

IN THE CIRCUIT COURT FOR FREDERICK COUNTY

FREDERICK COUNTY, TO WIT:

Herman L. Gaver :

vs. :

No. 8484 Equity

Grace E. Gaver, widow, et al :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Ebert Ice Cream Company, a body corporate of The State of Maryland, respectfully shows unto your Honors:

1st. That your Petitioner filed a petition in the above cause on November 7^o, 1957, reciting that your Petitioner is in possession of a certain tract or parcel of land situate, lying and being on the Northwest corner of Klinehart's Alley and 5½ Street in Frederick City and County, Maryland, by virtue of deed from Harry L. Ebert and his wife, dated February 24, 1932, and recorded in Liber 382 folio 178, one of the Land Records of Frederick County, and that your Petitioner has lately discovered in an examination of title of the said tract of land that a certain deed from Cyrus F. Flook, and others, Trustees in the above cause, dated March 10, 1910, conveying title to the same to Mary E. Haas, a predecessor in title, has never been recorded among the Land Records of Frederick County, Maryland, and its whereabouts unknown to your petitioner.

2nd. That said petition prayed the appointment of a Substituted Trustee for the purpose of conveying all the right, title and interest of Mary E. Haas in and to the aforesaid real property unto your Petitioner, and Order of this Court so entered on the 27th day of November, 1957.

3rd. That your Petitioner believes, in order to protect itself as owner of the legal title from being disturbed in its