

WILBERT O. FISH, et ux * NO. 29,519 EQUITY
vs. * IN THE CIRCUIT COURT FOR
HALL E. SAYLOR, et ux * FREDERICK COUNTY, MARYLAND

* * * * *

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF FREDERICK, TO-WIT:

I HEREBY CERTIFY that on this 12th day of December, 1979, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Hall E. Saylor, and made oath in due form of law as follows:

I am a Respondent in the within matter. My wife and I are the owners of the land on which the building which I believe is the basis for this suit is located. We built this building in late September-October, 1971 after getting a permit on September 28, 1971. (The affidavit of the Plaintiffs herein states that they "did not consent to the construction of the ... block building on our property". Since the Plaintiffs did not purchase their property until 1974, which was approximately three years after our construction of the building, there would have been no reason to even ask for their permission if the building had been built on what is now their property, which it is not.) At the time the building was constructed, the front of the building was on land we did then and do now own, approximately 184-1/2 feet from the road and the rear of the building was approximately 200 feet 10 inches from the road (the building being approximately 16 feet 4 inches in depth). Subsequent to the construction of the building, the road which runs in front of my property was extended onto part of my land, this extension taking approximately 1-1/2 feet of my land. Because of this, the front of the building is now approximately 183 feet from the road and the rear of the building is approximately 199 feet 4 inches from the road. We have not sold any of our land and built the building entirely on our land.

I also planted some trees in 1965 at the rear of our property (behind the building). These trees are approximately 202 feet from the road now, and,