

Miles & Stockbridge
Attorneys at Law
10 Light Street
Baltimore, Maryland 21202

SUBSTITUTE TRUSTEES' SALE

and SECURED CREDITOR'S SALE

of
VALUABLE EQUIPMENT
AND VALUABLE
COMMERCIAL REAL ESTATE
comprising a
CONCRETE BLOCK
MANUFACTURING FACILITY
BALLENGER CREEK ROAD
NEAR ADAMSTOWN, FREDERICK COUNTY, MARYLAND
SALE ON THE PREMISES

AUGUST 20, 1982

Beginning at 11:00 O'CLOCK A.M. (E.D.T.)
REAL PROPERTY

Under and by virtue of the power of sale contained in a certain Deed of Trust from RMT Associates to David C. Marks and James Lambdin, Trustees, dated August 17, 1979 and recorded among the Land Records of Frederick County, Maryland in Book 1092, Page 556, the holder of the indebtedness secured by the Deed of Trust having appointed Alexander C. Short and Samuel H. Clark, Jr. Substitute Trustees by instrument duly executed, acknowledged and recorded among the Land Records of the County aforesaid, default having occurred with the terms thereof, and at the request of the party secured thereby, the undersigned Substitute Trustees will offer for sale at public auction all of the real property described as follows:

All that tract or parcel of land situated, lying and being in Buckeystown Election District, Frederick County, Maryland, and more particularly described as follows:

All that parcel of land designated as Lot 1, Section 1, as shown on that Subdivision Plat of Ballenger Industrial Park, prepared by Rothenhoefer Engineers, dated November 17, 1978, with revisions and recorded in Plat Book No. 20 at page 119, one of the Plat Records in the Office of the Clerk of the Circuit Court for Frederick County, Maryland, said parcel of land containing 20.273 acres, more or less.

The real property is improved by a large, modern, clearspan, concrete block, metal and fiber glass paneled building with metal roof containing 15,315 square feet, more or less, and consisting of a large manufacturing area containing 14,720 square feet, more or less, and office area, including bathroom facilities, containing 595 square feet, more or less; adjacent to said building is a large concrete block kiln with heavy concrete and rubber roof containing 13,685 square feet, more or less, and three small furnace rooms. The manufacturing area is heated by six ceiling hung space heaters. The office area is heated by oil forced air and is air conditioned. The real property is also improved by a separate modern concrete block office building containing 1510 square feet, more or less, and consisting of three paneled private offices, a dispatcher's office, two 1/2 baths, and show room, air conditioning and oil forced air heat. The property is served by two industrial wells and a septic system.

EQUIPMENT

Pursuant to the terms of a certain Loan and Security Agreement by and between Supreme Concrete Block, Inc. and The First National Bank of Maryland (the Secured Party) dated August 17, 1979 and financing statements recorded among the Land Records of Frederick County in Liber 1175, folio 270 and at the State Department of Assessments and Taxation as identification number 130892, Film 2465, folio 443, default having occurred under the terms of said Loan and Security Agreement, the Secured Party will offer for sale at public auction the equipment (chattels) described as follows:

- Lot 1 — LINGL BLOCK MACHINE with Molds to make 4", 6", 8", 10" and 12" regular, (12 at a time).
- Lot 2 — PACO BLOCK HANDLING SYSTEM with loader and unloader system, spades, loader-unloader platform crawler system, plus 3400 steel pallets (approx.), 117 steel racks (approx.). Also included is a Johnson Curing System with 6 Johnson direct fired burners for No. 2 oil, vaporizer tank, low water cut off, special kiln air exhauster with duct work and an Automatic Paco kiln door.
- Lot 3 — 2-PACO AUTOMATIC CUBERS — complete with de-palleters and ACPs included.
- Lot 4 — BESSER CONCRETE MIXER 120 Cubic Feet, Model M120P2 with v-belt drive, air clutch pulley, discharge chute, blade shaft covers, air solenoid operated gate and 125 HP motor shroud. Besser Mixer is equipped with reduced voltage starter and disconnect.
- Lot 5 — RAW MATERIALS HANDLING SYSTEM including 5 Stanley 100 ton aggregate bins, feeder weight belt conveyor system-complete, plus Ingersoll Rand compressor with starter, 2 Highland 10,000 gal. fuel tanks, 2 cement silos (1-600 BBL capacity, 1-400 BBL capacity), screw conveyors, cement weigh hopper, plus all necessary drives, starters and disconnects-complete. This lot also includes equipment connected to or involved with materials handling equipment including scale, scale support, conveyors, moveable hopper, and a cement weigh batcher.

The real property will be sold subject to conditions, restrictions and agreements affecting same, including but not limited to the following:

- (a) Right of Way granted Joseph C. Thomas and Edith Thomas, husband and wife, by instrument dated May 22, 1940, and recorded among the Land Records of Frederick County, Maryland, in Liber 425, folio 31, to construct, operate and maintain electric and telephone wires.
- (b) Right of Way granted Potomac Edison Company by instrument dated October 23, 1967, and recorded among the Land Records of Frederick County, Maryland, in Liber 775, folio 44.
- (c) Right of Way Deed and Agreement granted Frederick County Roads Board by instrument dated March 19, 1970, and recorded among the Land Records of Frederick County, Maryland in Liber 825, folio 261.
- (d) Conditions and requirements set forth on the Recorded Subdivision Plat referenced above. The Recorded Plat states that the property is zoned "I1".

NOTE: THE EQUIPMENT (CHATELS) WILL BE SOLD "AS IS" AND "WHERE IS". THE SECURED PARTY MAKES NO EXPRESS OR IMPLIED WARRANTIES REGARDING THE EQUIPMENT (CHATELS) OR THEIR FITNESS. ALL THAT IS BEING OFFERED IS THE SECURED PARTY'S RIGHT, TITLE AND INTEREST IN SUCH EQUIPMENT (CHATELS).

MANNER AND TERMS OF SALE

- THE SALE(S) WILL BE MADE IN THE MANNER PRODUCING THE GREATEST AMOUNT.
- FIRST OFFERING: The real property described above will be offered and the high bid reserved. If sold under this offering, a deposit of \$40,000 will be required at the time and place of sale with the balance due within twenty (20) days following final ratification of such sale by the Circuit Court of Frederick County.
- SECOND OFFERING: The equipment (chattels) described above will be offered by individual Lots 1 through 5, and each of the respective high bids reserved. If sold under this offering, the required deposits will be \$19,000 for Lot 1, \$46,000 for Lot 2, \$18,000 for Lot 3, \$3,000 for Lot 4, \$18,000 for Lot 5 and will be required at the time and place of sale with the balance(s) due within five (5) days following final ratification of the real property sale by the Circuit Court for Frederick County.
- THIRD OFFERING: The equipment (chattels) described above will be offered as an entirety and the high bid reserved. If sold under this offering, a deposit of \$104,000 will be required at the time and place of sale with the balance due within five (5) days following final ratification of the real property sale by the Circuit Court for Frederick County.
- FOURTH OFFERING: The real property and all the equipment will be offered as an entirety. The opening bid under this offering must be greater than the combined totals of the FIRST OFFERING when combined with either the SECOND OFFERING or THIRD OFFERING. If sold under this offering, a deposit of \$144,000 will be required at the time and place of sale with the balance due within twenty (20) days following final ratification of the real property sale by the Circuit Court for Frederick County.

OTHER TERMS

- 1. All deposits as provided above must be in cash or by certified, cashiers or treasurer's check (U.S. Funds) and must be exhibited to the auctioneer prior to the start of bidding in order to qualify for bidding. Interest to be paid by the purchaser(s) on unpaid balance(s) due under any of the offerings above at an interest rate of sixteen percent (16%) per annum from the date of sale to the date of settlement.
 - 2. With respect to the real property taxes and water rent to be adjusted to the date of sale, all other public charges and assessments payable on an annual basis, including sanitary and/or metropolitan district charges, if any, to be adjusted for the current year to date of sale and assumed thereafter by the purchaser(s). The cost of all documentary stamps and transfer taxes to be paid by purchaser(s).
 - 3. Removal of equipment (chattels) will not occur until the appropriate settlement(s) has/have occurred.
 - 4. The Substitute Trustees and the Secured Party make no representations or warranties expressed or implied, with respect to the condition of the real property, improvements and equipment (chattels).
 - 5. Time is of the essence, but any period of time for settlement may be extended by the Substitute Trustees or Secured Party, or by their successors or assigns, for good cause shown.
 - 6. Any Maryland retail sales tax payable on the sale of the chattels will be payable in addition to the price bid therefor.
 - 7. Settlement(s) to be held in Baltimore City, Maryland at the offices of Miles & Stockbridge.
- LOCATION & DIRECTIONS — From Frederick follow Interstate #70 north to Rt. #340. Proceed south on Rt. #340 for 4 miles to Rt. #15. Proceed south on Rt. #15 2 miles, turn left on Mountville Road 1.7 miles to Ballenger Creek Road, turn left on Ballenger Creek Road 1/2 mile to plant entrance on left. Follow auction signs.
Inspection: Only by appointment which can be arranged by contacting Auctioneers.

Frederick, Md. August 17, 1982

This is to certify, That the annexed Substitute Trustees' Sale was published in the News-Post newspaper published in Frederick County, once a week for 3 successive weeks prior to the day of August 19, 1982

THE NEWS-POST

Filed August 24, 1982
Per K. S. McKenzie

AAJ ATLANTIC AUCTIONS INC
(301) 523-5100
701 N. PACA STREET • BALTIMORE, MARYLAND 21201

ALEXANDER C. SHORT
SAMUEL H. CLARK, JR.
Substitute Trustees
The First National Bank of Maryland,
Secured Party