

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

This is to certify that the annexed Assignee's Sale was published in The News & Post 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 31st day of May 1978.

*Exhibit 1
Filed June 1, 1978*

THE NEWS-POST

Per *K. Susan Wilson*

ASSIGNEE'S SALE

of valuable fee simple, improved, real property located in the Eaglehead, Lake Linganore area of the New Market Election District of Frederick County, Maryland. Under and by virtue of a power of sale contained in a mortgage from Linganore Corporation dated June 4, 1973, said mortgage being recorded in Book 914, page 90, among 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 at the front door of the Frederick County Courthouse located in Frederick City, Frederick County, Maryland, on

WEDNESDAY, MAY 31, 1978
AT 11:30 A.M.

all the following described real estate, being all of the land subject to the aforesaid mortgage, to wit: All that large tract of land, and all that small lot or parcel of land adjoining the aforesaid larger tract, situate, lying and being in the New Market Election District of Frederick County, Maryland, being more particularly described as follows:

PARCEL NO. 1

(Large Tract) All that tract of land containing in the aggregate 81 acres, more or less, and being all the same real estate conveyed by George W. Steele, widower, unto Harry W. Bell and Sadie Elizabeth Bell, his wife, by deed dated December 6, 1932, and recorded in Liber 386, folio 83, one of the Land Records of Frederick County, Maryland.

BEING all the FOURTH parcel of land as conveyed by deed from Sadie E. Bell, widow, unto Thomas Bernard Bell and Harry Ira Bell, Jr., as joint tenants and not as tenants in common, said deed being dated December 24, 1960, and recorded in Liber 647, page 436, among the aforesaid Land Records, SUBJECT to a life estate reserved in the said Sadie E. Bell (the said Sadie E. Bell having died on or about the 28th day of March, 1962).

SAVING AND EXCEPTING THEREOUT AND THEREFROM, HOWEVER, FROM THIS PARCEL NO. 1 that parcel of land situate, lying and being in the New Market Election District of Frederick County, Maryland, and being more particularly described as follows:

Beginning at an iron pipe driven on the South side of the Yeagerstown Road, said pipe being located at the end of 295' on the 10th or N 49-1/4° W 22 ps. line of 115 acres, heretofore conveyed to George T. Yeager by Ransom R. Lewis, Jr., et ux., dated March 16, 1946 and recorded at Liber 452, folio 445, among the Land Records of Frederick County, Maryland; and thence by and with said 10th line, reversed, and allowing for magnetic variation,

- (1) S 44° 56' E 295.0' to a planted stone, found, thence leaving the outlines of said 115 acres, and by a line of division
- (2) S 44° 56' E 91.04' to an IP, in the bed of a small stream, and intersecting the N 23° 10' E 115.6' line of Lot No. 35 "Longview Subdivision." Recorded in Plat Book No. 4, folio 19, at the end of 65.6' thereon, thence by and with the boundary of said Lot No. 35,
- (3) N 23° 10' E 50' to an I. Post
- (4) N 34° 10' E 167.7' to an I. Post
- (5) N 33° 40' E 129.4' to a point in the center line of the said Yeagerstown Road, thence by 4 lines of division along the road,
- (6) S 81° 06' W 292.8'
- (7) N 66° 34' W 130.80' to the East end of the bridge floor, thence across the bridge.
- (8) S 87° 18' W 32.6' to the West end of said bridge thence leaving said road,
- (9) S 34° 00' W 29.35' to the 1st mentioned place of beginning, containing 1.366 acres more or less. (As platted and described October 2, 1962, by R. P. Humm.)

BEING all that tract or parcel of land conveyed by Quitclaim Deed from Thomas Bernard Bell, et al., unto Philip F. Shore and Jesse E. Aiken, by deed dated November 8, 1962, and recorded at Liber 677, page 8, one of the aforesaid Land Records.

PARCEL NO. 2

(Smaller Lot Adjacent to Parcel No. 1) All that tract or parcel of land situate, lying and being in the New Market Election District of Frederick County, Maryland, and being more particularly described as follows: Beginning at a point in the center line of the Yeagerstown Road, at the common divisional line between Lots 34-33, leaving the coordinates North 473.41, East 554.53, as shown on the Record Plat of "Longview", a subdivision, recorded at Plat Book 4, folio 19, and thence along the center line of said road, and the Northwestern boundaries of Lots 33-32-31 of "Longview", aforesaid.

- (1) N 43° 10' E 406.6' to a steel post, thence leaving said road
- (2) N 72° 30' W 208.4' to a planted stone, found, thence along the common boundary of Jesse E. Aiken and Martha M. Aiken, his wife, and Phillip F. Shore and Mary S. Shore, his wife, and Thomas Bernard Bell and Harry Ira Bell, Jr.,
- (3) S 39° 02' W 374.15' to a corner post, on the north side of a lane, thence along said lane
- (4) S 51° 45' E 135' to a point in the center line of said Yeagerstown Road, intersecting the North boundary of Lot No. 34, aforesaid, thence along the road, and said boundary
- (5) N 72° 40' E 50' to the first mentioned place of beginning, containing 1.61 acres, more or less. (As platted and described June 1, 1962, by Wm. C. Humm and R. P. Humm.)

PARCELS NOS. 1 AND 2 BEING all that land conveyed by Thomas Bernard Bell, et al., unto Linganore Corporation by a deed dated June 4, 1973, and recorded in Book 914, page 88, one of the aforesaid Land Records.

The property to be foreclosed herein is improved with a one-story, five-room frame and aluminum siding dwelling, with metal roof and cement block foundation. The house interior consists of drywall construction and paneling with carpet and tile flooring, with plumbing and all other normal modern utilities, and the living room contains a fireplace. This real property is further improved with several masonry outbuildings, with a large, steel-beamed frame and metal machine shed.

The property is being sold pursuant to descriptions contained in the mortgage instrument being foreclosed and other descriptions contained in previous deeds of record. The assignee has not had the property surveyed, and the successful bidder will be purchasing the property in total, regardless of deficiency or surplus in acreage. The tax bills for the last several years indicate that the Department of Assessments and Taxation is presently assessing just over 75 acres for the property being foreclosed. The herein described property is being sold in an "as is" condition.

TERMS OF SALE

A deposit of 10% of the sales price will be required of the purchaser at the time and place of sale in the form of cash or check acceptable to the assignee. The balance of the purchase price shall be paid within ten (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 9% per annum. Taxes and other public charges and assessments will be adjusted for current year payment to date of sale and assumed thereafter by the purchaser. All settlement costs and recordation costs of any nature shall be paid by the purchaser. Assignee reserves the right to withdraw the herein described property from sale at any time. In the event of default, the assignee reserves the right to forfeit the 10% deposit as liquidated damages, but the assignee in the case of default may pursue any legal remedies available to him. The property herein is being sold subject to all Federal, State and County laws and ordinances which may affect this property and its use, as well as all easements and matters of record which may be superior to the mortgage being herein foreclosed.

NOTE

For additional information, contact the assignee or auctioneer.

ADDITIONAL NOTE

This farm was a valuable component of the Linganore Development and is presently zoned PUD, which with proper utilities could be subdivided to allow very advantageous residential development. Proposed bidders should at once be in contact with the various Frederick County Departments regulating development of this land to determine for themselves the full development potential of this valuable tract.

BENJAMIN B. ROSENSTOCK

Assignee

JOSEPH S. WEITY
Attorney for Assignee
100 West Church Street
Frederick, Maryland 21701
Phone 662-5155
DELBERT S. NULL
Auctioneer
10 West College Terrace
Frederick, Maryland 21701
Phone 662-6161