

"ASSIGNEE'S EXHIBIT B"
CERTIFICATE OF PUBLICATION

From THE NEWS-POST

Frederick, Md., October 27, 1976.

ASSIGNEE'S SALE

**OF RESTAURANT, REAL ESTATE AND
EQUIPMENT
EAST OF MT. PLEASANT IN FREDERICK
COUNTY**

By virtue of the power of sale contained in a Mortgage of Whalen Enterprises, Inc., a Maryland Corporation, dated June 12, 1973 and recorded in Liber 915, folio 298, etc., among the Land Records of Frederick County, Maryland, said Mortgage having been assigned to the undersigned Assignee for the purpose of Foreclosure, default having occurred in the terms and conditions of the said Mortgage, the undersigned will offer for sale at the Court House Door in Frederick City, Frederick County, Maryland, on:

WEDNESDAY, OCTOBER 27, 1976
AT 11:00 O'CLOCK A.M.

all that parcel of land situate along the north side of Maryland Route 26 about one mile east of Mt. Pleasant, Mt. Pleasant Election District, Frederick County, Maryland, containing 1.90 acres of land, more or less, and being the same real estate conveyed in a Deed from Whalen Enterprises, Inc., unto Leatherly Enterprises, Inc. dated December 18, 1974 and recorded in Liber 954, folio 31, one of the Land Records of Frederick County.

The property is improved with a one story Stucco (cement block construction) restaurant building fifty (50) feet by thirty-six (36) feet, flag built-up roof, known as "Smitty's Restaurant"; has two dining rooms with seventy-two (72) persons seating capacity air-conditioned and gas heated, black top parking area. Restaurant equipment includes walk-in refrigeration box, refrigerated display cabinet, large kitchen refrigerator, ice machine, dishwasher, steam table (13 holes), meat block, deep freeze (21 cu. ft.), meat grinder, gas stove-six burners and grill with oven, two (2) other gas stoves, automatic coffee maker, tables and chairs, work tables, three-compartment sink, two (2) electric French fryers, miscellaneous pans, dishes and equipment to operate restaurant.

INSPECTION: For more particulars and showing, contact undersigned Assignee.

POSSESSION: Immediately upon final settlement.

TERMS OF SALE: A deposit of Five Thousand Dollars (\$5,000.00) Dollars in cash or check acceptable to Assignee at time of sale, balance in cash within five (5) days after ratification of sale by the Court. Interest to be paid on unpaid purchase money from date of ratification to date of settlement. Taxes and all public charges to be adjusted to date of settlement. All costs of conveyancing, including documentary and transfer taxes, to be at the expense of the purchaser.

W. JEROME OFFUTT, Assignee
22 West Second Street
Frederick, Maryland 21701
301-662-8248 or 301-948-5633

William L. Haugh, Jr. and
George T. Horman of
Offutt & Haugh, P.A.
22 West Second Street
Frederick, Maryland 21701
Attorneys

George William Smith, Auctioneer
New Midway, Maryland 21775

This is to certify that the annexed Advertisement of Assignee's Sale was published in The Frederick 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 27th day of October 1976.

THE NEWS-POST

Per *Gene B. Delaplane*

*Exhibit
Filed November 4, 1976*