

## ASSIGNEE'S SALE ON PREMISES

of valuable fee simple, unimproved, real property located in Frederick City and Frederick County, Maryland.

Under and by virtue of powers of sale contained in certain mortgages from Brosius Development Corporation, and Brosius Homes Corporation, et al., dated December 23, 1965, and December 17, 1969, and February 22, 1974, respectively; said mortgages being respectively recorded in Liber 739, folio 316, Liber 818, folio 24, and Liber 932, folio 734 among the Land Records of Frederick County, Maryland; said mortgages all being in default and all having been assigned to the undersigned assignee for the purpose of foreclosure, the undersigned, as assignee of said mortgages, will offer for sale at public auction at the southeast corner of Center Street and Carrollton Drive on a portion of the property being foreclosed, in Frederick City, Frederick County, Maryland, on:

**WEDNESDAY, JUNE 15, 1977**

AT 11:00 A.M.

all the following described real estate, being a portion of land subject to the aforesaid mortgages, to wit:

All those six (6) parcels or tracts of land situate, lying and being in Frederick City, and Frederick County, Maryland, and being more particularly described as follows:

**PARCEL NO. 1:** Lots 21, 22, 23, 24, 25, 26, and 27 in Block C as shown on the Plat of Maplewood Subdivision, said plat being recorded in Plat Book 3, folio 130, one of the Plat Records of Frederick County, Maryland.

Lots 21 and 22 being part of the property conveyed to Brosius Homes Corporation by deed from Austin D. Trout, et ux., dated June 12, 1958 and recorded at Liber 601, folio 111, one of the Land Records of Frederick County, Maryland.

Lots 23, 24, and 25 being part of the property conveyed to Brosius Development Corporation by deed from Austin D. Trout, et ux., dated May 9, 1958 and recorded at Liber 559, folio 291, one of said Land Records.

Lots 26 and 27 being part of the property conveyed unto Brosius Development Corporation by deed from Austin D. Trout, et ux., dated May 18, 1964 and recorded at Liber 703, folio 511, one of said Land Records.

This parcel of land consisting of contiguous lots is designated as Parcel A in the mortgage dated February 22, 1974, and recorded in Liber 932, folio 734, one of said Land Records.

**PARCEL NO. 2:** Beginning at a monument at the northeast corner of Lot 90 of Section 5A of Carrollton Subdivision recorded in Plat Book 4, folio 35, thence with the rear boundaries of lots 90 and 89 by 2 courses, and distances: (1) S. 12° 12' 38" E. 81.98 feet; (2) S. 22° 38' 33" W. 87.0 feet; thence with the northern boundary of Section 5B of Carrollton Subdivision recorded in Plat Book 4, folio 37, (3) S. 67° 21' 27" E. 561.87 feet; thence along the boundary common with Mt. Olivet Cemetery Association, (4) N. 30° 17' 32" E. 534.38 feet; thence with the south boundary of Maplewood Subdivision, Section 1, recorded in Plat Book 3, folio 130 by 6 courses and distances: (5) N. 44° 48' 09" W. 167.60 feet; S. 56° 07' 38" W. 39.55 feet; N. 60° 14' 33" W. 104.34 feet; N. 51° 36' 19" W. 50.65 feet; N. 61° 28' 53" W. 77.00 feet; N. 80° 48' 19" W. 264.09 feet and thence S. 23° 54' 33" W. 156.00 feet; S. 73° 10' 57" W. 173.75 feet; S. 02° 04' 21" W. 105.09 feet and thence across the proposed future extension of Caloctin Avenue to the point of beginning, containing 8.67514 acres, more or less. Being a part of the same property conveyed unto Brosius Development Corporation by deed from Brosius Homes Corporation, dated May 9, 1958 and recorded in Liber 599, folio 286, by deed from Austin D. Trout and Bernice N. Trout, his wife, dated May 9, 1958 and recorded in Liber 599, folio 291, and by deed from Austin D. Trout and Ernestine K. Trout, his wife, and Bernice N. Trout, divorced, dated May 1, 1963 and recorded in Liber 684, folio 525, all being Land Records of Frederick County, Maryland.

This parcel of land is designated as Parcel B in the mortgage dated February 22, 1974 and recorded in Liber 934, folio 734.

**PARCEL NO. 3:** Beginning at a monument at the southwest corner of Lot 12, in Block K of Section IV of Carrollton Subdivision and recorded in Plat Book 3, folio 196, one of the plat records of Frederick County, and along south boundary of said Section IV of Carrollton Subdivision by 6 courses: (1) S. 70° 17' 38" E. 109.0 feet; (2) S. 54° 12' 02" E. 51.92 feet; (3) S. 69° 24' 27" E. 118.03 feet; (4) S. 26° 48' 24" W. 10.75 feet; (5) S. 59° 14' 40" E. 113.00 feet; (6) S. 31° 43' 32" E. 56.88 feet; thence along the south boundary of lot 60, in Block N of Section V of Carrollton Subdivision and recorded in Plat Book 4, folio 24, 2 courses: (7) S. 57° 55' 18" E. 98.40 feet; (8) S. 20° 46' 37" E. 15.79

feet; (9) S. 27° 35' 23" W. 85.60 feet; thence (10) N. 65° 04' 28" W. 543.53 feet; thence along the east boundary of Lots 29 and 28 in Block M in Section IVA of Carrollton Subdivision and recorded in Plat Book 4, folio 50; (11) N. 25° 35' 12" E. 153.72 feet to the point of beginning, containing therein 1.77635 acres. Being part of the same property conveyed unto Brosius Development Corporation by deed from Austin D. Trout and Ernestine K. Trout, his wife, Bernice N. Trout, divorced, dated May 1, 1963, and recorded in Liber 684, folio 525, one of the Land Records aforesaid.

This parcel of land is designated as Parcel C in the mortgage dated February 22, 1974 and recorded in Liber 932, folio 734.

**PARCEL NO. 4:** Beginning at the northwest corner of Lot 13, in Section 1 of Maplewood Subdivision and recorded in Plat Book 3, folio 130, one of the plat records of Frederick County, and thence (1) S. 23° 54' 33" W. 361.00 feet; (2) N. 66° 05' 27" W. 234.17 feet; (3) by a curve having an arc of 56.78 feet, a radius of 1949.27 feet and a chord bearing N. 24° 44' 37" E. 56.78 feet; (4) N. 23° 54' 33" E. 304.22 feet along the east side of Center Street; (5) S. 66° 05' 27" W. along the south side of Carrollton Drive 233.35 feet to point of beginning, containing 1.93412 acres. Being part of the same property conveyed unto Brosius Development Corporation by deed from Austin D. Trout and Bernice N. Trout, his wife, dated May 9, 1958 and recorded in Liber 599, folio 291, one of the Land Records aforesaid.

This parcel of land is designated as Parcel D in the mortgage dated February 22, 1974 and recorded in Liber 932, folio 734.

**PARCEL NO. 5:** Beginning at a point on the fourth or North 27° 35' 23" East 753.35 foot line of a parcel containing 15.925 acres heretofore conveyed to said Trouts by Mt. Olivet Cemetery, a body corporate by deed dated June 4, 1963 and recorded among the Land Records of Frederick County, Maryland, in Liber 686, folio 557, said beginning point being 85.60 feet from the end of said line and South 27° 35' 23" West 85.60 feet from the south end of the south 20° 46' 37" East 15.79 foot line of Lot 61, Block

N, as delineated on a Plat of Parts of Blocks N, O, P, Section 5A Carrollton recorded among the aforesaid Land Records in Plat Book 4 as Plat No. 35, and running thence reversely with the said fourth line (1) South 27° 35' 23" West 667.75 feet to the beginning of said line and the end of the third or South 65° 5' 10" East 1060.11 foot line of a conveyance containing 15.925 acres of land heretofore conveyed by aforesaid Trout, et al., to Mt. Olivet Cemetery, a body corporate, by deed dated June 4, 1963 and recorded among the aforesaid Land Records in Liber 686, folio 422, thence running reversely therewith; (2) North 65° 05' 10" West 1060.11 feet, to the beginning thereof and to a point on the outlines of the first aforementioned conveyance, 689.82 feet from the southwesterly corner thereof; thence running with and along the westerly line thereof; (3) North 24° 54' 50" East 650.59 feet, to a point thereon; thence running in, through, over and across said conveyance; (4) South 65° 04' 28" East 110.27 feet; (5) South 24° 55' 32" West 383.84 feet; (6) South 65° 04' 28" East 426.86 feet, to the southeast corner of the 3.5 acre Church Site; thence (7) South 26° 26' 56" West 106.68 feet; thence (8) South 65° 05' 10" East 216.86 feet to the beginning of a curve to the left having a radius of 160.00 feet; thence (9) 244.35 feet along the arc of said curve, having a chord bearing and length of North 71° 09' 46" East 221.288 feet to a point of tangency; thence (10) North 27° 24' 42" East 354.20 feet; thence (11) South 65° 07' 26" East 164.95 feet, to the place of beginning containing a computed area of 357,850 feet or 8.215 acres of land. Being the same property described as Parcel A in the deed to Brosius Development Corporation from Austin D. Trout and Ernestine K. Trout, his wife, and Bernice N. Trout, divorced, dated May 18, 1964 and recorded on May 27, 1964 in Liber 703, folio 511, one of the Land Records of Frederick County, Maryland, SAVING AND EXCEPTING THEREOUT AND THEREFROM that portion of said property which was conveyed unto Brosius Homes Corporation by deed dated July 19, 1965 and recorded in Liber 729, folio 61, one of the Land Records aforesaid.

This parcel of land is designated as Parcel E in the mortgage dated February 22, 1974 and recorded in Liber 932, folio 734.

**PARCEL NO. 6:** All that lot, parts of lots or parcels of land situate on the east side of Center Street and described as follows:

BEGINNING at the southwest corner of Lot 25, Block C, Section 1, Maplewood, as recorded in Plat Book 3, folio 130, among the Land Records of Frederick County, Maryland, and running thence the following courses and distances: (1) South 23° 54' 33" West 156.00 feet; thence (2) South 73° 10' 57" West 173.75 feet thence (3) South 02° 04' 21" West 105.09 feet to the proposed north right of way line of Caloctin Avenue; thence running with a part of the same on a curve to the right having an (4) arc length of 202.49 feet; a radius of 349.43 feet and a chord bearing and length of North 71° 19' 34" West 199.67 feet to a point of compound curvature; thence running on a curve to the right having an (5) arc length of 39.27 feet; a radius of 25.00 feet and a chord bearing and length of North 09° 43' 29" West 35.36 feet to the east right of way of Center Street; thence running with a part of the same (6) North 35° 16' 31" East 200.00 feet; thence running on a curve to the left having an (7) arc length of 329.91 feet; a radius of 1949.27 feet and a chord bearing length of North 03° 25' 36" East 329.52 feet; thence leaving the said Center Street (8) South 66° 05' 27" East 234.17 feet to a point on the west line of Lot 24, Block C of the aforesaid record plat; thence running with part of the west line of Lot 24 and all of Lot 25, (9) South 23° 54' 33" West 167.77 feet to the place of beginning, containing 127.467 square feet or 2.9262 acres of land, more or less.

Being all and the same property conveyed unto Brosius Development Corporation by deed from Austin D. Trout and Ernestine K. Trout, his wife, et al., dated January 30, 1967 and recorded in Liber 764, folio 142, one of said Land Records.

**PARCEL 6 SUBJECT, HOWEVER,** to the restrictions, covenants, and conditions set forth in the deed dated the 2nd day of May, 1957 from Austin D. Trout and Ernestine K. Trout, his wife, et al., to Brosius Homes Corporation, a body corporate, recorded in Liber 581, folio 576, one of the said Land Records.

This parcel of land is designated as Parcel F in the mortgage dated February 22, 1974 and recorded in Liber 932, folio 734.

**SALE PROCEDURE:** The above described parcels of real property will be offered for sale in gross for one bid price. The highest bid received will be reserved and the bidder will not be allowed to withdraw the same. The six parcels of land will then be offered for sale separately and the

highest bids received will be reserved as to each parcel and the bidder(s) will not be allowed to withdraw the same. Upon completion of the bidding, the Assignee shall determine which bid or bids will be accepted.

**TERMS OF SALE:** A deposit of 10% of the sale price will be required of the purchaser(s) at the time and place of sale in the form of cash or check acceptable to Assignee. The balance of the purchase price shall be paid within 10 business days of the ratification of the sale by the Circuit Court for Frederick County, Maryland, with interest to be paid on the unpaid balance of the purchase price from the date of auction sale to the date of final settlement, at the rate of 8% per annum. Taxes and other public charges and assessments shall be adjusted for current year payment to date of sale and assumed thereafter by the purchaser(s). All settlement costs, including, but not limited to, all documentary stamps, recordation tax, and transfer tax will be paid by purchaser. Assignee reserves the right to withdraw the herein described property from sale at any time.

**NOTE:** For additional information, contact the Assignee or auctioneer. Illustrative plats of the property being foreclosed will be available for inspection at the offices of the attorneys for Assignee and the auctioneer.

**BENJAMIN B. ROSENSTOCK**  
Assignee

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May 20, 27, June 3, 7