

## ASSIGNEE'S SALE

of valuable fee simple real property in the City of Frederick, Frederick County, Maryland.

Under and by virtue of a power of sale contained in that certain mortgage from Glen J. Koepenick dated November 4, 1970, and recorded at Book 835, page 77, et seq., one of the Land Records of Frederick County, Maryland; said mortgage being in default and having been assigned to the undersigned assignee for the purpose of foreclosure; the undersigned, as assignee of said mortgage, will offer for sale at public auction on the front steps of the Court House in Frederick City, Frederick County, Maryland, on

**WEDNESDAY, AUGUST 31, 1977**

**AT 11:00 A.M.**

all the following described real estate, to wit:

All that tract or parcel of land situate in the City of Frederick, Frederick County, Maryland, being part of the land conveyed from Horace W. Clarke, et us., to Nicholas G. Shafer and Ella M. Shafer, his wife, by deed dated July 11, 1904, and recorded in Liber S.T.H. 267, folio 187, one of the aforesaid Land Records, containing approximately 128.56568 acres of land, and also being that land more particularly described in a deed based on a survey made by A. Morton Thomas, Jr., Professional Engineer and Land Surveyor, on May 28, 1970, said deed being from Julia S. Radcliff, et al., unto Glen J. Koepenick, and being dated November 4, 1970, and recorded at Liber 833, folio 689, one of the aforesaid Land Records; SUBJECT to the sanitary sewer easement granted unto The City of Frederick along Rock Creek dated May 15, 1969, and recorded in Liber 806, folio 444, one of the aforesaid Land Records; EXCEPTING, HOWEVER, THEREFROM, that parcel of land conveyed unto The State Roads Commission of Maryland by deed dated April 11, 1967, and recorded in Liber 764, folio 477, one of the aforesaid Land Records; LESS THE FOLLOWING TWO PARCELS of land which were exempted from coverage of the original mortgage by the terms of that mortgage, which is the mortgage now being foreclosed:

**PARCEL 1. BEGINNING** for the same at the beginning of the 1st line of said metes and bounds description, said beginning also being northerly right of way line of U.S. Route No. 40, as shown on the State Roads Commission of Maryland Right of Way Plat No. 34106; and running thence with part of said 1st line.

1. North 23° 05' 49" East 1175.00 feet, to a point thereon; thence running in, through, over and across the aforesaid conveyance to Nicholas G. Shafer, et ux.
2. South 57° 51' 58" East 70.88 feet; thence
3. South 23° 05' 49" West 523.42 feet; thence
4. South 79° 21' 04" East 613.00 feet; thence
5. South 23° 08' 34" West 612.71 feet, to intersect the aforementioned northerly right of way line of U.S. Route No. 40; thence running with said right of way line
6. 687.08 feet along the arc of a curve to the left having a radius of 10736.11 feet and a chord bearing and length of North 80° 21' 38" West 686.96 feet, to the place of beginning, containing a computed area of 448,623 square feet, or 10.3 acres of land.

**PARCEL 2. BEGINNING** for the same at a point on the 13th line of said metes and bounds description, said beginning point being 51.54 feet from the beginning of said 13th line, and running thence with part of said line

1. North 71° 37' 39" East 70.46 feet, thence running in, through, over and across the aforesaid conveyance to Nicholas G. Shafer, et ux., the six (6) following courses and distances.
2. South 11° 48' 21" East 8.06 feet, to the beginning of a curve to the right having a radius of 435.00 feet; thence
3. 364.43 feet along the arc of said curve having a chord bearing and length of South 12° 11' 39" West 353.86 feet, to the end of said curve; thence
4. South 36° 11' 39" West 100.00 feet, to the beginning of a curve to the left having a radius of 365.00 feet; thence
5. 293.04 feet along the arc of said curve having a chord bearing and length of South 13° 11' 39" West 285.23 feet to the end of said curve; thence
6. South 09° 48' 21" East 846.66 feet; thence
7. North 89° 43' 43" East 907.33 feet, to intersect the 15th line of said metes and bounds description, 1758.55 feet from the beginning thereof; thence running with part of said 15th line and part of the 16th line
8. South 08° 33' 26" East 600.00 feet; thence
9. South 23° 08' 34" West 265.00 feet, to a point on said 16th line; thence leaving said line and running in, through, over and across the aforesaid conveyance to Nicholas G. Shafer, et ux., the eleven (11) following courses and distances
10. North 54° 41' 09" West 834.57 feet; thence
11. North 84° 45' 18" West 597.54 feet; thence
12. North 54° 46' 23" West 121.25 feet; thence

13. North 78° 07' 23" West 242.22 feet; thence
14. South 80° 58' 06" West 289.83 feet; thence
15. North 09° 50' 24" East 220.00 feet; thence
16. North 89° 43' 43" East 897.35 feet; thence
17. North 09° 48' 21" West 834.90 feet, to the beginning of a curve to the right having a radius of 435.00 feet; thence

18. 349.24 feet along the arc of said curve having a chord bearing and length of North 13° 11' 39" East 339.94 feet to the end of said curve; thence

19. North 36° 11' 39" East 100.00 feet, to the beginning of a curve to the left having a radius of 365.00 feet; thence

20. 305.78 feet along the arc of said curve having a chord bearing and length of North 12° 11' 39" East 296.92 feet to the end of said curve at the place of beginning, containing a computed area of 880,721 square feet or 20.2 acres of land.

LESS THE PARCELS OR TRACTS OF LAND which are described and have been released from the effects of the mortgage, being foreclosed by the deeds of partial release hereinafter set forth:

1. Deed of Partial Release dated September 22, 1971, and recorded in Liber 870, folio 91, et seq., one of the aforesaid Land Records.
2. Deed of Partial Release dated February 5, 1972, and recorded in Liber 870, folio 95, et seq., one of the aforesaid Land Records.
3. Deed of Partial Release dated September 22, 1971, and recorded in Liber 870, folio 98, et seq., one of the aforesaid Land Records.
4. Deed of Partial Release of Mortgage dated February 5, 1972, and recorded in Liber 870, folio 113, et seq., one of the aforesaid Land Records.
5. Deed of Partial Release of Mortgage dated February 5, 1973, and recorded in Liber 902, folio 245, et seq., one of the aforesaid Land Records.
6. Deed of Partial Release of Mortgage dated June 10, 1974, and recorded in Liber 942, folio 562, et seq., one of the aforesaid Land Records.
7. Deed of Partial Release of Mortgage dated October 24, 1975, and recorded in Liber 972, folio 468, et seq., one of the aforesaid Land Records.

The land being sold pursuant hereto is in part valuable unimproved residential development land, and in part is land located within a flood plain and designated as park land, which is also unimproved. Of the land to be foreclosed upon, approximately 30 acres is located in R-3 zoning, and approximately 12 acres is park land. To determine what uses may be made of such land a prospective purchaser should contact the appropriate City authorities. The land to be sold herein will consist of all the acreage covered by the original mortgage less any acreage released by the mortgages since the date of the original mortgage. The acreage set forth herein is an approximation only based upon computations derived from the original mortgage and subsequent Deeds of Partial Release, and are not based on actual survey. Willowdale Drive, which has been partially constructed, has been dedicated for public use from U.S. 40 West through the entire property to Shookstown Road and should provide access and public utilities to the land advertised herein.

**TERMS OF SALE:** A deposit of \$20,000.00 will be required of the purchaser 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, 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 eight per centum (8%) per annum on the unpaid portion of the purchase price. Taxes and other public charges and assessments shall be adjusted for current year payment to date of sale and assumed thereafter by purchaser. All settlement costs, including, but not limited to, all documentary stamps, recordation tax, transfer tax, surveying costs and other charges will be paid by purchaser. Assignee reserves the right to withdraw the property described herein from sale at any time. For additional information contact Assignee.

**BENJAMIN B. ROSENSTOCK Assignee**

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