

# ASSIGNEE'S SALE

of valuable, fee simple, improved real property located in the Hauvers Election District of Frederick County, Maryland, located on the south side of Maryland Route #77 (Foxville Road).

Under and by virtue of a power of sale contained in a mortgage from Cecil E. Conner and Shirley A. Conner, his wife, unto Farmers and Mechanics National Bank dated May 15, 1978, said mortgage being recorded at Book 1049, page 839, one of the Land Records of Frederick County, with said mortgage being in default and having been assigned unto the undersigned assignee for foreclosure, the undersigned will offer for sale at public auction at the premises (take Maryland Route #77 (Foxville Road) West (toward Smithsburg) off of U.S. Route #15 — about 5 miles West of Thurmont, Maryland) on

**MONDAY, MAY 24, 1982**

**AT 10:30 A.M.**

all the following real estate and improvements being subject to the above mortgage:

**BEGINNING** for the part now designated as PART 'A': at the point of beginning as described in Parcel 3 of the said Liber 890 at Folio 619, said point lying N. 69° 42' 53" W. 113.05' from an old iron bolt found marking the north easterly corner of the lands conveyed to Gary E. Swope et ux by a deed recorded among the said Land Records in Liber 736 at Folio 383, thence running with the second line of the lands conveyed to the aforesaid Gary E. Swope by a deed recorded among the said Land Records in Liber 819 at Folio 120, S. 06° 23' 22" W. 193.07', thence running with the outlines of Parcel 3 of the said Liber 890 at Folio 619, N. 86° 35' 31" W. 86.84', thence running with the 2nd line of the said Parcel 3, N. 04° 35' 48" E. 220.30' to a point in the south Right of Way line of Md. St. Rt. #77, thence running with the same, 78.76' along the arc of a curve deflecting to the right, said curve having a radius of 5699.58', said arc subtended by a chord bearing S. 70° 06' 39" E. 78.76' long, thence, S. 69° 42' 53" E. 17.54' to the point of beginning. The area of land contained by the foregoing amounts to 18,612 square feet or 0.427 acres more or less.

The aforesaid real property is further described as Part "A" on a Plat of Survey by Edward Harris and Associates, Inc., Land Surveyors, dated May 1, 1978 and designated as Plat No. 1247 (Plat available for inspection at Assignee's office upon request).

BEING all of that real property conveyed unto the aforesaid mortgagors by deed from Gerald M. Leahy, et ux, dated May 15, 1978 and recorded at Book 1049, page 837, one of the Land Records aforesaid.

The property to be foreclosed and described herein is improved with a 1 story cement block building with macadam parking area and gas pump island with two pumps, and there is also a kerosene pump and several underground storage tanks for kerosene and gas. There is a septic system and well on the parcel being foreclosed. The building has a composition roof, no basement, and in some areas unfinished drywall interior walls with a hot air heating system that has not been operating. For some time in the past this property has been used for a convenience grocery store/gas and go station/snack bar and was operated as a grocery store/gas and go by Conner until recently. The property and improvements are being sold "as is" with no guarantee or warranty concerning the condition thereof and pursuant to the description contained in the aforesaid mortgage, deed and other land records, and the successful purchaser will be buying such property in total, regardless of deficiency or surplus in actual computed area. For an inspection of the property contact the Assignee or Auctioneer below.

**TERMS OF SALE:** A deposit of \$5,000.00 of the sale price will be required of the purchaser at the time and place of sale in the form of cashier's, certified or other check acceptable to Assignee, payable or endorsed to the Assignee. The balance of the purchase price shall be paid within 15 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 10.0% per annum. Taxes and other public charges and assessments shall be adjusted for current year payment to date of sale and assumed thereafter by the purchaser. All settlement related costs and recordation costs of any nature including, but not limited to, transfer taxes, state stamps, survey expense (if any), settlement fees, recording costs, document preparation and title search, 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 declare as forfeited the deposit of purchaser as liquidated damages or to resell the property at the purchaser's risk. The property herein is being sold subject to all Federal, State and County laws and ordinances which may affect the property and/or its use, as well as all easements, restrictions, covenants, conditions and other matters of record which may be superior to the mortgage being foreclosed.

**NOTE:** For additional information, contact the Assignee or Auctioneer.

**JOSEPH S. WELTY**

Assignee

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Frederick, Maryland 21701

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**RICHARD R. BURGEE**  
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**GEORGE WILLIAM SMITH**  
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