

FOR R. AMES HENDRICKSON, THE PRESIDENT OF THE SAID ASSOCIATION, AS TRUSTEE, OR, IN THE EVENT OF HIS DEATH, DECLINATION, OR INABILITY FROM ANY CAUSE, THEN FOR CHARLES WERTHEIMER, AS TRUSTEE, OR IN THE CASE OF THE DEATH, DECLINATION OR INABILITY FROM ANY CAUSE OF THE LAST NAMED TO EXECUTE SAID TRUST, THEN FOR ANY OTHER TRUSTEE, OR TRUSTEES, TO BE APPOINTED BY ORDER OF THE CIRCUIT COURT FOR FREDERICK COUNTY, AS A COURT OF EQUITY, IN PLACE OF, ^{SAID} DECEASED OR DECLINING TRUSTEE, CONSENT THERETO BEING HEREBY GIVEN BY SAID MORTGAGORS, UPON PETITION FILED BY SAID MORTGAGEE TO THE SAID COURT FOR THE APPOINTMENT OF SUCH TRUSTEE, AND SUCH TRUSTEE, OR TRUSTEES, ARE HEREBY SO AUTHORIZED, TO SELL THE SAID MORTGAGED PREMISES, AT THE COURT HOUSE DOOR IN FREDERICK CITY, FREDERICK COUNTY, MARYLAND, AT PUBLIC AUCTION", UPON TERMS AND AFTER PUBLIC NOTICE PRESCRIBED IN SAID MORTGAGE, AND "TO APPLY THE PROCEEDS OF THE SALE THEREOF AS FOLLOWS:- FIRST, TO THE PAYMENT OF ALL EXPENSES ATTENDING SAID SALE, INCLUDING THE USUAL CHANCERY COMMISSIONS TO THE PERSON MAKING SAID SALE AND A REASONABLE COUNSEL FEE; THEN TO PAY ALL MONEY DUE TO THE SAID ASSOCIATION" ON ACCOUNT OF SAID MORTGAGE DEBT, AND TO PAY THE SURPLUS, IF ANY, TO SAID MORTGAGOR, HIS HEIRS OR ASSIGNS.

6. THAT SINCE THE DEATH OF SAID MORTGAGOR YOUR PETITIONER HAS RECEIVED THE PROCEEDS OF A \$5000 POLICY OF INSURANCE ON HIS LIFE, WHICH HE HAD PROVIDED AS FURTHER SECURITY FOR SAID MORTGAGE INDEBTEDNESS, AND THE APPLICATION OF SAID INSURANCE PROCEEDS HAS REDUCED SAID INDEBTEDNESS TO \$1263.36, BUT HAS LEFT THE PAYMENTS DUE THEREON STILL IN ARREARS AND DEFAULT FOR A PERIOD OF MORE THAN THREE MONTHS.

7. THAT YOUR PETITIONER IS THEREFORE ENTITLED TO HAVE THE POWER OF SALE IN SAID MORTGAGE EXERCISED TO THE END THAT THE BALANCE OF SAID MORTGAGE INDEBTEDNESS MAY BE PAID OUT OF THE PROCEEDS OF THE SALE OF SAID MORTGAGED PROPERTY.

8. THAT R. AMES HENDRICKSON, THE PRESIDENT OF YOUR PETITIONER, AND CHARLES WERTHEIMER, NAMED SUCCESSIVELY IN SAID MORTGAGE TO EXECUTE SAID POWER OF SALE AS TRUSTEE, HAVE DECLINED TO ACT IN PURSUANCE THEREOF, AS WILL APPEAR BY THEIR DECLINATION HEREWITH FILED, AND YOUR PETITIONER THEREFORE IS HEREBY AVAILING ITSELF OF THE RIGHT CONFERRED BY SAID MORTGAGE TO PETITION YOUR