

THIS DEED, Made this 5th day of April, 1965, by W. Jerome Offutt, Trustee in No. 12,345 Equity, in the Circuit Court for Frederick County, State of Maryland.

W I T N E S S E T H:

THAT WHEREAS, a certain Benjamin F. Zimmerman, now deceased, did acquire a tract or parcel of land, of which the hereinafter described parcel is a part, from Douglas H. Hargett and John C. Motter, Trustees, in a Deed dated March 4, 1891 and recorded in Liber WIP No. 13, folio 78, one of the Land Records of Frederick County; and

WHEREAS, the said Benjamin F. Zimmerman did execute a Deed of Trust unto H. Noel Haller, as Trustee, for the benefit of his creditors, with certain powers and subject to the duties set forth in said Deed of Trust dated October 12, 1931 and recorded in Liber 390, folio 415, one of said Land Records; that by a Decree passed in the Circuit Court for Frederick County in No. 12,345 Equity, and dated October 31, 1931, jurisdiction of the Trust under the aforementioned Deed of Trust was assumed by the Court and the said H. Noel Haller, Trustee, qualified by giving his Bond, approved by the Clerk of the Court, for the faithful performance of his duties as such Trustee; that said Trustee did not convey or report the same to the Court; and

WHEREAS, the said Benjamin F. Zimmerman died intestate on or about the 3rd day of July, 1948 and left surviving him certain heirs at law, namely, Mollie V. Zimmerman, unmarried and the named children of a deceased daughter, Evie A. Shook; that said heirs in a Deed dated September 18, 1948 and recorded in Liber 474, folio 285 etc., one of said Land Records, did purport to grant and convey, in fee simple, unto Lillie G. Rees, a certain tract of land, of which the hereinafter described parcel is a part; and

WHEREAS, the said Court, in a Decree passed in said cause, dated March 24, 1965, did appoint W. Jerome Offutt, Trustee with all the powers, and subject to all the duties set forth in said Deed of Trust as executed by Benjamin F. Zimmerman, deceased, the said H. Noel Haller, having died on or about the 27th day of February, 1939; that said Decree did further provide that the Trustee execute a Deed to A. F. Rees, Inc., a body corporate, granting, conveying and assigning all the right, title and interest of the said Benjamin F. Zimmerman, in and to all the hereinafter described real estate as mentioned in the Petition filed in said proceedings.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE RECITED PREMISES AND THE SUM OF FIVE (\$5.00) DOLLARS, in hand paid, the receipt of which is hereby acknowledged, the said W. Jerome Offutt, Trustee in No. 12,345 Equity, in said Court, does hereby grant and convey unto A. F. Rees, Incorporated, a body corporate of the State of Pennsylvania, its successors and assigns, all the right, title and interest of the said Benjamin F. Zimmerman, deceased, in and to all that lot or parcel of ground lying along the Frederick-Harpers Ferry Road, known as U.S. Route 340, about two miles West of Frederick City and known as Parcel D, as set forth in plat of property of Lillie G. Rees, widow, dated August 8, 1949, by Frank W. Rothenhoefer, County Surveyor, and