

BOOK 35 PAGE 726

EDWIN F. NIKIRK, II, ASSIGNEE : NO. 25,970 EQUITY
FOR THE PURPOSE OF FORECLOSURE :
UNDER A MORTGAGE FROM FRANCES E. ALLGIRE, WIDOW, WILLIAM T. SMITH AND ELIZABETH SUE SMITH, HIS WIFE, : IN THE CIRCUIT COURT
TO HERBERT B. MERRYMAN, : FOR
ON PETITION : FREDERICK COUNTY, MARYLAND

CERTIFICATE OF PUBLICATION
From THE NEWS-POST Frederick, Md.

ASSIGNEE'S SALE

Of valuable improved real estate containing 6.329 acres, more or less, located on the North side of the Mountain Church Road in Burkittsville District, Frederick County, Maryland.

Under and by virtue of the power of sale contained in a Mortgage from Frances E. Allgire, Widow, William T. Smith and Elizabeth Sue Smith, his wife, to Herbert B. Merryman, dated December 28, 1973, and recorded among the Land Records of Frederick County, Maryland, in Liber 930, folio 200, et seq, and at the request of the party secured thereby, default having occurred under the terms thereof and said Mortgage having been assigned to Edwin F. Nikirk, II for the purposes of foreclosure, said foreclosure being Equity No. 25,970, one of the cases of the Circuit Court for Frederick County, Maryland, the said Edwin F. Nikirk, II will offer for sale at public auction outside the main front door of the Court House for the Circuit Court at Frederick County, Maryland, on

TUESDAY, DECEMBER 30, 1975

AT 11 A.M.

all of the property described in said Mortgage described as follows:

All that piece or parcel of land situate, lying and being on the North side of the Mountain Church Road in Burkittsville District, Frederick County, Maryland, and being a part of a tract of land called "Stoney Ridge", and the property being hereby sold, recorded among the Land Records of Frederick County, Maryland, in Liber 930, folio 198, and being a tract of land containing 6.329 acres, more or less, with improvements thereon, being a concrete block home containing three bedrooms and a bath upstairs, two bedrooms, living room, kitchen, dining room, and another room downstairs, a three-car garage integral with the home, a 30 ft. by 30 ft. concrete block barn, and other outbuildings, said real estate being more particularly described as follows:

BEGINNING at an iron pipe on the North side of the county road, said point being at the end of the 3rd line of a deed from Henry McBride to Samuel B. Montzer, recorded in Liber CM 1, folio 72, one of the Land Records of Frederick County, and running thence by and with the dividing line between the property herein conveyed and the property formerly owned by Oliver Huffer, two courses and distances, (1) North 36° 30' West 693.00 feet to a stone, thence (2) North 36° 45' East 239.25 feet to a planted stone, thence by and with the dividing line between the property herein conveyed and the property of Lucille I. Dykes, and husband, (3) South 59° 30' East 404.25 feet to a corner post, thence (4) North 76° 00' East 237.00 feet to a point, thence by and with the dividing line between the property herein conveyed and the properties heretofore conveyed by Herbert B. Merryman and wife to Guy F. Butts and wife, by deed dated November 16, 1956, and recorded in Liber 575, folio 29, one of the Land Records of Frederick County, and by Herbert B. Merryman and wife, to Harry H. Carter, by deed dated November 16, 1956, and recorded in Liber 575, folio 30, one of the Land Records aforesaid, (5) South 02° 30' West 293.00 feet to a post on the dividing line between the property herein conveyed and the lot conveyed by Herbert B. Merryman and wife to Charles H. Merryman, by deed dated July 17, 1951, and recorded in

This is to certify that the annexed Assignee's Sale

..... was published in The News&Post a newspaper published in Frederick County, at least once in each of three successive weeks, the first such publication having been made not less than 15 days prior to sale, and the last such publication being made not more than one week prior to the 30th day of December 1975.

Filed January 13, 1976

THE NEWS-POST

Per *Donna LeMay*
DONNA LE MAY

Liber 494, folio 387, one of the Land Records of Frederick County, (6) South 10° 00' 260.00 feet to a point in the center of the public road, thence by and with the center of said road, (7) South 73° 00' West 251.00 feet to the place of beginning, containing 6.329 acres of land, more or less, as surveyed by William C. Humm, surveyor, in March 1961.

TERMS OF SALE

A deposit of 10% of the sale price in cash or certified check will be required at the time of sale, the balance to be paid in cash within 5 days after ratification of the sale by the Circuit Court for Frederick County, Maryland, and interest shall be due on the balance at the rate of 8% per annum from the date beginning 5 days after ratification of the sale by the Circuit Court. Adjustment of all taxes, public charges and special or regular assessments will be made as of the date of sale and thereafter be assumed by the purchaser. Title examination, all conveyancing taxes, recording fees and all other costs incident to the settlement are to be paid by the purchaser. Compliance with the terms of sale shall be made within 5 days after final ratification of the sale or the deposit shall be forfeited and the property resoid at the risk and cost of the defaulting purchaser.

EDWIN F. NIKIRK, II
Assignee

J. G. TROUT AUCTION & REALTY, INC.
15 North Court Street
Frederick, Maryland 21701
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W. MILNOR ROBERTS
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Exhibit
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