

DECREE FOR SALE OF MORTGAGE PREMISES

KEY FEDERAL SAVINGS AND LOAN
ASSOCIATION

*

IN THE

CIRCUIT COURT

Plaintiff

*

FOR

vs.

MORNINGSIDE ASSOCIATES, INC., et al

*

FREDERICK COUNTY

IN EQUITY

31,390

* * * * *

The Petition and Exhibit in the above cause having been submitted, the proceedings therein were by the Court read and considered:

It is, Thereupon, This ^{4~~5~~} day of June, in the year nineteen hundred and eighty-one, by the Circuit Court for Frederick County ADJUDGED, ORDERED AND DECREED, that the Mortgaged property in the proceedings mentioned be sold, at or after any of the periods limited in the mortgage filed for the forfeiture of said mortgage; that Bernard Dackman be and he is hereby appointed Trustee to make said sale, and that the course and manner of his proceedings shall be as follows: he shall file with the Clerk of this Court a Bond to the State of Maryland, executed by himself and a corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of \$70,000.00, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future Decree or Order in the premises; he shall then proceed to make the said sale, having complied with the following Maryland Rules; Md. Rule W74 a 2 (b) Notice by Registered Mail to Mortgagor at Mortgagor's last known address a notice of the time, place and terms of sale. The notice to be sent not earlier than 20 days and not later than 5 days before the date of the sale. And also having given notice at least once in each week for three consecutive weeks, the last publication to be not more than one week prior to sale by advertisement, inserted in such daily newspaper or newspapers published in the County of Frederick, as he shall think proper, of the time, place manner and terms of sale, which shall be cash, deposit of \$6,500.00 at time of sale, balance in cash upon final ratification of sale by the Court, the credit payment to bear interest from the day of sale; and as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court, a full particular account of his proceedings relative to the sale; and with an affidavit annexed of the truth thereof, and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on payment of the whole purchase money (and not before), the said Trustee shall by a good and sufficient deed, to be executed, acknowledged and recorded, according to law, convey to the purchaser or purchasers, his, her or their heirs, successors or assigns, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, Petitioner and Mortgagor and those claiming by, from or under them, or either of them, and the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court, after deducting the cost of this suit, and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall have appeared to have discharged his trust; provided, that before the sale herein decreed shall be made, a statement of the mortgage claim, duly verified by affidavit, as required by law, be filed in said cause.

Approximate value of property \$60,000.00

Wm. W. W.

Judge

Filed June 4, 1981