

4. By Mortgage dated January 13, 1936, and recorded in Liber 400, Folio 254 among the aforesaid Land Records, the aforesaid Maude M. Fraley and Harry P. Fraley, her husband, did grant and convey a mortgage on the aforesaid parcel of land to Margaret R. Zimmerman. The aforesaid Mortgage is attached hereto as Exhibit 2 and by this reference is incorporated herein.

a. The aforesaid mortgage secured an indebtedness in the amount of One Thousand Dollars (\$1,000), upon a note dated January 13, 1936, payable to the aforesaid Margaret R. Zimmerman one year after date.

b. By assignment, dated July 25, 1938, and recorded at the foot of the foregoing Mortgage, Margaret R. Zimmerman assigned the foregoing Mortgage to Patrick M. Schnauffer, Esquire, for the purpose of foreclosure, said foreclosure proceedings were never instituted and the assignee is dead.

c. The indebtedness secured by the aforesaid mortgage was paid, but record of payment has been lost through the years and the mortgage has not been released of record in the aforesaid Land Records.

d. Under § 14-108 of the Real Property Article of the Maryland Annotated Code, Complainant has the right to remove the aforesaid cloud upon her title to the aforesaid parcel of land by bringing a suit in Equity.

e. Under § 7-106 (c)(i) of the aforementioned Real Property Article, Complainant is entitled to the presumption that this unreleased mortgage has been paid because more than 20 years have elapsed since the last payment date called for in the instrument.

5. By deed dated August 5, 1938, and recorded in Liber 414, Folio 19 among the aforesaid Land Records the aforesaid Maude M. Fraley and Harry P. Fraley, her husband, did grant and convey in fee simple the foregoing parcel of land to the aforesaid Margaret R. Zimmerman.

6. By deed dated September 19, 1938, and recorded in Liber 414, Folio 151 among the aforesaid Land Records, the aforesaid Margaret R. Zimmerman did convey in fee simple the foregoing parcel of land to Charles E. Zimmerman and Glenna M. Zimmerman, his wife.

7. By deed dated May 20, 1940, and recorded in Liber 423, Folio 510 among the aforesaid Land Records the aforesaid Charles E. Zimmerman and Glenna M. Zimmerman, his wife, did convey in fee simple the foregoing parcel of land to Charles D. Scott and Maud N. Scott.

8. By virtue of an Order of the Orphan's Court for Frederick County, in the Matter of the Estate of Charles D. Scott, Marguerite Hopkins and Helen Scott Sanbower, as executrices of the estate of the foregoing Charles D. Scott did grant and convey in fee simple by deed dated February 10, 1955, and recorded in Liber 545, Folio 183 among the aforesaid Land Records, the aforementioned parcel of land to Charles P. Staley and Letitia B. Staley, his wife, and Complainant herein. A copy of the foregoing deed is attached hereto as Exhibit 3 and by this reference made a part hereof.