

(c) That John H. Miller, one of the heirs of his mother, Ella M. Miller, did on the 30th day of March, 1973 by deed recorded in Liber 909, folio 715, one of the Land Records of Frederick County, Maryland, convey his one-third undivided interest in said property to his brother, Charles E. Miller, Complainant; a duly certified copy of said deed is filed herewith and made a part hereof, marked "Exhibit B".

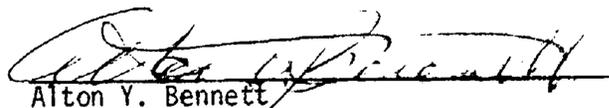
(d) That on the 30th day of August, 1969, Robert E. Miller died intestate leaving as his heirs at law and next of kin his wife, Rosalie^I/₂ Miller and his infant son, Robert E. Miller, Jr., the Defendants.

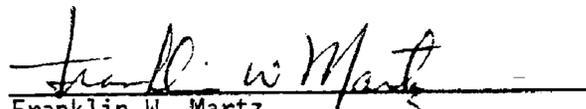
SECOND: That the parties hereto hold title to the aforesaid real estate in fee simple as tenants in common.

THIRD: That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, 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 amongst the parties according to their several interests.

WHEREFORE, your Complainant prays for a sale of the said real estate and premises heretofore mentioned and for the appointment of a trustee or trustees to make said sale.

And for such other and further relief as the nature and equity of the case may require.


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