 2nd day of December, 1975, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared SAMUEL M. IVREY, ASSIGNEE, and made oath in due form of law that the matters and facts stated in the foregoing Report Of Sale are true as therein set forth and that the sale was fairly made.

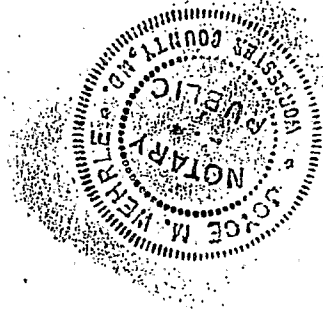
AS WITNESS my hand and Notarial Seal.


Joyce M. Wehrle - Notary Public

My Commission Expires:

July 1, 1978

FILED
DEC 2 1975



LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
203-9285
203-9286
WASHINGTON
201-2171
BALTIMORE
269-5464

UNCR

9 DEC 655

IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. 5742 EQUITY

* * * * *

AFFIDAVIT OF PURCHASER

I, (WE), LESTER LEONARD

being first duly sworn on oath, depose and say that I (we) bid on the property designated in these proceedings at the public auction held on the 2nd of December, 1975, for and on behalf of myself that no other person, firm or corporation has any interest in said property and that I (we) neither directly nor indirectly discouraged any person from bidding thereon.

[Handwritten Signature]
Purchaser

Purchaser

SUBSCRIBED AND SWORN to before me this 2ND day of December, 1975.

[Handwritten Signature]

Samuel M. Ivrey, Notary Public

My Commission Expires:

July 1, 1978

FILED
DEC 2 1975

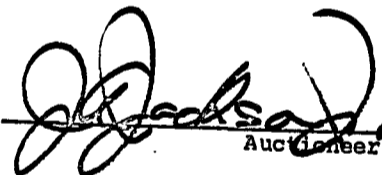
LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
263-9280
263-9286
WASHINGTON
201-2171
BALTIMORE
269-8464

8/

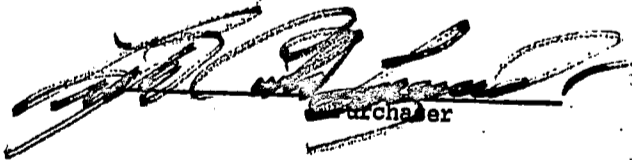
I	*	II
IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. 5742 EQUITY
* * * * *		

AUCTIONEER'S CERTIFICATE

I, the undersigned, certify that on the 2nd day of December, 1975, I conducted a public sale as Auctioneer at the front door of the Court House at Centreville, Queen Anne's County, Maryland, at the hour of 2:00 P.M., and sold the property described in the advertisement hereto annexed to LESTER LEONARD for the sum of \$ 38,300.00, (he) (she) (they) (it) being then and there the highest bidder. I hereby certify that the said sale was conducted fairly and impartially.


Auctioneer

I, (WE) hereby agree to comply with the terms of sale mentioned in the above advertisement of sale.


Purchaser

FILED
DEC 2 1975

Purchaser

LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
203-0205
203-0206
WASHINGTON
201-2171
BALTIMORE
209-5464

ASSIGNEE'S SALE

- of valuable -

IMPROVED FEE SIMPLE REAL ESTATE
Bayside Drive, Bay City
Stevensville, Fourth Election District
Queen Anne's County
State of Maryland

Under and by virtue of the power of sale contained in a Mortgage from Vasilios P. Psaromatis and Margaret J. Psaromatis, his wife, dated July 3, 1974, and recorded among the Land Records of Queen Anne's County in Liber C.W.C. 85, folio 515, and duly assigned for the purpose of foreclosure, Default having occurred in said Mortgage, the undersigned will offer for sale at public auction at the COURT HOUSE DOOR, Centreville, Maryland, on

TUESDAY, DECEMBER 2, 1975 AT 2:00 P.M.

ALL THAT LOT OF GROUND situate in Queen Anne's County, being Lot No. 14, Block 16, Section 1 of Bay City, per plat recorded among the Land Records of Queen Anne's County in Plat Book TSP 1, folio 10.

BEING the same property conveyed to Vasilios P. Psaromatis and Margaret J. Psaromatis, his wife, by Deed dated July 3, 1974 from William C. McKinley, Jr., and Shirley T. McKinley, his wife, and recorded among the Land Records of Queen Anne's County in Liber C.W.C. 85, folio 513.

THE SAID property being improved by a one-story, 6-room rambler of block and stucco construction containing 3 bedrooms, a living room, dining room, kitchen and 1 bath, with hot water baseboard heat. The rear of said dwelling faces the Chesapeake Bay.

TERMS OF SALE: A deposit of Two Thousand (\$2,000.00) Dollars, either in cash or by certified check, will be required of the purchaser on the date of sale, balance of the purchase money with interest thereon at the rate of Nine percent (9%) per annum to be paid in cash upon final ratification of sale. Taxes and other assessments to be adjusted to date of sale. Conveyancing, transfer tax, recording fees, notary fees, examination of title and revenue stamps to be at the cost of the purchaser.

LAW OFFICES
GAIL M. IVREY
BETHESDA, MD.
AREA CODE 301
338-1200
338-1200
WASHINGTON
201-271-
BALTIMORE
280-0404

The property will be sold subject to covenants and restrictions of record, if any. Compliance with terms of sale shall be made within ten (10) days after final ratification of sale or deposit will be forfeited and property resold at the risk and cost of the defaulting purchaser. For further particulars, apply to:

SAMUEL M. IVREY, ASSIGNEE
144 Duke of Gloucester Street
Annapolis, Maryland 21401
263-9285
269-5464 (Baltimore)
261-2171 (Washington)

FILED
(DEC 2 1975)

LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
263-9285
263-9280
WASHINGTON
261-2171
BALTIMORE
269-5464

9

IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. 5742 EQUITY
* * * * *		

ORDER NISI

Ordered this 2nd day of December, 19 75, by the Circuit Court for Queen Anne's County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Samuel M. Ivrey, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of January, 19 76, next, provided a copy of this Order be inserted in some newspaper published in said County once in each of three successive weeks before the 26th day of December, 19 75, next.

The Report states the amount of sale to be \$ 38,300.00.

Charles W. Cecil
Clerk

Dated Dec. 2, 1975.

LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
263-9285
263-9286
WASHINGTON
261-2171
BALTIMORE
269-5464

ASSIGNEE'S SALE

- of valuable -

IMPROVED FEE SIMPLE REAL ESTATE

Bayside Drive, Bay City

Stevensville, Fourth Election District

Queen Anne's County

State of Maryland

Under and by virtue of the power of sale contained in a Mortgage from Vasilios P. Psaromatis and Margaret J. Psaromatis, his wife, dated July 3, 1974, and recorded among the Land Records of Queen Anne's County in Liber C.W.C. 85, folio 515, and duly assigned for the purpose of foreclosure, Default having occurred in said Mortgage, the undersigned will offer for sale at public auction at the COURT HOUSE DOOR, Centreville, Maryland, on

TUESDAY, DECEMBER 2, 1975

AT 2:00 P. M.

ALL THAT LOT OF GROUND situate in Queen Anne's County, being Lot No. 14, Block 16, Section 1 of Bay City, per plat recorded among the Land Records of Queen Anne's County in Plat Book TSP 1, folio 10.

BEING the same property conveyed to Vasilios P. Psaromatis and Margaret J. Psaromatis, his wife, by Deed dated July 3, 1974 from William C. McKinley, Jr., and Shirley T. McKinley, his wife, and recorded among the Land Records of Queen Anne's County in Liber C.W.C. 85, folio 513.

THE SAID property being improved by a one-story, 6-room rambler of block and stucco construction containing 3 bedrooms, a living room, dining room, kitchen and 1 bath, with hot water baseboard heat. The rear of said dwelling faces the Chesapeake Bay.

TERMS OF SALE: A deposit of Two Thousand (\$2,000.00) Dollars, either in cash or by certified check, will be required of the purchaser on the date of sale, balance of the purchase money with interest thereon at the rate of Nine percent (9 per cent) per annum to be paid in cash upon final ratification of sale. Taxes and other assessments to be adjusted to date of sale. Conveyancing, transfer tax, recording fees, notary fees, examination of title and revenue stamps to be at the cost of the purchaser. The property will be sold subject to covenants and restrictions of record, if any. Compliance with terms of sale shall be made within ten (10) days after final ratification of sale or deposit will be forfeited and property resold at the risk and cost of the defaulting purchaser. For further particulars, apply to:

SAMUEL M. IVREY, ASSIGNEE
144 Duke of Gloucester Street
Annapolis, Maryland 21401
233-9235
260-5404 (Baltimore)
261-2171 (Washington)

4t-11-26

Queen Anne's

RECORD-OBSERVER

Centreville, Md., January 14 19 76

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Assignee's Sale

in the case/estate of Vasilios P. Psaromatis and Margaret J. Psaromatis

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 2nd day of Dec, 19 75, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 5th day of Nov, 19 75, and the last insertion on the 26th day of Nov, 19 75

THE RECORD-OBSERVER CORPORATION

By D. M. M. M. M.

FILED
Jan 16, 1976
MAR 12 1976

IN THE MATTER OF
THE MORTGAGED REAL
ESTATE

OF
VASILIOS P. PSAROMATIS
and
MARGARET J. PSARO-
MATIS, his wife

IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
NO. 5742 EQUITY
+ + + + +

ORDER NISI

Ordered this 2nd day of
December, 1975, by the
Circuit Court for Queen
Anne's County, Maryland,
that the sale of the property
mentioned in these proceed-
ings, made and reported by
Samuel M. Ivrey, Assignee,
be ratified and confirmed,
unless cause to the contrary
thereof be shown on or before
the 2nd day of January, 1976,
next, provided a copy of this
Order be inserted in some
newspaper published in said
County once in each of three
successive weeks before the
26th day of December, 1975,
next.

The Report states the
amount of sale to be
\$38,300.00.

CHARLES W. CECIL
CLERK

Dated: Dec. 2, 1975.

True Copy

Test: Charles W. Cecil, Clerk
12-13-75

LACER

9 PAGE 662

Queen Anne's
RECORD-OBSERVER

Centreville, Md., Jan 14 19 76

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify
that the Order nisi

in the case/estate of Equity No. 5742

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S
RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's
County, Maryland, once a week for 3 successive weeks before the 26th day
of Dec, 19 75, and that the first insertion of said advertisement
in said QUEEN ANNE'S RECORD-OBSERVER was on the 10th day of Dec
19 75, and the last insertion on the 23rd day of Dec, 19 75

THE RECORD-OBSERVER CORPORATION

By Anthony J. Ivrey

FILED
JAN 16 1976

AREA CODE 301
263-9285
263-9286

SAMUEL M. IVREY
ATTORNEY AT LAW
GLOUCESTER AND GREEN STREETS
ANNAPOLIS, MD. 21401

WASHINGTON 261-2171
BALTIMORE 269-5464

January 8, 1976

Queen Anne's County Court House
Centreville, Maryland

Attn: Mr. Cecil, Clerk

Dear Mr. Cecil:

Kindly be advised that I have contacted the Record Observer with the request
that the Psaromatis Orders of Publication of Advertisement and Nisi be forwarded
to your office. Upon receipt of same, I shall appreciate your having the Order
of Ratification of Sale signed by the judge.

Appreciating your promptness, I remain

Very truly yours,

Samuel M. Ivrey
Samuel M. Ivrey

SMI/jm
Enclosure

12

IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. 5742 EQUITY

FINAL ORDER OF RATIFICATION OF SALE

It is ORDERED, this 20th day of January 1976, by the Circuit Court for Queen Anne's County, that the sale of the real estate made and reported in this cause by Samuel M. Ivrey, Assignee, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although due notice thereof appears to have been given as required by the preceding Order Nisi, and the said Assignee is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers therefor to the Auditor.

B. Heckel Turner Jr.
JUDGE

FILED
JAN 20 1976

LAW OFFICES
SAMUEL M. IVREY
ANNAPOLIS, MD.
AREA CODE 301
263-9285
263-9286
WASHINGTON
261-2171
BALTIMORE
289-5464

LAWER

9 JAN 663

13
IN THE MATTER OF * IN THE
THE MORTGAGED REAL ESTATE * CIRCUIT COURT
OF * FOR
VASILIOS P. PSAROMATIS and * QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife NO. 5742 EQUITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of J. Thomas Clark, Auditor, unto Your Honor, respectfully represents:

1. That this account is stated at the request of Samuel M. Ivrey, Assignee, who was appointed to make sale of realty in this proceedings.

2. That in the within account the said Assignee was charged with the gross proceeds of sale and is allowed thereafter commission for making sale, the court costs, appearance fee, the filing fee for the bond premium, the advertising fee, certified mail, the insurance premium, the auctioneer fee, the Seller's share of state and county taxes, the auditor's fee and the balance to Annapolis Federal Savings and Loan Association of Annapolis, Maryland.

Respectfully submitted,

February 17, 1976

J. Thomas Clark
J. Thomas Clark, Auditor

FILED
FEB 17 1976

Cause No. 5742

The proceeds of real estate sold in this cause, in account with Samuel M. Ivrey, Assignee, to make the sale herein reported in these proceedings (and vendor of said land).

Cr.

1976			
Jan. 20	By proceeds of the sale of land, per report of sale of said vendor to wit:-----	\$38,300.00	
	By interest on \$36,300.00 - balance of purchase price at 9% from 12/2/72 - 2/6/76-----	580.00	
	By gross proceeds of sale-----	<u>\$38,880.80</u>	

Dr.

To Samuel M. Ivrey, Assignee, his fees:			
1.	Attorney's Fee per mortgage-----	300.00	
2.	Commission for making sale-----	<u>2,065.00</u>	\$2,365.00
To Do., for amounts due Charles W. Cecil, Clerk, per his exhibit:			
1.	Cost due Charles W. Cecil-----	72.00	
2.	Appearance fee of Samuel M. Ivrey-----	<u>10.00</u>	82.00
To Do., for fees paid Charles W. Cecil, Clerk:			
1.	Advanced filing fee-----	40.00	
2.	Assignment fee----	<u>5.00</u>	45.00
To Do., for C & L Agency for the bond premium on surety bond filed in this cause which is due-----			
		160.00	160.00
To Do., for amounts due Queen Anne's Record Observer, as follows:			
1.	Costs of publishing Notice of Sale-----	123.00	
2.	Costs of publishing Order Nisi of Sale--	<u>18.00</u>	141.00
To Do., for amounts paid U.S. Post Office for registered mail to Vasilios P. and Margaret J. Psaromatis-----			
		.55	.55
To Do., for insurance premium paid on property to			
		114.24	114.24

February 17, 1976

J. Thomas Clark
Auditor

To Do., for amounts due Joe Jackson, Jr., Auctioneer----	95.75	95.75
To Do., for amount paid County Treasurer for taxes from 7/1/75-12/2/75 on \$368.80---	155.69	155.69
To J. Thomas Clark, Auditor, as follows:		
1. His fee for stating audit-----	45.00	
2. His expenses involved in stating audit and notifying parties-----	<u>10.00</u>	55.00
To Annapolis Federal Savings & Loan Association of Annapolis, MD, the balance of the payment on Loan of Vasilios P. and Margaret J. Psaromatis-----	<u>35,666.57</u>	
	<u>\$38,880.80</u>	<u>\$38,880.80</u>

February 17, 1976

J. Thomas Clark
Auditor

14

IN THE MATTER OF	*	IN THE
THE MORTGAGED REAL ESTATE	*	CIRCUIT COURT
OF	*	FOR
VASILIOS P. PSAROMATIS and	*	QUEEN ANNE'S COUNTY
MARGARET J. PSAROMATIS, his wife	*	NO. 5742 EQUITY

CERTIFICATE OF NOTICES MAILED

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The undersigned Court Auditor hereby certifies that on February 17, 1976, the date the audit in the above entitled case was filed in this Court, that he did by U.S. First Class Mail notify the following interested parties to this cause, to wit:

Samuel M. Ivrey
 Attorney at Law
 Gloucester and Green Streets
 Annapolis, MD 21401

Annapolis Federal Savings
 and Loan Association
 Annapolis, MD 21401

Vasilios P. and Margaret J.
 Psaromatis
 84 Bayside Drive
 Stevensville, MD 21666

PURSUANT to Rule 595, Section G, Maryland Rules of Procedure, notify each of them that said account was filed on Feb. 17, 1976, with the Clerk of this Court, Centreville, Maryland, and that exceptions to said audit must be filed March 3, 1976 and that if no exceptions are filed within such fifteen (15) day period, the account may thereupon be ratified on March 4, 1976.

February 17, 1976

J. Thomas Clark
 Auditor

FEB 17 1976

Book 1 Page 669 Was Missing

Book 1 Page 670 Was Missing

Book 1 Page 671 Was Missing

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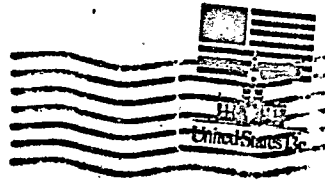
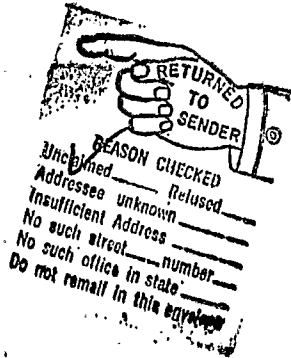
Book 1 Page 675 Was Missing

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Book 1 Page 678 Was Missing

LAW OFFICES
CLARK & CLARK
118 N. COMMERCE STREET
CENTREVILLE, MD. 21617



- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

*Money
Left so forwarding*

Vasilios P. and Margaret J. Psaromatis
84 Bayside Drive
Stevensville, MD 21666

16

IN THE MATTER OF
THE MORTGAGED REAL ESTATE OF
VASILIOS P. PSAROMATIS and
MARGARET J. PSAROMATIS, his wife

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
IN EQUITY
NO. 5742

FINAL RATIFICATION OF AUDIT

ORDERED by the Court that the account of the Auditor is finally ratified and confirmed, and Samuel M. Ivrey, Assignee, is directed to apply the proceeds accordingly, with a due proportion of interest as the same has been or may be received.

Dated: March 4, 1976

Charles H. Cecil
Clerk of the Circuit Court for Queen Anne's
County

2489

RECEIVED
AUG 26 11 36 AM '75
UNITED STATES ATTORNEY
BALTIMORE, MARYLAND

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff

v.

CHARLES R. COURTNEY, LOT #10,
BLOCK B, RYANS' SCOTTOWN
DEVELOPMENT, BOX 75, WYE MILLS,
MARYLAND 21679
ALICE E. COURTNEY, LOT #10, BLOCK B
RYANS' SCOTTOWN DEVELOPMENT,
BOX 75, WYE MILLS, MARYLAND
Defendants)

CIVIL NO. H-75-1167
Equity # 5813

MAY 17-76 * 27335 *****82.00
MAY 17-76 A 927335 *****42.00
MAY 17-76 A 927334 *****40.00

ORDER

Upon consideration of the Petition of the United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, seeking sale of certain real property described in the Real Estate Mortgage referred to in said Petition, it is this 25th day of August, 1975,

ORDERED:

1. The United States Marshal for the District of Maryland is hereby appointed Trustee without bond.
2. The said Trustee is hereby directed to sell on behalf of the Farmers Home Administration, its successors or assigns, or its duly authorized attorney, the property set forth in said Mortgage in accordance with the terms and powers conferred upon him therein, after having first notified all interested parties by publishing said notification

(2) Filed: 25th of August, 1975

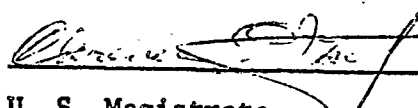
FILED
MAY 17 1976

once a week for at least four (4) weeks prior to the date of the sale in a newspaper of general circulation in the county in which the property lies.

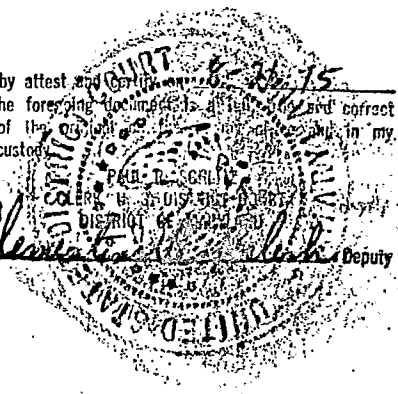
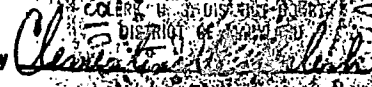
3. The terms of said sale shall be all cash; a deposit of fifteen percent (15%) of the purchase price shall be required at the time of sale, the balance to be paid within ten (10) days after final ratification of said sale by this Court. In the event of default by the purchaser, the property shall be resold at the risk and cost of the defaulting purchaser. All conveyancing, recording, revenue stamps, and other expenses of sale shall be at the cost of the purchaser.

4. After said Trustee has complied with the order of this Court, such sale shall be reported back to this Court for approval and ratification.

5. The proceeds of such sale shall be deposited into the account of the United States Marshal to be distributed as the Court shall direct after review and accounting thereof.


U. S. Magistrate
United States District Court

I hereby attest and certify that the foregoing documents are true and correct copy of the original and are in my legal custody.


By  Deputy

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff

v.

CIVIL NO. _____

CHARLES R. COURTNEY, LOT #10,
BLOCK B, RYANS' SCOTTOWN
DEVELOPMENT, BOX 75, WYE MILLS,
MARYLAND 21679
ALICE E. COURTNEY, LOT #10, BLOCK B)
RYANS' SCOTTOWN DEVELOPMENT, BOX)
75, WYE MILLS, MARYLAND 21679

Defendants)

PETITION TO FORECLOSE

Your petitioner, United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, respectfully represents:

1. The Farmers Home Administration is now, and has been at all times herein mentioned, an agency of the United States of America, having an office for the transaction of business at Coleman Enterprise Building, P. O. Box 214, Route 213, Chestertown, Maryland 21620.
2. On or about April 25, 1972, the defendants, Charles R. Courtney and Alice E. Courtney, his wife, being indebted to the United States by virtue of a loan made to said defendants in the sum of \$16,300.00 duly made, executed, and delivered to the United States of America, acting through the Farmers Home Administration, United States Department of

Agriculture, their Promissory Note wherein the said defendants covenanted and agreed to repay said loan as, and under the conditions, therein provided on or before May 2, 2005. A true and complete copy of said Note is attached hereto as Exhibit A and is incorporated by reference herein as fully as if set forth at length herein.

3. To secure the payment of the aforesaid Note, the said defendants, on May 2, 1972, executed and delivered to the United States their indenture of mortgage, conveying to the United States the premises described therein as security for said debt; the said Mortgage was duly recorded in the Queen Anne's County Clerk's Office, Liber 63, Page 407. A true and complete copy of said Mortgage is attached hereto as Exhibit B and is incorporated by reference herein as fully as if set forth at length herein.

4. The United States is now the owner and holder of said Promissory Note and Mortgage; the said defendants, Charles R. Courtney and Alice E. Courtney, his wife, defaulted in the payment of said Note by not making payments as required; as provided in said Note, and following such default, the United States elected to declare that by reason of said default, the entire balance of said Note remaining unpaid is due and payable forthwith; the defendants and each of them have failed to pay the same; and there is now past due upon said Note the sum of \$18,207.08, plus interest on that amount on and after April 1, 1975, which has accrued and is accruing at the daily rate of \$3.3206. A true and complete copy of the Statement of Account relative to the subject debt is attached hereto as Exhibit C and incorporated by reference herein as fully as if set forth at length herein.

5. By reason of the default of said defendants, the United States is entitled to an Order of this Court foreclosing said Mortgage and ordering the sale of the premises described in said Mortgage in the manner provided by law and ordering the application of the proceeds of such sale in payment of the judgment of the United States against the defendants, Charles R. Courtney and Alice E. Courtney, his wife.

6. In order to protect the interests of the United States in the assets during the pendency of these proceedings, it is requested by your petitioner that the United States Marshal for the District of Maryland be appointed Trustee without bond for that purpose.

WHEREFORE, the United States demands judgment and order of this Court:

(a) For the aggregate amount of the aforementioned sums and for such other amounts as the Court may find to be due from said defendants in the premises;

(b) Foreclosing the Mortgage described herein; ordering the premises described herein to be sold in the manner provided by law; and ordering that the proceeds be applied to the costs and expenses of sale, next in satisfaction of the Plaintiff's judgment against said defendants, and that the surplus, if any, be deposited in the account of the United States Marshal, subject to further order of the Court;

(c) For the appointment of the United States Marshal for the District of Maryland as Trustee to serve without bond;

(d) For such other and further relief as the Court
may deem proper in the premises.

UNITED STATES OF AMERICA

JERVIS S. FINNEY
UNITED STATES ATTORNEY
DISTRICT OF MARYLAND

By

Donald H. Feige
Assistant United States Attorney
111 North Calvert Street
Baltimore, Maryland 21202
COM: 301-539-2940
FTS: 301-962-4822

STATE OF MARYLAND)
COUNTY OF BALTIMORE) TO WIT:

I HEREBY CERTIFY that on this 21st day of August ,
19 75 before me, the subscriber, a Notary Public of the
State of Maryland, and County of Baltimore ,
personally appeared, Donald H. Feige , Assistant
United States Attorney for the District of Maryland, and
made oath in due form of law that the matters and facts
contained in the foregoing Petition to Foreclose are true
to the best of his knowledge, information, and belief.

AS WITNESS my hand and Notarial seal.

BARBARA M. DEWAR
NOTARY PUBLIC

My commission expires 7-1-78.

USA-35-48
Ed. 11/2/66
DHF:JLM
75-1568

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. H-75-1167

v.

CHARLES R. COURTNEY and ALICE
E. COURTNEY, his wife, Lot #10,
Block B, Ryan's Scottown
Development, Box 75
Wye Mills, Maryland 21679

Defendants.

* * * * *

ORDER NISI

ORDERED this 6th day of January, 19 76, by the
United States District Court for the District of Maryland, that the sale of
the real property described in the above-entitled proceedings, made and
reported by John W. Spurrier, United States Marshal for the
District of Maryland, Trustee, to the Farmers Home Administration, an agency
of the United States of America, for the sum of \$19,112.00, said
purchaser being the highest bidder therefor, be ratified and confirmed unless
cause to the contrary be shown on or before the 11th day of March
1976, provided that a copy of this Order be inserted in some newspaper
published in Centreville, Maryland, once a week for three
successive weeks preceding February 11, 1976.

I hereby attest and certify on
that this for the record and a correct
copy of the original is in my office and in my
possession.

By Margaret E. duBois Deputy

Alexander Harvey
United States District Court
ALEXANDER HARVEY

U.S. Atty

USA-35-47
Ed. 11/2/66
DHF:JLM
75-1568

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. H-75-1167

v.

CHARLES R. COURTNEY and ALICE
E. COURTNEY, his wife,
Lot #10, Block B, Ryans'
Scottown Development, Box 75
Wye Mills, Maryland 21679
Defendants.

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of Sale by John W. Spurrier, United States
Marshal for the District of Maryland, Trustee in the above-entitled matter,
by Jervis S. Finney, United States Attorney for the District of
Maryland, and Donald H. Feige, Assistant United States
Attorney for said District, respectfully represents:

1. That Charles R. Courtney and Alice E. Courtney, his wife,
Having defaulted in their payments on their promissory note to the United
States (Farmers Home Administration), notice of sale of certain
real property described in the real estate mortgage referred to in the
Petition to Foreclose heretofore filed by the United States was duly given
by publication in the Queen Anne's Record Observer, a newspaper published
in Centreville, Maryland.

2. That pursuant to the Order of this Honorable Court dated
August 25, 1975, authorizing the Trustee to sell the aforesaid property
of Charles R. Courtney and Alice E. Courtney, his wife a public sale
was held on December 9, 19 75, on the premises known as
Ryan's Scottown Development, Wye Mills, Maryland 21679,
said property being covered by the real estate mortgage heretofore filed in
this proceeding.

(7) Filed to 44 of January, 1976.

USA-35-47
Ed. 11/2/66
(Page 2)

3. That John W. Spurrier, United States Marshal,
Trustee, conducted the public sale.

4. That the said property was sold to the Farmers Home Administration,
an agency of the United States of America, for the sum
of \$ 19,112.00, said purchaser being the highest bidder therefor.

Jarvis S. Finney
Jarvis S. Finney
United States Attorney

Donald H. Feige
Donald H. Feige
Assistant United States Attorney

STATE OF MARYLAND }
CITY of BALTIMORE } SS:

I HEREBY CERTIFY that on this 6th day of January, 19 76,
before me, the subscriber, a Notary Public of the State of Maryland, in and
for the Baltimore County, personally appeared
John W. Spurrier, United States Marshal for the District of
Maryland, Trustee, and made oath in due form of law that the facts stated in
the foregoing Report of Sale are true as therein set forth, and that the sale
thereby reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Doris C. Kernan
Notary Public
DORIS C. KERNAN

My Commission Expires: 7-1-78

Handwritten: Aust Feige

USA-35-49
Ed. 11/2/66
DHF:JLM
75-1568

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UNITED STATES ATTORNEY
BALTIMORE, MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA * CIVIL NO. H-75-1167
Plaintiff *
v. *
CHARLES R. COURTNEY AND ALICE *
E. COURTNEY, his wife, Lot #10,*
Block B, Ryan's Scottown *
Development, Box 75, Wye Mills,*
Maryland 21679 *
Defendants *

* * * * *

ORDER

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CLERK
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

Compliance having been had with the Order of this Court dated
January 6, 19 76, requiring publication of sale made by
John W. Spurrier, United States Marshal for the District of
Maryland, Trustee, on December 9, 19 76, as evidenced by
Certification of Publication heretofore filed, and no cause to the contrary
having been shown,

IT IS ORDERED this 19th day of March, 19 76, by
the United States District Court for the District of Maryland, that the sale
heretofore reported in these proceedings to the Farmers Home Administration, an
agency of the United States of America, its successors
and assigns, at and for the sum of \$ 19,112.00, be and the same is
hereby ratified and confirmed.

Alexander Harvey
Judge
United States District Court
ALEXANDER HARVEY, II

I hereby attest and certify on 3/19/76
that the foregoing document is a full, true and correct
copy of the original on file in my office and to my
legal custody.
By *[Signature]* Deputy

DHF:JLM
75-1568

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

RECEIVED

MAR 26 9 01 AM '76

UNITED STATES ATTORNEY
BALTIMORE, MARYLAND

UNITED STATES OF AMERICA,
Plaintiff

v.

CHARLES R. COURTNEY and ALICE
E. COURTNEY, his wife, Lot #10,
Block B, Ryan's Scottown
Development, Box 75, Wye Mills,
Maryland 21679

CIVIL NO. H-75-1167

Defendants

REPORT AND FINAL ACCOUNT OF TRUSTEE

Your Trustee, JOHN W. SPURRIER,

United States Marshal for the District of Maryland, respectfully represents
unto this Honorable Court:

1. That on March 19, 1976, this Honorable Court
passed an Order ratifying and confirming the sale made by the Trustee on
December 9, 1975, to the Farmers Home Administration, an
States of America
agency of the United/, at and for the sum of \$19,112.00.

2. That as of April 1, 1975, there was due and
owing to the Farmers Home Administration of the United States Department of
Agriculture, as mortgagee the sum of \$18,207.08, together with
total interest due at the daily rate of \$3.3206 on said principal
balance from April 1, 1975, until paid.

3. That no other claims have been filed by creditors in this
proceeding, although proper notice was duly given to all interested parties
by publication that certain sums have been expended by the Farmers Home
Administration since the institution of these foreclosure proceedings.

4. That because the property was sold to the holder of the mortgage,
no funds were actually received by the Trustee. However, after expenses of
this foreclosure proceeding and those of the Farmers Home Administration are
deducted, the Farmers Home Administration will apply the net balance of the
purchase price to the balance due under its mortgage.

5. That the Trustee incurred the following expenses for which he prays allowance and payment from the Farmers Home Administration, purchaser, in addition to amounts expended by the Farmers Home Administration which are to be deducted from the purchase price of said real property:

Income:

Purchase Price of Real Property..	\$19,112.00
-----------------------------------	-------------

Expenses of the Trustee:

<u>Advertising:</u>	
Sale Ad-Queen Anne's Record Observer, Centreville, MD Sept. 17, 24; Oct. 1 & 8, 1975	\$75.00
ReSale Ad-Queen Anne's Record Observer, Centreville, MD Nov. 14, 21, 28; Dec. 3, 1975	78.13
Nisi Ad-Queen Anne's Record Observer, Centreville, MD Jan. 21, 28; Feb. 4, 1976	30.88
	<hr/>
TOTAL ADVERTISING EXPENSES DUE UNITED STATES MARSHAL BY THE FARMERS HOME ADMINISTRATION	<u>184.01</u>
NET BALANCE	<u>\$18,927.99</u>

WHEREFORE, the Trustee prays:

(a) That this Honorable Court pass an Order approving the expenses as set forth in this account.

(b) That this Court further Order that the balance, after expenses, be credited to the mortgage account of the defendants, Charles R. Courtney and Alice E. Courtney, his wife,, now held by the Farmers Home Administration as hereinabove set forth.

John W. Spurrer

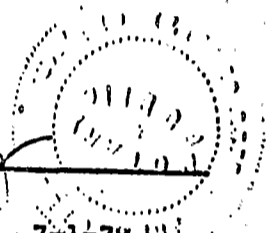
 JOHN W. SPURRIER
 United States Marshal
 District of Maryland

STATE OF MARYLAND)
CITY OF BALTIMORE) SS:

I Hereby Certify that on this 23 day of March,
1976, before me, the subscriber, a Notary Public of the State of Maryland,
in and for Baltimore City, personally appeared JOHN W. SPURRIER,
Trustee, and made oath in due form of law that the matters and facts set forth
in the foregoing Report and Final Account of Trustee are true to the best of
his knowledge, information and belief.

AS WITNESS MY HAND AND NOTARIAL SEAL.

Julie Grey
NOTARY PUBLIC
Julie Grey
My Commission Expires: 7-1-78



RE: CIVIL NO. H-75-1167

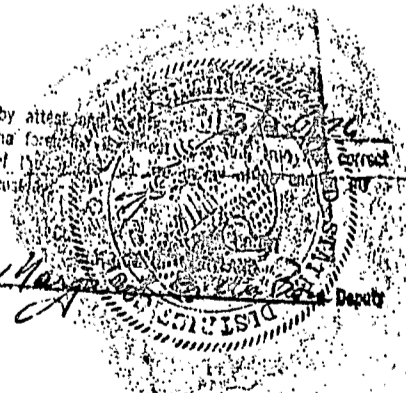
ORDER

ORDERED AS PRAYED, this 25th day of MARCH, 1976.

Alexander Harvey II
ALEXANDER HARVEY, II, JUDGE
UNITED STATES DISTRICT COURT
med

I hereby attest
that the foregoing is
copy of the original
legal custody

By *[Signature]* Deputy



ARTHUR S. HOCK
ANNA S. HOCK and
RANDOLPH E. HOCK
Crumpton, Maryland

and

ARTHUR S. HOCK, JR.
206 High Street
Chestertown, Maryland

Complainants

VS.

JULIUS GROLLMAN
LEONARD SMITH
JOHN M. ASHLEY, JR.
COMMISSIONERS OF QUEEN ANNE'S
COUNTY, MARYLAND
COURT HOUSE,
CENTREVILLE, MARYLAND

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
MARYLAND

and

PAUL H. BAKER and
DORIS LEE BAKER, his wife,
Crumpton, Maryland

EQUITY NO. 5762

and

LEONARD DOLL and
SHIRLEY DOLL, his wife,
Crumpton, Maryland

and

IVAN L. BOZARTH and
PLYLLIS BOZARTH, his wife
Crumpton, Maryland

DEC 23-75 * 22668 *****0.00
DEC 23-75 A 22668 *****0.00

and

EDWARD USILTON and
BETTY USILTON, his wife,
Crumpton, Maryland

Respondents

PETITION FOR
DECLARATORY JUDGMENT

Comes now the Complainants, Arthur S. Hock, Anna S. Hock, Randolph E. Hock and Arthur S. Hock, Jr. by their attorney, Thomas Sisk, and pursuant to Article 31A of the Annotated Code of Maryland, seek a declaration of rights and duties among and between the various parties hereto. The basis for such requested relief is as follows:

1. Complainants are the owners of a properly zoned and licensed mobile home park, known as Pine Springs Mobile Home Park, consisting of approximately twenty acres, located in Crumpton, Queen Anne's County, Maryland. A portion of Complainants' property borders on and is adjacent to a dedicated but unopened, unimproved and unused street known as Fourth Street or Fourth Street Right-of-way, hereinafter referred to as Fourth Street, located in Crumpton, Maryland.

2. Julius Grollman, Leonard Smith and John M. Ashley, Jr. are the duly elected Commissioners of Queen Anne's County, Maryland, who, by statute and law, exercise exclusive custody and control over the above mentioned Street.

3. Paul H. Baker and Doris Lee Baker, his wife; Leonard Doll and Shirley Doll, his wife; Ivan L. Bozarth and Phyllis Bozarth, his wife; and Edward Usilton and Betty Usilton, his wife, all own real property that borders on and is adjacent to the above mentioned Street.

4. In the middle months of 1975, zoning and plumbing permits were issued to the Complainants by officials of Queen Anne's County for the purpose of constructing four additional mobile home site in their Park. The sites were located on the Fourth Street side of the Park and were set back the required fifty feet from the edge of the Street. On September 6, 1975, after construction on the septic system and sites were approximately fifty percent completed, the permits were verbally withdrawn. As a result, and at a substantial monetary loss to Complainants, construction was stopped and presently remains uncompleted awaiting the outcome of this suit.

5. The zoning and plumbing permits were withdrawn after complaints were received by the County from one or more of the Respondents that have property bordering on Fourth Street. The complaints are to the effect that the unopened part of Fourth

Street jogs to the south of the opened portion and the project started by the Complainants is either partly or wholly on public property or at least not in compliance with the set-back regulations of the County. Complainants, in their application for the zoning and plumbing permits contended and applied on the basis that the Street, both in the opened and unopened portions, runs straight and that the mobile home site project complied and continues to comply with County regulations.

6. The unopened, unimproved and unused part of Fourth Street was apparently dedicated as a public street prior to 1865. Since that time the County has exercised jurisdiction over the Street, as indicated by the withdrawal of the above mentioned permits, but has not used it as a roadway nor provided it to the public as a roadway and has no future plans to use it as a roadway. The only persons that have utilized the right-of-way since its dedication are the adjacent landowners, even to the extent, assuming that the right-of-way runs straight through from the improved part, of constructing a permanent building thereon. And, as a result of the County's non-use of the Street, its' permission of permanent obstructions to its use, and its' decision not to use it in the future, the Street or right-of-way is abandoned.

7. As abandoned property, Complainants claim, pursuant to Article 21, Section 5-114 of the Annotated Code of Maryland, title to the one-half that lies adjacent to their property beginning at their property line to the center of the street.

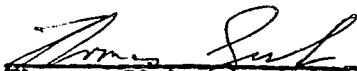
8. There is a present and actual controversy between the parties to this suit as to where the unopened and unimproved Street or Right-of-way lies and as to whether the Street or Right-of-way is abandoned, that a declaration by this Court will terminate and settle.

WHEREFORE, the Complainants pray:

1. A declaratory judgment that:


- A. Establishes the location and width of the unopened and unimproved portion of Fourth Street or Fourth Street Right-of-way to be the same width and a straight extension of the opened and improved portion of Fourth Street.
- B. Establishes that Complainants have a right to proceed with the construction of the four additional mobile home sites mentioned above and that the zoning and plumbing permits be returned.
- C. Establishes that the unopened and unimproved portion of Fourth Street or Fourth Street Right-of-way is abandoned and that Complainants be granted title to one-half of same beginning at Complainants property line to the center of the Street or right-of-way.

2. And, for such other and further relief as this honorable Court may seem just and proper.


 Thomas Sisk
 Attorney for Complainants
 P. O. Box 431
 Rasin Building
 Chestertown, Maryland 21620
 (301) 778-1654

We have read the foregoing Petition for Declaratory Judgment and are familiar with the contents thereof and it is true and correct to the best of our knowledge, information and belief.


 Arthur S. Hock


 Anna S. Hock


 Randolph E. Hock


 Arthur S. Hock, Jr.

STATE OF MARYLAND, COUNTY OF KENT, to wit:

Subscribed and sworn to before me, a Notary Public in and for the State and County aforesaid, by Arthur S. Hock, Jr., who made oath in due form of law and stated the information in this Petition is true and correct to the best of his knowledge, information and belief.

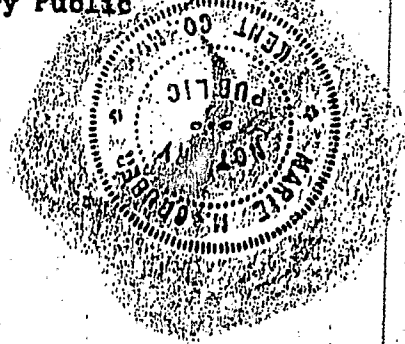
Subscribed and sworn to on this 23rd day of December, 1975.

Maria M. Guber
Notary Public

My Commission Expires:

July 1, 1978

Filed Dec. 23, 1975



Circuit Court For Queen Anne's County

EQUITY SUMMONS:

2/

January Return Day

File No. 5762

Docket C.W.C. #4

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Edward Usilton and
Betty Usilton, his wife
Crumpton, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of January

next, to answer an action at the suit of
Arthur S. Hock, Anna S. Hock and Randolph E. Hock, Crumpton, Maryland
and
Arthur S. Hock, Jr., 206 High Street, Chestertown, Maryland

Issued the 23rd day of December 19 75

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Thomas Sisk
P. O. Box 431, Rasin Bldg.
ADDRESS: Chestertown, Md. 21620
778-1654

NAME: _____

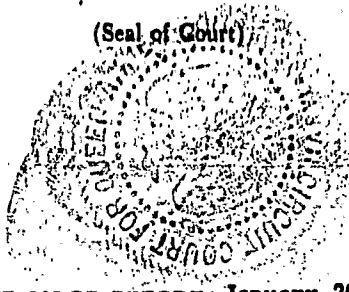
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE January 20,

19 76, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles H. Cecil
Clerk



FILED
DEC 29 1975

LIBER 9 PAGE 699

Summons served, copy of Summons and Petition left with Edward Usilton this 23rd day of December 1975.

William R. Sharp
Deputy Sheriff

Summons served, copy of Summons and Petition left with Betty Usilton this 28th day of December 1975.

William R. Sharp
Deputy Sheriff

Chy # 5762

Petition

Dot Key

*Foot Power of J. W. Horn 1975
3:00 pm in the PM*

~~XXXXXXXXXXXXXXXXXXXX~~
Circuit Court For Queen Anne's County

EQUITY SUMMONS:

31

January _____ Return Day
File No. 5762
Docket C.W.C. #4

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Leonard Doll and
Shirley Doll, his wife
Crumpton, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of January

_____, next, to answer an action at the suit of
Arthur S. Hock, Anna S. Hock and Randolph E. Hock, Crumpton, Maryland
and
Arthur S. Hock, Jr., 206 High Street, Chestertown, Maryland

Issued the 23rd day of December 19 75

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

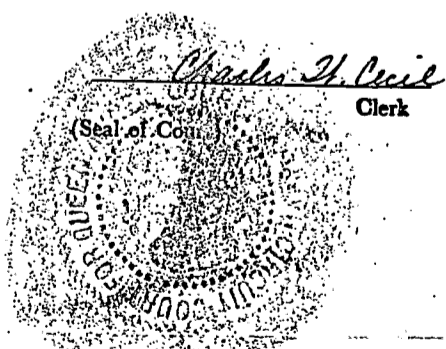
NAME: Thomas Sisk
P. O. Box 431, Rasin Bldg.
ADDRESS: Chestertown, Md. 21620
778-1654

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE January 20,
19 76, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.



FILED
DEC 29 1975

LIBER 9 PAGE 701

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

January Return Day

File No. 5762

Docket C.H.C. #4

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Paul H. Baker and
Doris Lee Baker, his wife.
Crumpton, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of January

next, to answer an action at the suit of
Arthur S. Hock, Anna S. Hock and Randolph E. Hock, Crumpton, Maryland
and
Arthur S. Hock, Jr., 206 High Street, Chestertown, Maryland

Issued the 23rd day of December 19 75

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Thomas Sisk
P. O. Box 431, Rasin Bldg.
ADDRESS: Chestertown, Md. 21620
778-1654

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE January 20,
19 76, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

Charles H. Cecil
Clerk

(Seal of Court)



Summons served, copy of Summons and Petition left with Paul H. Baker this 23rd day of December 1975.

William B. Sharp
Deputy Sheriff

Summons served, copy of Summons and Petition left with Doris Lee Baker this 29th day of December 1975.

J. W. Moore
Deputy Sheriff

Chy #5762

Petition

ERH

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

61

January _____ Return Day

File No. 5762

Docket C.W.C. #4

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Julius Grollman, Leonard Smith, John M. Ashley, Jr.
Commissioners of Queen Anne's County, Maryland
Court House
Centreville, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of January

_____, next, to answer an action at the suit of
Arthur S. Hock, Anna S. Hock and Randolph E. Hock, Crumpton, Maryland
and
Arthur S. Hock, Jr., 206 High Street, Chestertown, Maryland

Issued the 23rd day of December 19 75

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

NAME: Thomas Sisk
P. O. Box 431, Rasin Bldg.
ADDRESS: Chestertown, Md. 21620
778-1654

NAME: _____

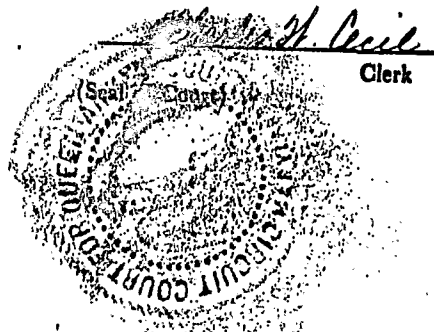
ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE January 20,

19 76, THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.

FILED
DEC 30 1975



UNDER

9 PAGE 705

LIBER 9 PAGE 706
Summons and Petition served on Julius Grollman, Leonard Smith and
John M. Ashley, Jr. Commissioners of Queen Anne's County Maryland
and copies of same left with each of them this 30th day of December
1975.

George B. Sharp
Sheriff

Chy #5762

Petition

Circuit Court For Queen Anne's County

EQUITY SUMMONS:

6

January Return Day

File No. 5762

Docket C.W.C. #4

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, TO WIT:

TO: Ivan L. Bozarth and
Plyllis Bozarth, his wife
Crumpton, Maryland

You are hereby summoned to the Circuit Court for Queen Anne's County to the First Monday of January

_____, next, to answer an action at the suit of

Arthur S. Hock, Anna S. Hock and Randolph E. Hock, Crumpton, Maryland
and
Arthur S. Hock, Jr., 206 High Street, Chestertown, Maryland

Issued the 23rd day of December 19 75

Witness the Honorable George B. Rasin, Jr., Chief Judge of the Second Judicial Circuit of Maryland.

ATTORNEY(S) FOR PLAINTIFF(S)

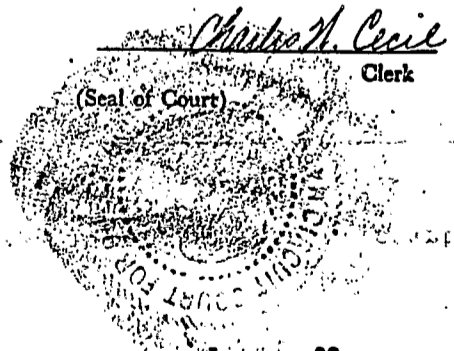
NAME: Thomas Sisk
P. O. Box 431, Rasin Bldg.
ADDRESS: Chestertown, Md. 21620
778-1654

NAME: _____

ADDRESS: _____

NOTICE TO THE PERSON(S) SUMMONED:

IF YOU FAIL TO FILE AN ANSWER OR OTHER DEFENSE ON OR BEFORE January 20,
19 76 THE PLAINTIFF MAY OBTAIN A DECREE PRO CONFESSO AGAINST YOU.



FILED
JAN 5 1976

SEARCHED
SERIALIZED
INDEXED
FILED
JAN 5 1976
LWES 9 PAGE 707

Summons served, copy of Summons and Petition left with Phyllis Bozarth this 23rd day of December 1975.

William B. Sharp
Deputy Sheriff

Summons served, copy of Summons and Petition left with Ivan L. Bozarth this 5th day of January 1976.

William B. Sharp
Deputy Sheriff

Chy #5762

Section

Donald Lee

ARTHUR S. HOCK, ET AL * IN THE CIRCUIT COURT FOR
Complainants *
vs * QUEEN ANNE'S COUNTY
JULIUS GROLLMAN, ET AL * EQUITY NO. 5762
Respondents *

* * * * *

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Leonard Doll and Shirley Doll, his wife, Ivan L. Bozarth and Phyllis Bozarth, his wife, and Edward Usilton and Betty Usilton, his wife, by James E. Thompson, Jr., their attorney, for answer to the Petition for Declaratory Judgment, unto your Honors respectfully represents:

(1) That the Respondents neither admit nor deny the allegations contained in Paragraph 1 for the reason that they have no knowledge thereof.

(2) That the Respondents admit that Julius Grollman, Leonard Smith and John M. Ashley, Jr. are the duly elected Commissioners of Queen Anne's County but deny that as such Commissioners they, by statute and law, exercise exclusive custody and control over the Fourth Street right of way referred to in the Bill of Complaint.

(3) That the Respondents admit the matters and facts set forth in Paragraph 3 of the Bill of Complaint.

(4) That the Respondents neither admit nor deny the allegations contained in Paragraph 4 of the Bill of Complaint for the reason that they have insufficient knowledge thereof and have no interest therein.

(5) That the Respondents deny the allegations contained in Paragraph 5 of the Bill of Complaint.

(6) That the Respondents admit that the unimproved part of Fourth Street was dedicated as a public street, that it has been utilized by the aforesaid land owners but deny the remaining allegations in Paragraph 6 of the Bill of Complaint.

(7) That the Respondents deny the allegations contained in Paragraph 7 of the Bill of Complaint.

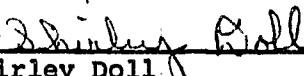
(8) That the Respondents admit the allegations contained in Paragraph 8 of the Bill of Complaint.

Having fully answered said Bill of Complaint the Respondents pray to be henced dismissed with their costs.

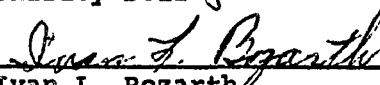
Respectfully submitted



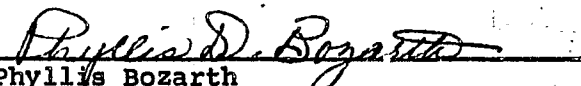
Leonard Doll




Shirley Doll



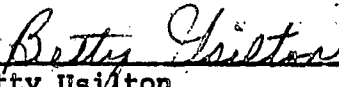
Ivan L. Bozarth



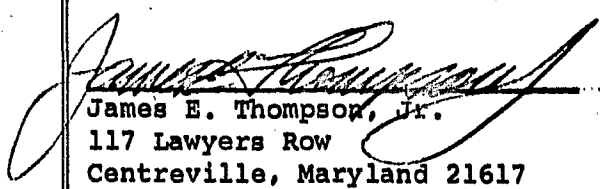
Phyllis D. Bozarth



Edward Usilton



Betty Usilton

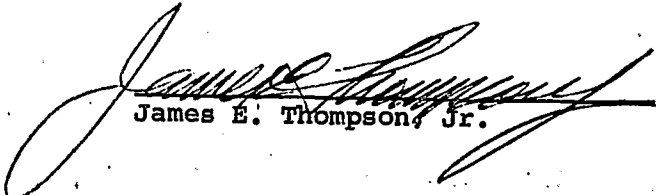


James E. Thompson, Jr.
117 Lawyers Row
Centreville, Maryland 21617
Telephone No. 758-0877
Attorney for Respondents

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

758-0877

I HEREBY CERTIFY, that on this ~~16th~~ day of ~~January~~, 1976, a copy of the foregoing Answer was mailed to Thomas Sisk, Esquire, P. O. Box 431, Rasin Building, Chestertown, Maryland 21620, attorney for Complainants; Paul H. Baker and Doris Lee Baker, his wife, Crumpton, Maryland 21628; and Robert R. Price, Jr., Esquire, 103 Lawyers Row, Centreville, Maryland 21617, attorney to the County Commissioners of Queen Anne's County, postage prepaid.


James E. Thompson, Jr.

FILED
JAN 19 1976

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617
738-0877

LIVER 9 PAGE 711

ARTHUR S. HOCK, ET AL : IN THE CIRCUIT COURT
 COMPLAINANTS :
 VS. : FOR
 JULIUS GROLLMAN, ET AL : QUEEN ANNE'S COUNTY
 RESPONDENTS :
 : EQUITY NO. 5762
 :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Julius Grollman, Leonard Smith, and John M. Ashley, Jr., constituting the Commissioners of Queen Anne's County, Maryland, by Robert R. Price, Jr., their attorney, for answer to the Petition for Declaratory Judgment, unto your Honors respectfully represents:

1. The Respondent neither admits nor denies the allegation in Paragraph 1 as they have no knowledge of same.
2. That the Respondents are the duly elected Commissioners of Queen Anne's County, but deny they exercise exclusive custody and control over the unopened section of Fourth Street.
3. That the Respondents neither admit nor deny the allegations of Paragraph 3 as they have no knowledge thereof.
4. That the Respondents neither admit nor deny the allegations of Paragraph 4 as they have no knowledge thereof.
5. That the Respondents neither admit nor deny the allegations of Paragraph 5 as they have no knowledge thereof.
6. That the Respondents neither admit nor deny the allegation of Paragraph 6 as they have insufficient knowledge thereof.
7. That the Respondents deny the allegation or conclusion of Paragraph 7.
8. That the Respondents admit the allegation of Paragraph 8.
9. Further answering said Bill, the Respondents state that to their knowledge the section of Fourth Street subject to this Complaint is not now, nor has it ever been a part of the public road system of Queen Anne's County and exists solely as a paper street as laid out in the Town Plan of Crumpton, dated 1865.

Respectfully submitted,

Robert R. Price, Jr.

Robert R. Price, Jr., Attorney for
 the Commissioners of Queen Anne's
 County.

I HEREBY CERTIFY, that on this 19 day of January, 1976,
a copy of the foregoing Answer was mailed to Thomas Sisk, Esquire,
P. O. Box 431, Rasin Building, Chestertown, Maryland, 21620, attorney for
Complainants; Paul H. Baker and Doris Lee Baker, his wife, Crumpton,
Maryland, 21628; and James E. Thompson, Jr., Esquire, 117 Lawyers Row,
Centreville, Maryland, 21617, attorney for Leonard Doll and Shirley Doll,
his wife, and Ivan L. Bozarth and Phyllis Bozarth, his wife, and Edward
Usilton and Betty Usilton, his wife.

FILED
JAN 20 1976

Robert R. Price, Jr.
Robert R. Price, Jr.

ROBERT R. PRICE, JR.
ATTORNEY AT LAW
CENTREVILLE, MARYLAND
758-1660

CLERK

9 JAN 713

THOMAS SISK
ATTORNEY AT LAW

RASIN BUILDING
CHESTERTOWN, MARYLAND 21620

AREA CODE 301
778-1854

March 15, 1976

Mr. Charles W. Cecil, Clerk
Circuit Court
Centreville, Maryland 21617

Re: Hock, et al
Vs. Grollman, et al
Equity No. 5762

Dear Mr. Cecil:

I represent the plaintiffs in the above entitled case and it would be appreciated if you would treat this as a request to have the matter set down for trial on the first date available on your calendar.

Sincerely yours,


Thomas Sisk

TS/mg

CC: Robert H. Price, Jr.
James E. Thompson, Jr.

ASSIGNMENT OFFICE
 CIRCUIT COURT FOR QUEEN ANNE'S COUNTY
 P.O. Box 67
 CENTREVILLE, MARYLAND 21617
 Telephone: 758-1773

DATE March 22, 1976

TO: Thomas Sisk, Esquire
 P. O. Box 431
 Rasin Building
 Chestertown, Maryland 21620

The Honorable K. Thomas Everngam
 Court House
 Denton, Maryland 21629

James E. Thompson, Jr., Esquire
 117 Lawyers Row
 Centreville, Maryland 21617

Robert R. Price, Jr., Esquire
 103 Lawyers Row
 Centreville, Maryland 21617

RE: Arthur S. Hock, et al vs. Julius Grollman, et al
Chy. No. 5762

THE ABOVE CASE (s) HAS (HAVE) BEEN SCHEDULED FOR Court
 TRIAL ON Friday, May 14, 1976, at 9:45 A.M.

Please determine promptly whether this date is suitable. A request for a change of the trial date will only be granted for any of the following reasons: (a) conflict with other commitments, (b) unavailability of witnesses, (c) pending discovery proceedings, or (d) any other adequate reason. All such requests must be made to the Assignment Clerk within thirty (30) days of the receipt of this notice. Thereafter no continuance will be considered by the Court except in accordance with the appropriate provisions of Maryland Rule and Second Circuit Rule 527.

One day has been assigned for the trial of this case.

Please return postal card promptly. Assignment Clerk

Chy. No. 5762

Mr. Clerk

March 24, 1976

This is to acknowledge receipt of notice setting case of:
 Hock, et al vs. Grollman, et al
 for ... trial on .5/14/76.....
 before . Court,

Thomas Sisk
 Attorney for..... *Plaintiffs*.....

March 23, 1976

Chy. No. 5762
 Mr. Clerk

This is to acknowledge receipt of notice setting case of:
 Hock, et al vs. Grollman, et al
 for ... trial on 5/14/76.....
 before . Court,

Subject to receipt of discovery as Court was advised
 Attorney for..... *Defendants*.....

HON. GEORGE B. RASIN, JR., CHIEF JUDGE
HON. HARRY E. CLARK
HON. H. KENNETH MACKAY
HON. B. HACKETT TURNER, JR.
HON. J. ALBERT RONEY, JR.
HON. JAMES A. WISE

OVER

9 MAY 716

CHARLES W. CECIL, CLERK

ASSOCIATE JUDGES

OFFICE OF
CLERK OF THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
CENTREVILLE, MARYLAND 21617
758-1773 AREA CODE 301
April 28, 1976

Thomas Sisk, Esquire
P. O. Box 431
Rasin Building
Chestertown, Maryland 21620

James E. Thompson, Jr., Esquire
117 Lawyers Row
Centreville, Maryland 21617

Robert R. Price, Jr., Esquire
103 Lawyers Row
Centreville, Maryland 21617

Re: Arthur S. Hock, et al vs. Julius Grollman, et al
Chy. No. 5762

Case has been definitely set for Court Trial on Friday, May 14, 1976,
at 9:45 A. M.

Your attention is invited to Second Circuit Rule 527 and Maryland
Rule 527. No continuance will be granted unless the Court shall be
satisfied that such an emergency has arisen, not reasonably foreseeable,
as would result in an injustice if the trial is required to take place.

(Mrs) Anni F. Ward

Assignment Clerk

ARTHUR HOCK, ET AL
Complainants

v.

JULIUS GROLLMAN, ET AL
Respondents

STATE OF MARYLAND
IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY

Criminal case number _____
Law case number _____
Equity case number 5762
Juvenile case number _____

TO THE CLERK OF COURT:

Kindly issue summons for the named person (s) to be and appear before this Court to testify in the above entitled proceeding as follows:

Date	Time	Location of Court House	Room	To testify for
5-14-76	9:45	Centreville Md.		Respondents

Name/address/telephone/signature of person requesting summons:
James E. Thompson, Jr., 117 Lawyers Row,
Centreville, Maryland 758-0877

James E. Thompson, Jr.
Signature

NAME ADDRESS CITY/TOWN AND ZIP COUNTY	NAME ADDRESS CITY/TOWN AND ZIP COUNTY	NAME Clerk ADDRESS CITY/TOWN AND ZIP COUNTY
William R. Nuttle Chestertown, Maryland 21620 Kent	Richard E. Luttrell J. R. McCrone, Jr. Associates Chestertown, Md. 21620 Kent	Charles W. Cecil Centreville, Md. 21617 Queen Anne's
<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached

To be completed by Clerk of Court and Sheriff of said county

Sheriff's Return		Sheriff's Return		Sheriff's Return	
Served	Time	Served	Time	Served	Time
If Non Est		If Non Est		If Non Est	
State Reason		State Reason		State Reason	
Sheriff		Sheriff		Sheriff	

TO THE SHERIFF:

You are hereby commanded to summon the named person to testify as stated above.

By ORDER of THE HONORABLE

CHIEF JUDGE of said Court.

Issued this

COPY

4th day of May

, 19 76

Charles W. Cecil
Clerk of Court
Queen Anne's County
Centreville, Maryland 21617

To produce the official plat of the Village of Crumpton,
Seventh Election District, Queen Anne's County, Maryland, as
the same is recorded among the Land Records.

William R. Nuttle
Chestertown, Maryland 21620

To bring with him survey, plat and worknotes pertaining
to location of Fourth Street, Crumpton, Queen Anne's County,
Maryland.

Richard E. Luttrell
J. R. McCrone, Jr. Associates
Chestertown, Maryland 21620

To bring with him all surveys, worknotes and other
memorabilia in the possession or under the control of J. R.
McCrone, Jr. Associates relating to the location of Fourth
Street in Crumpton, Queen Anne's County, Maryland. This to
include not only surveys made by J. R. McCrone, Jr. Associates
but also surveys made by Brown Metcalfe, Shew & Bartlett, or
any other surveyor.

ARTHUR HOCK, ET AL
Complainants

v.

JULIUS GROLLMAN, ET AL
Respondents

STATE OF MARYLAND
IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY

Criminal case number _____
Law case number _____
Equity case number 5762
Juvenile case number _____

TO THE CLERK OF COURT:

Kindly issue summons for the named person (s) to be and appear before this Court to testify in the above entitled proceeding as follows:

Date	Time	Location of Court House	Room	To testify for
5-14-76	9:45	Centreville Md.		Respondents

Name/address/telephone/signature of person requesting summons:
James E. Thompson, Jr., 117 Lawyers Row,
Centreville, Maryland 758-0877

James E. Thompson, Jr.
Signature

NAME ADDRESS CITY/TOWN AND ZIP	NAME ADDRESS CITY/TOWN AND ZIP	NAME ADDRESS CITY/TOWN AND ZIP
William R. Nuttle Chestertown, Maryland 21620 Kent	Richard E. Luttrell J. R. McCrone, Jr. Associates Chestertown, Md. 21620 Kent	Charles W. Cecil Centreville, Md. 21617 Queen Anne's
<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached

To be completed by Clerk of Court and Sheriff of said county

Sheriff's Return	Sheriff's Return	Sheriff's Return
Served _____ Time _____ If Non Est _____ State Reason _____ Sheriff _____	Served _____ Time _____ If Non Est _____ State Reason _____ Sheriff _____	Served <u>5-6-76</u> Time <u>1100 A.M.</u> If Non Est _____ State Reason _____ Deputy Sheriff <u>William S. [Signature]</u>

TO THE SHERIFF:

You are hereby commanded to summon the named person to testify as stated above.

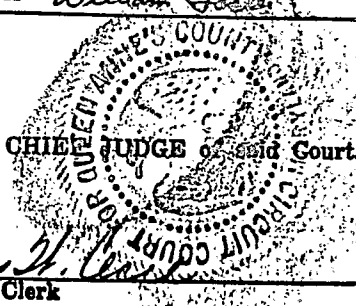
By ORDER of THE HONORABLE George B. Rasin, Jr.

Issued this 4th day of May, 1976

MAY 6 1976

CHIEF JUDGE of said Court.

Charles J. [Signature]
Clerk



STATE OF MARYLAND
IN THE
CIRCUIT COURT
FOR

ARTHUR S. HOCK, et al.

vs.

JULIUS GROLLMAN, et al.

COUNTY

Criminal case number _____

Law case number _____

Equity case number 5762

Juvenile case number _____

TO THE CLERK OF COURT:

Kindly issue summons for the named person (s) to be and appear before this Court to testify in the above entitled proceeding as follows:

Date	Time	Location of Court House	Room	To testify for
May 14, 1976	10:00 A.M.	North Commerce Street Centreville, Maryland		Plaintiffs

Name/address/telephone/signature of person requesting summons:
Thomas Sisk, Court Street, Chestertown, Md. 21620
778-1654

[Signature]
Signature

<p>NAME Robin Wood</p> <p>ADDRESS Zoning Office</p> <p>CITY/TOWN AND ZIP Centreville, Md. 21617</p> <p>COUNTY Queen Anne's</p> <p><input checked="" type="checkbox"/> Summons Duces Tecum Attached</p>	<p>NAME James Morris</p> <p>ADDRESS Health Department</p> <p>CITY/TOWN AND ZIP Centreville, Md. 21617</p> <p>COUNTY Queen Anne's</p> <p><input checked="" type="checkbox"/> Summons Duces Tecum Attached</p>	<p>NAME Charles E. Anthony, Jr.</p> <p>ADDRESS Assessment Office</p> <p>CITY/TOWN AND ZIP Centreville, Md. 21617</p> <p>COUNTY Queen Anne's</p> <p><input checked="" type="checkbox"/> Summons Duces Tecum Attached</p>
--	--	---

To be completed by Clerk of Court and Sheriff of said county

Sheriff's Return		Sheriff's Return		Sheriff's Return	
Served	Time	Served	Time	Served	Time
If Non Est		If Non Est		If Non Est	
State Reason		State Reason		State Reason	
Sheriff		Sheriff		Sheriff	

TO THE SHERIFF:

You are hereby commanded to summon the named person to testify as stated above.

By ORDER of THE HONORABLE George B. Rasin, Jr. , CHIEF JUDGE of said Court.

Issued this 12th day of May, 1976.

COPY

[Signature]
Clerk

TO: ROBIN WOOD
ZONING OFFICE

SUMMONS DUCES TECUM

Bring with him a letter from Zoning Office to Mr. Hock dated November 5, 1975 and notes in the Zoning Office concerning Mr. Hock dated September 4, 1975.

TO: CHARLES E. ANTHONY, JR.
TAX ASSESSOR

SUMMONS DUCES TECUM

Bring with him Tax Map for Queen Anne's County Number 5A - Crumpton.

TO: JAMES MORRIS
HEALTH DEPARTMENT

SUMMONS DUCES TECUM

Bring with him Sanitary Construction Permit issued to Art Hock May 19, 1975, Sanitary Permit #7768

STATE OF MARYLAND
IN THE
CIRCUIT COURT
FOR _____ COUNTY

ARTHUR S. HOCK, et al.
vs.
JULIUS GROLLMAN, et al.

Criminal case number _____
Law case number _____
Equity case number 5762
Juvenile case number _____

TO THE CLERK OF COURT:

Kindly issue summons for the named person (s) to be and appear before this Court to testify in the above entitled proceeding as follows:

Date: May 14, 1976 Time: 10:00 A.M. Location of Court House: North Commerce Street, Centreville, Maryland Room: _____ To testify for: Plaintiffs
Name/address/telephone/signature of person requesting summons: Thomas Sisk, Court Street, Chestertown, Md. 21620 778-1654
[Signature]
Signature

NAME	NAME	NAME
Robin Wood	James Morris	Charles E. Anthony, Jr.
ADDRESS Zoning Office	ADDRESS Health Department	ADDRESS Assessment Office
CITY/TOWN AND ZIP Centreville, Md. 21617	CITY/TOWN AND ZIP Centreville, Md. 21617	CITY/TOWN AND ZIP Centreville, Md. 21617
COUNTY Queen Anne's	COUNTY Queen Anne's	COUNTY Queen Anne's
<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached

To be completed by Clerk of Court and Sheriff of said county

Sheriff's Return	Sheriff's Return	Sheriff's Return
Served <u>5-12-76</u> Time <u>4:15 PM</u>	Served <u>5/13/76</u> Time <u>9:25 AM</u>	Served <u>5/13/76</u> Time <u>9:15 AM</u>
If Non Est _____ State Reason _____	If Non Est _____ State Reason _____	If Non Est _____ State Reason _____
Sheriff <i>George P. Sharp</i>	Deputy Sheriff <i>William Foster</i>	Deputy Sheriff <i>William Foster</i>

TO THE SHERIFF:

You are hereby commanded to summon the named person to testify as stated above.

By ORDER of THE HONORABLE

George B. Rasin, Jr.

CHIEF JUDGE of said Court.

Issued this 12th day of May, 1976.
FILED
MAY 13 1976

Charles J. [Signature]
Clerk

ARTHUR S. HOCK, et al
Plaintiffs
VS
JULIUS GROLLMAN, et al
Defendants

IN THE CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY, MARYLAND
EQUITY NO. 5762

STIPULATIONS

Metcalf Survey
Shew and Bartlett Survey
McCrone Survey
Nuttle Survey
1865 Map of Crumpton (Sheppard)
1877 Atlas

That the road is not a County Road but ^{at most} an O.P. Road and the only issue is where the northern and southern boundaries of the O.P. Road are located (O.P. Road is a road used by or dedicated to the public but which has never been accepted into the County Road System or maintained by the County).

That Plaintiffs applied for and received permits to put in four trailer sites and septic system for same and because of a complaint that the Plaintiffs did not meet the proper set back - complaint was based on controversy over road location - the Plaintiffs voluntarily stopped work after being told that if they did not stop work the permits would be revoked by the Zoning Administrator.

That the last recorded deed of the parties can go into evidence.

That the numbered streets are separated by ten thirty foot lots and that the blocks between the numbered streets are three hundred feet long
Filed May 14, 1976

ARTHUR HOCK, ET AL

Complainants

v.

JULIUS GROLLMAN, ET AL

Respondents

9

9 MAY 724

STATE OF MARYLAND
IN THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY

Criminal case number _____

Law case number _____

Equity case number 5762

Juvenile case number _____

TO THE CLERK OF COURT:

Kindly issue summons for the named person (s) to be and appear before this Court to testify in the above entitled proceeding as follows:

Date	Time	Location of Court House	Room	To testify for
5-14-76	9:45	Centreville Md.		Respondents

Name/address/telephone/signature of person requesting summons:
James E. Thompson, Jr., 117 Lawyers Row,
Centreville, Maryland 758-0877

James E. Thompson, Jr.
Signature

NAME ADDRESS CITY/TOWN AND ZIP COUNTY	NAME ADDRESS CITY/TOWN AND ZIP COUNTY	NAME ADDRESS CITY/TOWN AND ZIP COUNTY
William R. Nuttle Chestertown, Maryland 21620 Kent	Richard E. Luttrell J. R. McCrone, Jr. Associates Chestertown, Md. 21620 Kent	Charles W. Cecil Centreville, Md. 21617 Queen Anne's
<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached	<input checked="" type="checkbox"/> Summons Duces Tecum Attached

To be completed by Clerk of Court and Sheriff of said county

Sheriff's Return	Sheriff's Return	Sheriff's Return
Served <u>5-13-76</u> Time <u>6:10</u> If Non Est State Reason	Served <u>5-7-76</u> Time <u>10:30 AM</u> If Non Est State Reason	Served _____ Time _____ If Non Est State Reason
Sheriff <u>Bartus D. Vickus</u>	Sheriff <u>Bartus D. Vickus</u>	Sheriff _____

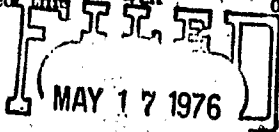
TO THE SHERIFF:

You are hereby commanded to summon the named person to testify as stated above.

By ORDER of THE HONORABLE George B. Rasin, Jr.

CHIEF JUDGE of said Court.

Issued this 4th day of May, 19 76



Charles W. Cecil
Clerk

ARTHUR S. HOCK, et al.	:	IN THE CIRCUIT COURT
Plaintiffs	:	
vs.	:	FOR QUEEN ANNE'S COUNTY, MARYLAND
JULIUS GROSSMAN, et al.	:	
Defendants	:	EQUITY NO. 5762

MEMORANDUM OPINION

This is a declaratory judgment proceedings brought by the Hock family owners of a twenty acre parcel of land in the small unincorporated village of Crumpton, known in the 1700's as Callisters Ferry, located in the Seventh Election District of Queen Anne's County, Maryland. It is located on and near the Chester River and except for a few larger homes on Main Street and on the river consists largely of older modest one-story houses and more lately some modular and mobile homes. The Court visited the site of the boundaryline and right-of-way dispute with the Clerk of the Circuit Court, the Attorneys for the parties, and the surveyors for the respective parties after the hearing in this case.

The Defendants in the case are four adjacent residents (and their spouses) and the County Commissioners of Queen Anne's County. The County Commissioners did not participate actively in the case and are technical parties without any real interest in the case.

The case arose by reason of the fact that the Hocks in midsummer 1975 applied for and were granted zoning and plumbing permits from the proper authorities of Queen Anne's County for the purpose of constructing four additional mobile home sites for their already existing home trailer park. On September 6, 1975, after the sites and septic systems were about fifty percent completed the permits were verbally withdrawn and the construction stopped. The Hocks complain that they thus suffered substantial monetary loss and have filed this

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1.
LIBER

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proceeding to establish their right to complete the work and install the mobile homes.

The problem arose because one or more of the Defendants complained to the county authorities that the fifty foot set back requirements from the Hock property line in the County Zoning Ordinance were being violated and/or that the trailer site preparation was partly or wholly on public property. Each side employed attorneys and land surveyors who made surveys, prepared plats and testified in Court with respect to their separate contentions. Two of the Hock family and two of the Defendants also gave testimony. Introduced as separate or joint exhibits were copies of all the deeds for the parties to this suit, two recorded town plats made in 1865 and 1877, the county tax plat, and later plats made for individual landowners in this part of Crumpton, including the 1976 plats made by the surveyors for the parties for use in this case.

As so often happened long ago in small towns and villages, such as Crumpton, the original recorded town plats were not really plats at all but simply a sketch or map on one or two sheets of paper made by a developer laying out hundreds of lots by numbers (without regard to the topography), giving street names by successive numbers (such as First, Second) or names such as Main, Market, etc. and usually (but not always) stating on the map the size of lots and the width of the streets and alleys. We suppose much of rural town America was developed from many of these simple maps. Markers were usually not put down to mark the corners of lots or the positions of streets. It is probably difficult for urban and suburban lawyers and inhabitants who are used to precise subdivision plats and exact measurements and location surveys to understand how this occurs.

Needless to say, over the years as lots were sold off without survey and dwellings and buildings erected at various locations and streets were opened up in sections, the locations of the streets and

the dwellings thereon, were not always as shown on the original or later town plats. We are advised that this is what occurred in Crumpton over the years, and is the seat of the problem in this case.

HOCK PROPERTY

The elder Mr. Hock testified that he has lived in Crumpton since 1920. He bought the land for Pine Springs Trailer Park in 1954. His deed has one of the poorest kind of general description imaginable, not by metes and bounds, not by lot numbers, and gives only one measurement 120 feet, and winds up by saying it is 10 acres, more or less. However, in March, 1959, Mr. Hock employed J.B. Metcalf, a well known Engineer and Surveyor of Chestertown, Maryland, to survey his 10 acres and the survey determined that it was actually 20.617 acres, excluding the public road. Mr. Hock testified that he complained to Mr. Metcalf about his survey at the time because he claimed still fifty feet more on the north side of his property on what was marked on the old plats as Fourth Street. However, Hock did nothing about it because the paper street (Fourth Street) which was the northerly boundary of his land was unopened and was not used by anyone. It was testified by Surveyor William Nuttle that Mr. Metcalf's 1959 survey of the Hock property was in accordance with the two earlier town plats.

The testimony further showed that on March 16, 1973 the 20.617 acre trailer park was conveyed by deed (Exhibit #3) from Arthur S. Hock and wife to their sons Randolph E. Hock and Arthur S. Hock, subject to a life estate in the parents. The deed was by precise metes and bounds description as surveyed by Mr. Metcalf. It's beginning point was at a concrete monument at the intersection of Fourth and Merchant Streets, and its other points of reference are by concrete markers.

It is this deed that the Plaintiffs want the Court to construe as being fifty feet wider than called for within its precise dimensions

and fifty feet beyond its concrete monument corner markers in the area where he wants to place four more housetrainers.

All the recent plats and surveys show (and the Court confirmed this by personal observation) that in the critical area in which this action is concerned, that is Fourth Street between Merchant and Market streets, the following facts are true:

(1) that paved Fourth Street (now an existing county road) does not continue in its southwesterly straight course as shown by the old town maps but before it reaches Merchant Street turns southerly at about an 45 degree angle;

(2) that said paved road Fourth Street as it runs northeasterly of Merchant Street actually is not within the outlines of Fourth Street (as shown on the maps) but runs along the northerly outlines thereof, and

(3) that the street which is marked on all the plats as Fourth Street between Merchant and Market Streets has never been opened or used. This is the area in dispute in this case.

The parties have stipulated that this section of Fourth Street (in the disputed area in question) was never used or dedicated as a street. It was further stipulated that it has never been accepted into the county road system nor maintained by the county, and there is no intention to ever put this street through.

The Plaintiffs have not met the burden of proof in this case of convincing the Court that most^{of} the plats of the Town of Crumpton since 1857¹⁸⁶⁵ and the 1877 atlas are based on a wrong hypothesis and are not correct in delineating the bed of the streets (open and unopened) and particularly Fourth Street in the area in question. We do not accept the Plaintiffs' surveyor's theory that all streets in Crumpton were

laid out to be alternatively 40 and 30 feet wide. We are convinced that each block was 300 feet wide (which was stipulated) and that each street was intended to be 50 feet wide at least in the end of the Town of Crumpton in which we are interested in this case. The Court accepts the testimony of Surveyor Nuttle that all paved streets in Crumpton do not run straight and believes his survey and plat are accurate and correct as to the location of the Hock northerly boundary line. The Court does not accept the Plaintiff's claim that his own plat and deed are wrong and that he can now disavow its plain metes and bounds description.

LAW OF CASE

Since Fourth Street between Merchant and Market Streets has never been opened or used, the Court must determine its legal status and who is the owner thereof.

8 Md. Law Encyclopedia - Dedication, Sec. 6. P. 239 holds-

"The filing of a plat laying out streets and avenues which have not been actually laid out on the ground constitutes merely an offer of dedication which does not become a dedication until the offer is accepted." (underlining supplied)

See also to the same effect:

Shapiro v. Bd. of County Commissioners, 219 Md. 298, 302.
Taussig v. Van Deusen, 183 Md. 387, 392.
State Roads Commission v. Teets, 210 Md. 213, 222.
Hackerman v. Baltimore, 212 Md. 618, 624.

It is clear that there has been no acceptance by the public, or by the county, or by the adjacent property owners of the offer to dedicate Fourth Street as a public street in this area. Under the aforesaid cases, there has thus been no dedication for public use, the public has no right therein, and the Court thus finds it is not a public street.

The four defendants' deeds described their lots by reference to

the lot numbers as shown in the recorded 1865 plat of the Town of Crumpton. Therefore the next question is whether the four defendants are entitled as individuals to a right-of-way over the platted (paper) Fourth Street until it reaches some other street or public way.

Hackerman v. Baltimore, 212 Md. 618, 625, 8 M.L.E. Dedication Sec. 6 P. 239 and 240, Note 41. In Stover v. Stuffey, 115 Md. 524, 530 it was said that each individual case must after all be decided upon its own facts and circumstances (citing cases).

The Court believes that the defendants are not entitled to use said right-of-way to its full extent and dimensions to reach some other street for the following reasons: (1) all four of the defendants already have access to some other public street for their lots and thus the paper street is not necessary to reach them; (2) none of the four defendant lot owners has opened or used the paper street (3) none have used nor accepted the implied offer of dedication of the street, and (4) some have built garages or other structures in part of the paper street.

The Court thus holds that the facts and circumstances of this particular case are sufficient to work an "equitable estoppel" against these individual landowners to assert a dedication. 8 M.L.E. Section 11. P. 247 Note 78. Equitable estoppel is defined as the effect of the voluntary conduct of a party whereby he is absolutely precluded from asserting rights which may have otherwise existed. The doctrine is based on the grounds of public policy and good faith. 21 M.L.E. Estoppel, Sec. 21.

The question thus arises as to who is entitled to the ownership of the fifty foot wide (block long) paper Fourth Street lying between Merchant and Market Streets. Is it simply lost property with no legal

owner or can it be considered legally abandoned property falling within the gambit of Real Property Code Section 2-144, which reads in pertinent part as follows:

"Unless a contrary intention appears in the deed,---, if any deed--grants--land binding on any street or highway, or if any street or highway is one or more of the lines of the land, the deed--passes to the--grantee, all the right, title and interest of the--grantor in the street or highway. Except that to the extent the--grantor owns other land on the opposite side of the street or highway, the deed--passes the right, title and interest of the--grantor only to the center of that portion of the street or highway on which the two or more tracts coextensively bind."

The Court is of the opinion that non-user and lapse of time in a proper case do constitute a failure of the individual land owners to accept the offer to dedicate a street and do constitute a legal abandonment thereof. We so hold as to the landowners in this proceeding under the facts of this case. It therefore follows that the Plaintiffs and Defendants are each entitled to one-half of said paper street opposite their respective lots, i.e. to the center thereof.

The Declaratory Judgment Statute (Courts Article Sec. 3-402) provides that it is to be liberally construed and administered. Sections 3-411 and 412(a) of the Act states that its decrees may be affirmative in form and effect and that further relief may be granted if necessary or proper.

Therefore, in order to effectively carry out this decision in the exercise of its general equity jurisdiction the Court (pursuant to Art. 16 Section 107, Annotated Code of Maryland) will appoint Trustees to convey by deed to said parties their proper allocation of the bed of said unopened Fourth Street area between Merchant and Market Streets in the Town of Crumpton.

ORDER AND DECREE

For the reasons set forth in the foregoing Memorandum Opinion, it is this 14th day of June, 1976, hereby ORDERED, ADJUDGED, DECLARED AND DECREED by the Circuit Court for Queen Anne's County, in Equity, as follows:

1. That the northerly boundary line of the Plaintiffs' property is as described by metes and bounds description in their 1973 deed which was taken from their survey (Joint Exhibit B) made by J. B. Metcalf, Surveyor and Engineer, dated March, 1959, and as confirmed by the survey and plat (Defendants' Exhibit #1), made by Wm. R. Nuttle, Registered Surveyor dated April, 1976.
2. That the 50 feet wide area marked Fourth Street on said Metcalf & Nuttle plats and lying between Merchant and Market Streets has not been accepted or used as a street by the public or by the adjacent landowners, and is declared to be legally abandoned.
3. That pursuant to the provisions of Real Property Code of Maryland Section 2-144, (a) the Plaintiffs are hereby declared to be the legal owners of all that land lying northerly of and binding on their property to the center of that part of unopened Fourth Street as adjudicated herein; (b) the defendants Paul H. Bakker and Doris L. Bakker, his wife, are hereby declared to be the legal owners of all that land lying northerly of and binding on their property to the center of that part of unopened Fourth Street as adjudicated herein; (c) the defendants Leonard R. Doll and Shirley Doll, his wife, are hereby declared to be the legal owners of all that land lying southerly of and binding on their property to the center of that part of the unopened Fourth Street as adjudicated herein; (d) the defendants Edward R. Usilton and Betty Usilton, his wife, are hereby declared to

be the legal owners of all that land lying southerly of and binding on their property to the center of that part of unopened Fourth Street as adjudicated herein; and (e) the defendants Ivan L. Bozarth and Phyllis Bozarth, his wife, are hereby declared to be the legal owners of all that land lying southerly of and binding on their property to the center of that part of unopened Fourth Street as adjudicated herein.

4. That James E. Thompson and Thomas Sisk are hereby appointed Trustees to convey the property by separate fee simple deeds to the respective grantees named in Paragraph 3 of this Order.

5. That the costs of this proceeding shall be paid one-half by the Plaintiffs and one-half by the Defendants.

R. Thomas Everingham
JUDGE

IN THE MATTER OF THE TAX SALES *
IN QUEEN ANNE'S COUNTY, MARYLAND,
FOR THE YEAR 1976, OF PROPERTIES *
ASSESSED TO THE FOLLOWING:

ROBERT L. AND ANNE G. MASSEY; *
HARRY E. AND GERTIE WATKINS;
JOHN W. THOMAS; JOHN W. THOMAS *
AND MARY T. GIBBS; LIZZIE WELLS;
THEODORE AND LAURA MOORE; MABEL *
STEADMAN; MABEL STEADMAN; MABEL
STEADMAN; JOHN E. HOSKINS AND *
DIANA T. SCOTT; EUGENE G. HOWARD;
MILDRED KELLEY; WILLIAM A. AND *
ELLA N. LYNCH; JERALD G. AND
JOY C. PRICE; MILDRED T. SANDY; *
JOHN M. AND ANGELINE STAUBITZ;
CHARLES E. JR. AND ALMA M. *
STEVENS; GRANVILLE T. WARD;
J. ROBERT WOLCOTT; J. ROBERT *
WOLCOTT; ROBERT WOLCOTT; ROBERT
WOLCOTT; VIVIAN SOMERS; MABEL J.*
BEACHY; MABEL J. BEACHY; HARRY
BOTTOMLEY ESTATE; JOHN BOTTOMLEY*
ESTATE; ODITH AND BETTY J. SMITH.

IN

THE

CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5817

REPORT OF TAX SALES

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Record of Tax Sales made by Oscar A. Schulz, Treasurer for Queen Anne's County, unto your Honors respectfully represents:

1. That in the annual levy made by The County Commissioners of Queen Anne's County for the fiscal year 1975-1976 there were assessed to the respective persons taxes for Queen Anne's County and the State of Maryland, levied against certain parcels all situate in certain designated districts of Queen Anne's County. The respective persons against whom and the respective parcels against which the taxes were levied are hereinafter fully designated, the taxes having been so levied and assessed were placed in the hands of Oscar A. Schulz, Treasurer for Queen Anne's County, for collection.
2. That as to the properties hereinafter set forth respectively, the taxes thereon were not paid when due.
3. That Oscar A. Schulz, Treasurer, caused to be published in the Queen Anne's Record Observer and Bay Times, newspapers printed and published and of general circulation in Queen Anne's County, once in each of two successive weeks, between the 15th day of February and the 1st day of March, a list of all delinquents, together with the amount of taxes for which they were respectively in arrears, with a notice of warning to such delinquents thereto appended that unless payment be made in full of said taxes, together with all interest and costs accrued thereon

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ATTORNEY AT LAW
CENTREVILLE, MD. 21617
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to the date of payment on or before the 10th day of April, 1976, the same would be collected by process of law.

4. That the said County Treasurer did cause to be mailed to each of said delinquents at the address shown on the County assessment ledgers between the 15th day of March and the 1st day of April an account of his taxes, which were in arrears, with a notice of warning to such delinquents thereto appended that unless payment be made in full of all taxes, together with all interest and costs accrued thereon to day of payment on or before the 10th day of April, 1976, the same would be collected by process of law.

5. That the said County Treasurer did cause to be published in the Queen Anne's Record Observer and Bay Times, newspapers printed and published and of general circulation in Queen Anne's County, for three successive weeks prior to the third Tuesday in May, a list of all delinquents assessed with real estate, giving the names of the persons assessed, a brief description of the property and the district of its location, together with the amount of taxes in arrears thereon, including all taxes on personality in arrears, by the owner of the real estate with a notice appended that if said taxes, together with all interest, costs, expenses and commissions accrued and to accrue are not paid before the third Tuesday in May, 1976, the Treasurer would proceed at 10:00 a.m. on that day at the Court House in said County to offer said property for sale to the highest bidder for cash. A certificate of said publication is attached hereto as a part hereof.

6. The said Treasurer not having received the taxes in arrears on the several parcels of land, hereinafter described, did proceed to sell on May 18, 1976, at 10:00 a.m. (D.S.T.) in front of the Court House Door, Centreville, Maryland, under the terms of said notice all of said properties in the following manner. The advertisement of sale was first read, and then the properties were offered to the highest bidder, one at a time, by Joseph Jackson, Jr., Auctioneer. There follows the description of the properties, the amount of taxes and interest accrued, the pro rata costs of advertising said sale, the County Treasurer's fees, and all other charges, costs, fees, and expenses incident to said sale, the person to whom and at what price each of said several properties were respectively sold.

FIRST DISTRICT

ALL that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located near Templeville, being designated as Parcel 56, Block 16, on Map 20, Queen Anne's County Tax Maps, consisting of ten acres of woodland. Assessed value \$1,000.00, assessed to Robert L. and Anne G. Massey for \$23.10 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - - \$ 23.10

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Interest- - - - -	\$ 1.23
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<hr/>
5% Treasurer's Commission	\$ 65.83
	<hr/>
	\$ 153.33

The property was sold to William R. Wilson, III, at and for the sum of One Thousand Seven Hundred Fifty Dollars (\$1,750.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the First Election District of Queen Anne's County, Maryland, located near Templeville, being designated as Parcel 41, Block 4, on Map 25, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$1,700.00, assessed to Harry E. and Gertie Watkins for \$39.27 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 39.27
Interest- - - - -	2.09
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<hr/>
5% Treasurer's Commission - - - - -	\$ 82.86
	<hr/>
	\$ 270.36

The property was sold to H. K. Shultz at and for the sum of Three Thousand Seven Hundred Fifty Dollars (\$3,750.00) he being then and there the highest bidder thereof.

SECOND DISTRICT

ALL that lot or parcel of land lying and being in the Second Election District of Queen Anne's County, Maryland, located in Church Hill, being designated as Parcel 129, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$450.00, assessed to John W. Thomas for \$10.40 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 10.44
Interest- - - - -	.55
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<hr/>
5% Treasurer's Commission - - - - -	\$ 52.45
	<hr/>
	\$ 67.45

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The property was sold to Robert Wolcott at and for the sum of Three Hundred Dollars (\$300.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Second Election District of Queen Anne's County, Maryland, located in Church Hill, being designated as Parcel 139, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$311.00, assessed to John W. Thomas and Mary T. Gibbs for \$7.18 taxes in arrears plus interest, costs and expenses to day of sale.

Taxes - - - - -	\$	7.18
Interest- - - - -		.38
Advertising - - - - -		17.00
Attorney- - - - -		15.00
Auctioneer- - - - -		7.50
Notary Public - - - - -		2.00
	\$	49.06
5% Treasurer's Commission - - - - -		10.00
	\$	59.06

The property was sold to Eugene Deems, Jr. at and for the sum of Two Hundred Dollars (\$200.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Second Election District of Queen Anne's County, Maryland, located near Church Hill, being designated as Parcel 89, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$135.00, assessed to Lizzie Wells for \$3.12 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	3.12
Interest- - - - -		.17
Advertising - - - - -		17.00
Attorney- - - - -		15.00
Auctioneer- - - - -		7.50
Notary Public - - - - -		2.00
	\$	44.79
5% Treasurer's Commission - - - - -		7.50
	\$	52.29

The property was sold to Saul Levickas at and for the sum of One Hundred Fifty Dollars (\$150.00) he being then and there the highest bidder thereof.

THIRD DISTRICT

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located near Brown's Corner being designated as Parcel 94, Block 8, on Map 29, Queen Anne's County Tax Maps, consisting of a lot. Assessed value

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\$524.00, assessed to Theodore and Laura Moore for \$12.10 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 12.10
Interest- - - - -	.64
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 54.24</u>
1974-1975 County Interest - - - - -	12.54
	<u>\$ 66.78</u>
5% Treasurer's Commission - - - - -	12.50
	<u>\$ 79.28</u>

The property was sold to Dorothy Holland and Kay Starkey at and for the sum of Two Hundred Fifty Dollars (\$250.00) they being then and there the highest bidders thereof.

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located S/E Commerce Street, being designated as Parcel 65, Block____, Map 14, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$230.00, assessed to Mabel Steadman for \$5.31 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 5.31
Interest- - - - -	.28
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 47.09</u>
5% Treasurer's Commission - - - - -	10.00
	<u>\$ 57.09</u>

The property was sold to Eugene F. Deems, Jr. at and for the sum of Two Hundred Dollars (\$200.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located S/E Commerce Street, being designated as Parcel 66, Block____, Map 14, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$529.00, assessed to Mabel Steadman for \$12.22 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 12.22
Interest- - - - -	.65
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 54.37</u>

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5% Treasurer's Commission - - - - - \$ 25.00
 \$ 79.37

The property was sold to Robert Wolcott at and for the sum of Five Hundred Dollars (\$500.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Third Election District of Queen Anne's County, Maryland, located S/E Commerce, being designated as Parcel 65A, Block _____, Map 14, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$244.00, assessed to Mabel Steadman for \$5.63 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 5.63
Interest- - - - -	.30
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 47.43</u>
5% Treasurer's Commission - - - - -	5.00
	<u>\$ 52.43</u>

The property was sold to Charles E. Anthony, Jr. at and for the sum of One Hundred Dollars (\$100.00) he being then and there the highest bidder thereof.

FOURTH DISTRICT

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lot 20 Cloverfields, being designated as Block Y, on Map 49, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$12,982.00, assessed to John E. Hoskins and Diana T. Scott for \$299.90 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 299.90
Interest- - - - -	15.98
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 357.38</u>
5% Treasurer's Commission - - - - -	300.00
	<u>\$ 657.38</u>

The property was sold to Robert Wolcott at and for the sum of Six Thousand Dollars (\$6,000.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth

Election District of Queen Anne's County, Maryland, located Lot 10 Sunny Isle of Kent, being designated Block L., on Map 63, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$444.00, assessed to Eugene G. Howard for \$10.25 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 10.25
Interest- - - - -	.55
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 52.30</u>
5 % Treasurer's Commission - - - - -	20.00
	<u>\$ 72.30</u>

The property was sold to Saul Levickas at and for the sum of Four Hundred Dollars (\$400.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lots 15,16,17,18,19 Cloverfields, being designated as Block AA, on Map 49, Queen Anne's County Tax Maps, consisting of five lots. Assessed value \$1,828.00, assessed to Mildred Kelley for \$42.23 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 42.23
Interest- - - - -	2.25
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 85.98</u>
5% Treasurer's Commission - - - - -	225.00
	<u>\$ 310.98</u>

The property was sold to Victor and Mary Daniel at and for the sum of Four Thousand Five Hundred Dollars (\$4,500.00) they being then and there the highest bidders thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located near Stevensville, being designated as Parcel 71, Block 24, on Map 48, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$134.00, assessed to William A. and Ella N. Lynch for \$3.09 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 3.09
Interest- - - - -	.16
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 44.75</u>

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5% Treasurer's Commission - - - - - \$ 7.50
 \$ 52.25

The property was sold to Saul Levickas at and for the sum of One Hundred Fifty Dollars (\$150.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lot 20 Cloverfields, being designated as Block T, on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$1,353.00, assessed to Jerald G. and Joy C. Price for \$31.25 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 31.25
Interest- - - - -	1.67
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 74.42</u>
5% Treasurer's Commission - - - - -	65.00
	<u>\$ 139.42</u>

The property was sold to Charles M. Wilson and Helen E. Pardee at and for the sum of One Thousand Three Hundred Dollars (\$1,300.00) they being then and there the highest bidders thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lots 17, 18, 19 Romancoke on the Bay, being designated as Block H, on Map 76, Queen Anne's County Tax Maps, consisting of three lots. Assessed value \$1,796.00, assessed to Mildred T. Sandy for \$41.49 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 41.49
Interest- - - - -	2.21
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 85.20</u>
5% Treasurer's Commission - - - - -	180.00
	<u>\$ 265.20</u>

The property was sold to Landon Smith at and for the sum of Three Thousand Six Hundred Dollars (\$3,600.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lots

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786-0877

24,26,27,29 Kent Island Estates, being designated as Block B, on Map 70, Queen Anne's County Tax Maps, consisting of four lots. Assessed value \$4,502.00, assessed to John M. and Angeline Staubitz for \$103.99 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 103.99
Interest- - - - -	5.54
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 151.03</u>
5% Treasurer's Commission - - - - -	<u>100.00</u>
	\$ 251.03

The property was sold to Eugene F. Deems, Jr. at and for the sum of Two Thousand Dollars (\$2,000.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lot 8 Cloverfields, being designated as Block EE, on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$431.00, assessed to Charles E. Jr. and Alma M. Stevens for \$9.96 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 9.96
Interest- - - - -	.54
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>\$ 52.00</u>
5% Treasurer's Commission - - - - -	<u>25.00</u>
	\$ 77.00

The property was sold to Eugene F. Deems, Jr. at and for the sum of Five Hundred Dollars (\$500.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lot 1 Kent Island Estates being designated as Block C, on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$662.00, assessed to Granville T. Ward for \$15.29 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 15.29
Interest- - - - -	.81
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50

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Notary Public - - - - -	\$ 2.00
	\$ 57.60
5% Treasurer's Commission - - - - -	40.00
	\$ 97.60

The property was sold to Carlton Foster and Ruth Foster at and for the sum of Eight Hundred Dollars (\$800.00) they being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lot 9, Cloverfields, being designated as Block DD, on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$453.00, assessed to J. Robert Wolcott for \$10.46 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 10.46
Interest- - - - -	.56
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	\$ 52.52
5% Treasurer's Commission - - - - -	22.50
	\$ 75.02

The property was sold to Harry Reynolds, Jr. at and for the sum of Four Hundred Fifty Dollars (\$450.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lot 27, Cloverfields, being designated as Block GG, on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$709.00, assessed to J. Robert Wolcott for \$16.38 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 16.38
Interest- - - - -	.87
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	\$ 58.75
5% Treasurer's Commission - - - - -	25.00
	\$ 83.75

The property was sold to Victor and Mary Daniel at and for the sum of Five Hundred Dollars (\$500.00) they being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth

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Election District of Queen Anne's County, Maryland, located Lot 16 Kent Island Estates, being designated as Block J., on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$250.00, assessed to Robert Wolcott for \$5.78 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 5.78
Interest- - - - -	.31
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<hr/>
	\$ 47.59
5% Treasurer's Commission - - - - -	32.50
	<hr/>
	\$ 80.09

The property was sold to Victor and Mary Daniel at and for the sum of Six Hundred Fifty Dollars (\$650.00) they being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located Lot 12 Romancoke on the Bay, being designated as Block S, on Map 76, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$596.00, assessed to Robert Wolcott for \$13.77 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 13.77
Interest- - - - -	.73
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<hr/>
	\$ 56.00
5% Treasurer's Commission - - - - -	22.50
	<hr/>
	\$ 78.50

The property was sold to Harry Reynolds, Jr. at and for the sum of Four Hundred Fifty Dollars (\$450.00) he being then and there the highest bidder thereof.

FIFTH DISTRICT

ALL that lot or parcel of land lying and being in the Fifth Election District of Queen Anne's County, Maryland, located near Wye Mills, being designated as Parcel 25, Block 3, on Map 67, Queen Anne's County Tax Maps, consisting of four acres of land, more or less, and improvements. Assessed value \$7,177.00, assessed to Vivian Somers for \$165.79 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 165.79
Interest- - - - -	8.84

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Advertising - - - - -	\$ 17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	<u>2.00</u>
	\$ 216.13
5% Treasurer's Commission - - - - -	<u>380.00</u>
	\$ 596.13

The property was sold to Charles M. Wilson and Helen E. Pardeed at and for the sum of Seven Thousand Six Hundred Dollars (\$7,600.00) they being then and there the highest bidders thereof.

SEVENTH DISTRICT

ALL that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located fifteen lots in Unicorn Manor, being designated as Parcel 75, on Map 1, Queen Anne's County Tax Maps, consisting of fifteen lots. Assessed value \$1,500.00, assessed to Mabel J. Beachy for \$34.65 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 34.65
Interest- - - - -	1.85
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	<u>2.00</u>
	\$ 78.00
5% Treasurer's Commission - - - - -	<u>125.00</u>
	\$ 203.00

The property was sold to Dorothy Holland and Kay Starkey at and for the sum of Two Thousand Five Hundred Dollars (\$2,500.00) they being then and there the highest bidders thereof.

ALL that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located near Millington, being designated as Parcel 75, Block 23, on Map 1, Queen Anne's County Tax Maps, consisting of fifty-two acres of land, more or less. Assessed value \$6,442.00, assessed to Mabel J. Beachy for \$148.81 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 148.81
Interest- - - - -	7.93
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	<u>2.00</u>
	\$ 198.24
5% Treasurer's Commission - - - - -	<u>1,100.00</u>
	\$1,298.24

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The property was sold to William R. Wilson, III, at and for the sum of Twenty-Two Thousand Dollars (\$22,000.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located in Sandtown, being designated as Parcel 30, Block 14, on Map 2, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$480.00, assessed to Harry Bottomley Estate for \$11.09 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 11.09
Interest- - - - -	.59
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>53.18</u>
5% Treasurer's Commission - - - - -	30.00
	<u>\$ 83.18</u>

The property was sold to Saul Levickas at and for the sum of Six Hundred Dollars (\$600.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located in Sandtown, being designated as Parcel 31, Block 14, on Map 2, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$520.00, assessed to John Bottomley Estate for \$12.01 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$ 12.01
Interest- - - - -	.64
Advertising - - - - -	17.00
Attorney- - - - -	15.00
Auctioneer- - - - -	7.50
Notary Public - - - - -	2.00
	<u>54.15</u>
5% Treasurer's Commission - - - - -	45.00
	<u>\$ 99.15</u>

The property was sold to Saul Levickas at and for the sum of Nine Hundred Dollars (\$900.00) he being then and there the highest bidder thereof.

ALL that lot or parcel of land lying and being in the Seventh Election District of Queen Anne's County, Maryland, located Lot 14, Block E Char-Nor-Manor, being designated as Parcel 76, Block 6, on Map 4, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$500.00, assessed to Odith and Betty J. Smith for

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\$11.55 taxes in arrears plus interest, costs, and expenses to day of sale.

Taxes - - - - -	\$	11.55
Interest- - - - -		.62
Advertising - - - - -		17.00
Attorney- - - - -		15.00
Auctioneer- - - - -		7.50
Notary Public - - - - -		2.00
	\$	53.67
5% Treasurer's Commission - - - - -		27.50
	\$	81.17

The property was sold to James R. Williams at and for the sum of Five Hundred Fifty Dollars (\$550.00) he being then and there the highest bidder thereof.

The Treasurer further reports that all purchasers have complied with the terms of sale.

Respectfully submitted

Oscar A. Schulz
Oscar A. Schulz, Treasurer for
Queen Anne's County, Maryland

STATE OF MARYLAND)
QUEEN ANNE'S COUNTY)

TO WIT:

I HEREBY CERTIFY, that on this 25 day of May, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Oscar A. Schulz, Treasurer for Queen Anne's County, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Tax Sales are true to the best of his knowledge, information and belief.

WITNESS my hand and Notarial Seal.

William E. Parker
Notary Public
My Commission Expires July 1, 1978



RECORD-OBSERVER

Centreville, Md., May 25 19 76

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of tax sales

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 18th day of May, 19 76, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 28th day of April 19 76, and the last insertion on the 12th day of May, 19 76

FILED MAY 26 1976

THE RECORD-OBSERVER CORPORATION

By Shelly D. Coleman

TAX SALES

Under and by virtue of the authority vested in the undersigned by the laws of the State of Maryland, Acts of the General Assembly of Maryland for the year 1837, Chapter 303, applicable to the collection of State and County Taxes within Queen Anne's County, **THE COUNTY TREASURER FOR QUEEN ANNE'S COUNTY** hereby gives notice that the following taxes are due and owing for the State, County and Town for the years 1974-75, 75-76 thru June 30, 1976 inclusive, there will be added to each of the following amounts, interest, fees and costs.

Unless payment be made in full of said taxes together with all interests and costs accrued thereon before the third Tuesday in May of 1976 to wit:

TUESDAY

MAY 18, 1976

the said County Treasurer for Queen Anne's County will proceed at 10:00 A.M. (D.S.T.)

ON THAT DAY at the COURT HOUSE in CENTREVILLE, QUEEN ANNE'S COUNTY, MARYLAND, to offer for sale, to the highest bidder, For Cash, all of said property upon which taxes, interest, costs, fees or expenses are in arrears, and shall continue said sale on each day thereafter, legal holidays excepted, from 10 A.M. until 3 P.M. until all of said property shall have been offered and disposed of.

The said COUNTY TREASURER shall be entitled to receive a commission of five per centum on the amount of all sales made by him in pursuance of the provision of said Act, to be computed and charged as part of the expenses of such sales, and if before sale but after advertisement, the taxes, interest, and expenses chargeable to any property are paid, then the said COUNTY TREASURER shall be entitled to receive a commission of two per cent.

consisting of 2 lots and improvement. Assessed value \$11,443, assessed to Robert L. and Kathryn Porter for \$234.93 taxes in arrears, costs, and expenses to day of sale.

No. 8

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located near Starkey's Corner being designated as Parcel 23, Block 16, on Map 22, Queen Anne's County Tax Maps, consisting of 3 acres of land, more or less. Assessed value \$780, assessed to John B. Pritchett Estate for \$17.33 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 9

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located near Starkey's Corner being designated as Parcel 23, Block 16, on Map 22, Queen Anne's County Tax Maps, consisting of 3 acres of land, more or less and improvements. Assessed value \$1700, assessed to John B. Pritchett Estate for \$33.37 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 10

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located near Starkey's Corner being designated as Parcel 59, Block 15, on Map 22, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$230, assessed to John E. Pritchett Estate for \$5.73 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 13

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located in Church Hill being designated as Parcel 123, Block 1, on Map 23, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$450, assessed to John W. Thomas for \$10.49 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 14

All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located in Church Hill being designated as Parcel 153, Block 1, on Map 23, Queen Anne's County Tax Maps,

to day of sale.

No. 6

All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located 2-3 Commerce being designated as Parcel 13A, on Map 14, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$304, assessed to Michel Stroudman for \$3.63 taxes in arrears plus interest, costs, and expenses to day of sale.

FOURTH DISTRICT

No. 1

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 19 Market View being designated as Block H, on Map 57, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$7,073, assessed to Donald T. and Nina Emgr for \$134.63 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 2

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Stevensville being designated as Parcel 73, Block 6, on Map 53, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$1,633, assessed to John R. and Ruth Cover for \$3.11 taxes in arrears plus interest, costs, and expenses to day of sale.

Election District of Queen Anne's County, Maryland, located near Chester being designated as Parcel 121, Block 23, on Map 57, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$1,531, assessed to Wm. H. and Ruth R. Conley for \$29.73 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 3

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Stevensville being designated as Parcel 124, Block 6, on Map 53, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$14,172, assessed to Calvin H. and Phyllis P. Dunsen for \$237.37 taxes in arrears plus

Queen Anne's County, Maryland, located Lots 16-17-18-19 Cloverfields being designated as Block AA, on Map 43, Queen Anne's County Tax Maps, consisting of 8 lots. Assessed value \$1,933, assessed to Mildred Bailey for \$42.23 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 21

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Stevensville being designated as Parcel 71, Block 24, on Map 43, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$184, assessed to Wm. A. and Ella N. Lynch for \$9.63 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 23

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Chester being designated as Parcel 110, Block 12, on Map 57, Queen Anne's County Tax Maps, consisting of .23 acre of land, more or less and improvements. Assessed value \$1,237, assessed to Shirley Frenley for \$7.63 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 24

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 29 Cloverfields being designated as Block T, on Map 43, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$1,533, assessed to Gerald G. and Joy C. Frisco for \$31.23 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 25

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lots 17-18-19 Reman-coke on the Bay being designated as Block H, on Map 73, Queen Anne's County Tax Maps, consisting of 3 lots. Assessed value \$1,703, assessed to Mildred T. Sandy for \$31.43 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 27

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 25 Bay City being designated as Block 25, on

On the amount of such taxes, interest and costs as a part of the cost of collecting same.

All properties will be sold without warranty of title or representation as to compliance with zoning or health regulations.

The names of the person or persons to whom the respective parcels or lots of land and improvements, if any, are assessed with a brief description thereof, the District in which the same is located, together with the amount of taxes due and in arrears are as follows: INTERESTS, COSTS, FEES AND EXPENSES TO BE ADDED.

FIRST DISTRICT

No. 3 All that lot or parcel of land lying and being in the 1st Election District of Queen Anne's County, Maryland, located near Tomplovillo being designated as Parcel 70, Block 14, on Map 29, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$530, assessed to John Jr. and Margaret E. Clough for \$3.00 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 6 All that lot or parcel of land lying and being in the 1st Election District of Queen Anne's County, Maryland, located near Tomplovillo being designated as Parcel 63, Block 16, on Map 29, Queen Anne's County Tax Maps, consisting of 10 acres of woodland. Assessed value \$1073, assessed to Robert L. and Anne G. Massey for \$3.10 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7 All that lot or parcel of land lying and being in the 1st Election District of Queen Anne's County, Maryland, located near Tomplovillo being designated as Parcel 41, Block 4, on Map 23, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$1769, assessed to Harry E. and Gerlie Watkins for \$3.37 taxes in arrears plus interest, costs, and expenses to day of sale.

SECOND DISTRICT

No. 7 All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located near Church Hill being designated as Parcel 63, Block 1, on Map 29, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$311, assessed to John W. and Thomas and Mary T. Gibbs for \$7.10 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 15 All that lot or parcel of land lying and being in the 2nd Election District of Queen Anne's County, Maryland, located near Church Hill being designated as Parcel 63, Block 1, on Map 29, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$113, assessed to Linnie Wolfe for \$3.12 taxes in arrears plus interest, costs, and expenses to day of sale.

THIRD DISTRICT

No. 3 All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Brown's Corner being designated as Parcel 61, Block 8, on Map 29, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$524, assessed to Theodore and Laura Moore for \$24.00 Adv. taxes in arrears plus interest, costs, and expenses to day of sale.

No. 5 All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located near Brownville being designated as Parcel 23, Block 1, on Map 44, Queen Anne's County Tax Maps, consisting of 2 1/2 acres of land, more or less and improvements. Assessed value \$1772, assessed to William and Gertrude Ryans for \$30.12 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 6 All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located S-E Commerce St. being designated as Parcel 65, on Map 14, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$230, assessed to Mabel Stedman for \$3.31 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7 All that lot or parcel of land lying and being in the 3rd Election District of Queen Anne's County, Maryland, located S-E Commerce St. being designated as Parcel 63, on Map 14, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$129, assessed to Mabel Stedman for \$13.23 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 10 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Chester being designated as Parcel 64, Block 1, on Map 61, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$2447, assessed to James B. and Elizabeth Green for \$24.00 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 11 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 14 Cloverfields being designated as Block A, on Map 63, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$3,200, assessed to Theo. D. and Pamela D. Hildeman for \$17.50 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 12 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 20 Cloverfields being designated as Block Y, on Map 63, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$12,000, assessed to John B. Mackin and Diana T. Scott for \$30.00 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 13 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 10 Sunny Isle of Kent being designated as Block L, on Map 63, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$424, assessed to Eugene G. Howard for \$10.23 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 14 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 2 Marling Farms being designated on Map 61, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$10,673, assessed to Earl R. Jr. and Madge A. Hubbard for \$23.01 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 15 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 1 K.I.E. being designated as Block C, on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$332, assessed to Granville T. Ward for \$15.23 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 29 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 8 Cloverfields being designated as Block EE, on Map 49, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$431, assessed to Chas. E. Jr. and Alma M. Stevens for \$9.96 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 23 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lots 24-27-29 K.I.E. being designated as Block B, on Map 70, Queen Anne's County Tax Maps, consisting of 4 lots. Assessed value \$4,552, assessed to John M. and Angeline Staubitz for \$103.00 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 29 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 8 Cloverfields being designated as Block EE, on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$431, assessed to Chas. E. Jr. and Alma M. Stevens for \$9.96 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 32 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Stevensville being designated as Parcel 65, Block 12, on Map 48, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$3,193, assessed to Albert and Martina Turner for \$107.55 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 33 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located near Stevensville being designated as Parcel 16, Block 19, on Map 49, Queen Anne's County Tax Maps, consisting of 3 acres of land, more or less and improvements. Assessed value \$13,664, assessed to Chas. F. and Catherine Walter for \$20.54 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 34 All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 1 K.I.E. being designated as Block C, on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$332, assessed to Granville T. Ward for \$15.23 taxes in arrears plus interest, costs, and expenses to day of sale.

QUEEN ANNE
May 12, 1976

costs, and expenses to day of sale.

No. 35

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 29 Bay City being designated as Block 23, on Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$12,831, assessed to Robert G. and Joann Webb for \$183.10 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 33

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 9 Cloverfields being designated as Block DD, on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$1.53, assessed to J. Robert Wolcott for \$10.43 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 39

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 27 Cloverfields being designated as Block GG, on Map 49, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$763, assessed to J. Robert Wolcott for \$16.39 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 40

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 10 K.I.E. being designated as Block J, on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$239, assessed to Robert Wolcott for \$3.73 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 41

All that lot or parcel of land lying and being in the 4th Election District of Queen Anne's County, Maryland, located Lot 12 Rosemocha on the Bay being designated as Block S, on Map 70, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$233, assessed to Robert Wolcott for \$13.77 taxes in arrears plus interest, costs, and expenses to day of sale.

FIFTH DISTRICT

No. 1

All that lot or parcel of land lying and being in the 5th

Electon District of Queen Anne's County, Maryland, located in Queenstown being designated as Parcel 129, Block 1, on Map 51, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$331, assessed to Richard and Sarah Hickey for \$33.23 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 10

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located Lot 13 R and R Dcv. being designated as Parcel 723, Block 21, on Map 59, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$10,933, assessed to Bertha Felley for \$231.63 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 12

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located near Greenville being designated as Parcel 631, Block 17, on Map 53, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$10,823, assessed to Melville and Blaine Sewell for \$239.01 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 13

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located Lot 10 Gouldswn Rd. being designated as Parcel C3, Block 15, on Map 43, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$1879, assessed to Morrison and Betty Smith for \$31.10 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 14

All that lot or parcel of land lying and being in the 5th Election District of Queen Anne's County, Maryland, located near Wyo Mills being designated as Parcel 23, Block 3, on Map 67, Queen Anne's County Tax Maps, consisting of 2 acres of land, more or less and improvements. Assessed value \$7177, assessed to Vivian Summa for \$137.70 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 15

All that lot or parcel of land lying and being in the 5th Election District of Queen

of a lot and improvements. Assessed value \$459, assessed to Harry Bottomley Estate for \$11.63 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 4

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located in Sandtown being designated as Parcel 31, Block 14, on Map 2, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$239, assessed to John Bottomley Estate for \$12.01 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 5

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located near Crumpton being designated as Parcel 127, Block 13, on Map 6, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$7103, assessed to Wm. H. and Margaret Brown for \$104.01 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 6

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Lot 25 Flory Ridge being designated as Parcel 77, Block 10, on Map 1, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$21,603, assessed to Lawrence A. and Ethel Collins for \$436.63 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 7

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located in Sandtown being designated as parcel 104, Block 10, on Map 6, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$233, assessed to Andrew Jr. and Ann Hawkins for \$10.43 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 8

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located near Crumpton being designated as Parcel 63, Block 3, on Map 11, Queen Anne's County Tax Maps, consisting

Eastern District of Queen Anne's County, Maryland, located near Greenville being designated as Parcel 63, Block 1, on Map 59, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$100, assessed to Wm. O. and Nevada Lamb for \$39.50 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 3

All that lot or parcel of land lying and being in the 6th Election District of Queen Anne's County, Maryland, located Lot 12, Block B, Scottown Div. being designated as Parcel 63, Block 14, on Map 59, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$10,803 assessed to Joseph and Minnette Griffin for \$39.02 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 4

All that lot or parcel of land lying and being in the 6th Election District of Queen Anne's County, Maryland, located near Wye Mills being designated as Parcel 77, Block 19, on Map 59, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$3829, assessed to Edward E. and Thelma Hickey for \$21.02 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 5

All that lot or parcel of land lying and being in the 6th Election District of Queen Anne's County, Maryland, located in Greenville being designated as Parcel 88, Block 23, on Map 59, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$223, assessed to Clyde P. Jr. and Mary C. Jenkins for \$12.57 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 6

All that lot or parcel of land lying and being in the 6th Election District of Queen Anne's County, Maryland, located in Quantown being designated as Parcel 104, Block 1, on Map 51, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$550, assessed to Kennard F. and Sarah Macey for \$13.09 Arrears plus interest, costs, and expenses to day of sale.

No. 8

All that lot or parcel of land lying and being in the 6th Election District of Queen

Anne's County, Maryland, located near Greenville being designated as Parcel 88, Block 24, on Map 59, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$11,231, assessed to Linwood and Michel Sturdivant for \$39.43 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 17

All that lot or parcel of land lying and being in the 6th Election District of Queen Anne's County, Maryland, located Lot 2 Friel's Sub. Div. being designated as Parcel 163, Block 1, on Map 51, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$9778, assessed to Roger L. Tuel for \$33.57 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 18

All that lot or parcel of land lying and being in the 6th Election District of Queen Anne's County, Maryland, located in Quantown being designated as Parcel 163, Block 1, on Map 51, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$2219, assessed to Wm. Richard and Mary E. Wolbert for \$129.42 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 1

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located 15 lots in Untermanner being designated as Parcel 78, on Map 1, Queen Anne's County Tax Maps, consisting of 15 lots. Assessed value \$1669, assessed to Mabel J. Beachy for \$31.05 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 2

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located near Millington being designated as Parcel 76, Block 23, on Map 1, Queen Anne's County Tax Maps, consisting of 63 acres of land, more or less. Assessed value \$2142, assessed to Mabel J. Beachy for \$142.91 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 3

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located in Easttown being designated as Parcel 59, Block 14, on Map 2, Queen Anne's County Tax Maps, consisting

of 1 acre of land, more or less and improvements. Assessed value \$7211, assessed to George E. Eckway for \$22.57 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 10

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located near Easttown being designated as Parcel 77, Block 7, on Map 11, Queen Anne's County Tax Maps, consisting of 1 acre of land, more or less and improvements. Assessed value \$19,753, assessed to Wm. J. and Daris Johnson for \$39.23 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 12

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located Lot 14 Elk. E. Char-Ner Manor being designated as Parcel 73, Block 0, on Map 4, Queen Anne's County Tax Maps, consisting of a lot. Assessed value \$700, assessed to O. C. and Betty J. Smith for \$11.53 taxes in arrears plus interest, costs, and expenses to day of sale.

No. 17

All that lot or parcel of land lying and being in the 7th Election District of Queen Anne's County, Maryland, located near Millington being designated as Parcel 19, Block 14, on Map 2, Queen Anne's County Tax Maps, consisting of a lot and improvements. Assessed value \$2030, assessed to Sevilla A. Yoder for \$20.12 taxes in arrears plus interest, costs, and expenses to day of sale.

(Signed)

OSCAR A. SCHULZ
TREASURER

for
QUEEN ANNE'S COUNTY
MARYLAND

IN THE MATTER OF THE TAX SALES *
IN QUEEN ANNE'S COUNTY, MARYLAND,
FOR THE YEAR 1976, OF PROPERTIES *
ASSESSED TO THE FOLLOWING:
ROBERT L. AND ANNE G. MASSEY; *
HARRY E. AND GERTIE WATKINS;
JOHN W. THOMAS; JOHN W. THOMAS *
AND MARY T. GIBBS; LIZZIE WELLS;
THEODORE AND LAURA MOORE; MABEL *
STEADMAN; MABEL STEADMAN; MABEL *
STEADMAN; JOHN E. HOSKINS AND *
DIANA T. SCOTT; EUGENE G. HOWARD;
MILDRED KELLEY; WILLIAM A. AND *
ELLA N. LYNCH; JERALD G. AND *
JOY C. PRICE; MILDRED T. SANDY; *
JOHN M. AND ANGELINE STAUBITZ;
CHARLES E. JR. AND ALMA M. *
STEVENS; GRANVILLE T. WARD;
J. ROBERT WOLCOTT; J. ROBERT *
WOLCOTT; ROBERT WOLCOTT; ROBERT *
WOLCOTT; VIVIAN SOMERS; MABEL J. *
BEACHY; MABEL J. BEACHY; HARRY *
BOTTOMLEY ESTATE; JOHN BOTTOMLEY *
ESTATE; ODITH AND BETTY J. SMITH.

IN
THE
CIRCUIT COURT
FOR
QUEEN ANNE'S COUNTY
IN EQUITY

NO. 5817

* * * * *

ORDERED, this 3rd day of June, 1976, that the tax sale made and reported in this cause by Oscar A. Schulz, Treasurer for Queen Anne's County, State of Maryland, be ratified and confirmed on or after the 14th day of July, 1976, unless cause to the contrary thereof be previously shown; provided a copy of this Order be inserted in some newspaper printed and published in Queen Anne's County, State of Maryland, once a week for four successive weeks commencing on the 9th day of June, 1976, and ending on the 30th day of June, 1976.

AND the report states amount of sale to be \$62,650.00.

B. Herbert Turner Jr.
JUDGE

FILED: _____

FILED
JUN 3 1976

JAMES E. THOMPSON, JR.
ATTORNEY AT LAW
CENTREVILLE, MD. 21617

756-0877

1888

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RECORD-OBSERVER

Centreville, Md., July 7 19 76

THE RECORD-OBSERVER CORPORATION, a body corporate, does hereby certify that the Notice

in the case/estate of tax sales

a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper published in Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 30th day of June, 19 76, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th day of June 19 76, and the last insertion on the 30th day of June, 19 76

THE RECORD-OBSERVER CORPORATION

By Matthew M. Thomas

FILED
JUL 15 1976

IN THE MATTER OF THE TAX SALES IN QUEEN ANNE'S COUNTY, MARYLAND, FOR THE YEAR 1976, OF PROPERTIES ASSESSED TO THE FOLLOWING:

ROBERT L. AND ANNE G. MACEY; HARRY E. AND GERTIE WATKINS; JOHN W. THOMAS; JOHN T. THOMAS AND MARY T. GIBBS; LIZBEE WELLS; THEODORE AND LAURA MOORE; MADEL STEADMAN; MADEL STEADMAN; JOHN E. HOCKING AND DIANA T. SCOTT; EUGENE G. HOWARD; MILDRED KELLEY; WILLIAM A. AND ELLA N. LYNCH; JERALD G. AND JOY C. PRICE; MILDRED T. SANDY; JOHN H. AND ANGELENE STAUBITZ; CHARLES E. JR. AND ALMA M. STEVENS; GRANVILLE T. WARD; J. ROBERT WOLCOTT; J. ROBERT WOLCOTT; ROBERT WOLCOTT; ROBERT WOLCOTT; VIVIAN COOPER; MABEL J. BEACHY; MABEL J. BEACHY; HARRY BOTTOMLEY ESTATE; JOHN BOTTOMLEY ESTATE; EDITH AND BETTY J. SMITH.

+++++
IN THE
CIRCUIT COURT
FOR

QUEEN ANNE'S COUNTY
IN EQUITY
NO. 1317

+++++

ORDERED, this 3rd day of June, 1976, that the tax sale made and reported in this case by Oscar A. Smith, Treasurer for Queen Anne's County, State of Maryland, be rolled and confirmed on or after the 15th day of July, 1976, unless cause to the contrary thereof be previously shown; provided a copy of this Order be printed in some newspaper or printed and published in Queen Anne's County, State of Maryland, once a week for four successive weeks commencing on the 30th day of June, 1976, and ending on the 30th day of June, 1976.

AND the report states correct.

of sale to be confirmed.
H. HACKETT FURNER, JR.
JUDGE

FILED: June 2, 1976

TRUE COPY

TEST: Charles W. Cecil, Clerk

4-089

IN THE MATTER OF THE TAX SALES *
 IN QUEEN ANNE'S COUNTY, MARYLAND,
 FOR THE YEAR 1976, of PROPERTIES *
 ASSESSED TO THE FOLLOWING:
 ROBERT L. AND ANNE G. MASSEY; *
 HARRY E. AND GERTIE WATKINS; *
 JOHN W. THOMAS; JOHN W. THOMAS *
 AND MARY T. GIBBS; LIZZIE WELLS;
 THEODORE AND LAURA MOORE; MABEL *
 STEADMAN; MABEL STEADMAN; MABEL *
 STEADMAN; JOHN E. HOSKINS AND *
 DIANA T. SCOTT; EUGENE G. HOWARD;
 MILDRED KELLEY; WILLIAM A. AND *
 ELLA N. LYNCH; JERALD G. AND *
 JOY C. PRICE; MILDRED T. SANDY; *
 JOHN M. AND ANGELINE STAUBITZ;
 CHARLES E. JR. AND ALMA M. *
 STEVENS; GRANVILLE T. WARD;
 J. ROBERT WOLCOTT; J. ROBERT *
 WOLCOTT; ROBERT WOLCOTT; ROBERT *
 WOLCOTT; VIVIAN SOMERS; MABEL J. *
 BEACHY; MABEL J. BEACHY; HARRY *
 BOTTOMLEY ESTATE; JOHN BOTTOMLEY *
 ESTATE; ODITH AND BETTY J. SMITH.

IN
 THE
 CIRCUIT COURT

FOR
 QUEEN ANNE'S COUNTY

IN EQUITY

NO. 5817

* * * * *

ORDERED, this 20th day of July, 1976, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the following tax sales on the 18th day of May, 1976, of the properties therein described in said Report of Sales as assessed to the following parties and in the following Election Districts of Queen Anne's County, as follows, to wit:

Robert L. and Anne G. Massey	-	First Election District
Harry E. and Gertie Watkins	-	First Election District
John W. Thomas	-	Second Election District
John W. Thomas and Mary T. Gibbs	-	Second Election District
Lizzie Wells	-	Second Election District
Theodore and Laura Moore	-	Third Election District
Mabel Steadman	-	Third Election District
Mabel Steadman	-	Third Election District
Mabel Steadman	-	Third Election District
John E. Hoskins and Diana T. Scott	-	Fourth Election District
Eugene G. Howard	-	Fourth Election District
Mildred Kelley	-	Fourth Election District
William A. and Ella N. Lynch	-	Fourth Election District
Jerald G. and Joy C. Price	-	Fourth Election District
Mildred T. Sandy	-	Fourth Election District
John M. and Angeline Staubitz	-	Fourth Election District
Charles E. Jr. and Alma H. Stevens	-	Fourth Election District
Granville T. Ward	-	Fourth Election District
J. Robert Wolcott	-	Fourth Election District

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD. 21617
 788-0877

FILED
 JUL 20 1976

LIBER

9 PAGE 755

J. Robert Wolcott
 Robert Wolcott
 Robert Wolcott
 Vivian Somers
 Mabel J. Beachy
 Mabel J. Beachy
 Harry Bottomley Estate
 John Bottomley Estate
 Odith and Betty J. Smith

- Fourth Election District
- Fourth Election District
- Fourth Election District
- Fifth Election District
- Seventh Election District
- Seventh Election District
- Seventh Election District
- Seventh Election District
- Seventh Election District
- Seventh Election District

Reported sold in these proceedings on account of taxes in arrears BE AND THE SAME ARE HEREBY FINALLY RATIFIED AND CONFIRMED, no cause to the contrary thereof having been shown, although notice appears to have been given as provided by the ORDER NISI passed in these proceedings on the 3rd day of June, 1976, a Certificate of Publication of said ORDER NISI being filed in this cause showing publication thereof in accordance with said ORDER.

Clayton C. Carter

 JUDGE

JAMES E. THOMPSON, JR.
 ATTORNEY AT LAW
 CENTREVILLE, MD. 21617
 786-0677

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff)

v.)

JOHN L. JOHNSON, 106 Jones Street,)
Centreville, Maryland 21617)
ANNA MAE JOHNSON, 106 Jones Street,)
Centreville, Maryland 21617,)

Defendants)

CIVIL NO. K. 76-351

Filed 3/8/76

Chy # 5868

PETITION TO FORECLOSE

Your petitioner, United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, respectfully represents:

1. The Farmers Home Administration is now, and has been at all times herein mentioned, an agency of the United States of America, having an office for the transaction of business at Coleman Enterprise Building, P. O. Box 214, Route 213, Chestertown, Maryland 21620.

2. On or about July 6, 1972, the defendants, John L. Johnson and Anna Mae Johnson, his wife, being indebted to the United States by virtue of a loan made to said defendants in the sum of \$16,900.00 duly made, executed, and delivered to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, their Promissory Note wherein the said defendants covenanted

and agreed to repay said loan as, and under the conditions, therein provided on or before July 6, 2004. A true and complete copy of said Note is attached hereto as Exhibit A and is incorporated by reference herein as fully as if set forth at length herein.

3. To secure the payment of the aforesaid Note, the said defendants, on July 6, 1972, executed and delivered to the United States their indenture of mortgage, conveying to the United States the premises described therein as security for said debt; the said Mortgage was duly recorded in the Queen Anne's County Clerk's Office, Liber CWC, No. 65, Page 373. A true and complete copy of said Mortgage is attached hereto as Exhibit B and is incorporated by reference herein as fully as if set forth at length herein.

4. The United States is now the owner and holder of said Promissory Note and Mortgage; the said defendants, John L. Johnson and Anna Mae Johnson, his wife, defaulted in the payment of said Note by not making payments as required; as provided in said Note, and following such default, the United States elected to declare that by reason of said default, the entire balance of said Note remaining unpaid is due and payable forthwith; the defendants and each of them have failed to pay the same; and there is now past due upon said Note the sum of \$18,352.70, plus interest on that amount on and after August 15, 1975, which has accrued and is accruing at the daily rate of \$3.4920. A true and complete copy of the Statement of Account relative to the subject debt is attached hereto as Exhibit C and incorporated by reference herein as fully as if set forth at length herein.

5. By reason of the default of said defendants, the United States is entitled to an Order of this Court foreclosing said Mortgage and ordering the sale of the premises described in said Mortgage in the manner provided by law and ordering the application of the proceeds of such sale in payment of the judgment of the United States against the defendants, John L. Johnson and Anna Mae Johnson, his wife.

6. In order to protect the interests of the United States in the assets during the pendency of these proceedings, it is requested by your petitioner that the United States Marshal for the District of Maryland be appointed Trustee without bond for that purpose.

WHEREFORE, the United States demands judgment and order of this Court:

(a) For the aggregate amount of the aforementioned sums and for such other amounts as the Court may find to be due from said defendants in the premises;

(b) Foreclosing the Mortgage described herein; ordering the premises described herein to be sold in the manner provided by law; and ordering that the proceeds be applied to the costs and expenses of sale, next in satisfaction of the Plaintiff's judgment against said defendants, and that the surplus, if any, be deposited in the account of the United States Marshal, subject to further order of the Court;

(c) For the appointment of the United States Marshal for the District of Maryland as Trustee to serve without bond;

(d) For such other and further relief as the Court may deem proper in the premises.

UNITED STATES OF AMERICA

JERVIS S. FINNEY
UNITED STATES ATTORNEY
DISTRICT OF MARYLAND

By 

Robert A. Rohrbaugh
Assistant United States Attorney
111 North Calvert Street
Baltimore, Maryland 21202
COM: 301-539-2940
FTS: 301-962-4822

Form FHA 440-16
(Rev. 2-19-71)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

KIND OF LOAN:	
<input type="checkbox"/> FO	<input checked="" type="checkbox"/> RH
	<input checked="" type="checkbox"/> NONFARM
	<input type="checkbox"/> 504
<input type="checkbox"/> FO-NFE	<input type="checkbox"/> RRH
<input type="checkbox"/> SW(Ind.)	<input type="checkbox"/> LH
<input type="checkbox"/> RL	

PROMISSORY NOTE
(INSURED LOAN)

STATE	MARYLAND		
COUNTY	QUEEN ANNE'S		
CASE NO.	24-18-161,165-		
FINANCE OFFICE USE ONLY			
F	LN	LC	IA
116	01		

Date July 6th, 19 72

FOR VALUE RECEIVED, the undersigned (whether one or more persons, herein called "Borrower") jointly and severally promise to pay to the order of the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, (herein called the "Government") at its office in

CHESTERTOWN, MARYLAND 21620

THE PRINCIPAL SUM OF

SIXTEEN THOUSAND NINE HUNDRED

DOLLARS (\$ 16,900.00), plus INTEREST on the UNPAID PRINCIPAL balance at the RATE of SEVEN AND ONE QUARTER PERCENT (7 1/4%) PER ANNUM. The said PRINCIPAL and

INTEREST shall be PAYABLE in the FOLLOWING 31 INSTALLMENTS on or before the FOLLOWING DATES: (Number of installments)

\$ 705.00 JANUARY 1, 19 72, \$ 1,360.00 ANNUALLY thereafter on JANUARY 1, until the PRINCIPAL and INTEREST are fully paid except that the FINAL INSTALL-

MENT of the entire indebtedness evidenced hereby, if not sooner paid, shall be due and PAYABLE

THIRTY-THREE (33) YEARS from the DATE of this NOTE. The consideration herefor shall support any agreement modifying the foregoing schedule of payments.

Every payment made on any indebtedness evidenced by this note shall be applied first to interest computed to the effective date of the payment and then to principal.

Prepayments of scheduled installments, or any portion thereof, may be made at any time at the option of Borrower. Refunds and extra payments, as defined in the regulations of the Farmers Home Administration according to the source of funds involved, shall, after payment of interest, be applied to the installments last to become due under this note and shall not affect the obligation of Borrower to pay the remaining installments as scheduled herein.

Borrower agrees that the Government at any time may assign this note and insure the payment thereof, and in such case, though the note is not held by the Government, Borrower shall continue to pay to the Government, as collection agent for the holder, all installments of principal and interest as scheduled herein.

While this note is held by an insured lender, prepayments made by Borrower may, at the option of the Government, be remitted by the Government to the holder promptly or, except for final payment, be retained by the Government and remitted to the holder on either a calendar quarter basis or an annual installment due date basis. The effective date of every payment made by Borrower, except payments retained and remitted by the Government on an annual installment due date basis, shall be the date of the United States Treasury check by which the Government remits the payment to the holder. The effective date of any prepayment retained and remitted by the Government to the holder on an annual installment due date basis shall be the date of the prepayment by Borrower, and the Government will pay the interest to which the holder is entitled accruing between the effective date of any such prepayment and the date of the Treasury check to the holder.

Borrower hereby certifies that he is unable to obtain sufficient credit elsewhere to finance his actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near his community for loans for similar purposes and periods of time.

Property constructed, improved, purchased, or refinanced in whole or in part with the loan evidenced hereby shall not be leased, assigned, sold, transferred, or encumbered, voluntarily or otherwise, without the written consent of the Government. Unless the Government consents otherwise in writing, Borrower (a) will personally operate such property as a farm with his own and his family's labor if this is an FO loan, or (b) will personally occupy and use such property if this is an RH loan on a "nonfarm tract" or a section 504 RH loan.

FHA 440-16 (Rev. 2-19-71)

LIBER Post OFFICE 761

EXH 1B17 "A"

REFINANCING AGREEMENT: If at any time it shall appear to the Government that Borrower may be able to obtain a loan from a responsible cooperative or private credit source at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will, at the Government's request, apply for and accept a loan in sufficient amount to pay this note in full and, if the lender is a cooperative, to pay for any necessary stock. This paragraph and the preceding paragraph shall not apply to any cosigner signing this note pursuant to Section 502 of the Housing Act of 1949 to compensate for deficient repayment ability of other undersigned person(s).

DEFAULT, hereunder shall constitute default under any other instrument evidencing a debt of Borrower owing to or insured by the Government or securing or otherwise relating to such a debt; and default under any such other instrument shall constitute default hereunder. **UPON ANY SUCH DEFAULT,** the Government at its option may declare all or any part of any such indebtedness immediately due and payable.

This note is given as evidence of a loan to Borrower made or insured by the Government pursuant to the Consolidated Farmers Home Administration Act of 1961 if the box opposite "FO", "FO-NFE", "RL", or "SW(Ind.)", is checked under the heading "KIND OF LOAN" or pursuant to Title V of the Housing Act of 1949 if the box opposite "RH", "RRH", or "LH", is checked. This note shall be subject to the present regulations of the Farmers Home Administration and to its future regulations not inconsistent with the express provisions hereof.

Presentment, protest, and notice are hereby waived.

John L. Johnson (SEAL)
John L. Johnson (BORROWER)

CENTREVILLE, MARYLAND 21617
(Post-office address of Borrower, include ZIP Code)

Anna Mae Johnson (SEAL)
Anna Mae Johnson (SPOUSE)

Pay to the order of _____

**UNITED STATES OF AMERICA
FARMERS HOME ADMINISTRATION**

By: _____

(Title)

No. 69366
Re. 46243

Position 8

USDA-FHA Received for record: July 6, 1972 12:01 P.M.
Form FHA 427-1 MD REAL ESTATE MORTGAGE FOR MARYLAND
(Rev. 7-23-71) (INSURED LOANS TO INDIVIDUALS)

KNOW ALL MEN BY THESE PRESENTS, Dated July 6, 1972

WHEREAS, the undersigned JOHN L. JOHNSON and ANNA MAR JOHNSON, his wife

residing in Queen Anne's County, Maryland, whose post office address

is 405 Commerce Street, Centerville, Maryland 21617.

Herein called "Borrower," are (is) justly indebted to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, herein called the "Government," as evidenced by one or more certain promissory note(s) or assumption agreement(s), herein called "note" (if more than one note is described below, the word "note" as used herein shall be construed as referring to each note singly or all notes collectively, as the context may require), said note being executed by Borrower, being payable to the order of the Government in installments as specified therein, authorizing acceleration of the entire indebtedness at the option of the Government upon any default by Borrower, and being further described as follows:

<u>Date of Instrument</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>	<u>Due Date of Final Installment</u>
July 6, 1972	\$ 16,900.00	7 1/2%	July 6, 2004

WHEREAS, the note evidences a loan to Borrower in the principal amount specified therein, made with the purpose and intention that the Government, at any time, may assign the note and insure the payment thereof pursuant to the Consolidated Farmers Home Administration Act of 1961, or Title V of the Housing Act of 1949; and

WHEREAS, when payment of the note is insured by the Government, it may be assigned from time to time and each holder of the insured note, in turn will be the insured lender; and

WHEREAS, when payment of the note is insured by the Government, the Government will execute and deliver to the insured lender along with the note an insurance endorsement insuring the payment of all amounts payable to the insured lender in connection with the loan; and

WHEREAS, when payment of the note is insured by the Government, the Government by agreement with the insured lender set forth in the insurance endorsement may be entitled to a specified portion of the payments on the note, to be designated the "annual charge"; and

WHEREAS, a condition of the insurance of payment of the note will be that the holder will forego his rights and remedies against Borrower and any others in connection with the loan evidenced thereby, as well as any benefit of this instrument, and will accept the benefits of such insurance in lieu thereof, and upon the Government's request will assign the note to the Government; and

WHEREAS, it is the purpose and intent of this instrument that, among other things, of all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall secure payment of the note; but when the note is held by an insured lender, this instrument shall not secure payment of the note or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an indemnity mortgage to secure the Government against loss under its insurance endorsement by reason of any default by Borrower;

NOW, THEREFORE, in consideration of the loan(s) and (a) at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the payment of the note, to secure prompt payment of the note and any renewals and extensions thereof and any agreements contained therein, including any provision for the payment of an insurance or other charge, (b) at all times when the note is held by an insured lender, to secure performance of Borrower's agreement herein to indemnify and save harmless the Government against loss under its insurance by reason of any default by Borrower, and (c) in any event and at all times to secure the prompt payment of all advances and expenditures made by the Government, with interest, as hereinafter described, and the performance of every covenant and agreement of Borrower contained herein or in any supplementary agreement, Borrower does hereby grant, convey, mortgage, assign, and forever warrant unto the Government the following property situated in the State of Maryland, County(ies) of

QUEEN ANNE'S

LIBER 65 PAGE 373
9 PAGE 763

EXHIBIT "B"
FHA 427-1 MD (Rev. 7-23-71)

LIBER 65 PAGE 374

ALL that lot or parcel of land situate, lying and being in Centreville, Third Electoral District of Queen Anne's County, State of Maryland, as set forth and shown on a Plat entitled, "Albert H. Jones Subdivision, Centreville, Queen Anne's County, Maryland", by Shea and Bartlett, Registered Engineers, dated April 28, 1971, and recorded among the Land Records of Queen Anne's County in Liber C. W. C. No. 56, folio 270, and among the Plat Records of the aforesaid County in Liber C. W. C. No. 1, folio 34, said lot being known and designated thereon as Lot No. 5.

BEING the same lot or parcel of land which was granted and conveyed unto the said John L. Johnson and Anna Mae Johnson, his wife, the within named Mortgagee, by S. E. W. Friel, Jr., James R. Friel and James R. Friel, Jr., Co-partners, trading as Friel Lumber Company, by deed of conveyance bearing even date herewith and recorded, or intended to be recorded, immediately preceding those presents, among the land records of the County and State aforesaid.

together with all rights, interests, easements, hereditaments and appurtenances thereunto belonging, the rents, issues, and profits thereof and revenues and income therefrom, all improvements and personal property now or later attached thereto or reasonably necessary to the use thereof, including, but not limited to, ranges, refrigerators, clothes washers, clothes dryers, or carpeting purchased or financed in whole or in part with loan funds, all water, water rights, and water stock pertaining thereto, and all payments at any time owing to Borrower by virtue of any sale, lease, transfer, conveyance or condemnation of any part thereof or interest therein-all of which are herein called "the property";

TO HAVE AND TO HOLD the property unto the Government and its assigns forever in fee simple.

BORROWER for himself, his heirs, executors, administrators, successors and assigns WARRANTS THE TITLE to the property to the Government against all lawful claims and demands whatsoever except any liens, encumbrances, easements, reservation, or conveyances specified hereinabove, and COVENANTS AND AGREES as follows:

(1) To pay promptly when due any indebtedness to the Government hereby secured and to indemnify and save harmless the Government against any loss under its insurance of payment of the note by reason of any default by Borrower. At all times when the note is held by an insured lender, Borrower shall continue to make payments on the note to the Government, as collection agent for the holder.

(2) To pay to the Government such fees and other charges as may now or hereafter be required by regulations of the Farmers Home Administration.

(3) At all times when the note is held by an insured lender, any amount due and unpaid under the terms of the note, less the amount of any annual charge, may be paid by the Government to the holder of the note as provided in the insurance endorsement for the account of Borrower. Any amount due and unpaid under the terms of the note, whether it is held by the Government or by an insured lender, may be credited by the Government on the note and thereupon shall constitute an advance by the Government for the account of Borrower. Any advance by the Government as described in this paragraph shall bear interest at the note rate from the date on which the amount of the advance was due to the date of payment to the Government.

(4) Whether or not the note is insured by the Government, the Government may at any time pay any other amounts required herein to be paid by Borrower and not paid by him when due, as well as any costs and expenses for the preservation, protection, or enforcement of this lien, as advances for the account of Borrower. All such advances shall bear interest at the rate borne by the note which has the highest interest rate.

(5) All advances by the Government as described in this Instrument, with interest, shall be immediately due, and payable by Borrower to the Government without demand at the place designated in the latest note and shall be secured hereby. No such advance by the Government shall relieve Borrower from breach of his covenant to pay. Such advances, with interest, shall be repaid from the first available collection received from Borrower. Otherwise, any payment made by Borrower may be applied on the note or any indebtedness to the Government secured hereby, in any order the Government determines.

(6) To use the loan evidenced by the note solely for purposes authorized by the Government.

(7) To pay when due all taxes, liens, judgments, encumbrances, and assessments lawfully attaching to or assessed against the property and promptly deliver to the Government without demand receipts evidencing such payments.

(8) To keep the property insured as required by and under insurance policies approved by, delivered to, and retained by the Government.

(9) To maintain improvements in good repair and make repairs required by the Government; operate the property in a good and husbandmanlike manner; comply with such farm conservation practices and farm and home management plans as the Government from time to time may prescribe; and not to abandon the property, or cause or permit waste, lessening or impairment of the security covered hereby, or, without the written consent of the Government, cut, remove, or lease any gravel, oil, gas, coal, or other minerals except as may be necessary for ordinary domestic purposes.

(10) To comply with all laws, ordinances, and regulations affecting the property.

(11) To pay or reimburse the Government for expenses reasonably necessary or incidental to the protection of the lien and priority hereof and to the enforcement of or the compliance with the provisions hereof and of the note and any supplementary agreement (whether before or after default), including but not limited to costs of evidence of title to and survey of the property, costs of recording this and other instruments, attorneys' fees, trustees' fees, court costs, and expenses of advertising, selling, and conveying the property.

(12) Neither the property nor any portion thereof or interest therein shall be leased, assigned, sold, transferred, or encumbered, voluntarily or otherwise, without the written consent of the Government. The Government shall have the sole and exclusive rights as mortgagee hereunder, including but not limited to the power to grant consents, partial releases, subordinations, and satisfaction, and no insured lender shall have any right, title or interest in or to the lien or any benefits hereof.

(13) At all reasonable times the Government and its agents may inspect the property to ascertain whether the covenants and agreements contained herein or in any supplementary agreement are being performed.

(14) The Government may extend and defer the maturity of and renew and reamortize the debt evidenced by the note or any indebtedness to the Government secured hereby, release from liability to the Government any party so liable thereon, release portions of the property from and subordinate the lien hereof, and waive any other rights hereunder, without affecting the lien or priority hereof or the liability to the Government of Borrower or any other party for payment of the note or indebtedness secured hereby except as specified by the Government in writing.

(15) If at any time it shall appear to the Government that Borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source, at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will, upon the Government's request, apply for and accept such loan in sufficient amount to pay the note and any indebtedness secured hereby and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with such loan.

(16) Default hereunder shall constitute default under any other real estate, or under any personal property or other, insured by the Government and executed or assumed by Borrower, and default under any such other security instrument shall constitute default hereunder.

(17) SHOULD DEFAULT occur in the performance or discharge of any obligation secured by this instrument, or should any one of the parties named as Borrower die or be declared an incompetent, a bankrupt, or an insolvent, or make an assignment for the benefit of creditors, the Government, at its option, with or without notice, may: (a) declare the entire amount unpaid under the note and any indebtedness to the Government hereby secured immediately due and payable, (b) for the account of Borrower incur and pay reasonable expenses for repair or maintenance of and take possession of, operate or rent the property, (c) upon application by it and production of this instrument, without other evidence and without notice of hearing of said application, have a receiver appointed for the property, with the usual powers of receivers in like cases, (d) foreclose this instrument as provided herein or by law, and (e) enforce any and all other rights and remedies provided herein or by present or future law.

(18) The proceeds of foreclosure sale shall be applied in the following order to the payment of: (a) costs and expenses incident to enforcing or complying with the provisions hereof, (b) any prior liens required by law or a competent court to be so paid, (c) the debt evidenced by the note and all indebtedness to the Government secured hereby, (d) inferior liens of record required by law or a competent court to be so paid, (e) at the Government's option, any other indebtedness of Borrower owing to or insured by the Government, and (f) any balance to Borrower. At foreclosure or other sale of all or any part of the property, the Government and its agents may bid and purchase as a stranger and may pay the Government's share of the purchase price by crediting such amount on any debts of Borrower owing to or insured by the Government, in the order prescribed above.

(19) As against the debt evidenced by the note and indebtedness to the Government hereby secured, with respect to the property, Borrower (a) hereby relinquishes, waives, and conveys all rights, inchoate or consummate, of descent, dower, curtesy, homestead, valuation, appraisal, and exemption, in which Borrower is or becomes entitled under the laws and constitution of the jurisdiction where the property lies, and (b) hereby agrees that any right, provided by such laws or constitution for redemption or possession following foreclosure sale shall not apply, and that no right of redemption or possession shall exist after foreclosure sale.

(20) If any part of the loan for which this instrument is given shall be used to finance the purchase, construction or repair of property to be used as an owner-occupied dwelling (a) neither he nor anyone authorized to act for him will, after receipt of a bona fide offer, refuse to negotiate for its sale or rental, or will otherwise make unavailable or deny said property, to anyone because of race, color, religion or national origin and (b) Borrower recognizes as illegal and hereby disclaims and will not comply with or attempt to enforce any restrictive covenants on said property relating to race, color, religion or national origin.

(21) This instrument shall be subject to the present regulations of the Farmers Home Administration, and to its future regulations not inconsistent with the express provisions hereof.

(22) Notices given hereunder shall be sent by certified mail, unless otherwise required by law, addressed, unless and until some other address is designated in a notice so given, in the case of the Government to Farmers Home Administration, United States Department of Agriculture, at Trenton, New Jersey 08607, and in the case of Borrower to him at his post office address stated above.

(23) Upon default by Borrower as aforesaid, in addition to any other remedies provided by law, Borrower hereby assents to the passage of a decree for the sale of the property and Borrower hereby also authorizes the Government, its successors or assigns, after any default in the covenants or conditions of this instrument, to sell the property. Any such sale, whether under the above assent to a decree or under the above power of sale, shall be under the provisions of Article 66 of the Public General Laws of Maryland, or under any other General or Local Laws of the State of Maryland relating to mortgages, or any supplement, amendment or addition thereto.

PROVIDED that if all the indebtedness hereby secured is duly paid and each and every covenant, condition, agreement, and obligation, contingent or otherwise, contained herein, secured hereby or arising hereunder is fully performed and discharged, this mortgage shall be void; otherwise to remain in full force and effect.

Witness the hand(s) and seal(s) of Borrower the day and year first above written.
TEST: (as to mortgagors)

Virginia S. White
(Witness)

John L. Johnson (SEAL)
John L. Johnson

Anna Mae Johnson (SEAL)
Anna Mae Johnson

STATE OF MARYLAND

ACKNOWLEDGMENT AND AFFIDAVIT

COUNTY OF QUEEN ANNE'S, TO WIT:

I hereby certify that on this 6th day of JULY, 19 72, before me, a Notary Public of the State of Maryland, in and for the said County, personally appeared John L. Johnson and

Anna Mae Johnson, his wife, mortgagor(s), and acknowledged the foregoing mortgage to be their act. At the same time also appeared SEWELL

FEDDIAN, JR., agent of the mortgagee, and made oath that the consideration set forth in said mortgage is true and bona fide as therein set forth, and that the amount of the aforesaid loan has been paid over and disbursed to said mortgagor(s) at or before the time of execution of this mortgage, and also made oath that he is the agent of the mortgagee and authorized to make this affidavit.

Witness my hand and Notarial Seal.



Virginia S. White
Virginia S. White Notary Public.

Confirmation of Mortgage recorded in Liber C.W.C. No. 68 folio 19

STATE OF MARYLAND
COUNTY OF QUEEN ANNE'S, to wit:

I Hereby Certify that the foregoing was truly taken and copied from
Liber CWC 65, folio 373, a Land Record
Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I have hereunto subscribe my name and affixed the Seal of the Circuit Court for Queen Anne's County this 22nd day of December, 1972.

Charles W. Cecil
Clerk of the Circuit Court
for Queen Anne's County

United States of America



DEPARTMENT OF AGRICULTURE
WASHINGTON

I, EARL L. BUTZ, Secretary of Agriculture of the United States, pursuant to Title 28, United States Code, Section 1733, do hereby certify that the annexed copy, or each of the specified number of annexed copies, is a true, correct and compared copy of a document in my official custody as hereinafter described:

Certified Statement of Account of John L. Johnson of Queen Anne County, Maryland, as certified by R. V. Lang, Acting Director, Finance Office, Farmers Home Administration, St. Louis, Missouri, dated August 19, 1975.

In testimony whereof I have hereunto caused the seal of the Department of Agriculture to be affixed and my name subscribed in the District of Columbia, this 26th day of August, 1975.

Earl L. Butz
Secretary

By James V. Loughran, Jr.
Acting Assistant General Counsel

(Signed pursuant to the authority of 27 P.R. 5917)

doc 74
7-73

EXHIBIT
LIDER 9 PAGE 767

UNITED STATES DEPARTMENT OF AGRICULTURE
 FARMERS HOME ADMINISTRATION
 FINANCE OFFICE
 ST. LOUIS, MISSOURI 63103

STATEMENT OF ACCOUNT

Edward L. Fowler, Acting Director
 Office of the General Counsel, USDA
 Washington, D.C. 20250

CASE NO.
 24-18-161165

John L. Johnson

AND

OF

ADDRESS (Include ZIP Code)

Queens Anne County, MD

is (are) indebted to the United States of America as reflected by the following statement of account:

TRANSACTIONS HAVE BEEN RECORDED THROUGH: 08-13-75
 INTEREST HAS BEEN ACCRUED THROUGH: 08-15-75
 (Check appropriate block)
 STATUS BY LOAN TYPE ADVANCES IN DETAIL DETAIL STATUS OF INDIVIDUAL ACCOUNTS

DATE	LOAN CODE				LOAN ADVANCES AND OTHER CHARGES	PAYMENTS AND CREDITS		UNPAID BALANCES		DAILY INTEREST ACCRUAL
	KIND	FUND	INT. RATE	NUMBER		INTEREST	PRINCIPAL	INTEREST	PRINCIPAL	
07-06-72		46	7.250	01	<u>NOTE ACCOUNT</u> 16900.00					
Total		46	7.250	01	16900.00	1813.27	478.77	737.15	16421.23	3.2618
					<u>ADVANCES BY GOVERNMENT</u>					
01-01-73		46	7.250	01	324.00	Default Charge				
06-12-74					560.28	Taxes				
08-02-74					39.00	Insurance				
01-01-75					739.35	Default Charge				
07-22-75					40.00	Insurance				
08-13-75					262.67	Taxes				
08-13-75					85.28	Taxes				
Total		46	7.250	01	2050.58	8.76	891.55	35.29	1159.03	.2302
TOTAL					18950.58	1822.03	1370.32	772.44	17580.26	3.4920

DATE OF CERTIFICATION
 AUG 19 1975

R. V. G...
 (Signature of approving official)

Acting Director, Finance Office

(Title)

Position 2

FHA 451-11 (Rev. 10-12-70)

STATE OF MARYLAND
CITY OF BALTIMORE

} TO WIT:

I HEREBY CERTIFY that on this 6th day of March 1976, before me, the subscriber, a Notary Public of the State of Maryland, and City of Baltimore personally appeared, Robert A. Rohrbaugh, Assistant United States Attorney for the District of Maryland, and made oath in due form of law that the matters and facts contained in the foregoing Petition to Foreclose are true to the best of his knowledge, information, and belief.

AS WITNESS my hand and Notarial seal.

Julie Grey
Julie Grey
NOTARY PUBLIC

My commission expires 7-1-78.

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff)

v.)

JOHN L. JOHNSON, 106 Jones Street,
Centreville, Maryland 21617)
ANNA MAE JOHNSON, 106 Jones Street,
Centreville, Maryland 21617,)

Defendants)

CIVIL NO. K-76-351

ORDER

Upon consideration of the Petition of the United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, seeking sale of certain real property described in the Real Estate Mortgage referred to in said Petition, it is this 8th day of March, 1976,

ORDERED:

1. The United States Marshal for the District of Maryland is hereby appointed Trustee without bond.
2. The said Trustee is hereby directed to sell on behalf of the Farmers Home Administration, its successors or assigns, or its duly authorized attorney, the property set forth in said Mortgage in accordance with the terms and powers conferred upon him therein, after having first notified all interested parties by publishing said notification once a week for at least four (4) weeks prior to the date of the sale in a newspaper of general circulation in the county in which the property lies.

3. The terms of said sale shall be all cash; a deposit of fifteen percent (15%) of the purchase price shall be required at the time of sale, the balance to be paid within ten (10) days after final ratification of said sale by this Court. In the event of default by the purchaser, the property shall be resold at the risk and cost of the defaulting purchaser. All conveyancing, recording, revenue stamps, and other expenses of sale shall be at the cost of the purchaser.

4. After said Trustee has complied with the order of this Court, such sale shall be reported back to this Court for approval and ratification.

5. The proceeds of such sale shall be deposited into the account of the United States Marshal to be distributed as the Court shall direct after review and accounting thereof.

I hereby attest and certify that the foregoing document is a full, true and correct copy of the original of which is in my office and in my legal custody.

By  

15/ CLARENCE E. GOETZ

U. S. Magistrate
United States District Court

USA-35-47
Ed. 11/2/66
RAR:mr

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. N-76-351

v.

JOHN L. JOHNSON, 106 Jones Street,
Centreville, Maryland, 21617
ANNA MAE JOHNSON, 106 Jones Street,
Centreville, Maryland, 21617

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of Sale by John W. Spurrier, United States Marshal for the District of Maryland, Trustee in the above-entitled matter, by Jervis S. Finney, United States Attorney for the District of Maryland, and Robert A. Rohrbaugh, Assistant United States Attorney for said District, respectfully represents:

1. That John L. Johnson and Anna Mae Johnson

Having defaulted in their payments on their promissory note to the United States (the Farmers Homes Administration), notice of sale of certain real property described in the real estate mortgage referred to in the Petition to Foreclose heretofore filed by the United States was duly given by publication in the Queen Anne's Record Observer, a newspaper published in Centreville, Maryland.

2. That pursuant to the Order of this Honorable Court dated March 8, 1976, authorizing the Trustee to sell the aforesaid property of John L. Johnson and Anna Mae Johnson, a public sale was held on May 13, 1976, on the premises known as 106 Jones Street, Centreville, Maryland, 21617, said property being covered by the real estate mortgage heretofore filed in this proceeding.

U.S. DISTRICT COURT
DISTRICT OF MARYLAND

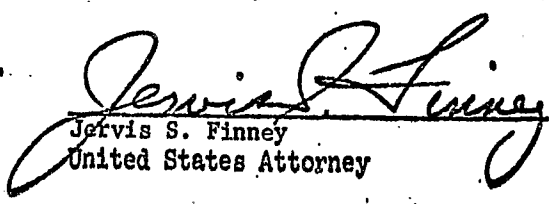
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USA-35-47
Ed. 11/2/66
(Page 2)

3. That John W. Spurrier, United States Marshal, Trustee, conducted the public sale.

4. That the said property was sold to the Farmers Home Administration, an agency of the United States of America, for the sum of \$ 19,299.00, said purchaser being the highest bidder therefor.

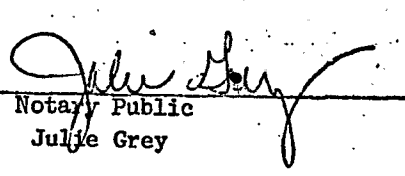

Jervis S. Finney
United States Attorney


Robert A. Rohrbaugh
Assistant United States Attorney
111 N. Calvert St., Rm. 431
Baltimore, MD 21202
539-2940

STATE OF MARYLAND)
CITY of BALTIMORE) SS:

I HEREBY CERTIFY that on this 24 day of May, 19 76, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, personally appeared John W. Spurrier, United States Marshal for the District of Maryland, Trustee, and made oath in due form of law that the facts stated in the foregoing Report of Sale are true as therein set forth, and that the sale thereby reported was fairly made.

AS WITNESS my hand and Notarial Seal.


Notary Public
Julie Grey

My Commission Expires: 7-1-78.

USA-35-48
Ed. 11/2/66

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. 84-76-351

v.

JOHN L. JOHNSON, 106 Jones Street,
Centreville, Maryland, 21617
ANNA MAE JOHNSON, 106 Jones Street,
Centreville, Maryland, 21617

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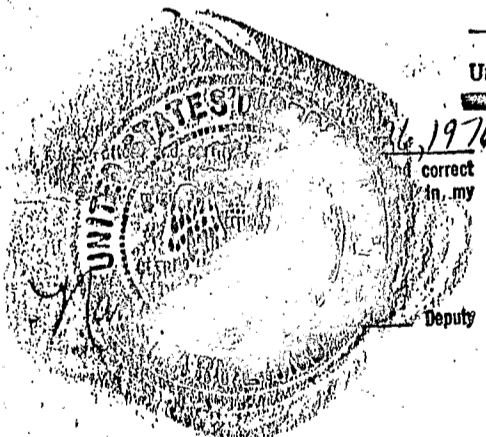
ORDER NISI

ORDERED this 26th day of May, 19 76, by the
United States District Court for the District of Maryland, that the sale of
the real property described in the above-entitled proceedings, made and
reported by John W. Spurrier, United States Marshal for the
District of Maryland, Trustee, to the Farmers Home Administration, an
agency of the United States of America, for the sum of \$ 19,299.00, said
purchaser being the highest bidder therefor, be ratified and confirmed unless
cause to the contrary be shown on or before the 23rd day of July
19 76, provided that a copy of this Order be inserted in some newspaper
published in the Queen Anne's Record Observer, Maryland, once a week for three
successive weeks preceding June 23, 19 76.

EDWARD S. NORTROP

Judge

United States District Court



June 16, 1976
and correct
in my
Deputy

USA-35-49
Ed. 11/2/66
RAR:mr

10 10
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. N-76-351

v.

JOHN L. JOHNSON, 106 Jones Street,
Centreville, Maryland 21617
ANNA MAE JOHNSON, 106 Jones Street,
Centreville, Maryland 21617

* * * * *

ORDER

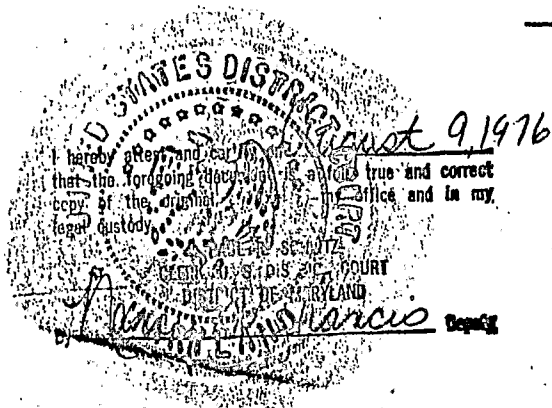
Compliance having been had with the Order of this Court dated
May 26, 19 76, requiring publication of sale made by
John W. Spurrier, United States Marshal for the District of
Maryland, Trustee, on May 13, 19 76, as evidenced by
Certification of Publication heretofore filed, and no cause to the contrary
having been shown,

IT IS ORDERED this 6th day of August, 19 76, by
the United States District Court for the District of Maryland, that the sale
heretofore reported in these proceedings to the Farmers Home Administration,
an agency of the United States of America, its successors
and assigns, at and for the sum of \$ 19,299.00, be and the same is
hereby ratified and confirmed.

EDWARD S. NORTROP

Judge

United States District Court
THE HONORABLE EDWARD S. NORTROP



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff

v.

JOHN L. JOHNSON, 106 Jones Street,
Centreville, Maryland 21617
ANNA MAE JOHNSON, 106 Jones Street,
Centreville, Maryland 21617

CIVIL NO.

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U.S. DISTRICT COURT
DISTRICT OF MARYLAND

REPORT AND FINAL ACCOUNT OF TRUSTEE

Your Trustee, John W. Spurrier,

United States Marshal for the District of Maryland, respectfully represents
unto this Honorable Court:

1. That on August 6, 1976, this Honorable Court passed an Order ratifying and confirming the sale made by the Trustee on May 13, 1976, to the Farmers Home Administration, an agency of the United States of ^{America}, at and for the sum of \$19,299.00.
2. That as of August 15, 1975, there was due and owing to the Farmers Home Administration of the United States Department of Agriculture, as mortgagee the sum of \$18,352.70, together with total interest due at the daily rate of \$3.4920 on said principal balance from August 16, 1976, until paid.
3. That no other claims have been filed by creditors in this proceeding, although proper notice was duly given to all interested parties by publication that certain sums have been expended by the Farmers Home Administration since the institution of these foreclosure proceedings.
4. That because the property was sold to the holder of the mortgage, no funds were actually received by the Trustee. However, after expenses of this foreclosure proceeding and those of the Farmers Home Administration are deducted, the Farmers Home Administration will apply the net balance of the purchase price to the balance due under its mortgage.

5. That the Trustee incurred the following expenses for which he prays allowance and payment from the Farmers Home Administration, purchaser, in addition to amounts expended by the Farmers Home Administration which are to be deducted from the purchase price of said real property:

Income:

Purchase Price of Real Property. \$19,299.00

Expenses of the Trustee:

Advertising:

Sale Ad-The Queen Anne's
Record Observer
Centerville, Md.
Apr. 14, 21, 28 and May 5, 1976 \$46.88

Nisi Ad-The Queen Anne's
Record Observer
Centerville, Md. 40.38
June 2, 9, & 16, 1976

Total Advertising Expenses due the
United States Marshal by the Farmers
Home Administration

NET BALANCE

87.26
\$19,211.74

WHEREFORE, the Trustee prays:

(a) That this Honorable Court pass an Order approving the expenses as set forth in this account.

(b) That this Court further Order that the balance, after expenses, be credited to the mortgage account of the defendants, John L. Johnson

and Anna Mae Johnson, now held by the Farmers Home Administration as hereinabove set forth.

John W. Spurrer
JOHN W. SPURRIER
United States Marshal
District of Maryland

STATE OF MARYLAND }
CITY OF BALTIMORE } SS:

I Hereby Certify that on this 6th day of August, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, personally appeared JOHN W. SPURRIER, Trustee, and made oath in due form of law that the matters and facts set forth in the foregoing Report and Final Account of Trustee are true to the best of his knowledge, information and belief.

AS WITNESS MY HAND AND NOTARIAL SEAL.

Julie Gray
NOTARY PUBLIC
Julie Gray
My Commission Expires: 7-1-78.

ORDERED AS PRAYED, this 11th day of August, 1976.

EDWARD S. NORTHROP
EDWARD S. NORTHROP, CHIEF JUDGE
UNITED STATES DISTRICT COURT

I hereby attest and certify on August 12, 1976
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal custody.

By Nancy [Signature]
CLERK OF DISTRICT COURT
UNITED STATES DISTRICT COURT

Equity No. 5898

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff

v.

EDWARD G. CANNON, R. D. 4,
Kingstown, Chestertown,
Maryland 21620
MARGARET ANN CANNON, R. D. 4,
Kingstown, Chestertown,
Maryland 21620,

Defendants

CIVIL NO. K-76-172

NOV 10-76 A 24248 *****72.00
NOV 10-76 A 24247 *****40.00

PETITION TO FORECLOSE

Your petitioner, United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, respectfully represents:

1. The Farmers Home Administration is now, and has been at all times herein mentioned, an agency of the United States of America, having an office for the transaction of business at the Coleman Enterprise Building, P. O. Box 214, Route 213, Chestertown, Maryland 21620.
2. On or about February 19, 1971, the defendants, Edward G. Cannon and Margaret Ann Cannon, his wife, being indebted to the United States by virtue of a loan made to said defendants in the sum of \$11,860.00 duly made, executed, and delivered to the United States of America, acting through

FILED
NOV 10 1976

the Farmers Home Administration, United States Department of Agriculture, their Promissory Note wherein the said defendants covenanted and agreed to repay said loan as, and under the conditions, therein provided on or before February 19, 2004. A true and complete copy of said Note is attached hereto as Exhibit A and is incorporated by reference herein as fully as if set forth at length herein.

3. To secure the payment of the aforesaid Note, the said defendants, on February 19, 1971, executed and delivered to the United States their indenture of mortgage, conveying to the United States the premises described therein as security for said debt; the said Mortgage was duly recorded in the Queen Anne's County Clerk's Office, Liber No. CWC 53, Page 152. A true and complete copy of said Mortgage is attached hereto as Exhibit B and is incorporated by reference herein as fully as if set forth at length herein.

4. The United States is now the owner and holder of said Promissory Note and Mortgage; the said defendants, Edward G. Cannon and Margaret Ann Cannon, his wife, defaulted in the payment of said Note by not making payments as required; as provided in said Note, and following such default, the United States elected to declare that by reason of said default, the entire balance of said Note remaining unpaid is due and payable forthwith; the defendants and each of them have failed to pay the same; and there is now past due upon said Note the sum of \$12,735.63, plus interest on that amount on and after September 22, 1975, which has accrued and is accruing at the daily rate of \$2.4077. A true and complete copy of the Statement of Account relative to the subject debt is attached hereto as Exhibit C and incorporated by reference herein as fully as if set forth at length herein.

5. By reason of the default of said defendants, the United States is entitled to an Order of this Court foreclosing said Mortgage and ordering the sale of the premises described in said Mortgage in the manner provided by law and ordering the application of the proceeds of such sale in payment of the judgment of the United States against the defendants, Edward G. Cannon and Margaret Ann Cannon, his wife.

6. In order to protect the interests of the United States in the assets during the pendency of these proceedings, it is requested by your petitioner that the United States Marshal for the District of Maryland be appointed Trustee without bond for that purpose.

WHEREFORE, the United States demands judgment and order of this Court:

(a) For the aggregate amount of the aforementioned sums and for such other amounts as the Court may find to be due from said defendants in the premises;

(b) Foreclosing the Mortgage described herein; ordering the premises described herein to be sold in the manner provided by law; and ordering that the proceeds be applied to the costs and expenses of sale, next in satisfaction of the Plaintiff's judgment against said defendants, and that the surplus, if any, be deposited in the account of the United States Marshal, subject to further order of the Court;

(c) For the appointment of the United States Marshal for the District of Maryland as Trustee to serve without bond;

(d) For such other and further relief as the Court may deem proper in the premises.

UNITED STATES OF AMERICA

JERVIS S. FINNEY
UNITED STATES ATTORNEY
DISTRICT OF MARYLAND

By 

Robert A. Rohrbaugh
Assistant United States Attorney
111 North Calvert Street
Baltimore, Maryland 21202
COM: 301-539-2940
FTS: 301-962-4822

Form FHA 440-16
(Rev. 4-16-69)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

KIND OF LOAN:

<input type="checkbox"/> FO	<input checked="" type="checkbox"/> RH
<input type="checkbox"/> FO-NFE	<input checked="" type="checkbox"/> NONFARM
<input type="checkbox"/> SW(Ind.)	<input type="checkbox"/> 504
<input type="checkbox"/> RL	<input type="checkbox"/> RRH
	<input type="checkbox"/> LH

PROMISSORY NOTE
(INSURED LOAN)

STATE Maryland			
COUNTY Queen Anne's County			
CASE NO. 220,806 24-18- 220,806			
FINANCE OFFICE USE ONLY			
412	LN	LC	IA

Date February 19, 19 71

FOR VALUE RECEIVED, the undersigned (whether one or more persons, herein called "Borrower") jointly and severally promise to pay to the order of the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, (herein called the "Government") at its office in

Chester town, Maryland 21620, THE PRINCIPAL SUM OF
ELEVEN THOUSAND EIGHT HUNDRED SIXTY

DOLLARS (\$ 11,860.00), plus INTEREST on the UNPAID PRINCIPAL balance at the RATE of SEVEN AND ONE-QUARTER PERCENT (7.125 %) PER ANNUM. The said PRINCIPAL and

INTEREST shall be PAYABLE in the FOLLOWING 36 INSTALLMENTS on or before the FOLLOWING DATES: (Number of installments)

\$ 817.00 JANUARY 1, 19 72, \$ 955.00 ANNUALLY thereafter on JANUARY 1, until the PRINCIPAL and INTEREST are fully paid except that the FINAL INSTALL-

MENT of the entire indebtedness evidenced hereby, if not sooner paid, shall be due and PAYABLE

THIRTY-THREE (33) YEARS from the DATE of this NOTE. The consideration herefor shall support any agreement modifying the foregoing schedule of payments.

Every payment made on any indebtedness evidenced by this note shall be applied first to interest computed to the effective date of the payment and then to principal.

Prepayments of scheduled installments, or any portion thereof, may be made at any time at the option of Borrower. Refunds and extra payments, as defined in the regulations of the Farmers Home Administration according to the source of funds involved, shall, after payment of interest, be applied to the installments last to become due under this note and shall not affect the obligation of Borrower to pay the remaining installments as scheduled herein.

Borrower agrees that the Government at any time may assign this note and insure the payment thereof, and in such case, though the note is not held by the Government, Borrower shall continue to pay to the Government, as collection agent for the holder, all installments of principal and interest as scheduled herein.

While this note is held by an insured lender, prepayments made by Borrower may, at the option of the Government, be remitted by the Government to the holder promptly or, except for final payment, be retained by the Government and remitted to the holder on either a calendar quarter basis or an annual installment due date basis. The effective date of every payment made by Borrower, except payments retained and remitted by the Government on an annual installment due date basis, shall be the date of the United States Treasury check by which the Government remits the payment to the holder. The effective date of any prepayment retained and remitted by the Government to the holder on an annual installment due date basis shall be the date of the prepayment by Borrower, and the Government will pay the interest to which the holder is entitled accruing between the effective date of any such prepayment and the date of the Treasury check to the holder.

Borrower hereby certifies that he is unable to obtain sufficient credit elsewhere to finance his actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near his community for loans for similar purposes and periods of time.

Property constructed, improved, purchased, or refinanced in whole or in part with the loan evidenced hereby shall not be assigned, sold, transferred, or encumbered, voluntarily or otherwise, without the written consent of the Government. Unless the Government consents otherwise in writing, Borrower (a) will personally operate such property as a farm with his own and his family's labor if this is an FO loan, or (b) will personally occupy and use such property if this is an RH loan on a "nonfarm tract" or a section 504 RH loan.

Position 8

FHA 440-16 (Rev. 4-16-69)

EXHIBIT "A"

REFINANCING AGREEMENT: It at any time it shall appear to the Government that Borrower may be able to obtain a loan from a responsible cooperative or private credit source at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will, at the Government's request, apply for and accept a loan in sufficient amount to pay this note in full and, if the lender is a cooperative, to pay for any necessary stock. This paragraph and the preceding paragraph shall not apply to any comaker signing this note pursuant to Section 502 of the Housing Act of 1949 to compensate for deficient repayment ability of other undersigned person(s).

DEFAULT hereunder shall constitute default under any other instrument evidencing a debt of Borrower owing to or insured by the Government or securing or otherwise relating to such a debt; and default under any such other instrument shall constitute default hereunder. **UPON ANY SUCH DEFAULT**, the Government at its option may declare all or any part of any such indebtedness immediately due and payable.

This note is given as evidence of a loan to Borrower made or insured by the Government pursuant to the Consolidated Farmers Home Administration Act of 1961 if the box opposite "FO", "FO-NFE", "RL", or "SW(Ind.)", is checked under the heading "KIND OF LOAN" or pursuant to Title V of the Housing Act of 1949 if the box opposite "RH", "RRH", or "LH", is checked. This note shall be subject to the present regulations of the Farmers Home Administration and to its future regulations not inconsistent with the express provisions hereof.

Presentment, protest, and notice are hereby waived.

Edward G. Cannon (SEAL)
Edward G. Cannon (HUSBAND)

Chestertown, Maryland 21620
(Post-office address of Borrower, include ZIP Code)

Margaret Ann Cannon (SEAL)
Margaret Ann Cannon (WIFE)

Pay to the order of _____

UNITED STATES OF AMERICA
FARMERS HOME ADMINISTRATION

By: _____

(Title)

LIBER 53 PAGE 156

Position 6

MAR 16 1971

USDA-FHA
Form FHA 427-1 MD
(Rev. 9-1-70)

No. 65087
38158

RECEIVED FOR RECORD
REAL ESTATE MORTGAGE FOR MARYLAND
(INSURED LOANS TO INDIVIDUALS)

Feb 19, 1971

3:14 PM

KNOW ALL MEN BY THESE PRESENTS, Dated February 19, 1971,
WHEREAS, the undersigned Edward G. Cannon and Margaret Cannon, his wife,

residing in Kent County, Maryland, whose post office address
is 417 High Street, Chestertown, Maryland 21620,

herein called "Borrower," are (is) justly indebted to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, herein called the "Government," as evidenced by one or more certain promissory note(s) or assumption agreement(s), herein called "note" (if more than one note is described below, the word "note" as used herein shall be construed as referring to each note singly or all notes collectively, as the context may require), said note being executed by Borrower, being payable to the order of the Government in installments as specified therein, authorizing acceleration of the entire indebtedness at the option of the Government upon any default by Borrower, and being further described as follows:

<u>Date of Instrument</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>	<u>Due Date of Final Installment</u>
February 19, 1971	\$11,860.00	7 1/2%	February 19, 2004

WHEREAS, the note evidences a loan to Borrower in the principal amount specified therein, made with the purpose and intention that the Government, at any time, may assign the note and insure the payment thereof pursuant to the Consolidated Farmers Home Administration Act of 1961, or Title V of the Housing Act of 1949; and

WHEREAS, when payment of the note is insured by the Government, it may be assigned from time to time and each holder of the insured note, in turn will be the insured lender; and

WHEREAS, when payment of the note is insured by the Government, the Government will execute and deliver to the insured lender along with the note an insurance endorsement insuring the payment of all amounts payable to the insured lender in connection with the loan; and

WHEREAS, when payment of the note is insured by the Government, the Government by agreement with the insured lender set forth in the insurance endorsement may be entitled to a specified portion of the payments on the note, to be designated the "annual charge"; and

WHEREAS, a condition of the insurance of payment of the note will be that the holder will forego his rights and remedies against Borrower and any others in connection with the loan evidenced thereby, as well as any benefit of this instrument, and will accept the benefits of such insurance in lieu thereof, and upon the Government's request will assign the note to the Government; and

WHEREAS, it is the purpose and intent of this instrument that, among other things, at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall secure payment of the note; but when the note is held by an insured lender, this instrument shall not secure payment of the note or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an Indemnity mortgage to secure the Government against loss under its insurance endorsement by reason of any default by Borrower;

NOW, THEREFORE, in consideration of the loan(s) and (a) at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the payment of the note, to secure prompt payment of the note and any renewals and extensions thereof and any agreements contained therein, including any provision for the payment of an insurance or other charge, (b) at all times when the note is held by an insured lender, to secure performance of Borrower's agreement herein to indemnify and save harmless the Government against loss under its insurance by reason of any default by Borrower, and (c) in any event and at all times to secure the prompt payment of all advances and expenditures made by the Government, with interest, as hereinafter described, and the performance of every covenant and agreement of Borrower contained herein or in any supplementary agreement, Borrower does hereby grant, convey, mortgage, assign, and forever warrant unto the Government the following property situated in the State of Maryland, County ~~()~~ of

Queen Anne.

EXHIBIT "B"

FHA 427-1 MD (Rev. 9-1-70)

LIBER

9 PAGE 785

ALL that tract or parcel of land situate, lying and being in the Second Election District of Queen Anne's County, Maryland, on the South side of the Public Road leading from Chestertown to Church Hill and near the old Chester River Bridge abutment, and adjoining the lands now or formerly of Thomas H. Skipper, Maggie E. Duyer and others and more particularly described as follows:

BEGINNING for the same at a cedar post set at the Southeast corner of the lands herein described, being also in the North line of an old burial ground and running thence with the said North line North 60 degrees West 62.5 feet to a cedar post; then by and with a line hereby established North 21 degrees East 135.9 feet to the middle line of the State Road leading from Chester River Bridge to Church Hill, thence with said road South 69.5 degrees East 62.5 feet; thence South 21 degrees West 145.2 feet to the place of beginning.

BEING the same premises granted and conveyed by Joanna McG. Rash and James Rash, her husband, to Edward G. Cannon, et ux., by deed bearing even date herewith and intended to be recorded immediately prior hereto; subject to restrictions and covenants running with the land of record.

together with all rights, interests, easements, hereditaments and appurtenances thereunto belonging, the rents, issues, and profits thereof and revenues and income therefrom, all improvements and personal property now or later attached thereto or reasonably necessary to the use thereof, including, but not limited to, ranges, refrigerators, or carpeting purchased or financed in whole or in part with loan funds, all water, water rights, and water stock pertaining thereto, and all payments at any time owing to Borrower by virtue of any sale, lease, transfer, conveyance or condemnation of any part thereof or interest therein—all of which are herein called "the property";

TO HAVE AND TO HOLD the property unto the Government and its assigns forever in fee simple.

BORROWER for himself, his heirs, executors, administrators, successors and assigns WARRANTS THE TITLE to the property to the Government against all lawful claims and demands whatsoever except any liens, encumbrances, easements, reservation, or conveyances specified hereinabove, and COVENANTS AND AGREES as follows:

(1) To pay promptly when due any indebtedness to the Government hereby secured and to indemnify and save harmless the Government against any loss under its insurance of payment of the note by reason of any default by Borrower. At all times when the note is held by an insured lender, Borrower shall continue to make payments on the note to the Government, as collection agent for the holder.

(2) To pay to the Government such fees and other charges as may now or hereafter be required by regulations of the Farmers Home Administration.

(3) At all times when the note is held by an insured lender, any amount due and unpaid under the terms of the note, less the amount of any annual charge, may be paid by the Government to the holder of the note as provided in the insurance endorsement for the account of Borrower. Any amount due and unpaid under the terms of the note, whether it is held by the Government or by an insured lender, may be credited by the Government on the note and thereupon shall constitute an advance by the Government for the account of Borrower. Any advance by the Government as described in this paragraph shall bear interest at the note rate from the date on which the amount of the advance was due to the date of payment to the Government.

(4) Whether or not the note is insured by the Government, the Government may at any time pay any other amounts required herein to be paid by Borrower and not paid by him when due, as well as any costs and expenses for the preservation, protection, or enforcement of this lien, as advances for the account of Borrower. All such advances shall bear interest at the rate borne by the note which has the highest interest rate.

(5) All advances by the Government as described in this instrument, with interest, shall be immediately due, and payable by Borrower to the Government without demand at the place designated in the latest note and shall be secured hereby. No such advance by the Government shall relieve Borrower from breach of his covenant to pay. Such advances, with interest, shall be repaid from the first available collection received from Borrower. Otherwise, any payment made by Borrower may be applied on the note or any indebtedness to the Government secured hereby, in any order the Government determines.

(6) To use the loan evidenced by the note solely for purposes authorized by the Government.

(7) To pay when due all taxes, liens, judgments, encumbrances, and assessments lawfully attaching to or assessed against the property and promptly deliver to the Government without demand receipts evidencing such payments.

(8) To keep the property insured as required by and under insurance policies approved by, delivered to, and retained by the Government.

(9) To maintain improvements in good repair and make repairs required by the Government; operate the property in a good and husbandmanlike manner; comply with such farm conservation practices and farm and home management plans as the Government from time to time may prescribe; and not to abandon the property, or cause or permit waste, lessening or impairment of the security covered hereby, or, without the written consent of the Government, cut, remove, or lease any gravel, oil, gas, coal, or other minerals except as may be necessary for ordinary domestic purposes.

- (10) To comply with all laws, ordinances, regulations affecting the property.
- (11) To pay or reimburse the Government for expenses reasonably necessary or incidental to the protection of the lien and priority hereof and to the enforcement of or the compliance with the provisions hereof and of the note and any supplementary agreement (whether before or after default), including but not limited to costs of evidence of title to and survey of the property, costs of recording this and other instruments, attorneys' fees, trustees' fees, court costs, and expenses of advertising, selling, and conveying the property.
- (12) Neither the property nor any portion thereof or interest therein shall be leased, assigned, sold, transferred, or encumbered, voluntarily or otherwise, without the written consent of the Government. The Government shall have the sole and exclusive rights as mortgagee hereunder, including but not limited to the power to grant consents, partial releases, subordinations, and satisfaction, and no insured lender shall have any right, title or interest in or to the lien or any benefits hereof.
- (13) At all reasonable times the Government and its agents may inspect the property to ascertain whether the covenants and agreements contained herein or in any supplementary agreement are being performed.
- (14) The Government may extend and defer the maturity of and renew and reamortize the debt evidenced by the note or any indebtedness to the Government secured hereby, release from liability to the Government any party so liable thereon, release portions of the property from and subordinate the lien hereof, and waive any other rights hereunder, without affecting the lien or priority hereof or the liability to the Government of Borrower or any other party for payment of the note or indebtedness secured hereby except as specified by the Government in writing.
- (15) If at any time it shall appear to the Government that Borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source, at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will, upon the Government's request, apply for and accept such loan in sufficient amount to pay the note and any indebtedness secured hereby and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with such loan.
- (16) Default hereunder shall constitute default under any other real estate, or under any personal property or other, insured by the Government and executed or assumed by Borrower, and default under any such other security instrument shall constitute default hereunder.
- (17) SHOULD DEFAULT occur in the performance or discharge of any obligation secured by this instrument, or should any one of the parties named as Borrower die or be declared an incompetent, a bankrupt, or an insolvent, or make an assignment for the benefit of creditors, the Government, at its option, with or without notice, may: (a) declare the entire amount unpaid under the note and any indebtedness to the Government hereby secured immediately due and payable, (b) for the account of Borrower incur and pay reasonable expenses for repair or maintenance of and take possession of, operate or rent the property, (c) upon application by it and production of this instrument, without other evidence and without notice of hearing of said application, have a receiver appointed for the property, with the usual powers of receivers in like cases, (d) foreclose this instrument as provided herein or by law, and (e) enforce any and all other rights and remedies provided herein or by present or future law.
- (18) The proceeds of foreclosure sale shall be applied in the following order to the payment of: (a) costs and expenses incident to enforcing or complying with the provisions hereof, (b) any prior liens required by law or a competent court to be so paid, (c) the debt evidenced by the note and all indebtedness to the Government secured hereby, (d) inferior liens of record required by law or a competent court to be so paid, (e) at the Government's option, any other indebtedness of Borrower owing to or insured by the Government, and (f) any balance to Borrower. At foreclosure or other sale of all or any part of the property, the Government and its agents may bid and purchase as a stranger and may pay the Government's share of the purchase price by crediting such amount on any debts of Borrower owing to or insured by the Government, in the order prescribed above.
- (19) As against the debt evidenced by the note and indebtedness to the Government hereby secured, with respect to the property, Borrower (a) hereby relinquishes, waives, and conveys all rights, inchoate or consummate, of descent, dower, curtesy, homestead, valuation, appraisal, and exemption, to which Borrower is or becomes entitled under the laws and constitution of the jurisdiction where the property lies, and (b) hereby agrees that any right provided by such laws or constitution for redemption or possession following foreclosure sale shall not apply, and that no right of redemption or possession shall exist after foreclosure sale.
- (20) This instrument shall be subject to the present regulations of the Farmers Home Administration, and to its future regulations not inconsistent with the express provisions hereof.
- (21) Notices given hereunder shall be sent by certified mail, unless otherwise required by law, addressed, unless and until some other address is designated in a notice so given, in the case of the Government to Farmers Home Administration, United States Department of Agriculture, at Trenton, New Jersey 08607, and in the case of Borrower to him at his post office address stated above.
- (22) Upon default by Borrower as aforesaid, in addition to any other remedies provided by law, Borrower hereby assents to the passage of a decree for the sale of the property and Borrower hereby also authorizes the Government, its successors or assigns, after any default in the covenants or conditions of this instrument, to sell the property. Any such sale, whether under the above assent to a decree or under the above power of sale, shall be under the provisions of Article 66 of the Public General Laws of Maryland, or under any other General or Local Laws of the State of Maryland relating to mortgages, or any supplement, amendment or addition thereto.

DECEMBER 9 1971

PROVIDED that if all the indebtedness hereby secured is duly paid and each and every covenant, condition, agreement, and obligation, contingent or otherwise, contained herein, secured hereby or arising hereunder is fully performed and discharged, this mortgage shall be void; otherwise to remain in full force and effect.

Witness the hand(s) and seal(s) of Borrower the day and year first above written.

TEST:

Anthony Libersky
Anthony Libersky (Witness)

Edward G. Cannon (SEAL)
Edward G. Cannon

Margaret Cannon (SEAL)
Margaret Cannon

STATE OF MARYLAND

COUNTY OF Queen Anne

ACKNOWLEDGMENT AND AFFIDAVIT

I hereby certify that on this 19th day of February, 1971, before me, a Notary

Public of the State of Maryland, in and for the said County, personally appeared Edward G. Cannon and Margaret Cannon, his wife,

their, mortgagor(s), and acknowledged the foregoing mortgage to be their act. At the same time also appeared

John R. Blanchfield, Jr., agent of the mortgagee, and made oath that the consideration set forth in said mortgage is true and bona fide as therein set forth, and that the amount of the aforesaid loan has been paid over and disbursed to said mortgagor(s) at or before the time of execution of this mortgage, and also made oath that he is the agent of the mortgagee and authorized to make this affidavit.

Witness my hand and Notarial Seal.

(NOTARIAL SEAL)

Anthony Libersky
Anthony Libersky Notary Public.

My commission expires the 1st day of July, 1974.



65087

STATE OF MARYLAND,
QUEEN ANNE'S COUNTY, SOI.
I HEREBY CERTIFY IN
THIS Mortgage
RECEIVED FOR RECORD THIS 19th
DAY OF February AT 3:4 P.M.
A.D. 1971 AND RECORDED IN
LIBER CLERK'S OFFICE 53 of 152 Land
RECORD BOOK FOR QUEEN ANNE'S
COUNTY
Charles W. Deibel CLERK.

Return to
FHA

1300 Pd

SEP 8 1975
STATE DEPT
RECEIVED

United States of America



DEPARTMENT OF AGRICULTURE
WASHINGTON

I, EARL L. BUTZ, Secretary of Agriculture of the United States, pursuant to Title 28, United States Code, Section 1733, do hereby certify that the annexed copy, or each of the specified number of annexed copies, is a true, correct and compared copy of a document in my official custody as hereinafter described:

Certified Statement of Account of Edward G. Cannon of Queen Ann County, Maryland, as certified by L. E. Echols, Acting Director, Finance Office, Farmers Home Administration, St. Louis, Missouri, dated September 19, 1975.

In testimony whereof I have hereunto caused the seal of the Department of Agriculture to be affixed and my name subscribed in the District of Columbia, this 29th day of September, 19 75.

Earl L. Butz
Secretary

James V. Loughran, Jr.
By ~~Acting Assistant~~ General Counsel

OGC 74
7-73

(Signed pursuant to the authority of 27 F.R. 5917)

EXHIBIT "C"

STATEMENT OF ACCOUNT

Richard L. Fowler, Acting Director
TO: Office of the General Counsel, USDA
Washington, DC 20250

CASE NO.
21-18-220806

This is to certify that

NAME(S) Edward G. Cannon AND _____ OF _____
ADDRESS (include ZIP Code) Queen Ann County, MD

is (are) indebted to the United States of America as reflected by the following statement of account:

TRANSACTIONS HAVE BEEN RECORDED THROUGH				INTEREST HAS BEEN ACCRUED THROUGH				(Check appropriate block)			
CHARGES				CREDITS							
9-22-75				8-25-75				September 22, 1975			
DATE	KIND	FUND	INT. RATE	NUMBER	LOAN ADVANCES AND OTHER CHARGES	INTEREST	PRINCIPAL	INTEREST	PRINCIPAL	DAILY INTEREST ACCRUAL	
NOTE ACCOUNT											
02-19-71		46	7.250	01	11,860.00						
Total		46	7.250	01	11,860.00	3274.11	282.35	607.12	11,577.65	2,2997	
ADVANCES BY GOVERNMENT											
01-01-72		46	7.250	01	17.00	Default charge					
01-01-74					747.31	Default charge					
01-01-75					590.52	Default charge					
01-21-75					222.00	Taxes					
09-22-75					172.58	Taxes					
Total		46	7.250	01	1749.41	50.08	1205.63	7.08	543.78	1080	
TOTAL											
					13,609.41	3,324.19	1,487.98	614.20	12,121.43	2,4077	

L.L. Kelso
(Signature of approving official)

DATE OF CERTIFICATION
SEP 19 1975

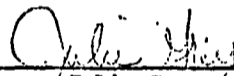
Acting Director, Finance Office

Position 2

STATE OF MARYLAND)
CITY OF BALTIMORE) TO WIT:

I HEREBY CERTIFY that on this 29th day of January 1976, before me, the subscriber, a Notary Public of the State of Maryland, and City of Baltimore, personally appeared, Robert A. Rohrhaugh, Assistant United States Attorney for the District of Maryland, and made oath in due form of law that the matters and facts contained in the foregoing Petition to Foreclose are true to the best of his knowledge, information, and belief.

AS WITNESS my hand and Notarial seal.



Julie Grey
NOTARY PUBLIC

My commission expires 7-1-78.

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff

v.

CIVIL NO. K-76-172

EDWARD G. CANNON, R. D. 4,
Kingstown, Chestertown,
Maryland 21620
MARGARET ANN CANNON, R. D. 4,
Kingstown, Chestertown,
Maryland 21620,
Defendants

ORDER

Upon consideration of the Petition of the United States of America, acting on behalf of the Farmers Home Administration, an agency of the United States of America, by Jervis S. Finney, United States Attorney for the District of Maryland, seeking sale of certain real property described in the Real Estate Mortgage referred to in said Petition,

it is this 4th day of February, 1976,

ORDERED:

1. The United States Marshal for the District of Maryland is hereby appointed Trustee without bond.
2. The said Trustee is hereby directed to sell on behalf of the Farmers Home Administration, its successors or assigns, or its duly authorized attorney, the property set forth in said Mortgage in accordance with the terms and powers conferred upon him therein, after having first notified all interested parties by publishing said notification

once a week for at least four (4) weeks prior to the date of the sale in a newspaper of general circulation in the county in which the property lies.

3. The terms of said sale shall be all cash; a deposit of fifteen percent (15%) of the purchase price shall be required at the time of sale, the balance to be paid within ten (10) days after final ratification of said sale by this Court. In the event of default by the purchaser, the property shall be resold at the risk and cost of the defaulting purchaser. All conveyancing, recording, revenue stamps, and other expenses of sale shall be at the cost of the purchaser.

4. After said Trustee has complied with the order of this Court, such sale shall be reported back to this Court for approval and ratification.

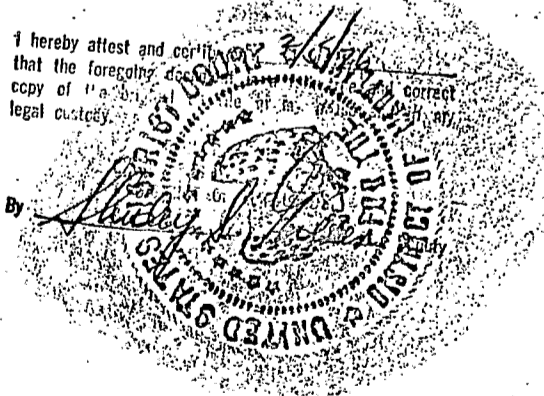
5. The proceeds of such sale shall be deposited into the account of the United States Marshal to be distributed as the Court shall direct after review and accounting thereof.

15/ CLARENCE E. GOETZ

U. S. Magistrate
United States District Court

I hereby attest and certify that the foregoing does constitute a true and correct copy of the original as the same is in my legal custody.

By



USA-35-47
Ed. 11/2/66
RAR:mr

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MAY 27 4 02 PM '76
UNITED STATES ATTORNEY
BALTIMORE, MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA * CIVIL NO. K-76-172
Plaintiff *
v. *
EDWARD G. CANNON, R.D. 4, Kingstown, *
Chestertown, Maryland, 21620 *
MARGARET ANN CANNON, R.D. 4, Kingstown, *
Chestertown, Maryland, 21620 *
* * * * *

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CLERK,
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of Sale by John W. Spurrier, United States
Marshal for the District of Maryland, Trustee in the above-entitled matter,
by Jervis S. Finney, United States Attorney for the District of
Maryland, and Robert A. Rohrbaugh, Assistant United States
Attorney for said District, respectfully represents:

1. That Edward G. Cannon and Margaret Ann Cannon

Having defaulted in their payments on their promissory note to the United
States (the Farmers Home Administration), notice of sale of certain
real property described in the real estate mortgage referred to in the
Petition to Foreclose heretofore filed by the United States was duly given
by publication in the Record Observer, a newspaper published
in Centreville, Maryland.

2. That pursuant to the Order of this Honorable Court dated
February 4, 1976, authorizing the Trustee to sell the aforesaid property
of Edward G. Cannon and Margaret Ann Cannon, a public sale
was held on May 18, 1976, 19 , on the premises known as
R.D. 4, Kingstown, Chestertown, Maryland, 21620

said property being covered by the real estate mortgage heretofore filed in
this proceeding.

USA-35-48
Ed. 11/2/66

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. K-76-172

v.

EDWARD G. CANNON, R.D. 4, Kingstown,
Chestertown, Maryland, 21620
MARGARET ANN CANNON, R.D. 4, Kingstown,
Chestertown, Maryland, 21620

* * * * *

ORDER NISI

ORDERED this 25th day of May, 19 76, by the
United States District Court for the District of Maryland, that the sale of
the real property described in the above-entitled proceedings, made and
reported by John W. Spurrier, United States Marshal for the
District of Maryland, Trustee, to the Farmers Home Administration, an agency
of the United States of America, for the sum of \$ 13,227.00, said
purchaser being the highest bidder therefor, be ratified and confirmed unless
cause to the contrary be shown on or before the 28th day of July
19 76, provided that a copy of this Order be inserted in some newspaper
published in the Record Observer, Centreville, Maryland, once a week for three
successive weeks preceding June 28, 19 76.

FRANK A. KAUFMAN

Judge

United States District Court
THE HONORABLE FRANK A. KAUFMAN

I hereby attest
that the foregoing
copy of the
legal order
is a true and correct
copy of the original
as filed in my
office on 27 1976
By Wesley H. [Signature] Deputy

USA-35-49
Ed. 11/2/66
RAR:mr

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AUG 5 2 47 PM '76
UNITED STATES ATTORNEY
BALTIMORE, MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA
Plaintiff

CIVIL NO. K-76-172

v.

EDWARD G. CANNON, R.D. 4, Kingstown,
Chestertown, Maryland, 21620
MARGARET ANN CANNON, R.D. 4, Kingstown,
Chestertown, Maryland, 21620

* * * * *

ORDER

Compliance having been had with the Order of this Court dated
May 25, 19 76, requiring publication of sale made by
John W. Spurrier, United States Marshal for the District of
Maryland, Trustee, on May 18, 19 76, as evidenced by
Certification of Publication heretofore filed, and no cause to the contrary
having been shown,

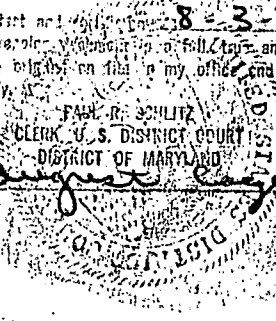
IT IS ORDERED this 3rd day of August, 19 76, by
the United States District Court for the District of Maryland, that the sale
heretofore reported in these proceedings to the Farmers Home Administration,
an agency of the United States of America, its successors
and assigns, at and for the sum of \$ 13,227.00, be and the same is
hereby ratified and confirmed.

Alexander Harvey
Judge

United States District Court
THE HONORABLE ALEXANDER HARVEY, II

I hereby certify and attest that the foregoing is a full, true and correct
copy of the original on file in my office and in my
legal custody.

8-3-76
PAUL R. SCHLITZ
CLERK U. S. DISTRICT COURT
DISTRICT OF MARYLAND
By *August Long* Deputy



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff

v.

EDWARD G. CANNON, R.D. 4, Kingstown,
Chestertown, Maryland, 21620
MARGARET ANN CANNON, R.D. 4, Kingstown,
Chestertown, Maryland, 21620

CIVIL NO.

SEP 16 1976
K-76-172
RECEIVED
U.S. DISTRICT COURT
BALTIMORE, MARYLAND
CLERK

SEP 9 11 40 AM '76

REPORT AND FINAL ACCOUNT OF TRUSTEE

Your Trustee, John W. Spurrier

United States Marshal for the District of Maryland, respectfully represents
unto this Honorable Court:

1. That on August 3, 1976, this Honorable Court
passed an Order ratifying and confirming the sale made by the Trustee on
May 18, 1976, to the Farmers Home Administration, an agency
of the United States of America, at and for the sum of \$13,227.00.

2. That as of September 22, 1975, there was due and
owing to the Farmers Home Administration of the United States Department of
Agriculture, as mortgagee the sum of \$12,735.63, together with
total interest due at the daily rate of \$2.4077 on said principal
balance from September 23, 1975, until paid.

3. That no other claims have been filed by creditors in this
proceeding, although proper notice was duly given to all interested parties
by publication that certain sums have been expended by the Farmers Home
Administration since the institution of these foreclosure proceedings.

4. That because the property was sold to the holder of the mortgage,
no funds were actually received by the Trustee. However, after expenses of
this foreclosure proceeding and those of the Farmers Home Administration are
deducted, the Farmers Home Administration will apply the net balance of the
purchase price to the balance due under its mortgage.

10) Filed 20th of August 1976

5. That the Trustee incurred the following expenses for which he prays allowance and payment from the Farmers Home Administration, purchaser, in addition to amounts expended by the Farmers Home Administration which are to be deducted from the purchase price of said real property:

Income:

Purchase Price of Real Property. \$13,227.00

Expenses of the Trustee:

Advertising:

Sale Ad-The Queen Anne's Record Observer, Centreville, Md. April 21, 28; May 5 & 12, 1976 Waived

Nisi Ad-The Queen Anne's Record Observer, Centreville, Md. June 9, 16 & 23, 1976 \$38.00

Total Advertising Expenses due the United States Marshal by the Farmers Home Administration

NET BALANCE 38.00 \$13,189.00

WHEREFORE, the Trustee prays:

(a) That this Honorable Court pass an Order approving the expenses as set forth in this account.

(b) That this Court further Order that the balance, after expenses, be credited to the mortgage account of the defendants, Edward G. Cannon and Margaret Ann Cannon, now held by the Farmers Home Administration as hereinabove set forth.

John W. Spurrer
JOHN W. SPURRIER
United States Marshal
District of Maryland

STATE OF MARYLAND)
CITY OF BALTIMORE) SS:

I Hereby Certify that on this 6th day of August,
19 76, before me, the subscriber, a Notary Public of the State of Maryland,
in and for Baltimore City, personally appeared JOHN W. SPURRIER,
Trustee, and made oath in due form of law that the matters and facts set forth
in the foregoing Report and Final Account of Trustee are true to the best of
his knowledge, information and belief.

AS WITNESS MY HAND AND NOTARIAL SEAL.

Julie Grey
NOTARY PUBLIC
JULIE GREY
My Commission Expires: 7-1-78.

ORDER

ORDERED AS PRAYED, this 20th day of August, 19 76.

Frank A. Kaufman
FRANK A. KAUFMAN, JUDGE
UNITED STATES DISTRICT COURT

I hereby attest and certify on 8/16/76
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal case.
By Brenda L. Brown Deputy
CLERK OF DISTRICT COURT
DISTRICT OF MARYLAND