

State of Maryland, party of the first part and the Hagerstown and Frederick Railway Company, a body corporate of the State of Maryland, party of the second part, Witnesseth:-

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, cash in hand paid by the party of the second part, to the party of the first part, the receipt of which is hereby acknowledged, the said party of the first part does hereby grant unto the said party of the second part, its successors and assigns ~~the right of way, together with the right to use and operate steam and electric trains over~~ ~~single track and overhead equipment for the purpose of operating steam and electric trains over~~ said right of way, and turn-outs into adjacent property to connect with sidings into any industry located on adjacent property, as shown on the blue-print annexed hereto and make a part hereof and more particularly described as follows:

Beginning for the same at a point in the east side of East Street in the western outline of the property of the Maryland Brick and Supply Company, said point being seventeen feet distant at right angles from the center line of the track of the said Hagerstown and Frederick Railway Company and running thence parallel to and seventeen feet distant from said center line, South 80° East 1264 feet, to the beginning of a curve to the right; thence by and with a curve having a radius 400.1 feet for a distance of 260 feet, more or less to the end of said curve; thence continuing parallel to and seventeen feet distant from said center line South 41°50'30" East 560 feet, to the north margin of the Gas House Pike; thence by and with said margin South 73° West 3 feet more or less to a point 15 feet distant from said center line; thence parallel to and 15 feet distant from said center line, South 41°50'30" East 660 feet more or less to the beginning of a curve to the right; thence by and with said curve having a radius of 374.3 feet for a distance of 125 feet more or less to the outlines of the property of Raymond R. Shank, et al.; thence by and with said outline, South 46°18' West 33 feet more or less, to a point 15 feet distant at right angles from the aforesaid center line; thence parallel to and 15 feet distant from said center line, by and with a curve having a radius of 344.3 feet for a distance of 125 feet more or less to the end of said curve, North 41°50'30" West 670 feet more or less to the north margin of the Gas House Pike aforesaid; thence by and with said margin, South 73° West 3 feet more or less to a point 17 feet distant at right angles from the aforesaid center line; thence parallel to and 17 feet distant from said center line, North 41°50'30" West 545 feet more or less to the beginning of a curve to the left; thence by and with said curve having a radius of 366.1 feet for a distance of 250 feet more or less; thence North 80° West 300 feet more or less, to a point 17 feet distant at right angles from the center line of the track leading to the car-barn and freight yard; thence parallel to and 17 feet distant from the center line of said track by and with a curve having a radius of 376.3 feet for a distance of 185 feet more or less to the outline of the property of the Frederick Improvement Company, thence with said outline, North 80° West 44 feet more or less to a point 17 feet distant at right angles from the center line of said track to the car-barn and freight yard; thence by and with a curve having a radius of 342.3 feet for a distance of 250 feet more or less to a point 17 feet distant at right angles from the center line of the main track; thence parallel to and 17 feet distant from said center line, North 80° West 835 feet more or less to the western outline of the property of the Maryland Brick and Supply Company aforesaid, said point being in the east side of East Street, thence by and with the said outline and the East side of East Street, North 10° East 34 feet to the first mentioned place of beginning.

And it is further and mutually agreed and understood between the parties hereto that should the right of way hereinbefore described, together with the other property of the said party of the first part be opened up as a street that the said party of the second part will macadamize or pave and keep in repair that portion between its tracks and eighteen inches on each side thereof in a manner similar to the improvements which shall be made by the party of the first part, its successors or assigns. It is also agreed and understood that the municipal restrictions regarding the running of trains on Fifth Street Frederick, shall apply to the right of way granted herein.

It is also further agreed and understood that the party of the second part will construct and