

# ASSIGNEE'S SALE

of valuable, fee simple, unimproved real property located  $\frac{1}{4}$  of a mile southward from the Pleasant Valley School House on "The Old Pike" in South Mountain in the Hauvers Election District of Frederick County, Maryland.

Under and by virtue of a power of sale contained in a mortgage from James F. Walsh, II and Timothy A. Tyeryar unto Merlin T. McClure and Catherine A. McClure, his wife, dated September 15, 1982, said mortgages being recorded at Book 1179, page 813, 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 clock tower of the Frederick County Courthouse located at 100 West Patrick Street in Frederick City, Maryland, on

**MONDAY, DECEMBER 3, 1984**

**10:00 A.M.**

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

**BEGINNING** for the same at the end of the 13th line as set forth on Plat No. 1 of a tract of land known as "The Home Farm" of Samuel Wolf, late of Frederick County, Maryland, deceased, and running thence North  $32\frac{1}{2}^{\circ}$  East 36.72 perches to a pile of stones, thence South  $63\frac{1}{2}^{\circ}$  East 50.00 perches to a pile of stones, thence South  $27^{\circ}$  West 35.00 perches to a pile of stones, and thence North  $63\frac{1}{2}^{\circ}$  West 52.00 perches to the place of beginning, containing 11 acres, 1 rood and 23 square perches of land, more or less.

**BEING** all the same real estate described in a deed dated September 15, 1982, from Merlin T. McClure and Catherine A. McClure, his wife, unto James F. Walsh, II and Timothy A. Tyeryar, said deed being recorded at Liber 1179, folio 811, among the Land Records of Frederick County, Maryland.

The property to be foreclosed and described herein is an unimproved parcel containing approximately 11 acres of land. The lot is wooded mountain land. The property is being sold "as is" in every respect including matters regarding access, use, zoning, description, title and other matters, whether matters of record or not, 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.

**TERMS OF SALE:** A deposit of \$2,000.00 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% 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 costs incident to the settlement and conveyancing, including without limitation, document preparation, recording costs and taxes, transfer taxes, revenue stamps, settlement fees, notary fees, survey expense (if any) and title charges and premiums will be at the cost of the purchaser. The purchaser at foreclosure sale is hereby notified that there may be associated as a cost of conveyance of the property, a State Agricultural Transfer Tax. If so, such transfer tax shall be at the cost of 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, to resell the property at the purchaser's risk or to pursue such other remedy he may have under Maryland law. 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**

**117 West Patrick Street**

**Frederick, Maryland 21701**

**662-5155**

**RICHARD R. BURGEE**

**Attorney for Assignee**

**117 West Patrick Street**

**Frederick, Maryland 21701**

**662-5155**

**DELBERT NULL**

**Auctioneer**

**10 West College Terrace**

**Frederick, Maryland 21701**

**662-6161**