

certified copy of said Deed is attached hereto and marked "EXHIBIT 2" and prayed to be made a part hereof. That the parcel of land which is the subject of these proceedings is the same property conveyed to Joseph Engler and Florence Engler, his wife, to James H. Brunner by Deed dated December 28, 1898 and recorded in Liber D.H.H. 3, Folio 257, one of the aforesaid Land Records, a certified copy of said Deed is attached hereto and marked "EXHIBIT 3" and prayed to be made a part hereof. That the parcel of land which is the subject of these proceedings is the same property conveyed by Joseph Engler, Mortgagee of James H. Brunner to Thomas P. Sappington, dated March 8, 1902 and recorded in Liber H.W.B. 296, Folio 312, one of the aforesaid Land Records, a certified copy of said Deed is attached hereto and marked "EXHIBIT 4" and prayed to be made a part hereof.

SECOND: That the said Joseph Engler conveyed said property of Weldon Hill in Exhibit 2 aforesaid and never obtained a Deed from Thomas P. Sappington thus, Mr. Engler has conveyed the property twice, the first time as mortgagee to Thomas P. Sappington as shown on Exhibit 4 and the second time to Weldon Hill as shown in Exhibit 2.

THIRD: That said Thomas P. Sappington died on or about 1909 leaving as his only heirs at law a wife, Emma O. Sappington who died about 1931, a son, Clifford T. Sappington who dies about 1925, a son, Greenberry R. Sappington who died about 1914 and a daughter, Clare Sappington also deceased.

FOURTH: That said property was foreclosed on by Joseph Engler at a public sale on February 23, 1901, the original purchaser being Weldon Hill who then substituted as purchaser Thomas P. Sappington, said sale being duly reported and ratified by the Court. That according to the Frederick County Assessment Books for the year 1896, Linganore District, on page 59 said property was taxed to Weldon Hill, wherein it states that the 1/2 acre of land of James H. Brunner. That from the Assessment Books 1896 through and including the Assessment Books for 1910, 1918, 1923, 1928 and 1938, said property was assessed in District #19, Linganore Election District, to Weldon Hill all as set forth in a certified copy of Assessment Record as attached hereto and marked "EXHIBIT 5" and prayed to be made a part hereof.

FIFTH: That a diligent search of the land records has been made concerning Thomas P. Sappington and his heirs and I have been unable to find that this specific piece of property was ever deeded from Mr. Sappington or his heirs.