Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 5989

In the Circuit Court for

Somerset County, Maryland

ORDER TO DOCKET SUIT

The Clerk of the Circuit Court for Somerset County will please docket the above entitled case, file therein the original mortgage made by Kenneth Eugene Elliott and Yvonne G. Elliott, his wife, to the Bank of Somerset, dated March 12, 1970, in the sum of $8,950.00, recorded on March 16, 1970, in Liber 252 page 674.

Lionel Bennett

Lionel Bennett
Attorney named in the above mortgage
940 Main Street
Crisfield, Maryland 21817
Phone: 968-1166

FOR ORIGINAL MORTGAGE SEE LIBER L.T.P. NO. 252, FOLIO 674
FOR BOND SEE BOND BOOK NO. 9, FOLIO 447.

Bank of Somerset,
Crisfield, Maryland,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott
Marion Station, Maryland,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 6th day of January, 1971, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President of the Bank of Somerset, of Crisfield, Maryland, who made oath in due form of law that the amount due on the mortgage dated March 12, 1970, made by Kenneth Eugene Elliott and Yvonne G. Elliott, his wife, to the Bank of Somerset, is $8,922.25, with interest from May 12, 1970, at the rate of 7½%.

Witness my hand and Notarial Seal.

Charles B. Pinto

Eileen Evans
Notary Public

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

## AFFIDAVIT OF SERVICE

STATE OF MARYLAND, Somerset County:

I hereby certify that on January 18, 1971, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lula Mae Dize, who made oath in due form of law as follows:

That on January 18, 1971, she served a true copy of the annexed notice of sale upon Kenneth Eugene Elliott and Yvonne G. Elliott, the mortgagors herein, by mailing a copy thereof by certified mail, postage prepaid, to each of them addressed to Kenneth Eugene Elliott, at Marion Station, Maryland 21838, and Yvonne G. Elliott, at Seaford, Delaware 19973, that being the last known addresses of said mortgagors, receipts for which are hereto annexed.

As witness my hand and Notarial Seal.

Lula Mae Dize

Lula Mae Dize

Notary Public

No. 968911

RECEIPT FOR CERTIFIED MAIL—30¢

SENT TO
Mrs. Yvonne G. Elliott

STREET AND NO.
Box

P. O., STATE, AND ZIP CODE
Seaford, Delaware 19973

POSTMARK OR DATE
FIELD, MD
JAN 18 1971

EXTRA SERVICES FOR ADDITIONAL FEES
Return Receipt
Shows to whom and date delivered — ☒ 15¢ fee
Shows to whom, date, and where delivered — ☐ 35¢ fee
Deliver to Addressee Only — ☐ 50¢ fee

POD Form 3800 Mar. 1966 NO INSURANCE COVERAGE PROVID NOT FOR INTERNATIONAL MAIL

No. 968912

RECEIPT FOR CERTIFIED MAIL—30¢

SENT TO
Mr. Kenneth Eugene Elliott

STREET AND NO.

P. O., STATE, AND ZIP CODE
Marion Station, Md. 21838

POSTMARK OR DATE
FIELD, MD
JAN 18 1971

EXTRA SERVICES FOR ADDITIONAL FEES
Return Receipt
Shows to whom and date delivered — ☒ 15¢ fee
Shows to whom, date, and where delivered — ☐ 35¢ fee
Deliver to Addressee Only — ☐ 50¢ fee

POD Form 3800 Mar. 1966 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

LIBER 044 PAGE 03

Lionel Bennett, Solicitor

# Mortgagees' Sale Of Valuable Real Estate

By virtue of the power and authority contained in a mortgage from Kenneth Eugene Elliott and Yvonne G. Elliott, his wife, to the Bank of Somerset, a body corporate existing under the laws of the State of Maryland, dated March 12, 1970, recorded among the land records of Somerset County in Liber 252 page 674, default having occurred under the conditions of said mortgage I will sell at public auction at the steps of the Post Office, in Crisfield, Maryland, on

**February 6, 1971**

**At 11:00 A.M.**

ALL that lot of land situate in Lawsons Election District, Somerset County, Maryland, south of and binding on the stone road leading from Marion to Tull's Corner; beginning at the northwest corner of the land now or formerly of Carl P. Ward and Anna E. Ward where it abuts the south side of the said stone road; thence running in a southerly direction by and with the west line of the said Ward property 210' to a stob and the reserved land of R. Brice Whittington; thence in a westerly direction by and with the said reserved land and parallel to the said stone road 81' to a post and other reserved land of R. Brice Whittington; thence in a northerly direction and parallel with the first course 210' to the south side of said stoneroad; thence in an easterly direction by and with the south side of said stone road 81' to the place of beginning; being the same premises conveyed to the mortgagors by deed dated March 12, 1970, recorded in Liber 255 page 436.

This property is improved by a comfortable dwelling.

Terms of SALE: Cash, as prescribed by said mortgage. Title papers at the expense of the purchaser.

Lionel Bennett
Attorney named in the above mortgage

Somerset County, Maryland, according to the terms and requirements contained in said MORTGAGEES' SALE for 4 weeks beginning with the issue of January 15 19 71 and ending February 5 19 71.

Publisher, THE CRISFIELD TIMES

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

ORDER TO SUBSTITUTE PURCHASER

On the foregoing petition of Lionel Bennett, trustee, and the Bank of Somerset, it is this 10th day of February, 1971, by the Circuit Court for Somerset County, Maryland, in Equity,

ORDERED that the Administrator of Veterans' Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C. 20420, be and he is hereby substituted as the purchaser herein, and it is further

ORDERED that the trustee herein be and he is hereby authorized to convey the premises to him after final ratification of sale.

E. McMaster Duer

E. McMaster Duer
Judge

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

PETITION TO SUBSTITUTE PURCHASER

The petition of Lionel Bennett, trustee for the purpose of foreclosure herein, and the Bank of Somerset, the purchaser at the sale held herein, respectfully represents and shows to this Court as follows:

That at the sale held by the trustee herein on February 6, 1971, the Bank of Somerset was the successful bidder and purchaser of the premises for the sum of $8,700.00, as more fully appears by the trustee's report of sale filed herein.

That petitioners, pursuant to Maryland Rule W 74 g 3, desire to substitute the Administrator of Veterans' Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C. 20420, as the purchaser herein, and authorize the trustee to convey the premises to him after final ratification of the sale.

Lionel Bennett

Lionel Bennett

BANK OF SOMERSET

By: Charles B. Pinto
Charles B. Pinto
Vice President

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of March, 1971, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 8th day of March, 1971.

The report states the amount of sale to be $8,700.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 15th day of March, 1971, that the sale made and reported by the Attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer

E. McMaster Duer
Judge

| | |
|---|---|
| Bank of Somerset, | In Equity No. 8987 |
| Plaintiff | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Kenneth Eugene Elliott and Yvonne G. Elliott, | |
| Defendants | |

## AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 8th day of February, 1971, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President of the Bank of Somerset, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, it was not acting as agent for any one.

2. That no other person is interested as principal.

3. That it has not directly or indirectly discouraged anyone from bidding for the said property.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

## REPORT OF SALE

The report of Lionel Bennett, attorney named in a certain mortgage made and executed by Kenneth Eugene Elliott and Yvonne G. Elliott, his wife, to the Bank of Somerset, dated March 12, 1970, and recorded among the land records of Somerset County in Liber 252 page 674, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant or condition in said mortgage, whereas said mortgage debt has become due and demandable, respectfully represents that after giving bond with security approved by the Clerk of the Court for the faithful performance of the trust so as aforesaid reposed in him by said mortgage and as required by law, and giving more than thirty days notice of the time, manner, terms and place of sale by advertisement in The Crisfield Times, a weekly newspaper published in said Somerset County once in a week for four successive weeks before the day of the sale, he did, pursuant to said notice, attend the Post Office in Crisfield, Maryland, on February 6, 1971, at 11:00 A.M., and then and there proceeded to sell the property described in said mortgage, to wit:

ALL that lot of land situate in Lawsons Election District, Somerset County, Maryland, south of and binding on the stone road leading from Marion to Tull's Corner; beginning at the northwest corner of the land now or formerly of Carl P. Ward and Anna E. Ward where it abuts the south side of the said stone road; thence running in a southerly direction by and with the west line of the said Ward property

210' to a stob and the reserved land of R. Brice Whittington; thence in a westerly direction by and with the said reserved land and parallel to the said stone road 81' to a post and other reserved land of R. Brice Whittington; thence in a northerly direction and parallel with the first course 210' to the south side of said stone road; thence in an easterly direction by and with the south side of said stone road 81' to the place of beginning; being the same premises conveyed to the mortgagors by deed dated March 12, 1970, recorded in Liber 255 page 436.

And sold the same to the Bank of Somerset, it being then and there the highest bidder therefor, at and for the sum of $8,700.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett
Attorney

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 8th day of February, 1971, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett, attorney named in the foregoing report of sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

Lionel Bennett, Solicitor
Bank of Somerset,
Plaintiff
vs
Kenneth Eugene Elliott
and Yvonne G. Elliott,
Defendants

---

In Equity No. 8987
In the Circuit Court for
Somerset County, Maryland

---

## ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of March, 1971, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 8th day of March, 1971.

The report states the amount of sale to be $8,700.00.

I. Theodore Phoebus, Clerk

True Copy, Test:
I. Theodore Phoebus,
Clerk
2-19-3t

CRISFIELD, MD. March 8 19 71

THIS is to certify that the annexed ORDER NISI

has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI for 3

weeks beginning with the issue of February 19 19 71

and ending March 5 19 71 .

J. W. Beach

Publisher, THE CRISFIELD TIMES

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

PETITION AND ORDER APPOINTING AUDITOR

The petition of Lionel Bennett respectfully shows to this Court as follows:

That he is the attorney named in the mortgage made by the above defendants, under which he sold certain real property, as more fully appears by his report of sale filed herein.

That the auditor for this Court is not available, and petitioner prays for the appointment of a special auditor to whom such report of sale may be referred to state an account, pursuant to Rule BR 6 b 5.

And your petitioner will ever pray.

Lionel Bennett

Lionel Bennett

ORDER

Upon the foregoing petition, it is this 17th day of February, 1971, by the Circuit Court for Somerset County, in Equity, ordered that Lula Mae Dize be, and she is hereby appointed a special auditor to whom the report of sale herein shall be referred to state an account.

E. McMaster Duer

E. McMaster Duer,
Judge

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

OATH OF SPECIAL AUDITOR

STATE OF MARYLAND, Somerset County:

On this 17th day of February, 1971, before me, a Judge of the Circuit Court for Somerset County, Maryland, who appointed her a special auditor herein, personally appeared Lula Mae Dize, and she made oath in due form of law that she would well and faithfully execute the duties of her office without favor, affection, partiality, or prejudice.

Lula Mae Dize
Lula Mae Dize

E. McMaster Duer
E. McMaster Duer
Judge

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

ASSIGNMENT OF RIGHT TO DEFICIENCY DECREE

The Bank of Somerset hereby assigns its right to a deficiency decree against Kenneth Eugene Elliott and Yvonne G. Elliott, the mortgagors herein, to the Administrator of Veterans' Affairs, an officer of the United States of America, his successors or assigns, whose address is Veterans Administration, Washington, D. C. 20420.

In witness whereof the Bank of Somerset has caused these presents to be executed by its duly authorized officer and its corporate seal to be affixed this 16th day of March, 1971.

ATTEST:

BANK OF SOMERSET

By: Charles B. Pinto
Charles B. Pinto
Vice President

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

NOTICE OF FILING AUDIT

Take notice that the account herein was filed on March 18, 1971; that exceptions thereto must be filed within fifteen days of said date, and if no exceptions are filed within such fifteen day period, the account may thereupon be ratified.

Lula Mae Dize
Special Auditor

I certify that on March 17, 1971, I mailed a copy of the above to the Bank of Somerset, Crisfield, Maryland, and Mr. and Mrs. Kenneth Eugene Elliott, Marion Station, Maryland.

Lula Mae Dize
Special Auditor

Bank of Somerset,

Plaintiff

vs

Kenneth Eugene Elliott and
Yvonne G. Elliott,

Defendants

In Equity No. 8987

In the Circuit Court for

Somerset County, Maryland

AUDIT

The report of the special auditor stating the account in the within mentioned case respectfully represents:

That your special auditor has charged the attorney with the whole amount of the sale of the real property, as reported by the attorney in his report of sale. The said attorney has been allowed commissions on said sale and a special attorney's fee, as per the Chancery Rules of this Court, and his costs and expenses, not personal.

Respectfully submitted,

Lula Mae Dize

Lula Mae Dize
Special Auditor

Dated: March 15, 1971

| | | | | |
|---|---|---|---|---|
| By the whole amount of the sale of the real property as reported by the Attorney in his report of sale. | | | | $8,700.00 |
| To the Attorney for his commissions, as per the Chancery Rules of this Court: | | | | |
| 10% on $3,000.00 | $300.00 | | | |
| 5% on $5,700.00 | 285.00 | $585.00 | | |
| To special Attorney's fee, as per said Rules | | 25.00 | $610.00 | |
| To the Attorney for his costs and expenses, not personal: | | | | |
| To Solicitor | | $10.00 | | |
| To Clerk's Costs | | 35.00 | | |
| To Crisfield Times, publishing Sale and Order Nisi | | 75.00 | | |
| To premium on Attorney's Bond | | 40.00 | | |
| To Auctioneer | | 35.00 | | |
| To mailing notices of sale | | .90 | | |
| To Special Auditor stating account | | 15.00 | | |
| To 1970-71 State and County taxes | | 97.10 | 308.00 | |
| | | | | 918.00 |
| The balance of the funds in the hands of the Attorney distributed as follows: | | | | $7,782.00 |

To The Bank of Somerset, the balance of the funds in the hands of the Attorney on account of a mortgage debt and interest for which the real estate was sold.

Statement of mortgage debt:

| | |
|---|---|
| Balance of principal due | $8,922.25 |
| Interest from May 12, 1970 to Feb. 6, 1971 at 7½% | 379.17 |
| | $9,301.42 |
| Balance paid over to the Bank of Somerset | 7,782.00 |
| Deficiency | $1,519.42 |

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 24th day of March 1971, that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 9th day of April 1971.*

S. Theodore Phoebus, Clerk

No. 8987 Chancery Case Vs

CIRCUIT COURT FOR SOMERSET COUNTY.

[illegible] no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date April 16, 1971

S. Theodore Phoebus, Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this 16 day of April 1971, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

S. Theodore Phoebus

NOV 18 1971

P# 3797

| | | |
|---|---|---|
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | No. 8992 CHANCERY CASES |
| | : | |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS WESTOVER, MARYLAND | : | |
| | : | SOMERSET COUNTY |
| AND | : | |
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | STATE OF MARYLAND |
| | : | |
| VS. | : | IN EQUITY |
| EDWARD R. SKINNER WESTOVER, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

1. ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND; BEING SHOWN ON THE COUNTY TAX MAP #40 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 102, FOLIO 38; HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

2. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. #361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AND THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP; AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81; AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171; HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

3. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP #32 AS PARCEL 119; AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 138, FOLIO 570; AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

**********

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

YOUR COMPLAINANTS, LONG BROTHERS, INC., A MARYLAND BODY CORPORATE, BY ROBERT C. LONG, ITS PRESIDENT, RESPECTFULLY REPRESENTS:

1. THAT THE COMPLAINANT IS A CORPORATION, ORGANIZED UNDER UNDER THE LAWS OF THE STATE OF MARYLAND, WITH HOME OFFICE IN WESTOVER, MARYLAND.

2. THAT ON AUGUST 27, 1968, THERE WAS ISSUED TO THE COMPLAINANT BY CARLOS BOZMAN, COLLECTOR OF TAXES FOR SOMERSET COUNTY,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREFOR, THE FOLLOWING CERTIFICATES OF SALE:

(A) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $92.79 AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "ALL THAT FOUR ACRES OF UNIMPROVED LAND ON THE SOUTH SIDE OF RT. #361, BEARING TAX MAP #40-1-97, DEED REFERENCE 102, 38"; AND BEING DESCRIBED IN THE AFORESAID DEED AS "ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND". AND ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

(B) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $46.25, AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "LOT OF UNIMPROVED LAND ON THE SOUTH SIDE OF RT. # 361; BEARING TAX MAP #40-81"; AND BEING DESCRIBED IN A DEED RECORDED IN LIBER 87, FOLIO 171 AS FOLLOWS: "ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTS ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE AND ON THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP". AND ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

(C) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $38.22, AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "ALL THAT FOUR ACRES OF UNIMPROVED LAND ON THE EAST SIDE OF BACK CREEK BRIDGE; BEARING TAX

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MAP # 32-10-119; AND BEING DESCRIBED IN A DEED RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND AS "ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG", SAID DEED BEING RECORDED IN LIBER NO. 138, FOLIO 570; AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

3. THAT THE ABOVE PROPERTIES HAVENOT BEEN REDEEMED BY ANY PARTY OF INTEREST, ALTHOUGH MORE THAN ONEYEAR FROM THE DATE OF THE SALE HAS EXPIRED.

4. THAT YOUR COMPLAINANT HAS CAUSED THE LAND AND TESTAMENTARY RECORDS OF SOMERSET COUNTY TO BE EXAMINED BY LLOYD L. SIMPKINS, A MEMBER OF THE BAR OF THE STATE OF MARYLAND, WHOSE AFFIDAVIT IS ATTACHED HERETO, AND IN RELIANCE UPN WHICH, YOUR COMPLAINANT ALLEGES AND AVERS THAT THE SAID BENJAMIN G. COLLINS AND EDWARD R. SKINNER HAVE NEVER CONVEYED, ACCORDING TO THE RECORDS, ANY OF THE REAL ESTATE STANDING IN THE RESPECTIVE NAMES OF BENJAMIN G. COLLINS AND EDWARD R. SKINNER AND THAT THERE ARE NO LIENS OR ENCUMBRANCES OF RECORD AGAINST THE SAME.

5. THAT THE AMOUNTS NECESSARY TO REDEEM THE RESPECTIVE PROPERTIES ARE THE AMOUNTS SHOWN ON THE RESPECTIVE CERTIFICATES AFORESAID AND COURT COST AND A REASONABLE ATTORNEYS' FEE TO THE ATTORNEY FOR THE COMPLAINANT.

WHEREFORE: YOUR COMPLAINANT PRAYS:

A. THAT A SUBPOENA BE ISSUED FOR THE RESPONDENTS; BENJAMIN G.

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

COLLINS, WHOSE ADDRESS IS UNKNOWN BUT WHOSE LAST KNOWN ADDRESS WAS WESTOVER, MARYLAND, AND EDWARD R. SKINNER, WHOSE ADDRESS IS UNKNOWN NUT WHOSE LAST KNOWN ADDRESS WAS WESTOVER, MARYLAND.

B. THAT YOUR HONORS MAY GRANT UNTO THE COMPLAINANTS THE ORDER OF PUBLICATION DIRECTED TO THE SAID NAMED RESPONDENTS, AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE AFORESAID PROPERTIES.

C. THAT THIS HONORABLE COURT PASS A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION OF THE RESPONDENTS AND ANY OF THEM OR ANY OTHER PERSON HAVING OR CLAIMING AN INTEREST IN THE AFORESAID PROPERTIES.

D. THAT YOUR COMPLAINANTS MAY HAVE SUCH OTHER AND FURTHER RELIEF AS THEIR CASE MAY REQUIRE.

AND, AS IN DUTY BOUND, ETC.

LONG BROTHERS, INC.

ATTEST:

BY Robert C. Long

ROBERT C. LONG, PRESIDENT

EDWIN D. LONG, JR., SECRETARY

LONG BROS., INC. CORPORATE SEAL 3563 MARYLAND

AFFIDAVIT OF SOLICITOR

STATE OF MARYLAND,
COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 29th DAY OF JANUARY, 1971, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED LLOYD L. SIMPKINS, OF PRINCESS ANNE, SOMERSET COUNTY, MARYLAND, PERSONALLY KNOWN TO ME AND BEING DULY SWORN TO DEPOSE AND SAY:

1. THAT HE IS A MEMBER OF THE BAR OF THE STATE OF MARYLAND AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND FOR MORE THAN EIGHTEEN YEARS PRIOR TO THIS DATE, AND THAT HE HAS MADE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE FOLLOWING PROPERTIES:

(A) ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND; BEING SHOWN ON THE COUNTY TAX MAP # 40 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS, BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER 102, FOLIO 38; HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

(B) ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THEEAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE AND THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP; AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81; AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171; HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

(C) ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARLAND, CONTAINING FOUR ACRES,

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51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP # 32 AS PARCEL 119; AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 138, FOLIO 570; AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

AND BOUND NO CONVEYANCES BY OR LIENS AGAINST ANY OF THE PARTIES MENTIONED, AND THAT HE HAS MADE AN EXAMINATION OF THE CHANCERY RECORDS OF SOMERSET COUNTY AND HAS FOUND NO CHANCERY PROCEEDINGS INVOLVING THE LANDS DESCRIBED IN THESE PROCEEDINGS; AND HE HAS EXAMINED THE TESTAMENTARY RECORDS OF SOMERSET COUNTY WITH REGARD TO EACH OF THE SAID PARTIES AND HAS BOUND NO PROCEEDINGS RELATIVE TO BENJAMIN G. COLLINS OR EDWARD R. SKINNER.

Lloyd L. Simpkins (SEAL)
LLOYD L. SIMPKINS, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF MARYLAND, COUNTY OF SOMERSET, THIS 27th DAY OF JANUARY, 1971.

Virginia B. Miles
NOTARY PUBLIC

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | No. 8992 CHANCERY CASES |
| | : | |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS WESTOVER, MARYLAND | : | |
| | : | SOMERSET COUNTY |
| AND | : | |
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | STATE OF MARYLAND |
| | : | |
| VS. | : | IN EQUITY |
| EDWARD R. SKINNER WESTOVER, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

1. ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ETAL, LAND; BEING SHOWN ON THE COUNTY TAX MAP #40 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 102, FOLIO 38; HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

2. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE,

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ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AND ON THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP; AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81; AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171; HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

3. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THEEAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP NO. 32 AS PARCEL 119; AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 138, FOLIO 570; AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

**********

ORDER OF PUBLICATION

THE OBJECT OF THESE PROCEEDINGS IS TO SECURE THE FORECLOSURE OF ALL RIGHTS OF REDEMPTION IN AND TO THE PROPERTIES ABOVE DESCRIBED, ALL LYING AND BEING IN SOMERSET COUNTY, MARYLAND, AND SOLD BY CARLOS BOZMAN, TREASURER OF SOMERSET COUNTY, MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREIN.

THE BILL STATES, AMONG OTHER THINGS, THAT THE AMOUNTS NECESSARY FOR THE REDEMPTION OF THE AFORESAID PROPERTIES HAVE NOT BEEN PAID, ALTHOUGH MORE THAN A YEAR AND A DAY FROM THE DATE OF SALE,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

THE SAME BEING AUGUST 27, 1968, HAS EXPIRED; IT IS, THEREUPON, THIS 28th DAY OF January, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, ORDERED THAT NOTICE BE GIVEN BY PBULICATION BY INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING GENERAL CIRCULATION IN SOMERSET COUNTY, ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS, WARNING ALL PERSONS INTERESTED IN SAID PROPERTIES, OR EITHER OF THEM, TO BE AND APPEAR IN THIS COURT BY THE 31st DAY OF March, 1917, AND REDEEM THE PROPERTIES AND ANSWER THE BILL OF COMPLAINT, OR THEREAFTER A FINAL DECREE WILL BE RENDERED FORECLOSING THE RIGHT OF REDEMPTION IN SAID PROPERTIES, OR EITHER OF THEM, AND VESTING IN THE COMPLAINANT A TITLE TO SAID PROPERTIES, FREE AND CLEAR OF ALL CLAIMS OR ENCUMBRANCES.

E. McMaster Duer

E. McMASTER DUER, CHIEF JUDGE

LIBER [redacted] PAGE [redacted]

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

WRIT OF SUBPOENA:

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Benjamin G. Collins
Westover, Maryland
and
Edward R. Skinner
Westover, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of

Long Brothers, Inc., a Maryland Corporation vs. Benjamin G. Collins
and
Long Brothers, Inc., a Maryland Corporation vs. Edward R. Skinner

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 28th day of January, 19 71.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 31st day of March, 19 71. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Simpkins and Simpkins
Name 51 N. Main Street
Princess Anne, Md.
Address

Clerk

Sheriff's Return:
Non Est as to Benjamin G. Collins 1/29/71
Mortuus Est as to Edward R. Skinner 1/29/71.
/s/ Thomas H. Foxwell, Sheriff.

| | | |
|---|---|---|
| LONG BROTHERS, INC.<br>A MARYLAND CORPORATION<br>WESTOVER, MARYLAND | : | NO. 8992 CHANCERY CASES |
| | : | |
| VS. | : | IN THE CIRCUIT COURT |
| BENJAMIN G. COLLINS<br>WESTOVER, MARYLAND | : | |
| | : | FOR SOMERSET COUNTY |
| AND | | |
| | : | |
| LONG BROTHERS, INC.,<br>A MARYLAND CORPORATION<br>WESTOVER, MARYLAND | : | STATE OF MARYLAND |
| | : | |
| VS. | | |
| | : | IN EQUITY |
| EDWARD R. SKINNER<br>WESTOVER, MARYLAND | : | |

***

CERTIFICATION OF ATTEMPTED SERVICE
BY REGISTERED MAIL

TO THE HONORABLE, THE JUDGE OF SAID COURT:

LONG BROTHERS, INC., A MARYLAND CORPORATION OF WESTOVER, MARYLAND, PETITIONER IN THE ABOVE ENTITLED MATTER, BY SIMPKINS AND SIMPKINS, ITS ATTORNEY, RESPECTFULLY CERTIFIES AS FOLLOWS:

1. THAT ON JANUARY 28, 1971, A TRUE COPY OF THE BILL OF COMPLAINT AND ORDER OF PUBLICATION THAT WERE FILED HEREIN WERE MAILED TO BENJAMIN G. COLLINS, BY REGISTERED MAIL, RETURN RECEIPT REQUESTED, TO WHAT IS BELIEVED TO BE HIS FORMER ADDRESS, 1528 LAMBERT STREET, PHILADELPHIA, PENNSYLVANIA; THAT SAID CORRESPONDENCE WAS RETURNED TO THE SENDER, MARKED "UNCLAIMED"; AND THAT SAID BILL OF COMPLAINT, ORDER OF PUBLICATION, LETTER, ENVELOPE AND MAILING RECEIPT ARE ATTACHED HERETO.

2. THAT ON JANUARY 28, 1971, A TRUE COPY OF THE BILL OF COMPLAINT AND ORDER OF PUBLICATION /THAT WERE FILED HEREIN WERE MAILED TO EDWARD R. SKINNER, BY REGISTERED MAIL, RETURN RECEIPT REQUESTED, TO WHAT IS BELIEVED TO BE HIS FORMER ADDRESS, ROUTE 1, BOX 370,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

SUFFOLK, VIRGINIA 23434; THAT SAID CORRESPONDENCE HAS BEEN RETURNED TO THE SENDER, MARKED "UNCLAIMED"; AND THAT SAID BILL OF COMPLAINT, ORDER OF PUBLICATION, LETTER, ENVELOPE AND MAILING RECEIPT ARE ATTACHED HERETO.

3. THAT THE COMPLAINANT KNOWS OF NO OTHER ADDRESS WHERE EITHER OF THE ABOVE PARTIES MAY BE LOCATED.

RESPECTFULLY SUBMITTED,

Lloyd L. Simpkins

LLOYD L. SIMPKINS
ATTORNEY FOR THE COMPLAINANT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY THAT ON THIS 16th DAY OF FEBRUARY, 1971, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED LLOYD L. SIMPKINS, ATTORNEY FOR THE COMPLAINANT, AND HE ACKNOWLEDGED THE AFOREGOING TO BE TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE, INFORMATION AND BELIEF.

AS WITNESS MY HAND AND NOTARIAL SEAL.

Virginia B. Miles

NOTARY PUBLIC

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY, MARYLAND

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LLOYD L. SIMPKINS
THOMAS S. SIMPKINS

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MARYLAND 21853
TELEPHONE 651-1400

LIBER 044 PAGE 32

JANUARY 28, 1971

MR. BENJAMIN G. COLLINS
1528 LAMBERT STREET
PHILADELPHIA, PA.

RE: LONG BROTHERS, INC. VS.
BENJAMIN G. COLLINS, ET AL

DEAR MR. COLLINS:

THE TWO PARCELS OF REAL PROPERTY OWNED BY YOU IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, HAVE BEEN SOLD AT A TAX SALE FOR NON-PAYMENT OF TAXES. LONG BROTHERS, INC., OF WESTOVER, MARYLAND, WAS THE PURCHASER AT THE TAX SALE.

ENCLOSED HEREWITH YOU WILL FIND A COPY OF THE BILL OF COMPLAINT AND ORDER OF PUBLICATION WHICH WERE FILED WITH THE CIRCUIT COURT FOR SOMERSET COUNTY TODAY, FOR THE PURPOSE OF FORECLOSING YOUR RIGHT OF REDEMPTION.

YOU WILL NOTE FROM THE ENCLOSED COPY OF THE SUIT PAPERS THAT YOU, OR ANYONE HAVING AN INTEREST IN THIS PROPERTY, HAS UNTIL MARCH 31, 1917 TO NOTIFY THE COURT OF YOUR DESIRE TO REDEEM THE PROPERTY AND THUS PREVENTING LONG BROTHERS, INC. FROM GAINING TITLE TO THE SAME. IT IS IMPORTANT THAT YOU ACT BY MARCH 31, 1971, OTHERWISE YOUR RIGHT TO REDEEM MAY BE LOST.

VERY TRULY YOURS,

Lloyd L. Simpkins

LLOYD L. SIMPKINS

LLS:VCB
ENCLOSURE

REGISTERED MAIL, RETURN RECEIPT REQUESTED

REGISTERED NO. 613

Value $ 0 Spec. del'y fee $

Fee $ .80 Ret. receipt fee $ .15

Surcharge $ Rest. del'y fee $ .50

Postage $ .12 ☐ Airmail

POSTMARK JAN 29 1971

Postmaster, By

From Simpkins & Simpkins

Pr Attorneys

To Benjamin C. Collins

1528 Lambert St

Phil Pa

PO&D Form 3806—May 1964

ed—10—70103-0

LIBER 044 PAGE 33

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCESS ANNE, MARYLAND 21853

9-15

No Ext'd

UNCLAIMED

JAN 30 1971

Deliver to addressee only

Mr. Benjamin C. Collins
1528 Lambert Street
Philadelphia, Pa.

REGISTERED MAIL
RETURN RECEIPT REQUESTED

NAME
1st Notice 1/30/71
2nd Notice 2/5/71
Return 2/11/71

Copy

| | | |
|---|---|---|
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | No. 8192 CHANCERY CASES |
| | : | |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS WESTOVER, MARYLAND | : | |
| | : | SOMERSET COUNTY |
| AND | | |
| | : | |
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | STATE OF MARYLAND |
| | : | |
| VS. | | |
| | : | IN EQUITY |
| EDWARD R. SKINNER WESTOVER, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

1. ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ETAL, LAND: BEING SHOWN ON THE COUNTY TAX MAP #40 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 102, FOLIO 38: HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

2. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE,

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51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AND THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP; AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81; AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 67, FOLIO 171; HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

3. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP #32 AS PARCEL 119; AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 138, FOLIO 570; AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

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BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

YOUR COMPLAINANTS, LONG BROTHERS, INC., A MARYLAND BODY CORPORATE, BY ROBERT C. LONG, ITS PRESIDENT, RESPECTFULLY REPRESENTS:

1. THAT THE COMPLAINANT IS A CORPORATION, ORGANIZED UNDER UNDER THE LAWS OF THE STATE OF MARYLAND, WITH HOME OFFICE IN WESTOVER, MARYLAND.

2. THAT ON AUGUST 27, 1968, THERE WAS ISSUED TO THE COMPLAINANT BY CARLOS BOZMAN, COLLECTOR OF TAXES FOR SOMERSET COUNTY,

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ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREFOR, THE FOLLOWING CERTIFICATES OF SALE:

(A) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $92.79 AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "ALL THAT FOUR ACRES OF UNIMPROVED LAND ON THE SOUTH SIDE OF RT. #361, BEARING TAX MAP #40-1-97, DEED REFERENCE 1[illegible]2, 38": AND BEING DESCRIBED IN THE AFORESAID DEED AS "ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND". AND ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

(B) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $46.85, AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "LOT OF UNIMPROVED LAND ON THE SOUTH SIDE OF RT. # 361: BEARING TAX MAP #40-81"; AND BEING DESCRIBED IN A DEED RECORDED IN LIBER 87, FOLIO 171 AS FOLLOWS: "ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTS ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL CORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE AND ON THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP". AND ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

(C) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $38.22, AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "ALL THAT FOUR ACRES OF UNIMPROVED BAND ON THE EAST SIDE OF BACK CREEK BRIDGE; BEARING TAX

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MAP # 32-1 -119: AND BEING DESCRIBED IN A DEED RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND AS "ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG", SAID DEED BEING RECORDED IN LIBER NO. 138, FOLIO 370: AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

3. THAT THE ABOVE PROPERTIES HAVENOT BEEN REDEEMED BY ANY PARTY OF INTEREST, ALTHOUGH MORE THAN ONEYEAR FROM THE DATE OF THE SALE HAS EXPIRED.

4. THAT YOUR COMPLAINANT HAS CAUSED THE LAND AND TESTAMENTARY RECORDS OF SOMERSET COUNTY TO BE EXAMINED BY LLOYD L. SIMPKINS, A MEMBER OF THE BAR OF THE STATE OF MARYLAND, WHOSE AFFIDAVIT IS ATTACHED HERETO, AND IN RELIANCE UPN WHICH, YOUR COMPLAINANT ALLEGES AND AVERS THAT THE SAID BENJAMIN G. COLLINS AND EDWARD R. SKINNER HAVE NEVER CONVEYED, ACCORDING TO THE RECORDS, ANY OF THE REAL ESTATE STANDING IN THE RESPECTIVE NAMES OF BENJAMIN G. COLLINS AND EDWARD R. SKINNER AND THAT THERE ARE NO LIENS OR ENCUMBRANCES OF RECORD AGAINST THE SAME.

5. THAT THE AMOUNTS NECESSARY TO REDEEM THE RESPECTIVE PROPERTIES ARE THE AMOUNTS SHOWN ON THE RESPECTIVE CERTIFICATES AFORESAID AND COURT COST AND A REASONABLE ATTORNEYS' FEE TO THE ATTORNEY FOR THE COMPLAINANT.

WHEREFORE: YOUR COMPLAINANT PRAYS:

A. THAT A SUBPOENA BE ISSUED FOR THE RESPONDENTS: BENJAMIN G.

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

COLLINS, WHOSE ADDRESS IS UNKNOWN BUT WHOSE LAST KNOWN ADDRESS WAS WESTOVER, MARYLAND, AND EDWARD R. SKINNER, WHOSE ADDRESS IS UNKNOWN BUT WHOSE LAST KNOWN ADDRESS WAS WESTOVER, MARYLAND.

B. THAT YOUR HONORS MAY GRANT UNTO THE COMPLAINANTS THE ORDER OF PUBLICATION DIRECTED TO THE SAID NAMED RESPONDENTS, AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE AFORESAID PROPERTIES.

C. THAT THIS HONORABLE COURT PASS A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION OF THE RESPONDENTS AND ANY OF THEM OR ANY OTHER PERSON HAVING OR CLAIMING AN INTEREST IN THE AFORESAID PROPERTIES.

D. THAT YOUR COMPLAINANTS MAY HAVE SUCH OTHER AND FURTHER RELIEF AS THEIR CASE MAY REQUIRE.

AND, AS IN DUTY BOUND, ETC.

(CORPORATE SEAL)

LONG BROTHERS, INC.

ATTEST:

By Robert C. Long
ROBERT C. LONG, PRESIDENT

Edwin D. Long Jr.
EDWIN D. LONG, JR., SECRETARY

AFFIDAVIT OF SOLICITOR

STATE OF MARYLAND,
COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 27th DAY OF JANUARY, 1971, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED LLOYD L. SIMPKINS, OF PRINCESS ANNE, SOMERSET COUNTY, MARYLAND, PERSONALLY KNOWN TO ME AND BEING DULY SWORN TO DEPOSE AND SAY:

1. THAT HE IS A MEMBER OF THE BAR OF THE STATE OF MARYLAND AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND FOR MORE THAN EIGHTEEN YEARS PRIOR TO THIS DATE, AND THAT HE HAS MADE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE FOLLOWING PROPERTIES:

(A) ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND: BEING SHOWN ON THE COUNTY TAX MAP # 4 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS, BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER 1 2, FOLIO 38; HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

(B) ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 351, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE AND THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP; AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 61; AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171: HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

(C) ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARLAND, CONTAINING FOUR ACRES,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG: BEING SHOWN ON THE COUNTY TAX MAP # 32 AS PARCEL 119: AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 136, FOLIO 570: AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1966.

AND FOUND NO CONVEYANCES BY OR LIENS AGAINST ANY OF THE PARTIES MENTIONED, AND THAT HE HAS MADE AN EXAMINATION OF THE CHANCERY RECORDS OF SOMERSET COUNTY AND HAS FOUND NO CHANCERY PROCEEDINGS INVOLVING THE LANDS DESCRIBED IN THESE PROCEEDINGS: AND HE HAS EXAMINED THE TESTAMENTARY RECORDS OF SOMERSET COUNTY WITH REGARD TO EACH OF THE SAID PARTIES AND HAS FOUND NO PROCEEDINGS RELATIVE TO BENJAMIN O. COLLINS OR EDWARD R. SKINNER.

Lloyd L. Simpkins (SEAL)
LLOYD L. SIMPKINS, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF MARYLAND, COUNTY OF SOMERSET, THIS 27th DAY OF JANUARY, 1971.

Virginia R. Polk
NOTARY PUBLIC

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.

TELEPHONE 651-1400

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|---|---|---|
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | NO. 8992 CHANCERY CASES |
| | : | |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS WESTOVER, MARYLAND | : | |
| | : | SOMERSET COUNTY |
| AND | | |
| | : | |
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | STATE OF MARYLAND |
| | : | |
| VS. | | |
| | : | IN EQUITY |
| EDWARD R. SKINNER WESTOVER, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

1. ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND: BEING SHOWN ON THE COUNTY TAX MAP #40 AS PARCEL 37. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 102, FOLIO 80: HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

2. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES: SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. #361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE,

AND ON THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP: AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81: AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN O. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1955 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171: HERETOFORE ASSESSED TO BENJAMIN O. COLLINS FOR THE YEARS 1964 THROUGH 1966.

3. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO 'SIGN POST' AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. BENNETT LONG: BEING SHOWN ON THE COUNTY TAX MAP NO. 32 AS PARCEL 113: AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1916 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 130, FOLIO 57[illegible]: AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

**********

ORDER OF PUBLICATION

THE OBJECT OF THESE PROCEEDINGS IS TO SECURE THE FORECLOSURE OF ALL RIGHTS OF REDEMPTION IN AND TO THE PROPERTIES ABOVE DESCRIBED, ALL LYING AND BEING IN SOMERSET COUNTY, MARYLAND, AND SOLD BY CARLOS BOZMAN, TREASURER OF SOMERSET COUNTY, MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREIN.

THE BILL STATES, AMONG OTHER THINGS, THAT THE AMOUNTS NECESSARY FOR THE REDEMPTION OF THE AFORESAID PROPERTIES HAVE NOT BEEN PAID, ALTHOUGH MORE THAN A YEAR AND A DAY FROM THE DATE OF SALE,

THE SAME BEING AUGUST 27, 1960, HAS EXPIRED; IT IS, THEREUPON, THIS 28th DAY OF January, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, ORDERED THAT NOTICE BE GIVEN BY PUBLICATION BY INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING GENERAL CIRCULATION IN SOMERSET COUNTY, ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS, WARNING ALL PERSONS INTERESTED IN SAID PROPERTIES, OR EITHER OF THEM, TO BE AND APPEAR IN THIS COURT BY

Note → THE 31st DAY OF March, 1971, AND REDEEM THE PROPERTIES AND ANSWER THE BILL OF COMPLAINT, OR THEREAFTER A FINAL DECREE WILL BE RENDERED FORECLOSING THE RIGHT OF REDEMPTION IN SAID PROPERTIES, OR EITHER OF THEM, AND VESTING IN THE COMPLAINANT A TITLE TO SAID PROPERTIES, FREE AND CLEAR OF ALL CLAIMS OR ENCUMBRANCES.

S/ E. McMaster Duer
E. McMASTER DUER, CHIEF JUDGE

TRUE COPY TEST: S. Theodore Phelps Clerk.

LIBER U44 PAGE 43

FILED

FEB 16 11 59 AM '71

LLOYD L. SIMPKINS
THOMAS S. SIMPKINS

LIBER U44 PAGE 44

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MARYLAND 21853
TELEPHONE 651-1400

JANUARY 28, 1971

FILED

MR. EDWARD R. SKINNER
ROUTE 1, BOX 370
SUFFOLK, VIRGINIA 23434

RE: LONG BROTHERS, INC.
VS.
EDWARD R. SKINNER, ETAL

DEAR MR. SKINNER:

THE REAL PROPERTY OWNED BY YOU IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, HAS BEEN SOLD AT A TAX SALE FOR NON-PAYMENT OF TAXES. LONG BROTHERS, INC., OF WESTOVER, MARYLAND, WAS THE PURCHASER AT THE TAX SALE.

ENCLOSED HEREWITH YOU WILL FIND A COPY OF THE BILL OF COMPLAINT AND ORDER OF PUBLICATION WHICH WERE FILED WITH THE CIRCUIT COURT FOR SOMERSET COUNTY TODAY, FOR THE PURPOSE OF FORECLOSING YOUR RIGHT OF REDEMPTION.

YOU WILL NOTE FROM THE ENCLOSED COPY OF THE SUIT PAPERS THAT YOU, OR ANYONE HAVING AN INTEREST IN THIS PROPERTY, HAS UNTIL MARCH 31, 1971 TO NOTIFY THE COURT OF YOUR DESIRE TO REDEEM THE PROPERTY AND THUS PREVENTING LONG BROTHERS, INC. FROM GAINING TITLE TO THE SAME. IT IS IMPORTANT THAT YOU ACT BY MARCH 31, 1971, OTHERWISE YOUR RIGHT TO REDEEM MAY BE LOST.

VERY TRULY YOURS,

Lloyd L. Simpkins

LLOYD L. SIMPKINS

LLS:VCB
ENCLOSURE

REGISTERED MAIL, RETURN RECEIPT REQUESTED

REGISTERED NO. 642

Value $ 0 Spec. del'y fee $

Fee $ .60 Ret. receipt fee $ .75

Surcharge $ Rest. del'y fee $ .50

Postage $ 1.25 ☐ Airmail

POSTMARK

Postmaster, By

From Simpkins & Simpkins

P.O. Box 560

To Edward R. Skinner

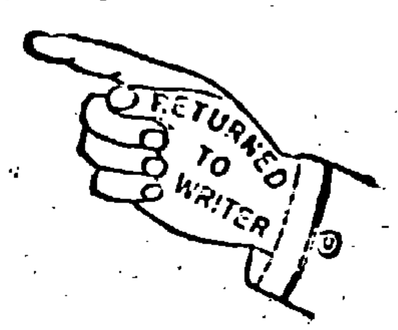
R.1 Box 370

Suffolk Va. 23434

PO13D Form 3806—May 1964

USER 044 PAGE 45

SIMPKINS AND SIMPKINS
ATTORNEYS AT LAW
PRINCESS ANNE, MARYLAND 21853




Carrier No. 19
No Address
Not Forwardable
Away
Unknown
Refused
Insufficient Address
Unclaimed
Unassigned
Order

Deliver to addressee or

REGISTERED MAIL
RETURN RECEIPT REQUESTED

MR. EDWARD R. SKINNER
ROUTE # 1, BOX 370
SUFFOLK, VIRGINIA 23434

613

643

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|---|---|---|
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | NO. 8992 CHANCERY CASES |
| | : | |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS WESTOVER, MARYLAND | : | |
| | : | SOMERSET COUNTY |
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| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | STATE OF MARYLAND |
| | : | |
| VS. | | |
| | : | IN EQUITY |
| EDWARD R. SKINNER WESTOVER, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

1. ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ETAL, LAND: BEING SHOWN ON THE COUNTY TAX MAP #40 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 1[illegible], FOLIO 5[illegible]: HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

2. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE,

SIMPKINS AND SIMPKINS
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51 N. MAIN STREET
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TELEPHONE 651-1400

AND THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP; AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81; AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1925 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 67, FOLIO 171; HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

3. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP #32 AS PARCEL 110; AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 130, FOLIO 570; AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1966 THROUGH 1968.

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BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

YOUR COMPLAINANTS, LONG BROTHERS, INC., A MARYLAND BODY CORPORATE, BY ROBERT C. LONG, ITS PRESIDENT, RESPECTFULLY REPRESENTS:

1. THAT THE COMPLAINANT IS A CORPORATION, ORGANIZED UNDER UNDER THE LAWS OF THE STATE OF MARYLAND, WITH HOME OFFICE IN WESTOVER, MARYLAND.

2. THAT ON AUGUST 27, 1969, THERE WAS ISSUED TO THE COMPLAINANT BY CARLOS BOZMAN, COLLECTOR OF TAXES FOR SOMERSET COUNTY,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREFOR, THE FOLLOWING CERTIFICATES OF SALE:

(A) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $92.79 AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "ALL THAT FOUR ACRES OF UNIMPROVED LAND ON THE SOUTH SIDE OF RT. #361, BEARING TAX MAP #40-[illegible]-97, DEED REFERENCE 1[illegible]2, 38": AND BEING DESCRIBED IN THE AFORESAID DEED AS "ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND". AND ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

(B) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $46.25, AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "LOT OF UNIMPROVED LAND ON THE SOUTH SIDE OF RT. # 361; BEARING TAX MAP #40-81"; AND BEING DESCRIBED IN A DEED RECORDED IN LIBER 87, FOLIO 171 AS FOLLOWS: "ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTS ACRES; SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE AND ON THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP". AND ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

(C) A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $38.22, AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "ALL THAT FOUR ACRES OF UNIMPROVED LAND ON THE EAST SIDE OF BACK CREEK BRIDGE; BEARING TAX

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

MAP # 32-1 -119: AND BEING DESCRIBED IN A DEED RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND AS "ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG", SAID DEED BEING RECORDED IN LIBER NO. 138, FOLIO 570: AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

3. THAT THE ABOVE PROPERTIES HAVENOT BEEN REDEEMED BY ANY PARTY OF INTEREST, ALTHOUGH MORE THAN ONEYEAR FROM THE DATE OF THE SALE HAS EXPIRED.

4. THAT YOUR COMPLAINANT HAS CAUSED THE LAND AND TESTAMENTARY RECORDS OF SOMERSET COUNTY TO BE EXAMINED BY LLOYD L. SIMPKINS, A MEMBER OF THE BAR OF THE STATE OF MARYLAND, WHOSE AFFIDAVIT IS ATTACHED HERETO, AND IN RELIANCE UPN WHICH, YOUR COMPLAINANT ALLEGES AND AVERS THAT THE SAID BENJAMIN G. COLLINS AND EDWARD R. SKINNER HAVE NEVER CONVEYED, ACCORDING TO THE RECORDS, ANY OF THE REAL ESTATE STANDING IN THE RESPECTIVE NAMES OF BENJAMIN G. COLLINS AND EDWARD R. SKINNER AND THAT THERE ARE NO LIENS OR ENCUMBRANCES OF RECORD AGAINST THE SAME.

5. THAT THE AMOUNTS NECESSARY TO REDEEM THE RESPECTIVE PROPERTIES ARE THE AMOUNTS SHOWN ON THE RESPECTIVE CERTIFICATES AFORESAID AND COURT COST AND A REASONABLE ATTORNEYS' FEE TO THE ATTORNEY FOR THE COMPLAINANT.

WHEREFORE: YOUR COMPLAINANT PRAYS:

A. THAT A SUBPOENA BE ISSUED FOR THE RESPONDENTS: BENJAMIN G.

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

COLLINS, WHOSE ADDRESS IS UNKNOWN BUT WHOSE LAST KNOWN ADDRESS WAS WESTOVER, MARYLAND, AND EDWARD R. SKINNER, WHOSE ADDRESS IS UNKNOWN BUT WHOSE LAST KNOWN ADDRESS WAS WESTOVER, MARYLAND.

B. THAT YOUR HONORS MAY GRANT UNTO THE COMPLAINANTS THE ORDER OF PUBLICATION DIRECTED TO THE SAID NAMED RESPONDENTS, AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE AFORESAID PROPERTIES.

C. THAT THIS HONORABLE COURT PASS A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION OF THE RESPONDENTS AND ANY OF THEM OR ANY OTHER PERSON HAVING OR CLAIMING AN INTEREST IN THE AFORESAID PROPERTIES.

D. THAT YOUR COMPLAINANTS MAY HAVE SUCH OTHER AND FURTHER RELIEF AS THEIR CASE MAY REQUIRE.

AND, AS IN DUTY BOUND, ETC.

(CORPORATE SEAL)

LONG BROTHERS, INC.

ATTEST:

By Robert C. Long
ROBERT C. LONG, PRESIDENT

Edwin D. Long Jr.
EDWIN D. LONG, JR., SECRETARY

AFFIDAVIT OF SOLICITOR

STATE OF MARYLAND,
COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 27th DAY OF JANUARY, 1971, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED LLOYD L. SIMPKINS, OF PRINCESS ANNE, SOMERSET COUNTY, MARYLAND, PERSONALLY KNOWN TO ME AND BEING DULY SWORN TO DEPOSE AND SAY:

1. THAT HE IS A MEMBER OF THE BAR OF THE STATE OF MARYLAND AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
31 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND FOR MORE THAN EIGHTEEN YEARS PRIOR TO THIS DATE, AND THAT HE HAS MADE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE FOLLOWING PROPERTIES:

(A) ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND: BEING SHOWN ON THE COUNTY TAX MAP # 4 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS, BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER 1 2, FOLIO 38; HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

(B) ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES: SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. # 361, AND BEING ON THEEAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE AND THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP: AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81: AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171: HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

(C) ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARLAND, CONTAINING FOUR ACRES,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
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TELEPHONE 651-1400

MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SION POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP # 58 AS PARCEL 119: AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 150, FOLIO 570: AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

AND BOUND NO CONVEYANCES BY OR LIENS AGAINST ANY OF THE PARTIES MENTIONED, AND THAT HE HAS MADE AN EXAMINATION OF THE CHANCERY RECORDS OF SOMERSET COUNTY AND HAS FOUND NO CHANCERY PROCEEDINGS INVOLVING THE LANDS DESCRIBED IN THESE PROCEEDINGS: AND HE HAS EXAMINED THE TESTAMENTARY RECORDS OF SOMERSET COUNTY WITH REGARD TO EACH OF THE SAID PARTIES AND HAS FOUND NO PROCEEDINGS RELATIVE TO BENJAMIN O. COLLINS OR EDWARD R. SKINNER.

Lloyd L. Simpkins (SEAL)
LLOYD L. SIMPKINS, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF MARYLAND, COUNTY OF SOMERSET, THIS 7th DAY OF JANUARY, 1971.

Virginia R. Miles
NOTARY PUBLIC

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | No. 8992 CHANCERY CASES |
| | : | |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS WESTOVER, MARYLAND | : | |
| | : | SOMERSET COUNTY |
| AND | | |
| | : | |
| LONG BROTHERS, INC., A MARYLAND CORPORATION WESTOVER, MARYLAND | : | STATE OF MARYLAND |
| | : | |
| VS. | | |
| | : | IN EQUITY |
| EDWARD R. SKINNER WESTOVER, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

1. ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY, ADJOINING HARRY FONTAINE, JR., HELEN J. RING, ET AL, LAND: BEING SHOWN ON THE COUNTY TAX MAP #40 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY L. CRESTON BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 102, FOLIO 38; HERETOFORE ASSESSED IN THE NAME OF BENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

2. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES: SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. #361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE,

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ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AND ON THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP: AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81: AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171: HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

3. ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THEEAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST" AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP NO. 32 AS PARCEL 119: AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 138, FOLIO 570: AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

**********

ORDER OF PUBLICATION

THE OBJECT OF THESE PROCEEDINGS IS TO SECURE THE FORECLOSURE OF ALL RIGHTS OF REDEMPTION IN AND TO THE PROPERTIES ABOVE DESCRIBED, ALL LYING AND BEING IN SOMERSET COUNTY, MARYLAND, AND SOLD BY CARLOS BOZMAN, TREASURER OF SOMERSET COUNTY, MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREIN.

THE BILL STATES, AMONG OTHER THINGS, THAT THE AMOUNTS NECESSARY FOR THE REDEMPTION OF THE AFORESAID PROPERTIES HAVE NOT BEEN PAID, ALTHOUGH MORE THAN A YEAR AND A DAY FROM THE DATE OF SALE,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

THE SAME BEING AUGUST 27, 1968, HAS EXPIRED; IT IS, THEREUPON, THIS 28th DAY OF January, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, ORDERED THAT NOTICE BE GIVEN BY PBULICATION BY INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING GENERAL CIRCULATION IN SOMERSET COUNTY, ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS, WARNING ALL PERSONS INTERESTED IN SAID PROPERTIES, OR EITHER OF THEM, TO BE AND APPEAR IN THIS COURT BY

Note → THE 31st DAY OF March, 1917, AND REDEEM THE PROPERTIES AND ANSWER THE BILL OF COMPLAINT, OR THEREAFTER A FINAL DECREE WILL BE RENDERED FORECLOSING THE RIGHT OF REDEMPTION IN SAID PROPERTIES, OR EITHER OF THEM, AND VESTING IN THE COMPLAINANT A TITLE TO SAID PROPERTIES, FREE AND CLEAR OF ALL CLAIMS OR ENCUMBRANCES.

S/ E. McMaster Duer
E. McMASTER DUER, CHIEF JUDGE

TRUE COPY, TEST: L. Theodore Rochard Clerk.

LIBER 044 PAGE 55

FILED
FEB 16 11 59 AM '71

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

## The State of Maryland,
## Somerset County, to wit:

TO Benajmin G. Collins
Westover, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of

Long Brothers, Inc., a Maryland Corporation vs. Benjamin G. Collins
and
Long Brothers, Inc., a Maryland Corporation vs. Edward R. Skinner

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..3rd....day of....February....., 19..71....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...31st.....day of.....March....., 19....71. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Simpkins and Simpkins
Name 51 N. Main Street
Princess Anne, Md.
Address

Sheriff's Return:
Non Est as to Benjamin C. Collins Feb. 5, 1971.
Mortuss Est as to Edward Skinner - Feb. 5, 1971.
/s/ Thomas H. Foxwell, Sheriff.

R. Theodore Phoebus
Clerk

*The Eastern Shore Pul ··hing Company*

**MARYLANDER AND HERALD**

*Established In 1826*

*39 Main Street*
*Post Office Box 158*
*Princess Anne, Maryland 21853*
*Phone: 301-651-2000*

Feb 1971

Simpkins & Simpkins
Princess Anne, Md.

---

Long Bros. Inc. vs Collins, Long Bros, E. Skinner

| | | | |
|---|---|---|---|
| Feb 4 11 18 25 | toOrder of Publication 21½ in | @ 2.00 | $ 43.00 |
| | | @ 1.00 | 21.50 |
| | | @ 1.00 | 21.50 |
| | | @ 1.00 | 21.50 |
| | | | $ 107.50 |

certificate enc.

JAMES E. BYRD, EDITOR • CLARENCE L. BYRD, BUSINESS MANAGER • J. BRYAN BYRD, PRODUCTION MANAGER

PRINCESS ANNE, MD., Feb 26, 19 71

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted Feb 4 11 18 25

Business Manager MARYLANDER and HERALD

Order of Pub
Long Bros., Inc.
vs
Collins
Long Bros
Edward Skinner

SIMPKINS AND SIMPKINS

# ORDER OF PUBLICATION

No. 8992 Chancery Cases

In the Circuit Court for Somerset County, State of Maryland, In Equity

Long Brothers, Inc.
A Maryland Corporation
Westover, Maryland

VS

Benjamin G. Collins
Westover, Maryland

AND

Long Brothers, Inc.,
A Maryland Corporation
Westover, Maryland

VS

Edward R. Skinner
Westover, Maryland

and all persons having or claiming any interest in certain real property described as follows:

1. All that lot or parcel of land, about four acres in size, situate in Westover Election District, Somerset County, Maryland, on the South side of the Westover-Manokin State Highway, adjoining Harry Fontaine, Jr., Helen R. Hing, et al, land; being shown on the County Tax Map No. 40 as Parcel 97. And being the property that was conveyed unto Benjamin G. Collins by L. Creston Beauchamp, Trustee, by deed dated October 26, 1931 and recorded the "Race Track Farm" and on the South by the lands of E. Dennett Long, being shown on the County Tax Map No. 32 as Parcel 119; and having been conveyed unto Edward R. Skinner by Alverta Fontaine, et al, by deed dated December 11, 1946 and recorded among the Land Records of Somerset County, Maryland, in Liber No. 138, folio 570; and heretofore assessed to Edward R. Skinner for the years 1965 through 1968.

ORDER OF PUBLICATION

The object of these proceedings is to secure the foreclosure of all rights of redemption in and to the properties above described, all lying and being in Somerset County, Maryland, and sold by Carlos Bozman, Treasurer of Somerset County, Maryland, and Collector of State and County taxes therein.

The Bill states, among other things, that the amounts necessary for the redemption of the aforesaid properties have not been paid, although more than a year and a day from the date of sale, the same being August 27, 1968, has expired; IT IS, thereupon, this 28th day of January, 1971, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by publication by insertion of a copy of this Order in some newspaper having general circulation in Somerset County, once a week for four successive weeks, warning all persons interested in said properties, or either of them, to be and appear in this Court by the 31st day of March, 1971, and redeem the properties and answer the Bill of Complaint, or thereafter a final decree will be rendered foreclosing the right of redemption in said properties, or either of them, and vesting in the complainant a title to said properties, free and clear of all claims or encumbrances.

S|E. McMASTER DUER
TRUE COPY, TEST:
I. THEODORE PHOEBUS
CLERK

41-4tc

| | | |
|---|---|---|
| LONG BROTHERS, INC. | : | NO. 8992 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS, ET AL | : | SOMERSET COUNTY, MARYLAND |
| | : | IN EQUITY |

TO THE HONORABLE, THE JUDES OF THE SAID COURT:

THE PETITION OF LONG BROTHERS, INC., COMPLAINANT, BY SIMPKINS AND SIMPKINS, ITS SOLICITORS, RESPECTFULLY REPRESENT THAT THE ORDER OF PUBLICATION HERETOFORE PASSED IN THIS CAUSE HAS BEEN DULY PUBLISHED ACCORDING TO THE TERMS THEREOF AND THATTHE TIME FOR APPEARING TO AND ANSWERING THE BILL OF COMPLAINT HAS ELAPSED BUT THAT THE RESPONDENTS HAVE NEITHER APPEARED TO NOR ANSWERED THE SAME.

WHEREFORE YOUR PETITIONER PRAYS THE COURT TO PASS A DECREE PRO-CONFESSO AGAINST THE ADULT NON-ANSWERING RESPONDENTS NAMED HEREIN AND ALSO REQUESTS AN ORDER TO TAKE TESTIMONY IN SAID CAUSE.

SIMPKINS AND SIMPKINS

BY Lloyd L. Simpkins
SOLICITORS FOR COMPLAINANT

ORDER OF COURT

IT APPEARING FROM THE PROCEEDINGS IN THE ABOVE CAUSE THAT THE ADULT RESPONDENTS NAMED THEREIN HAVE BEEN DULY NOTIFIED BY PUBLICATION TO APPEAR TO THE BILL OF COMPLAINT FILED AGAINST THEM AND HAVE FAILED TO APPEAR OR FILE AN ANSWER THERETO; IT IS, THEREUPON, THIS 6th DAY OF May, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ADJUDGED, ORDERED AND DECREED THAT THE BILL OF COMPLAINT IN THIS CAUSE BE AND THE SAME IS HEREBY TAKEN PRO-CONFESSO AGAINST THE SAID RESPONDENTS; AND ITIS FURTHER ORDERED THAT TESTIMONY BE TAKEN BEFORE ONE OF THE EXAMINERS IN THIS COURT.

LIBER 044 PAGE 59

William W. Conaway
JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| LONG BROTHERS, INC. | : | NO. 8992 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS, ET AL | : | SOMERSET COUNTY, MARYLAND |
| | : | IN EQUITY |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE PETITION OF LONG BROTHERS, INC., COMPLAINANT, BY SIMPKINS AND SIMPKINS, ITS SOLICITORS, RESPECTFULLY REPRESENTS:

1. THAT THE PETITIONER STANDS READY TO TAKE TESTIMONY IN THE ABOVE CAPTIONED MATTER IN SUPPORT OF ITS BILL OF COMPLAINT FILED HEREIN.

2. THAT THE STANDING EXAMINER IN CHANCERY IN THIS COURT IS INCAPACITATED AND IT IS THEREFORE NECESSARY THAT A SPECIAL EXAMINER BE APPOINTED IN THIS CAUSE.

WHEREFORE, YOUR PETITIONER PRAYS THIS HONORABLE COURT TO PASS AN ORDER APPOINTING VIRGINIA B. MILES AS SPECIAL EXAMINER IN CHANCERY TO EXAMINE THE COMPLAINANT'S WITNESSES AND TAKE TESTIMONY IN THIS CAUSE.

SIMPKINS AND SIMPKINS

BY Lloyd L. Simpkins

ORDER OF COURT

UPON THE AFOREGOING PETITION, IT IS, THIS 6th DAY OF May 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ORDERED THAT VIRGINIA B. MILES BE AND SHE IS HEREBY APPOINTED SPECIAL EXAMINER TO TAKE TESTIMONY IN THE ABOVE CAUSE.

William H. Furness
JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

*Office Of Treasurer Of Somerset County*

*PRINCESS ANNE, MARYLAND*

Long Brothers , Inc.

*To* _____ *Dr.*

District # 13

August 27,1968

| | | | |
|---|---|---|---|
| | Cost Of Sales | $ 26 .50 | |

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

LIBER 044 PAGE 61

Edward R. Skinner

500-6/65

LIBER 044 PAGE 62

CERTIFICATE OF SALE

District # 13

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on August 27, 1968 I sold to Long Brothers, Inc. at public auction for the sum of $ 425.00, of which $ 38.22 has been paid, the property in Somerset County, described as follows: All that four acres of unimproved land on the East side of Back Creek Bridge; bearing tax map # 32-10-119; DEED REFERENCE 138, 570

and assessed to Edward R. Skinner
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 27 day of August 1968

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on August 27, 1968, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

Exhibit "C"

LIBER 044 PAGE 63

PAID
AUG 27 1968

# RECEIPT FOR 1967-1968

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

CARLOS BOZMAN
TREASURER

| NAME & ADDRESS | DISTRICT AND DESCRIPTION | | | BILL & DIST. NUMBER | COUNTY | | STATE | | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| | MAP | BLOCK | PARCEL | | ASSESSMENT | TAX | ASSESSMENT | TAX | |
| J. R. SNIDER<br>& MICHIE MORRIS<br>RT 1 BOX 276<br>SUFFOLK VIRGINIA | 32 | 16 | 11 | 51.413 | 160 | 3.44 | 160 | .27 | 3.71 |
| | | | | | COUNTY INTEREST | Aug. 68 | | | .19 |
| | | | | | STATE INTEREST | | | | .02 |
| | | | | | PENALTY | | | | |
| | | | | | TOTAL | | | | 3.92 |

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL

County Tax Rate.....$2.15 per $100.00
State Tax Rate.....$ .17 per $100.00

LIBER 044 PAGE 64

(3)

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1965-1966

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | 3.12 | [illegible] | .09 | 3.41 |

| | | | |
|---|---|---|---|
| COUNTY INTEREST | Aug. 68 | | .55 |
| STATE INTEREST | | | .09 |
| PENALTY | | | |
| TOTAL | | | 4.05 |

County Tax Rate.....$1.95 per $100.00
State Tax Rate ..... $ .18 per $100.00

ch. 177.06

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1966-1967

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| [illegible] A S H SHINNER<br>[illegible] BOX 370 SUFFOLK VIRGINIA<br>ARCHIE MORRIS | 32 | 10 | 11[illegible] | 50.713 | 160 | 3.12 | 1[illegible] | .24 | 3.36 |

| | | | |
|---|---|---|---|
| COUNTY INTEREST | Aug. 68 | | .36 |
| STATE INTEREST | | | .03 |
| PENALTY | | | |
| TOTAL | | | 3.75 |

County Tax Rate.....$1.95 per $100.00
State Tax Rate.....$ .15 per $100.00

Benjamin G. Collins

500-6/65

## CERTIFICATE OF SALE

District # 13

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on August 27, 1968 I sold to Long Brothers, Inc. at public auction for the sum of $ 260.00 , of which $ 46.25 has been paid, the property in Somerset County, described as follows: All that four acres of unimproved land on the South side of Rt. # 361; bearing tax map # 40-9081;

and assessed to Benjamin G. Collins
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 27 day of August 1968

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on August 27, 1968, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

LIBER 044 PAGE 65

Gertrude N. Bozman
Notary Public

Exhibit "B"

LIBER U44 PAGE 66

*Office Of Treasurer Of Somerset County*

*PRINCESS ANNE, MARYLAND*

Long Brothers, Inc.

*To* _____ *Dr.*

District # 13 August 27,1968

| | | |
|---|---|---|
| Cost Of Sales | | $ 26.50 |

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1966-1967

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | | | BILL & DIST. NUMBER | COUNTY | | STATE | | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| | MAP | BLOCK | PARCEL | | ASSESSMENT | TAX | ASSESSMENT | TAX | |
| BENJAMIN G COLLINS<br>~~[illegible] ELLICK ST~~<br>PHILA 27 PENNA<br>1528 Lambert St. | 40 | 9 | 61 | 10413 | 200 | 3.90 | 200 | .30 | 4.20 |
| | | | | | | COUNTY INTEREST | Aug 68 | | .45 |
| | | | | | | STATE INTEREST | | | .03 |
| | | | | | | PENALTY | | | |
| | | | | | | TOTAL | | | 4.68 |

County Tax Rate.....$1.95 per $100.00
State Tax Rate.....$ .15 per $100.00

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL.

LIBER U44 PAGE 67

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1967-1968

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | | | BILL & DIST. NUMBER | COUNTY | | STATE | | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| | MAP | BLOCK | PARCEL | | ASSESSMENT | TAX | ASSESSMENT | TAX | |
| BENJAMIN G. COLLINS<br>PHILA PA<br>1529 Lambert St. 19121 | | | | | | | | | |
| | | | | | | COUNTY INTEREST | Aug. 68 | | .24 |
| | | | | | | STATE INTEREST | | | .02 |
| | | | | | | PENALTY | | | |
| | | | | | | TOTAL | | | 4.90 |

County Tax Rate.....$2.15 per $100.00
State Tax Rate.....$ .17 per $100.00

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL.

USED 1964 PAGE 68

(2)

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1964

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|
| [redacted] 21 1528 Lambert St. | | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| | | | | COUNTY INTEREST | Aug 68 | | .90 |
| | | | | STATE INTEREST | | | .07 |
| | | | | PENALTY | | | |
| | | | | TOTAL | | | 5.17 |

County Tax Rate.....$1.95 per $100.00
State Tax Rate.....$ .15 per $100.00

~~BACK TAXES DUE~~

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1965-1966

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| [redacted] 1528 Lambert St. | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| | | | | | | COUNTY INTEREST | Aug 68 | | .68 |
| | | | | | | STATE INTEREST | | | .06 |
| | | | | | | PENALTY | | | |
| | | | | | | TOTAL | | | 5.00 |

County Tax Rate.....$1.95 per $100.00
State Tax Rate.....$ .18 per $100.00

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL.

*Office Of Treasurer Of Somerset County*

*PRINCESS ANNE, MARYLAND*

Long Brothers , Inc.

*To* _____ *Dr.*

District # 13 August 27,1968

| | | |
|---|---|---|
| Cost Of Sales | $ 26 | .50 |

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

FI
MAY 10 1

LIBER 044 PAGE 69

Benjamin G. Collins

500-6/65

LIBER 044 PAGE 70

CERTIFICATE OF SALE

District # 13

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on August 27, 1968 I sold to Long Brothers, Inc. at public auction for the sum of $ 275.00, of which $ 92.79 has been paid, the property in Somerset County, described as follows: All that four acres of unimproved land on the South side of Rt. # 361, bearing tax map # 40-1-97, DEED REFERENCE 102, 38;

and assessed to Benjamin G. Collins
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 27 day of August 1968

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on August 27, 1968, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

Exhibit "A"

LIBER 044 PAGE 71

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1967-1968

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | | | BILL & DIST. NUMBER | COUNTY | | STATE | | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| | MAP | BLOCK | PARCEL | | ASSESSMENT | TAX | ASSESSMENT | TAX | |
| [illegible] G. COLLINS | 40 | 1 | 47 | 10413 | [illegible] | [illegible] | [illegible] | 1.01 | [illegible] |

PAID TAXES MUST BE PAID BEFORE PAYING THIS BILL

| | | | |
|---|---|---|---|
| COUNTY INTEREST | Aug 68 | | .70 |
| STATE INTEREST | | | .06 |
| PENALTY | | | |
| TOTAL | | | 14.56 |

County Tax Rate.....$2.15 per $100.00
State Tax Rate .....$ .17 per $100.00

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1965-1966

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | | | BILL & DIST. NUMBER | COUNTY | | STATE | | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| | MAP | BLOCK | PARCEL | | ASSESSMENT | TAX | ASSESSMENT | TAX | |
| EDWARD G COLLINS | [illegible] | 1 | 97 | 11013 | 595 | 11.60 | 595 | 1.07 | 12.67 |
| | | | | | COUNTY INTEREST | Aug. 68 | | | 2.03 |
| | | | | | STATE INTEREST | | | | .19 |
| | | | | | PENALTY | | | | |
| | | | | | TOTAL | | | | 14.89 |

County Tax Rate.....$1.95 per $100.00
State Tax Rate.....$ .18 per $100.00

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL.

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1966-1967

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | | | BILL & DIST. NUMBER | COUNTY | | STATE | | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| | MAP | BLOCK | PARCEL | | ASSESSMENT | TAX | ASSESSMENT | TAX | |
| EDWARD G COLLINS | 40 | 1 | 97 | 10513 | 595 | 11.60 | 595 | .89 | 12.49 |
| | | | | | COUNTY INTEREST | Aug. 68 | | | 1.33 |
| | | | | | STATE INTEREST | | | | .10 |
| | | | | | PENALTY | | | | |
| | | | | | TOTAL | | | | 13.92 |

County Tax Rate.....$1.95 per $100.00
State Tax Rate.....$ .15 per $100.00

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL.

LIBER 0 44 PAGE 72

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PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1963

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|
| BENJAMIN G. COLLINS | 4 ACRES & HOUSE | 105 13 | BAL | 3.47 | | | 3.47 |
| | | | | COUNTY INTEREST | AUG. 68 | | 4.02 |
| | | | | STATE INTEREST | | | |
| | | | | PENALTY | | | |
| | | | | TOTAL | | | 7.49 |

County Tax Rate ..... $1.95 per $100.00
State Tax Rate ..... $ .15 per $100.00

LIBER 044 PAGE 73

PAID
AUG 27 1968
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1964

COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

| NAME & ADDRESS | PROPERTY DESCRIPTION | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| | | | | COUNTY INTEREST | Aug. 68 | | 2.73 |
| | | | | STATE INTEREST | | | .21 |
| | | | | PENALTY | | | |
| | | | | TOTAL | | | 15.43 |

County Tax Rate ..... $1.95 per $100.00
State Tax Rate ..... $ .15 per $100.00

BACK TAXES DUE

| | | |
|---|---|---|
| LONG BROTHERS, INC. | : | NO. 8992 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| EDWARD R. SKINNER | : | IN EQUITY |

TESTIMONY

IN THIS CAUSE, TESTIMONY HAVING TO BE TAKEN TO SUPPORT THE ALLEGATIONS OF THE BILL OF COMPLAINT, I, VIRGINIA B. MILES, OF PRINCESS ANNE, MARYLAND, EXAMINER IN CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, DULY APPOINTED AND QUALIFIED, DO HEREBY CERTIFY, THAT ON THIS 10th DAY OF MAY, 1971, IN SOMERSET COUNTY AFORESAID, I DID TAKE THE FOLLOWING TESTIMONY, TO WIT:

EXAMINATION BY LLOYD L. SIMPKINS, ESQUIRE.

ROBERT C. LONG, A WITNESS OF LAWFUL AGE, AND PRESIDENT OF THE PLAINTIFF CORPORATION, BEING DULY SWORN, DEPOSES AND SAYS:

Q. PLEASE STATE YOUR NAME, RESIDENCE AND OCCUPATION.
A. ROBERT C. LONG, I RESIDE IN WESTOVER, SOMERSET COUNTY, MARYLAND AND I AM PRESIDENT OF LONG BROTHERS, INC.

Q. ARE YOU FAMILIAR WITH THE PROPERTIES MENTIONED IN THIS ACTION?
A. YES, I AM. ON AUGUST 27, 1968, LONG BROTHERS, INC. PURCHASED THREE PIECES OF PROPERTY AT A TAX SALE CONDUCTED IN PRINCESS ANNE, MARYLAND, BY MR. CARLOS BOZMAN, THE COLLECTOR OF TAXES AND HE ISSUED TO IT THE THREE CERTIFICATES OF SALE ON THAT DATE, ONE FOR EACH PROPERTY. THE PURCHASE PRICE FOR PARCEL 1 IN THE BILL OF COMPLAINT DESCRIBED WAS $275.00; THE PURCHASE PRICE FOR PARCEL 2 IN SAID BILL WAS $260.00 AND THE PURCHASE PRICE FOR PARCEL 3 THEREIN WAS $425.00.

Q. ARE THESE THE SAME THREE CERTIFICATES WHICH ARE MENTIONED IN THESE PROCEEDINGS AND FILED AS EXHIBITS "A", "B" AND "C"?
A. YES, THEY ARE.

Q. HAVE YOU RECEIVED FROM ANYONE ANY NOTICE OF REDEMPTION OF THESE PROPERTIES OR HAS ANYONE ATTEMPTED TO REDEEM THEM OR HAS ANY MONEY OR REFUND BEEN PAID TO YOU FOR THE CERTIFICATES WHICH YOU HAVE DESCRIBED?
A. NO, NO ONE HAS CONTACTED ME CONCERNING THEM.

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Q. WHAT, IF ANYTHING, HAS BEEN DONE TO ASCERTAIN WHETHER THESE PROPERTIES WERE PROPERLY ASSESSED OR WHETHER THEY HAD BEEN CONVEYED AWAY OR WHETHER ANY OTHER DISPOSITION OF THE PROPERTIES MIGHT HAVE BEEN MADE?
A. WE EMPLOYED THE FIRM OF SIMPKINS AND SIMPKINS, ATTORNEYS AT LAW, PRINCESS ANNE, MARYLAND, TO MAKE AN EXAMINATION OF THE PUBLIC RECORDS TO ASCERTAIN THESE MATTERS AND TO TAKE SUCH STEPS REQUIRED BY LAW TO FORECLOSE THE RIGHTS OF REDEMPTION.

COURT'S QUESTION:
NOTHING MORE.

Robert C. Long (SEAL)
ROBERT C. LONG, PRESIDENT OF
LONG BROTHERS, INC., PLAINTIFF

Virginia B. Miles
VIRGINIA B. MILES, EXAMINER

LLOYD L. SIMPKINS, A WITNESS OF LAWFUL AGE, PRODUCED ON BEHALF OF THE PLAINTIFF, BEING DULY SWORN, DEPOSES AND SAYS:

I AM LLOYD L. SIMPKINS AND I RESIDE IN PRINCESS ANNE, MARYLAND. I AM AN ATTORNEY AT LAW AND HAVE MY OFFICE IN PRINCESS ANNE. I WAS EMPLOYED BY THE PLAINTIFF IN THIS ACTION TO MAKE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE OWNERSHIP AND EXISTENCE OF LIENS ON THE PROPERTIES IN QUESTION AND TO TAKE SUCH STEPS AS ARE NECESSARY BY LAW TO NOTIFY THE FORMER OWNERS OF RECORD OR ANY PERSONS WHO MIGHT BE INTERESTED IN SAID PROPERTIES OF THEIR RIGHT TO REDEEM THE SAME. I PERSONALLY EXAMINED THE AFORSAID RECORDS AND HAVE PREVIOUSLY FILED AN AFFIDAVIT IN THESE PROCEEDINGS AND I NOW RE-AFFIRM THE CONTENTS OF THAT AFFIDAVIT AS MY TESTIMONY IN THESE PROCEEDINGS. I ALSO CAUSED TO BE PUBLISHED THE ORDER OF PUBLICATION HEREIN, AS WILL MORE FULLY APPEAR BY THE PRINTERS' CERTIFICATE, DATED FEB. 26, 1971, AND FILED HEREIN. I ALSO, ON JANUARY 28, 1971 MAILED TRUE COPIES OF THE BILL OF COMPLAINT AND ORDER OF PUBLICATIONS TO THE DEFENDANTS HEREIN BY REGISTERED MAIL, RETURN RECEIPT REQUESTED AND DID FILE IN THESE PROCEEDINGS A CERTIFICATION OF ATTEMPTED SERVICE BY REGISTERED MAIL. NO PERSON OR PERSONS HAVE MADE ANY OFFER TO ME OR TO MY OFFICE TO REDEEM THE PROPERTIES DESCRIBED IN THIS ACTION; NOR HAS ANYONE DISCLOSED TO ME ANY INTENTION TO REDEEM THE SAME.

COURT'S QUESTION.
NOTHING FURTHER.

Lloyd L. Simpkins (SEAL)
LLOYD L. SIMPKINS

Virginia B. Miles
VIRGINIA B. MILES, EXAMINER

CARLOS BOZMAN, A WITNESS PRODUCED ON BEHALF OF THE PLAINTIFF, BEING DULY SWORN, DEPOSES AND SAYS:

Q. PLEASE STATE YOUR NAME, RESIDENCE AND OCCUPATION.
A. CARLOS BOZMAN, I RESIDE IN SOMERSET COUNTY, MARYLAND, AND I AM THE DULY ELECTED AND QUALIFIED TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES FOR SOMERSET COUNTY.

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Q. DID YOU ISSUE THE THREE CERTIFICATES OF SALE FILED IN THESE PROCEEDINGS?
A. YES, I ISSUED THEM ON AUGUST 27, 1968 TO LONG BROTHERS, INC. AS THE PURCHASER OF THE THREE PROPERTIES AT THE TAX SALE HELD BY ME IN MY OFFICIAL CAPACITY ON THAT DATE.

Q. PRIOR TO THE OFFERING OF THESE PROPERTIES FOR TAX SALE, DID YOU OR YOUR OFFICE RECEIVE DUE NOTICE OF ASSESSMENT OF THESE PROPERTIES?
A. YES.

Q. AND DID YOU OR YOUR OFFICE ISSUE TAX BILLS FOR THE PROPERTIES FOR THE YEARS FOR WHICH THEY WERE SOLD?
A. YES.

Q. AND DID YOU OR YOUR OFFICE COMPLY WITH ALL THE REQUIREMENTS OF THE LAW CONCERNING THE TAX SALES OF THESE PROPERTIES?
A. YES, THE PROPERTIES WERE DULY ASSESSED, BILLS WERE FORWARDED AND I COMPLIED WITH ALL THE PRE-REQUISITES OF LAW IN REGARD TO THE TAX SALES.

Q. HAVE YOU RECEIVED ANY NOTICE FROM ANYONE OF AN INTENTION TO REDEEM THE SAME OR ANY OFFER FOR PAYMENT ON ACCOUNT OF SUCH REDEMPTION FROM ANY PERSON?
A. NO, I HAVE NOT.

COURT'S QUESTION.
A. NOTHING FURTHER.

(SEAL)
CARLOS BOZMAN, TREASURER

VIRGINIA B. MILES, EXAMINER

THERE BEING NO FURTHER WITNESSES TO BE EXAMINED AND AT THE SUGGESTION OF THE ATTORNEY FOR THE PLAINTIFF, THE PAPERS ARE HEREWITH RETURNED TO THE COURT, CLOSED UNDER MY HAND AND SEAL. I HEREBY CERTIFY THAT THIS ANNEXED BILL OF COSTS IS CORRECT AND PAID BY THE PLAINTIFF AND I FURTHER CERTIFY THAT THIS EXAMINATION WAS CONDUCTED IN COMPLIANCE WITH GENERAL EQUITY RULE 580G. IN THE JUDGMENT OF THE EXAMINER, NO EXAMINATION OR CROSS-EXAMINATION WAS PROPER OR NECESSARY FOR A FULL PRESENTATION OF THE TRUE FACTS IN THIS CASE. THERE WERE NO IRREGULARITIES OR UNUSUAL CIRCUMSTANCES IN THE TAKING OF THE TESTIMONY IN THIS CAUSE OR IN THE CONDUCT OF THE PROCEEDINGS.

AS WITNESS MY HAND AND SEAL.

BILL OF COSTS: $10.00

(SEAL)
VIRGINIA B. MILES, EXAMINER

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
81 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| LONG BROTHERS, INC. | : | NO. 8992 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| BENJAMIN G. COLLINS, ET AL | : | SOMERSET COUNTY, MARYLAND |
| | : | IN EQUITY |

DECREE

THE ABOVE ENTITLED CAUSE COMING ON FOR HEARING, THEPROCEEDINGS WERE READ AND CONSIDERED, AND IT IS THEREUPON, THIS 25 DAY OF June, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, SITTING IN EQUITY, ADJUDGED, ORDERED AND DECREED THAT THE PROPERTIES MENTIONED AND DESCRIBED IN THESE PROCEEDINGS AS HAVING BEEN SOLD TO LONG BROTHERS, INC. BY CARLOS BOZMAN, TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES IN SAID SOMERSET COUNTY, ON AUGUST 27, 1968 ARE THE PROPERTIES OF LONG BROTHERS, INC, IT APPEARING FROM THE TESTIMONY THAT THE PROPERTIES WERE SOLD AT SAID TAX SALE UNTO SAID LONG BROTHERS, INC, AND THAT ALL OF THE RIGHT, TITLE AND INTEREST OF BENJAMIN G. COLLINS AND EDWARD R. SKINNER AND ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST IN AND TO THE REAL ESTATE MENTIONED AND DESCRIBED IN THESE PROCEEDINGS, BE AND THE SAME ARE HEREBY FORECLOSED TO THE END THAT THE SAID LONG BROTHERS, INC. MAY AND IT IS HEREAFTER TO HAVE AND TO HOLD SAID PROPERTIES BY GOOD AND MERCHANTABLE FEE SIMPLE TITLE, SAID PROPERTIES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FIRST: ALL THAT LOT OR PARCEL OF LAND, ABOUT FOUR ACRES IN SIZE, SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTH SIDE OF THE WESTOVER-MANOKIN STATE HIGHWAY; ADJOINING HARRY FONTAINE., JR., HELEN J. RING, ET AL. AND BEING SHOWN ON THE COUNTY TAX MAP #40 AS PARCEL 97. AND BEING THE PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY L. CRESTON

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TELEPHONE 651-1400

BEAUCHAMP, TRUSTEE, BY DEED DATED OCTOBER 26, 1931 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 102, FOLIO 38; HERETOFORE ASSESSED IN THE NAME OF GENJAMIN G. COLLINS FOR THE YEARS 1963 THROUGH 1968.

SECOND: ALL THAT LOT OR PARCEL OF LAND SITUATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONSISTING OF FIVE AND ONE-EIGHTH ACRES, SAID PROPERTY BEING SOUTH OF, BUT NOT ADJOINING MARYLAND RT. #361, AND BEING ON THE EAST SIDE OF A PRIVATE ROAD AND BEING BOUNDED ON THE NORTH BY THE PROPERTY OF ETHEL GORDY, AND ON THE EAST BY THE PROPERTY OF SHERMAN FONTAINE, AND ON THE SOUTH BY THE PROPERTY OF WILLIAM BEAUCHAMP; AND BEING SHOWN ON COUNTY TAX MAP NO. 40 AS PARCEL 81; AND BEING THE SAME PROPERTY THAT WAS CONVEYED UNTO BENJAMIN G. COLLINS BY EDGAR P. COLLINS, BY DEED DATED MAY 28, 1923 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 87, FOLIO 171; HERETOFORE ASSESSED TO BENJAMIN G. COLLINS FOR THE YEARS 1964 THROUGH 1968.

THIRD: ALL THAT LOT OR PARCEL OF LAND SITATE IN WESTOVER ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, CONTAINING FOUR ACRES, MORE OR LESS, AND BEING ON THE EAST SIDE OF A COUNTY ROAD LEADING FROM WESTOVER TO "SIGN POST", AND BOUNDED ON THE NORTH BY THE LAND OF LENA RICHARDSON AND ON THE EAST BY THE "RACE TRACK FARM" AND ON THE SOUTH BY THE LANDS OF E. DENNETT LONG; BEING SHOWN ON THE COUNTY TAX MAP #32 AS PARCEL 119; AND HAVING BEEN CONVEYED UNTO EDWARD R. SKINNER BY ALVERTA FONTAINE, ET AL, BY DEED DATED DECEMBER 11, 1946 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 138, FOLIO 570; AND HERETOFORE ASSESSED TO EDWARD R. SKINNER FOR THE YEARS 1965 THROUGH 1968.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED THAT THE SAID

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

CARLOS BOZMAN, TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES HEREIN, EXECUTE AND DELIVER UNTO THE SAID LONG BROTHERS, INC. A GOOD AND SUFFICIENT DEED UNDER THE LAWS OF THE STATE OF MARYLAND, TO CONVEY UNTO IT, ITS SUCCESSORS AND ASSIGNS, FOREVER IN FEE SIMPLE, THE ABOVE DESCRIBED PROPERTIES UPON THE PAYMENT OF ANY BALANCE OF TAXES DUE ON SAID PROPERTY, IF ANY, FROM AND AFTER THE LAST OF THE YEARS TO COLLECT THE TAXES DUE FOR WHICH SAID TAX SALE WAS MADE, TOGETHER WITH ALL INTEREST AND PENALITIES ACCRUED THEREON.

E. McMaster Duer

E. MCMASTER DUER, CHIEF JUDGE

LIBER U44 PAGE 70

NOV 18 1970

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
21 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Rt 53321

LIBER 044 PAGE 80

| | | |
|---|---|---|
| CLYDE MARRINER<br>PRINCESS ANNE, MARYLAND | : | No. 9000 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD<br>PRINCESS ANNE, MARYLAND | : | SOMERSET COUNTY. |
| AND | : | STATE OF MARYLAND |
| OLIN W. STERLING AND<br>ORIE L. TAWES, JR.,<br>CO-PARTNERS, TRADING AS<br>O. L. TAWES & COMPANY<br>CRISFIELD, MARYLAND | : | IN EQUITY |
| JAMES RITZEL, TRADING AS<br>WESTOVER MILLS<br>WESTOVER, MARYLAND | : | |
| AND | : | |
| BANK OF SOMERSET, A BODY<br>CORPORATE OF PRINCESS<br>ANNE, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

ALL THAT LOT OR PARCEL OF LAND CONSISTING OF APPROXIMATELY THIRTEEN (13) ACRES, IN EAST PRINCESS ANNE ELECTION DISTRICT, BOUNDED ON THE EAST BY SALLY A. PURNELL, ON THE SOUTH BY THE PERRYHAWKIN ROAD AND ON THE WEST BY THE LAND OF HERMAN CANNON, ET AL; BEARING COUNTY TAX MAP NO. 16-24-115; BEING THE SAME LAND WHICH WAS CONVEYED UNTO MARY CATHERINE ARNOLD BY VIRGIL C. MARRINER, ET UX, BY DEED DATED AUGUST 24, 1948 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 145, FOLIO 266; HERETOFORE ASSESSED TO MARY CATHERINE ARNOLD FOR THE YEARS 1965 THROUGH 1969.

**********

BILL OF COMPLAINT

TO THE HONORADLE, THE JUDGES OF SAID COURT:

YOUR COMPLAINANT, CLYDE MARRINER, BY SIMPKINS AND SIMPKINS,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
81 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

HIS SOLICITORS, RESPECTFULLY REPRESENTS:

1. THAT THE COMPLAINANT IS A RESIDENT OF SOMERSET COUNTY, STATE OF MARYLAND.

2. THAT ON JUNE 17, 1969, THERE WAS ISSUED TO THE COMPLAINANT BY CARLOS BOZMAN, COLLECTOR OF TAXES FOR SOMERSET COUNTY, MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREFOR, THE FOLLOWING CERTIFICATE OF SALE, SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $122.70 AND THE SALE TO THE COMPLAINANT ON SAID DATE OF "ALL THAT LOT OF LAND CONSISTING OF THIRTEEN ACRES, BOUNDED ON THE EAST BY THE LAND OF SALLIE A. PURNELL, ON THE SOUTH BY THE PERRYHAWKIN ROAD AND ON THE WEST BY THE LAND OF HERMAN CANNON, ET AL; BEARING COUNTY TAX MAP #16-24-115; DEED REFERENCE 145/266; AND ASSESSED TO MARY CATHERINE ARNOLD.

3. THAT THE ABOVE PROPERTY HAS NOT BEEN REDEEMED BY ANY PARTY OF INTEREST, ALTHOUGH MORE THAN ONE YEAR FROM THE DATE OF THE SALE HAS EXPIRED.

4. THAT YOUR COMPLAINANT HAS CAUSED THE LAND AND TESTAMENTARY RECORDS OF SOMERSET COUNTY TO BE EXAMINED BY LLOYD L. SIMPKINS, A MEMBER OF THE BAR OF THE STATE OF MARYLAND, WHOSE AFFIDAVIT IS ATTACHED HERETO, AND IN RELIANCE UPON WHICH, YOUR COMPLAINANT ALLEGES AND AVERS THAT THE SAID MARY CATHERINE ARNOLD HAS NEVER CONEEYED, ACCORDING TO THE RECORDS, ANY OF THE REAL ESTATE STANDING IN HER NAME AND STATES IN SAID AFFIDAVIT THE LIENS AND ENCUMBRANCES ON SAID PROPERTY AS FOLLOWS:

JUDGMENT IN FAVOR OF OLIN W. STERLING & ORIE L. TAWES, JR. TRADING AS O. L. TAWES & COMPANY, IN THE AMOUNT OF $1,375.31 PLUS INTEREST AND COST OF SUIT.

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JUDGMENT IN FAVOR OF JAMES RITZEL, TRADING AS WESTOVER MILLS, IN THE AMOUNT OF $62.34, PLUS INTEREST AND COST OF SUIT.

JUDGMENT IN FAVOR OF BANK OF SOMERSET IN THE AMOUNT OF $498.35, PLUS INTEREST AND COST.

5. THAT THE AMOUNTS NECESSARY TO REDEEM THE PROPERTY ARE THE AMOUNTS SHOWN ON THE CERTIFICATE AFORESAID AND COURT COST, AND A REASONABLE ATTORNEYS' FEE TO THE ATTORNEY FOR THE COMPLAINANT.

WHEREFORE, YOUR COMPLAINANT PRAYS:

A. THAT A SUBPOENA BE ISSUED FOR THE RESPONDENT, MARY CATHERINE ARNOLD, WHOSE ADDRESS IS UNKNOWN BUT WHOSE LAST KNOWN ADDRESS WAS PRINCESS ANNE, MARYLAND.

B. THAT YOUR HONORS MAY GRANT UNTO THE COMPLAINT THE ORDER OF PUBLICATION DIRECTED TO THE SAID RESPONDENT AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE AFORESAID PROPERTY.

C. THAT THIS HONORABLE COURT PASS A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION OF THE RESPONDENTS AND ANY OF THEM OR ANY OTHER PERSON HAVING OR CLAIMING AN INTEREST IN THE AFORESAID PROPERTY.

D. THAT YOUR COMPLAINANT MAY HAVE SUCH OTHER AND FURTHER RELIEF AS HIS CASE MAY REQUIRE.

AND, AS IN DUTY BOUND, ETC.

Clyde Marriner
CLYDE MARRINER, COMPLAINANT

SIMPKINS AND SIMPKINS
BY Lloyd L. Simpkins
LLOYD L. SIMPKINS,
ATTORNEYS FOR COMPLAINANT

AFFIDAVIT OF SOLICITOR

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 25th DAY OF February, 1971,

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
81 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED LLOYD L. SIMPKINS, OF PRINCESS ANNE, SOMERSET COUNTY, MARYLAND, PERSONALLY KNOWN TO ME AND BEING DULY SWORN TO DEPOSE AND SAY:

1. THAT HE IS A MEMBER OF THEBAR OF THE STATE OF MARYLAND AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND, FOR MORE THAN EIGHTEEN YEARS PRIOR TO THIS DATE, AND THAT HE HAS MADE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE FOLLOWING PROPERTY:

ALL THAT LOT OR PARCEL OF LAND CONSISTING OF APPROXIMATELY THIRTEEN (13) ACRES, IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, BOUNDED ON THE EAST BY THE LAND OF SALLY A. PURNELL, ON THE SOUTH BY THE PERRYHAWKIN ROAD AND ON THE WEST BY THE LAND OF HERMAN CANNON, ET AL; BEARING COUNTY TAX MAP NO. 16-24-115; BEING THE SAME LAND WHICH WAS CONVEYED UNTO MARY CATHERINE ARNOLD BY VIRGIL C. MARRINER, ET UX, BY DEED DATED AUGUST 24, 1948 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 145, FOLIO 266; HERETOFORE ASSESSED TO MARY CATHERINE ARNOLD FOR THE YEARS 1965 THROUGH 1969.

AND HE FOUND THE FOLLOWING LIENS AND ENCUMBRANCES:

A. JUDGMENT IN FAVOR OF OLIN W. STERLING & ORIE L. TAWES, JR., TRADING AS O. L. TAWES & COMPANY, IN THE AMOUNT OF $1,375.31, PLUS INTEREST AND COST OF SUIT.

B. JUDGMENT IN FAVOR OF JAMES RITZEL, TRADING AS WESTOVER MILLS, IN THE AMOUNT OF $62.34, PLUS INTEREST AND COST OF SUIT.

C. JUDGMENT IN FAVOR OF THE BANK OF SOMERSET, IN THE AMOUNT OF $498.35, PLUS INTEREST AND COST OF SUIT.

AND HE MADE AN EXAMINATION OF THE LAND RECORDS OF SOMERSET

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

DOUNTY AND FOUND NO CONVEYANCES BY THE SAID COMPLAINANT; AND MADE AN EXAMINATION OF THE CHANCERY RECORDS OF SOMERSET COUNTY AND HAS FOUND NO CHANCERY PROCEEDINGS INVOLGING THE LAND DESCRIBED IN THIS PROCEEDING; AND HE EXAMINED THE TESTAMENTARY RECORDS OF SOMERSET WITH REGARD TO SAID COMPLAINANT AND HAS FOUND NO PROCEEDING RELATIVE THERETO.

Lloyd L. Simpkins (SEAL)
LLOYD L. SIMPKINS, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF MARYLAND, COUNTY OF SOMERSET, THIS 25th DAY OF February, 1971.

Virginia B. Miles
NOTARY PUBLIC

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY, MARYLAND

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| CLYDE MARRINER<br>PRINCESS ANNE, MARYLAND | : | No. 9000 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD<br>PRINCESS ANNE, MARYLAND | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| OLIN W. STERLING AND<br>ORIE L. TAWES, JR.,<br>CO-PARTNERS, TRADING AS<br>O. L. TAWES & COMPANY<br>CRISFIELD, MARYLAND | : | IN EQUITY |
| JAMES RITZEL, TRADING AS<br>WESTOVER MILLS,<br>WESTOVER, MARYLAND | : | |
| AND | : | |
| BANK OF SOMERSET, A BODY<br>CORPORATE OF<br>PRINCESS ANNE, MARYLAND | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

ALL THAT LOT OR PARCEL OF LAND CONSISTING OF APPROXIMATELY THIRTEEN (13) ACRES, IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, BOUNDED ON THE EAST BY THE LAND OF SALLY A. PURNELL, ON THE SOUTH BY THE PERRYHAWKIN ROAD AND ON THE WEST BY THE LAND OF HERMAN CANNON, ET AL, BEARING COUNTY TAX MAP NO. 16-24-115; BEING THE SAME LMD WHICH WAS CONVEYED UNTO MARY CATHERINE ARNOLD BY VIRGIL C. MARRINER, ET UX, BY DEED DATED AUGUST 24, 1948 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 145, FOLIO 266; HERETOFORE ASSESSED TO MARY CATHERINE ARNOLD BY THE YEARS 1965 THROUGH 1969

**********

ORDER OF PUBLICATION

THE OBJECT OF THESE PROCEEDINGS IS TO SECURE THE FORECLOSURE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 044 PAGE 86

OF ALL RIGHTS OF REDEMPTION IN AND TO THE PROPERTY ABOVE DESCRIBED, AND SOLD BY CARLOS BOZMAN, TREASURER OF SOMERSET COUNTY, MARYLAND AND COLLECTOR OF STATE AND COUNTY TAXES THEREIN.

THE BILL STATES, AMONG OTHER THINGS, THAT THE AMOUNTS NECESSARY FOR THE REDEMPTION OF THE AFORESAID PROPERTY HAS NOT BEEN PAID, ALTHOUGH MORE THAN A YEAR AND A DAY FROM THE DATE OF SALE, THE SAME BEING JUNE 17, 1969, HAS EXPIRED: IT IS THEREUPON, THIS 25th DAY OF February, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, ORDERED, THAT NOTICE BE GIVEN BY PUBLICATION BY INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING GENERAL CIRCULATION IN SOMERSET COUNTY, ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS, WARNING ALL PERSONS INTERESTED IN SAID PROPERTY TO BE AND APPEAR IN THIS COURT BY THE 28th DAY OF April, 1971, AND REDEEM THE PROPERTY AND ANSWER THE BILL OF COMPLAINT, OR THEREAFTER A FINAL DECREE WILL BE RENDERED FORECLOSING THE RIGHT OF REDEMPTION IN SAID PROPERTY AND VESTING IN THE COMPLAINANT A TITLE TO SAID PROPERTY, FREE AND CLEAR OF ALL CLAIMS OR ENCUMBRANCES.

E. McMaster Duer
JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

800-6/65

#15

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on June 17, 1969, I sold to Clyde Marriner at public auction for the sum of $ 1,150.00 of which $ 122.70 has been paid, the property in Somerset County, described as follows: All that lot of land consisting of thirteen acres, bounded on the East by the land of Sallie A. Purnell, on the South by the Perryhawkin Road and on the West by the land of Herman Cannon, et al; bearing county tax map #16-24-115; deed reference 145/266;

and assessed to Mary Catherine Arnold.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 17th. day of June 1969.

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on June 17, 1969, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude N. Bozman
Notary Public

Certified this 16th, day of February 1971 to be a true copy of the original as taken from the official records of the office of County Treasurer for Somerset County, Md.

Carlos Bozman, Treasurer

LIBER 044 PAGE 87

**WRIT OF SUBPOENA:** LIBER 014 PAGE 88

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Mary Catherine Arnold
Princess Anne, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clyde Marriner
vs.
Mary Catherine Arnold, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...25.....day of...February....., 19..71....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...28th.....day of....April....., 19..71... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Simpkins and Simpkins
Name

Princess Anne, Maryland
Address

L. Theodore Phoebus
Clerk

*Sheriff's Return*
*Non Est as to Mary Catherine Arnold*
*3/1/71 /s/ Thomas H. Foxwell, Sheriff,*

LIBER 014 PAGE 89

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Olin W. Sterling and
Orie L. Tawes, Jr.,
Co-Partners, Trading as
O. L. Tawes & Company
Crisfield, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clyde Marriner
vs.
Mary Catherine Arnold, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..25.....day of....February....., 19..71....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....28th...day of....April....., 19....71.. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

...Simpkins and Simpkins.....
Name

Princess Anne, Maryland
Address

I. Theodore Phelps
Clerk

LIBER 044 PAGE 90

No- 9000 Chancery Case

In the Circuit Court for
Somerset County, Maryland

Clyde Marriner
Princess Anne, Maryland

Versus

Mary Catherine Arnold
Princess Anne, Maryland
and
Olin W. Sterling and
Orie L. Tawes, Jr.,
Co-Partners, Trading as
O. L. Tawes & Company
Crisfield, Maryland

James Ritzel, Trading as
Westover Mills
Westover, Maryland
and
Bank of Somerset, a
body corporate of
Princess Anne, Maryland

Subpoena &c

TO BE SERVED UPON:

Olin W. Sterling and
Orie L. Tawes, Jr.,
Co-Partners, Trading as
O. L. Tawes & Company
Crisfield, Maryland

Simpkins and Simpkins
Attorneys for Complainant
Princess Anne, Maryland

SHERIFF'S RETURN

Summoned and copy of Writ of Subpoena, Affidavit of Solicitor and Bill of Complaint thereon

left with Olin W. Sterling & Orie L. Tawes, Jr. & Partners

this 1 day of March, 19 71

Thomas H. Tolson
Sheriff

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO James Ritzel,
Trading as Westover Mills
Westover, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clyde Marriner
vs.
Mary Catherine Arnold, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...25.....day of.....February....., 19..71....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...28th.....day of.....April....., 19...71 . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Simpkins and Simpkins
Name
Princess Anne, Maryland
Address

S. Pendleton Phillips
Clerk

LIBER 044 PAGE 91

LIBER 044 PAGE 92

No. 9000 Chancery Case

In the Circuit Court for
Somerset County, Maryland

Clyde Marriner
Princess Anne, Maryland

Versus

Mary Catherine Arnold
Princess Anne, Maryland
and
Olin W. Sterling and
Orie L. Tawes, Jr.,
Co-Partners, Trading as
O. L. Tawes & Company
Crisfield, Maryland

James Ritzel, Trading as
Westover Mills
Westover, Maryland
and
Bank of Somerset,
a body corporate of
Princess Anne, Maryland

Subpoena &c

TO BE SERVED UPON:

James Ritzel,
Trading as Westover Mills
Westover, Maryland

Simpkins and Simpkins
Attorneys for Complainant
Princess Anne, Maryland

SHERIFF'S RETURN

Summoned and copy of Writ Subpoena
Affidavit of Solicitor and Bill of
Complaint
left with James Ritzel
this 21 day of February, 19 71.

Thomas H. Tolliver
Sheriff.

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

## The State of Maryland,
## Somerset County, to wit:

TO Bank of Somerset
a body corporate of
Princess Anne, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...March.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clyde Marriner
vs.
Mary Catherine Arnold, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...25.....day of....February....., 19...71...

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....28th...day of.....April....., 19...71.. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Simpkins and Simpkins
Name
Princess Anne, Maryland
Address

L. Theodore Rhubert
Clerk

LIBER 014 PAGE 94

No. 9000 Chancery Case

In the Circuit Court for
Somerset County, Maryland

Clyde Marriner
Princess Anne, Maryland

Versus

Mary Catherine Arnold
Princess Anne, Maryland
and
Olin W. Sterling and
Orie L. Taves, Jr.,
Co-Partners, Trading as
O. L. Taves & Company
Crisfield, Maryland

James Ritzel, Trading as
Westover Mills
Westover, Maryland
and
Bank of Somerset, a body
corporate of Princess Anne,
Maryland

Subpoena &c

TO BE SERVED UPON:

Bank of Somerset
a body corporate of
Princess Anne, Maryland

SHERIFF'S RETURN

Served the copy of Writ of Subpoena, Affidavit of Interest and Bill of Complaint left with Edward Price Pres. of Bank of Som. this 17 day of February, 1971

Thomas H. Tilwell
Sheriff

Simpkins and Simpkins
Attorneys for Complainant
Princess Anne, Maryland

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

## The State of Maryland,
## Somerset County, to wit:

TO Mary Catherine Arnold
Princess Anne, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....April.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Clyde Marriner
vs.
Mary Catherine Arnold, et als

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...2.....day of....March....., 19.71.....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...28th.....day of.....April....., 19...71.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s).

Simpkins and Simpkins.....
Name
Princess Anne, Maryland
.....
Address

S. Theodore Rhodes
Clerk

*Sheriff's Return*
*Non Est as to Mary Catherine Arnold*
*3/5/71 /s/ Thomas H. Foxwell, Sheriff.*

LIBER 044 PAGE 95

LIBER 044 PAGE 96

PHONE 968-0808

Crisfield, Md. 21817 April 9, 1971

M Virgil Clyde Mariner

TO O. L. TAWES CO., DR.
WHOLESALE GROCERS
BROADWAY AND FIFTH STS.

To balance still outstanding Virgil
Clyde Mariner account with us - $248.43
(Deceased)

*The Eastern Shore Publishing Company*

# MARYLANDER AND HERALD

*Established In 1826*

*39 Main Street*
*Post Office Box 158*
*Princess Anne, Maryland 21853*
*Phone: 301-651-2000*

April 1971

Simpkins & Simpkins
Princess A nne, Md. 21853

Clyde Marriner vs Arnold, Sterling & others

| | | | |
|---|---|---|---|
| Mar 4 11 18 25 | to Order of Pub | 15½ @ 2.00 | 31.00 |
| | | 15½ @ 1.00 | 15.50 |
| | | 15½ @ 1.00 | 15.50 |
| | | 15½ @ 1.00 | 15.50 |
| | | | $ 77.50 |

certificate enc.

JAMES E. BYRD, EDITOR  CLARENCE L. BYRD, BUSINESS MANAGER  J. BRYAN BYRD, PRODUCTION MANAGER

LIBER 044 PAGE 98

PRINCESS ANNE, MD., April 1971

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Mar 4 11 18 25

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

The object of these proceedings is to secure the foreclosure of all rights of redemption in and to the property above described, and sold by Carlos Bozman, Treasurer of Somerset County, Maryland and Collector of State and County taxes therein.

The Bill states, among other things, that the amounts necessary for the redemption of the aforesaid property has not been paid, although more than a year and a day from the date of sale, the same being June 17, 1969, has expired: IT IS thereupon, this 25th day of February, 1971, by the Circuit Court for Somerset County, Maryland; ORDERED, that notice be given by publication by insertion of a copy of this Order in some newspaper having general circulation in Somerset County, once a week for four successive weeks, warning all persons interested in said property to be and appear in this Court by the 28th day of April, 1971, and redeem the property and answer the Bill of Complaint, or thereafter a final decree will be rendered foreclosing the right of redemption in said property and vesting in the complainant a title to said property, free and clear of all claims or encumbrances.

S| E. McMASTER DUER
JUDGE

TRUE COPY, TEST:

I. THEODORE PHOEBUS
CLERK

45-4to

SIMPKINS AND SIMPKINS
Attorneys at Law
Princess Anne, Maryland

# ORDER OF PUBLICATION

No. 9000 Chancery Cases

In the Circuit Court for Somerset County, State of Maryland In Equity

Clyde vs Arnol other

Clyde Marriner
Princess Anne, Maryland

vs.

Mary Catherine Arnold
Princess Anne, Maryland

and

Olin W. Sterling and
Orlo L. Tawes, Jr.,
Co-Partners, Trading as
O. L. Tawes & Company
Crisfield, Maryland
James Rizzo, Trading as
Westover Mills,
Westover, Maryland

and

Bank of Somerset, a body corporate of
Princess Anne, Maryland

and all persons having or claiming any interest in certain real property described as follows:

All that lot or parcel of land consisting of approximately thirteen (13) acres, in East Princess Anne Election District, Somerset County, Maryland, bounded on the East by the land of Sally A. Purnell, on the South by the Perryhawkin Road and on the West by the land of Herman Cannon, et al, bearing county tax map No. 10-24-116; being the same land which was conveyed unto Mary Catherine Arnold by Virgil C. Marriner, et ux, by deed dated August 24, 1948 and recorded among the Land Records of Somerset County in Liber No. 145, folio 206; heretofore assessed to Mary Catherine Arnold by the years 1965 through 1969

ORDER OF PUBLICATION

LIBER 044 PAGE 99

| | | |
|---|---|---|
| CLYDE MARRINER | : | NO. 9000 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| OLIN W. STERLING, ET AL | : | IN EQUITY |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE PETITION OF CLYDE MARRINER, COMPLAINANT, BY SIMPKINS AND SIMPKINS, HIS SOLICITORS, RESPECTFULLY REPRESENTS THAT THE ORDER OF PUBLICATION HERETOFORE PASSED IN THIS CAUSE HAS BEEN DULY PUBLISHED ACCORDING TO THE TERMS THEREOF AND THAT THE TIME FOR APPEARING TO AND ANSWERING THE BILL OF COMPLAINT HAS ELAPSED BUT THAT THE RESPONDENTS HAVE NEITHER APPEARED TO NOR ANSWERED THE SAME.

WHEREFORE, YOUR PETITIONER PRAYS THE COURT TO PASS A DECREE PRO-CONFESSO AGAINST THE ADULT NON-ANSWERING RESPONDENTS NAMED HEREIN AND REQUESTES AN ORDER TO TAKE TESTIMONY IN SAID CAUSE.

SIMPKINS AND SIMPKINS

BY Lloyd R. Simpkins
SOLICITORS FOR COMPLAINANT

ORDER OF COURT

IT APPEARING FROM THE PROCEEDINGS IN THE ABOVE CAUSE THAT THE ADULT RESPONDENTS NAMED THEREIN HAVE BEEN DULY NOTIFIED BY PUBLICATION TO APPEAR TO THE BILL OF COMPLAINT FILED AGAINST THEM AND HAVE FAILED TO APPEAR OR FILE AN ANSWER THERETO; IT IS, THEREUPON, THIS 6th DAY OF MAY, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ADJUDGED, ORDERED AND DECREED THAT THE BILL OF COMPLAINT IN THIS CAUSE BE AND THESAME IS HEREBY TAKEN PRO-CONFESSO AGAINST THE RESPONDENTS; AND IT IS FURTHER ORDERED THAT TESTIMONY BE TAKEN BEFORE ONE OF THE EXAMINERS IN THIS COURT.

William A. Groves
JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| CLYDE MARRINER | : | No. 9000 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD. ET AL | : | SOMERSET COUNTY, MARYLAND |
| | : | IN EQUITY . |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE PETITION OF CLYDE MARRINER, COMPLAINANT, BY SIMPKINS AND SIMPKINS, HIS SOLICITORS, RESPECTFULLY REPRESENTS:

1. THAT THE PETITIONER STANDS READY TO TAKE TESTIMONY IN THE ABOVE CAPTIONED MATTER IN SUPPORT OF HIS BILL OF COMPLAINT FILED HEREIN.

2. THAT THE STANDING EXAMINER IN CHANCERY IN THIS COURT IS INCAPACITATED AND ITIS THEREFORE NECESSARY THAT A SPECIAL EXAMINER BE APPOINTED IN THIS CAUSE.

WHEREFORE, YOUR PETITIONER PRAYS THIS HONORABLE COURT TO PASS AN ORDER APPOINTING VIRGINIA B. MILES, AS SPECIAL EXAMINER IN CHANCERY TO EXAMINE THE COMPLAINANT'S WITNESSES AND TAKE TESTIMONY IN THIS CAUSE.

SIMPKINS AND SIMPKINS

BY Lloyd L. Simpkins

ORDER OF COURT

UPON THE AFOREGOING PETITION, IT IS, THIS 6th DAY OF May 1971, BY THE CIRCUIT COURTFOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ORDERED THAT VIRGINIA B. MILES BE AND SHE IS HEREBY APPOINTED SPECIAL EXAMINER IN THIS COURT TO TAKE TESTIMONY IN THE ABOVE CAUSE.

William E. Gruver
JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 044 PAGE 101

| | | |
|---|---|---|
| CLYDE MARRINER | : | NO. 9000 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| OLIN W. STERLING, ET AL | : | IN EQUITY |

TESTIMONY

IN THIS CAUSE, TESTIMONY HAVING TO BE TAKEN TO SUPPORT THE ALLEGATIONS OF THE BILL OF COMPLAINT, I, VIRGINIA B. MILES, OF PRINCESS ANNE, MARYLAND, EXAMINER IN CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, DULY APPOINTED AND QUALIFIED, DO HEREBY CERTIFY, THAT ON THIS 10th DAY OF MAY, 1971, IN SOMERSET COUNTY AFORESAID, I DID TAKE THE FOLLOWING TESTIMONY, TO WIT:

EXAMINATION BY LLOYD L. SIMPKINS, ESQUIRE.

CLYDE MARRINER, A WITNESS OF LAWFUL AGE, BEING DULY SWORN, DEPOSES AND SAYS:

Q. PLEASE STATE YOUR NAME, RESIDENCE AND OCCUPATION.
A. CLYDE MARRINER, I RESIDE IN PRINCESS ANNE, MARYLAND AND I OPERATE A SERVICE STATION.

Q. ARE YOU FAMILIAR WITH THE PROPERTIES MENTIONED IN THIS ACTION?
A. YES, I AM. ON JUNE 17, 1969, I PURCHASED A PARCEL OF LAND AT A TAX SALE CONDUCTED IN PRINCESS ANNE, MARYLAND, BY MR. CARLOS BOZMAN, THE COLLECTOR OF TAXES AND HE ISSUED TO ME THE CERTIFICATE OF SALE ON THAT DATE. THE PURCHASE PRICE FOR THE SAME WAS $1,160.00.

Q. IS THIS THE SAME CERTIFICATE WHICH IS MENTIONED IN THESE PROCEEDINGS AND FILED AS EXHIBIT "A"?
A. YES, IT IS.

Q. HAVE YOU RECEIVED FROM ANYONE ANY NOTICE OF REDEMPTION OF THIS PROPERTY OR HAS ANYONE ATTEMPTED TO REDEEM IT OR HAS ANY MONEY OR REFUND BEEN PAID TO YOU FOR THE CERTIFICATE WHICH YOU HAVE DESCRIBED?
A. NO, NO ONE HAS CONTACTED ME CONCERNING IT.

Q. WHAT, IF ANYTHING, HAS BEEN DONE TO ASCERTAIN WHETHER THIS PROPERTY WAS PROPERLY ASSESSED OR WHETHER IT HAD BEEN CONVEYED AWAY OR WHETHER ANY OTHER DISPOSITION OF THE PROPERTY MIGHT HAVE BEEN MADE?

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

A. I EMPLOYED THE FIRM OF SIMPKINS AND SIMPKINS, ATTORNEYS AT LAW, PRINCESS ANNE, MARYLAND, TO MAKE AN EXAMINATION OF THE PUBLIC RECORDS TO ASCERTAIN THESE MATTERS AND TO TAKE SUCH STEPS REQUIRED BY LAW TO FORECLOSE THE RIGHTS OF REDEMPTION.

COURT'S QUESTION.
NOTHING FURTHER.

Clyde Marriner (SEAL)
CLYDE MARRINER, PLAINTIFF

Virginia B. Miles
VIRGINIA B. MILES, EXAMINER

LLOYD L. SIMPKINS, A WITNESS OF LAWFUL AGE, PRODUCED ON BEHALF OF THE PLAINTIFF, BEING DULY SWORN, DEPOSES AND SAYS:

I AM LLOYD L. SIMPKINS AND I RESIDE IN PRINCESS ANNE, MARYLAND. I AM AN ATTORNEY AT LAW AND HAVE MY OFFICE IN PRINCESS ANNE. I WAS EMPLOYED BY THE PLAINTIFF IN THIS ACTION TO MAKE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE OWNERSHIP AND EXISTENCE OF LIENS ON THE PROPERTY IN QUESTION AND TO TAKE SUCH STEPS AS ARE NECESSARY BY LAW TO NOTIFY THE FORMER OWNERS OF RECORD OR ANY PERSONS WHO MIGHT BE INTERESTED IN SAID PROPERTY OF THEIR RIGHT TO REDEEM THE SAME. I PERSONALLY EXAMINED THE AFORESAID RECORDS AND HAVE PREVIOUSLY FILED AN AFFIDAVIT IN THESE PROCEEDINGS AND I NOW RE-AFFIRM THE CONTENST OF THAT AFFIDAVIT AS MY TESTIMONY IN THESE PROCEEDINGS. I ALSO CAUSED TO BE PUBLISHED THE ORDER OF PUBLICATION HEREIN, AS WILL MORE FULLY APPEAR BY THE PRINTERS' CERTIFICATE, DATED APRIL, 1971 AND FILED HEREIN. NO PERSON OR PERSONS HAVE MADE ANY OFFER TO ME OR TO MY OFFICE TO REDEEM THE PROPERTY DESCRIBED IN THIS ACTION; NOR HAS ANYONE DISCLOSED TO ME ANY INTENTION TO REDEEM THE SAME.

COURT'S QUESTION.
NOTHING FURTHER.

Lloyd L. Simpkins (SEAL)
LLOYD L. SIMPKINS

Virginia B. Miles
VIRGINIA B. MILES, EXAMINER

CARLSO BOZMAN, A WITNESS PRODUCED ON BEHALF OF THE PLAINTIFF, BEIND DULY SWORN, DEPOSES AND SAYS:

Q. PLEASE STATE YOUR NAME, RESIDENCE AND OCCUPATION.
A. CARLOS BOZMAN, I RESIEE IN SOMERSET COUNTY, MARYLAND, AND I AM THE DULY ELECTED AND QUALIFIED TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES FOR SOMERSET COUNTY.

Q. DID YOU ISSUE THE CERTIFICATE OF SALE FILED IN THIS PROCEEDING?
A. YES, I ISSUED IT ON JUNE 17, 1969 TO CLYDE MARRINER AS THE PURCHASER OF THE PROPERTY AT THE TAX SALE HELD BY ME IN MY OFFICIAL CAPACITY ON THAT DATE.

Q. PRIOR TO THE OFFERING OF THESE PROPERTIES FOR TAX SALE, DID YOU OR YOUR OFFICE RECEIVE DUE NOTICE OF ASSESSMENT OF THIS PROPERTY?
A. YES.

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Q. AND DID YOU OR YOUR OFFICE ISSUE TAX BILLS FOR THE PROPERTY FOR THE YEARS FOR WHICH THEY WERE SOLD?
A. YES.

Q. AND DID YOU OR YOUR OFFICE COMPLY WITH ALL THE REQUIREMENTS OF THE LAW CONCERNING THE TAX SALES OF THESE PROPERTIES?
A. THE PROPERTY WAS DULY ASSESSED, BILLS WERE FORWARDED AND I COMPLIED WITH ALL THE PRE-REQUISITES OF LAW IN REGARD TO THE TAX SALES.

Q. HAVE YOU RECEIVED ANY NOTICE FROM ANYONE OF AN INTENTION TO REDEEM THE SAME OR ANY OFFER FOR PAYMENT ON ACCOUNT OF SUCH REDEMPTION FROM ANY PERSON?
A. NO, I HAVE NOT.

COURT'S QUESTION.
NOTHING FURTHER.

Carlos Bozman (SEAL)
CARLOS BOZMAN, TREASURER

Virginia B. Miles
VIRGINIA B. MILES, EXAMINER

THERE BEING NO FURTHER WITNESSES TO BE EXAMINED AND AT THE SUGGESTION OF THE ATTORNEY FOR THE PLAINTIFF, THE PAPERS ARE HEREWITH RETURNED TO THE COURT, CLOSED UNDER MY HAND AND SEAL. I HEREBY CERTIFY THAT THIS ANNEXED BILL OF COSTS IS CORRECT AND PAID BY THE PLAINTIFF AND I FURTHER CERTIFY THAT THIS EXAMINATION WAS CONDUCTED IN COMPLIANCE WITH GENERAL EQUITY RULE 580G. IN THE JUDGMENT OF THE EXAMINER, NO EXAMINATION OR CROSS-EXAMINATION WAS PROPER OR NECESSARY FOR A FULL PRESENTATION OF THE TRUE FACTS IN THIS CASE. THERE WERE NO IRREGULARITIES OR UNUSUAL CIRCUMSTANCES IN THE TAKING OF THE TESTIMONY IN THIS CAUSE OR IN THE CONDUCT OF THE PROCEEDINGS.

AS WITNESS MY HAND AND SEAL.

Virginia B. Miles (SEAL)
VIRGINIA B. MILES, EXAMINER

BILL OF COSTS: $10.00

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

800-6/88

LIBER 044 PAGE 104

#15

**CERTIFICATE OF SALE**

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on June 17, 1969, I sold to Clyde Marriner at public auction for the sum of $ 1,150.00 of which $ 122.70 has been paid, the property in Somerset County, described as follows: All that lot of land consisting of thirteen acres, bounded on the East by the land of Sallie A. Purnell, on the South by the Perryhawkin Road and on the West by the land of Herman Cannon, et al; bearing county tax map #16-24-115; deed reference 145/266;

and assessed to Mary Catherine Arnold.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector, before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 17th. day of June 1969.

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on June 17, 1969, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

Certified this 16th, day of February 1971 to be a true copy of the original as taken from the official records of the office of County Treasurer for Somerset County, Md.

Carlos Bozman, Treasurer

Exhibit "A"

## REAL ESTATE–1966-1967

*WRITE ALL DETAILS ON THIS*

CASH RECORD 1966-1967 TAX BILL

SOMERSET COUNTY, PRINCESS ANNE, MARYLAND

| DETAILS | DATE | COUNTY | STATE | TOTAL | DATE | COUNTY | STATE | TOTAL | DATE | COUNTY | STATE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| TAXES | | | | | SECOND PAYMENT | | | | THIRD PAYMENT | | | |
| COUNTY INTEREST | | | | | | | | | | | | |
| STATE INTEREST | | | | | | | | | | | | |
| TOTAL | | | | | | | | | | | | |

PAID

JUN 17 1969

CARLOS BOZMAN

TREASURER

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| Mary Catherine Arnold Princess Anne, Md. | 16 | 24 | 115 | 2815 | 995 | 19.40 | 995 | 1.49 | 20.89 |

| | | | | |
|---|---|---|---|---|
| COUNTY INTEREST | FINAL PAYMENT June 69 | | | 3.20 |
| STATE INTEREST | | | | .25 |
| PENALTY | | | | |
| TOTAL | | | | 24.34 |

County Tax Rate.....$1.95 per $100.00

State Tax Rate.....$ .15 per $100.00

LIBER 0 14 PAGE 105

## REAL ESTATE–1965-1966

*WRITE ALL DETAILS ON THIS*

CASH RECORD 1965-1966 TAX BILL

SOMERSET COUNTY, PRINCESS ANNE, MARYLAND

| DETAILS | DATE | COUNTY | STATE | TOTAL | DATE | COUNTY | STATE | TOTAL | DATE | COUNTY | STATE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| TAXES | | | | | SECOND PAYMENT | | | | THIRD PAYMENT | | | |
| COUNTY INTEREST | | | | | | | | | | | | |
| STATE INTEREST | | | | | | | | | | | | |
| TOTAL | | | | | | | | | | | | |

PAID

JUN 17 1969

CARLOS BOZMAN

TREASURER

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| Mary Catherine Arnold Princess Anne, Md. | 16 | 24 | 115 | 2815 | 995 | 19.40 | 995 | 1.79 | 21.19 |

| | | | | |
|---|---|---|---|---|
| COUNTY INTEREST | FINAL PAYMENT June 69 | | | 4.37 |
| STATE INTEREST | | | | .40 |
| PENALTY | | | | |
| TOTAL | | | | 25.96 |

County Tax Rate.....$1.95 per $100.00

State Tax Rate.....$ .18 per $100.00

LIBER 014 PAGE 106

## REAL ESTATE–1967-1968

WRITE ALL DETAILS ON THIS
CASH RECORD 1967-1968 TAX BILL
SOMERSET COUNTY, PRINCESS ANNE, MARYLAND

PAID
JUN 17 1969
CARLOS BOZMAN
TREASURER

| DETAILS | DATE | COUNTY | STATE | TOTAL | REC'D PAYM'T | DATE | COUNTY | STATE | TOTAL | THIRD PAYM'T | DATE | COUNTY | STATE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| Mary Catherine Arnold<br>Box Cove N.J. | 16 | 24 | 115 | 3515 | 890 | 19.14 | 890 | 1.51 | 20.65 |

County Tax Rate $2.15 per $100.00
State Tax Rate $ .17 per $100.00

| | | | |
|---|---|---|---|
| COUNTY INTEREST | FINAL PAYM'T | .69 | 2.01 |
| STATE INTEREST | | .11 | .16 |
| PENALTY | | | |
| TOTAL | | | 22.82 |

## REAL ESTATE—1968 - 1969

WRITE ALL DETAILS ON THIS
CASH RECORD 1968 - 1969 TAX BILL
SOMERSET COUNTY, PRINCESS ANNE, MARYLAND

PAID
JUN 17 1969
CARLOS BOZMAN
TREASURER

| DETAILS | DATE | COUNTY | STATE | TOTAL | REC'D PAYM'T | DATE | COUNTY | STATE | TOTAL | THIRD PAYM'T | DATE | COUNTY | STATE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| | 16 | 24 | 115 | 3,415. | 890 | 19.14 | 890. | 1.51 | 20.65 |

County Tax Rate $2.15 per $100.00
State Tax Rate $ .17 per $100.00

| | | | |
|---|---|---|---|
| COUNTY INTEREST | FINAL PAYM'T | Jun 69 | .86 |
| STATE INTEREST | | | .07 |
| PENALTY | | | |
| TOTAL | | | 21.58 |

| | | |
|---|---|---|
| CLYDE MARRINER | : | No. 9000 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD, ET AL | : | SOMERSET COUNTY, MARYLAND |

## NOTICE OF FILING AUDIT

TAKE NOTICE, THAT THE ACCOUNT HEREIN WAS FILED ON JULY 7, 1971; THAT EXCEPTIONS THERETO MUST BE FILED WITHIN FIFTEEN DAYS OF SAID DATE, AND IF NO EXCEPTIONS ARE FILED WITHIN SUCH FIFTEEN DAY PERIOD, THE ACCOUNT MAY THEREUPON BE RATIFIED.

Virginia B. Miles
VIRGINIA B. MILES, AUDITOR

I HEREBY CERTIFY, THAT ON JULY 7, 19 , I MAILED A COPY OF THE ABOVE TO:

O. L. TAWES & COMPANY, CRISFIELD, MARYLAND

JAMES RITZEL, T/A WESTOVER MILLS, WESTOVER, MARYLAND

BANK OF SOMERSET, PRINCESS ANNE, MARYLAND,

BY REGULAR U. S. MAIL, POSTAGE PREPAID.

Virginia B. Miles
VIRGINIA B. MILES, AUDITOR

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 044 PAGE 107

CLYDE MARRINER : No. 9000 CHANCERY CASES

VS. : IN THE CIRCUIT COURT FOR

MARY CATHERINE ARNOLD, ET AL : SOMERSET COUNTY, MARYLAND

## FIRST AND FINAL AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

VIRGINIA B. MILES, DULY APPOINTED AUDITOR IN THIS CAUSE, REPORTS TO THE COURT THAT SHE HAS MADE AN EXAMINATION OF THE PROCEEDINGS IN SAID CAUSE AND FROM THEM AND THE LIST OF FUNDS AND CREDITORS FURNISHED HER BY THE SOLICITORS THEREIN, STATES THE FOLLOWING ACCOUNT:

| | | |
|---|---|---|
| TO PURCHASE PRICE | $ 1150.00 | |
| LESS TAX ARREAGE AND COST OF SALE | 122.70 | |
| BALANCE FOR DISTRIBUTION | | $ 1027.30 |
| DISBURSEMENTS: | | |
| JUDGMENT CREDITOR # 1:<br>O. L. TAWES & COMPANY, SIMPKINS & SIMPKINS, ATTYS.<br>No. 2167 CIVIL, DATED JUNE 8, 1960<br>$1375.31 @ .69516% | 956.06 | |
| JUDGMENT CREDITOR # 2:<br>JAMES RITZEL, T/A WESTOVER MILLS,<br>SIMPKINS & SIMPKINS, ATTYS.<br>No. 2167 CIVIL, DATED JUNE 8, 1960<br>$102.48 @ .69516%<br>$1477.79 | 71.24 | |
| TOTAL | $ 1027.30 | |
| PERCENTAGE OF DISTRIBUTION .69516% | | |
| BALANCE ON HAND | | $ 0.00 |

YOUR AUDITOR HEREBY CERTIFIES THAT RULE 595G2, MARYLAND RULES OF PROCEDURE HAS BEEN COMPLIED WITH.

RESPECTFULLY SUBMITTED,

Virginia B. Miles

VIRGINIA B. MILES, AUDITOR

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| CLYDE MARRINER | : | NO. 9000 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD, ET AL | : | SOMERSET COUNTY, MARYLAND |

## PETITION TO APPOINT AUDITOR

THE PETITION OF CLYDE MARRINER, BY SIMPKINS AND SIMPKINS, HIS SOLICITORS, RESPECTFULLY SHOWS TO THIS COURT AS FOLLOWS:

1. THAT IT IS NECESSARY THAT THESE PROCEEDINGS BE AUDITIED SO THAT PROPER DISBURSEMENTS OF THE FUNDS MAY BE MADE.

2. THAT THE AUDITOR FOR THIS COURT IS NOT AVAILABLE AND THE PETITIONER PRAYS FOR THE APPOINTMENT OF A SPECIAL AUDITOR TO WHOM SUCH PROCEEDINGS MAY BE REFERRED TO STATE AN ACCOUNT, PURSUANT TO RULES BR 6 AND 5.

SIMPKINS AND SIMPKINS

By _____
ATTORNEY TO PETITIONER

## ORDER OF COURT

UPON THE AFOREGOING PETITION, IT IS, THIS 19th DAY OF May, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ORDERED THAT VIRGINIA B. MILES, BE AND SHE IS HEREBY APPOINTED SPECIAL AUDITOR TO STATE AN ACCOUNT IN THE ABOVE PROCEEDINGS.

William W. Conner
JUDGE

LIBER 044 PAGE 109

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 044 PAGE 110

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this ..1st... day of July ...19 71. that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the ....16th.....day of ...July..... 19 71...*

S. Theodore Phelps Clerk

Clyde MARRINER

No. 9000 Chancery Vs. MARY CATHERINE ARNOLD, etal

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date July 20, 1971

S. Theodore Phelps Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this ..20th.. day of July.....19 71.. that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

S. Theodore Phelps

| | | |
|---|---|---|
| CLYDE MARRINER | : | No. 9000 CHANCERY CASES |
| vs. | : | IN THE CIRCUIT COURT FOR |
| MARY CATHERINE ARNOLD, ET AL | : | SOMERSET COUNTY, MARYLAND |
| | : | IN EQUITY |

DECREE

THE ABOVE ENTITLED CAUSE COMING ON FOR HEARING, THE PROCEEDINGS WERE READ AND CONSIDERED, AND IT IS THEREUPON, THIS 20 DAY OF July, 1971, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND. SITTING IN EQUITY, ADJUDGED, ORDERED AND DECREED THAT THE PROPERTY MENTIONED AND DESCRIBED IN THESE PROCEEDINGS AS HAVING BEEN SOLD TO CLYDE MARRINER BY CARLOS BOZMAN, TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES IN SAID SOMERSET COUNTY ON JUNE 17, 1969, ARE THE PROPERTIES OF CLYDE MARRINER, IT APPEARING FROM THE TESTIMONY THAT THE PROPERTIES WERE SOLD AT SAID TAX SALE UNTO SAID CLYDE MARRINER AND THAT ALL OF THE RIGHT, TITLE AND INTEREST OF MARY CATHERINE ARNOLD AND ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST IN AND TO THE REAL ESTATE MENTIONED AND DESCRIBED IN THESE PROCEEDINGS BE AND THE SAME ARE HEREBY FORECLOSED TO THE END THAT THE SAID CLYDE MARRINER MAY AND HE IS HEREAFTER TO HAVE AND TO HOLD SAID PROPERTIES BY GOOD AND MERCHANTABLE FEE SIMPLE TITLE, SAID PROPERTIES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT LOT OR PARCEL OF LAND CONSISTING OF APPROXIMATELY THIRTEEN (13) ACRES, IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, BOUNDED ON THE EAST BY THELAND OF SALLY A. PURNELL, ON THE SOUTH BY THE PERRYHAWKIN ROAD .N ON THE WEST BY THE LAND OF HERMAN CANNON, ET AL, BEARING COUNTY TAX MAP NO. 16-24-115; AND BEING THE SAME LAND WHICH WAS CONVEYED UNTO MARY CATHERINE ARNOLD BY VIRGIL C. MARRINER, ET UX, BY DEED DATED

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

AUGUST 24, 1948 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY IN LIBER NO. 145, FOLIO 266; HERETOFORE ASSESSED TO MARY CATHERINE ARNOLD BY THE YEARS 1965 THROUGH 1969.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED THAT THE SAID CARLOS BOZMAN, TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES HEREIN, EXECUTE AND DELIVER UNTO THE SAID CLYDE MARRINER A GOOD AND SUFFICIENT DEED UNDER THE LAWS OF THE STATE OF MARYLAND, TO CONVEY UNTO HIM, HIS SUCCESSORS AND ASSIGNS, FOREVER IN FEE SIMPLE, THE ABOVE DESCRIBED PROPERTIES UPON THE PAYMENT OF ANY BALANCE OF TAXES DUE ON SAID PROPERTY, IF ANY, FROM AND AFTER THE LAST OF THE YEARS TO COLLECT THE TAXES DUE FOR WHICH SAID TAX SALE WAS MADE, TOGETHER WITH ALL INTEREST AND PENALTIES ACCRUED THEREON.

E. McMaster Duer

E. MCMASTER DUER, CHIEF JUDGE

SIMPKINS AND SIMPKINS
ATTORNEYS-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FEB 8 1974

Ref # 33491

| | | |
|---|---|---|
| VICTOR H. LAWS, ASSIGNEE FOR THE PURPOSE OF FORECLOSURE AND COLLECTION OF MORTGAGES TO POCOMOKE REALTY, INCORPORATED | * | NO. 9007 CHANCERY |
| | * | IN THE CIRCUIT COURT |
| FROM | * | |
| | * | FOR SOMERSET COUNTY, |
| MARVIN C. GUNTER, SR. AND JANET P. GUNTER, HIS WIFE | * | |
| | | STATE OF MARYLAND. |

* * *

ORDER TO DOCKET

Mr. Clerk:

Please docket suit as above and file for foreclosure the attached mortgages (marked "Petitioner's Exhibit No. 1" and "Petitioner's Exhibit No. 2") which are now in default, and enter the appearance of the undersigned as assignee of said mortgages for the purpose of foreclosure and collection.

Victor H. Laws

Victor H. Laws
107 North Baptist Street
Salisbury, Maryland
Telephone: 749-7500

Salisbury, Maryland
March 5, 1971

*FOR MORTGAGE SEE LAND RECORDS LIBER NO. 246, Folio 95.*
*FOR MORTGAGE SEE LAND RECORDS LIBER NO. 246, Folio 285.*
*FOR ASSIGNMENT FOR FORECLOSURE SEE LIBER NO. 259, Folio 345.*
*FOR ASSIGNMENT FOR FORECLOSURE SEE LIBER NO. 259, Folio 346.*
*FOR BOND SEE LIBER NO. 9, FOLIO 457.*

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

# AFFIDAVIT OF MORTGAGEE AS TO AMOUNT OF INDEBTEDNESS AND NON-MILITARY SERVICE

STATE OF MARYLAND, WICOMICO COUNTY

I HEREBY CERTIFY that on this 8th day of March, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared James H. English, Jr., President of Mortgagee, and made oath, in due form of law, that the following accounts represent the balances due and owing upon the mortgages filed for foreclosure in the foregoing cause:

Mortgage recorded I.T.P. 246/95

| | | |
|---|---|---|
| Unpaid principal balance as of March 5, 1971 | $2,379.84 | |
| Interest at 7% per annum from September 5, 1970 to March 5, 1971 | 83.30 | |
| Total due March 5, 1971 | | $2,463.14 |

NOTE: Add additional interest of 46¢ for each day after March 5, 1971.

Mortgage recorded I.T.P. 246/285

| | | |
|---|---|---|
| Unpaid principal balance as of March 5, 1971 | $1,654.39 | |
| Interest at 7% per annum from September 5, 1970 to March 5, 1971 | 57.90 | |
| Total due March 5, 1971 | | $1,712.29 |

NOTE: Add additional interest of 32¢ for each day after March 5, 1971.

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

AND at the same time said President of Mortgagee did further make oath, in due form of law, that Marvin C. Gunter, Sr. and Janet P. Gunter, his wife, the Mortgagors, are not in military service.

SUBSCRIBED AND SWORN TO before me this 8th day of March, 1971.

Connie M. Todd
Notary Public

My commission expires:
July 1, 1974.

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 116

| | | |
|---|---|---|
| VICTOR H. LAWS, ASSIGNEE FOR THE PURPOSE OF FORECLOSURE AND COLLECTION OF MORTGAGES TO POCOMOKE REALTY, INCORPORATED | * | NO. CHANCERY |
| | * | IN THE CIRCUIT COURT |
| FROM | * | FOR SOMERSET COUNTY, |
| MARVIN C. GUNTER, SR. AND JANET P. GUNTER, HIS WIFE | * | STATE OF MARYLAND. |

* * *

AFFIDAVIT OF COMPLIANCE
WITH RULE W74a2(b)

I HEREBY CERTIFY that on this 8th day of March, 1971, in compliance with the above rule, I sent, by registered mail to the Mortgagors named herein at their last known address, a notice of the time, place and terms of sale as will appear from the attached copy of letter and enclosure.

WITNESS my hand and seal.

Victor H. Laws (SEAL)
Victor H. Laws

SUBSCRIBED AND SWORN TO before me this 8th day of March, 1971.

Connie M. Todd
Notary Public

My commission expires:
July 1, 1974.

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

File 8165

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

PIONEER 9-7500

March 8, 1971

REGISTERED MAIL
RETURN RECEIPT REQUESTED

Mr. and Mrs. Marvin C. Gunter, Sr.
Carver Manor, Lot 10B
Eden, Maryland 21822

Dear Mr. and Mrs. Gunter:

Please take notice that your two mortgages to Pocomoke Realty, Incorporated being in default were assigned to me for foreclosure and collection on February 15, 1971, and have been filed by me today for foreclosure in the Circuit Court for Somerset County, Maryland; there is enclosed herewith a copy of the Notice of Sale prepared for publication in the Marylander & Herald, Princess Anne, Maryland, which gives the time, place, and terms of the proposed sale. This notice is given to you pursuant to Rule W74a2(b).

Very truly yours,

VHL:sc

Enclosure

LIBER 044 PAGE 118

VICTOR H. LAWS

Attorney at Law
107 North Baptist Street
Salisbury, Maryland

---

ASSIGNEE'S SALE
OF VALUABLE RESIDENCE LOTS
IN "CARVER MANOR" SUBDIVISION

Under and by virtue of a power of sale contained in mortgages from Marvin C. Gunter, Sr. and Janet P. Gunter, his wife, dated September 14, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 246, Folio 95, and dated October 24, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 246, Folio 285, both whereof have been assigned to the undersigned Victor H. Laws for the purpose of foreclosure and collection, default having occurred in the covenants thereof, the undersigned Assignee will offer for sale at public auction to the highest bidder at the front door of the Court House in Princess Anne, Somerset County, Maryland, on

FRIDAY, APRIL 9, 1971

AT 2 O'CLOCK P.M.

All those two lots or parcels of land situate and lying in East Princess Anne Election District, of Somerset County, Maryland, in a subdivision known as "Carver Manor", and more particularly described as follows:

FIRST: On the east side of Carver Drive, and fronting thereon 170 feet, and being more particularly shown and designated as Lot No. 10, in Block B, on a plat dated April 1, 1968, entitled

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

"Re-subdivision Carver Manor", prepared by Harold W. Hampshire, Registered Land Surveyor, and heretofore recorded among the Plat Records of Somerset County in Plat Liber I.T.P. No. 7, Folio 54.

SECOND: On the east side of Carver Drive, and fronting thereon 128.0 feet, and being more particularly shown and designated as Lot No. 11, in Block B, on a plat dated April 1, 1968, entitled "Re-subdivision Carver Manor", prepared by Harold W. Hampshire, Registered Land Surveyor, and heretofore recorded among the Plat Records of Somerset County in Plat Liber I.T.P. No. 7, Folio 54.

IMPROVED: Lot No. 10, Block B, described above is improved by a water well and by a septic tank system and other improvements suitable for mobile home or other residential use. These lots are located in a highly desirable new residence community near Princess Anne and Fruitland.

TERMS OF SALE: The above lots will first be offered separately and the highest or best bids reserved, and said lots will then be offered together for purchase in their entirety; and that bid or combination of bids accepted which shall produce the highest purchase price for said lots. Deposit of twenty per cent (20%) of the purchase price(s) in cash or by check acceptable to undersigned will be required of the purchaser(s) on the date of sale, and the balance(s) of said purchase price(s) upon final ratification of said sale(s), said balance(s) to bear interest at the rate of seven per centum (7%) per annum from date of sale to date of ratification and settlement and to be secured to the satisfaction of undersigned, or all cash, as the purchaser(s) shall elect. State and County real estate taxes will be adjusted between the

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VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 119

parties as of date of sale. Title papers and all documentary stamps and transfer taxes at the expense of the purchaser(s).

Victor H. Laws
Assignee for the Purpose
of Foreclosure and Collection

Marylander & Herald
Publish: March 18, 25
April 1, 8

LAW OFFICES
VICTOR H. LAWS
107 NORTH DAPTIST STREET
SALISBURY, MARYLAND 21801

| | | |
|---|---|---|
| VICTOR H. LAWS, ASSIGNEE FOR THE PURPOSE OF FORECLOSURE AND COLLECTION OF MORTGAGES TO POCOMOKE REALTY, INCORPORATED | * | NO. 9009 CHANCERY |
| | * | IN THE CIRCUIT COURT |
| FROM | * | FOR SOMERSET COUNTY, |
| MARVIN C. GUNTER, SR. AND JANET P. GUNTER, HIS WIFE | * | STATE OF MARYLAND. |

* * *

REPORT OF SALE, ORDER NISI AND
FINAL ORDER OF RATIFICATION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Victor H. Laws, Assignee for the purpose of foreclosure and collection of two mortgages to Pocomoke Realty, Incorporated, the first being dated September 14, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 246, Folio 95, and the second being dated October 24, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 246, Folio 285, under and by virtue of the powers of sale therein contained to make sale of the real estate therein mentioned, default having occurred in the payment of the principal and interest thereof and in other covenants and conditions of said mortgage, whereby the entire mortgage debts have become due and demandable, respectfully shows:

That after giving bond with security for the faithful discharge of his duties, which was duly approved, and having given notice of time, place, manner and terms of sale by advertisement inserted in the Marylander and Herald, a newspaper published in said Somerset County for more than three successive weeks preceding the date of sale, as will more fully appear by references to the certificate of publication of said advertisement attached hereto

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

and made a part hereof, said Assignee did pursuant to said notice, on Friday, April 9, 1971, at 2:00 o'clock p.m., local time, attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, and did then and there proceed to sell said property mentioned in said mortgages in the manner following, that is to say:

The said Assignee, under and by virtue of the power of sales contained in said mortgages, offered at public sale to the highest bidder, the hereinafter described property:

> All those two lots or parcels of land situate and lying in East Princess Anne Election District, of Somerset County, Maryland, in a subdivision known as "Carver Manor", and more particularly described as follows:
>
> FIRST: On the east side of Carver Drive, and fronting thereon 170 feet, and being more particularly shown and designated as Lot No. 10, in Block B, on a plat dated April 1, 1968, entitled "Re-subdivision Carver Manor", prepared by Harold W. Hampshire, Registered Land Surveyor, and heretofore recorded among the Plat Records of Somerset County in Plat Liber I.T.P. No. 7, Folio 54.
>
> SECOND: On the east side of Carver Drive, and fronting thereon 128.0 feet, and being more particularly shown and designated as Lot No. 11, in Block B, on a plat dated April 1, 1968, entitled "Re-subdivision Carver Manor", prepared by Harold W. Hampshire, Registered Land Surveyor, and heretofore recorded among the Plat Records of Somerset County in Plat Liber I.T.P. No. 7, Folio 54.

And the said Assignee, then and there sold the said parcel of real estate known as Lot No. 10, Block B, at and for the sum of One Thousand Two Hundred Fifty Dollars ($1,250) and the said parcel of real estate known as Lot No. 11, Block B, at and for the sum of One Thousand Dollars ($1,000), unto Pocomoke Realty, Incorporated, it being at those sums the highest and best bidder therefor, and said purchaser has complied with the terms of said sale.

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

And the said Assignee further reports and prays ratification and distribution of the funds arising from said sales as follows:

RECEIPTS

| | |
|---|---|
| Sale price of Lot No. 10 (Deposit made of 20% per terms of sale, or $250, leaving balance of sale price $1,000) | $1,250.00 |
| Interest at 7% per annum on said balance of $1,000 from April 9, 1971 (date of sale) to May 19, 1971 (estimated date of final ratification and settlement), 40 days | 7.60 |
| Sale price of Lot No. 11 (Deposit made of 20% per terms of sale, or $200, leaving balance of sale price $800) | 1,000.00 |
| Interest at 7% per annum on said balance of $800 from April 9, 1971 (date of sale) to May 19, 1971 (estimated date of final ratification and settlement), 40 days | 6.40 |
| Total Receipts | $2,264.00 |

DISBURSEMENTS

| | | |
|---|---|---|
| Marylander and Herald, Princess Anne, Maryland, advertising sale | $ 95.00 | |
| Marylander and Herald, Princess Anne, Maryland, Order Nisi | 20.00 | |
| I. Theodore Phoebus, Clerk, court costs | 43.00 | |
| Hanna & Kremer Insurance, Inc., bond premium | 20.00 | |
| Edwin B. Muir, auctioneer's fee | 20.00 | |
| Victor H. Laws, attorney's fee per terms of mortgages | 100.00 | |
| Forward | $ 298.00 | $2,264.00 |

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VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801



LIBER 044 PAGE 123

| | | |
|---|---|---|
| Forwarded | $ 298.00 | $2,264.00 |
| Victor H. Laws, attorney's fee in lieu of commissions | 200.00 | |
| Victor H. Laws, attorney's expenses for registered mail and photo-copying | 6.80 | |
| | | 504.80 |
| Net Balance for Distribution | | $1,759.20 |

DISTRIBUTION

| | | |
|---|---|---|
| Due mortgagee, Pocomoke Realty, Incorporated, as of March 5, 1971 per statement filed herein (both mortgages) | $4,175.43 | |
| Additional interest @ 78¢ per day from March 5, 1971 to May 19, 1971 (45 days) | 35.10 | |
| Total due mortgagee | | $4,210.53 |
| Less, net balance for distribution per above statement | | 1,759.20 |
| Net Deficiency | | $2,451.33 |

Respectfully submitted,

Victor H. Laws

Victor H. Laws, Assignee

STATE OF MARYLAND, COUNTY OF WICOMICO

I HEREBY CERTIFY that on this 16th day of April, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Victor H. Laws, Assignee named in the foregoing Report of Sale, and made oath in due form of law that the matters and facts stated in said report are true and correct to the best of his knowledge and belief and that the sales therein reported were fairly made.

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

AS WITNESS my hand and notarial seal the day and year first above written.

Connie M. Todd
Notary Public

ORDER NISI

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 19th day of April, 1971, that the sales of the property mentioned in these proceedings made and reported by Victor H. Laws, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 20th day of May, 1971, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 10th day of May, 1971.

The report states the amount of sales to be Two Thousand Two Hundred Fifty Dollars ($2,250.00).

S. Theodore Phoebus
Clerk

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 125

CERTIFICATE OF PUBLICATION

LIBER 044 PAGE 126

PRINCESS ANNE, MD., ~~April~~ 1971

This is to certify that the annexed Assignees Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Mar 18 25 Apr 1 8

Business Manager MARYLANDER and HERALD

VICTOR H. LAWS
Attorney at Law
107 North Baptist Street
Salisbury, Maryland

# ASSIGNEE'S SALE

OF VALUABLE

## RESIDENCE LOTS

IN "CARVER MANOR" SUBDIVISION

Under and by virtue of a power of sale contained in mortgages from Marvin C. Gunter, Sr. and Janet F. Gunter, his wife, dated September 14, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 246, Folio 95, and dated October 24, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 246, Folio 285, both whereof have been assigned to the undersigned Victor H. Laws for the purpose of foreclosure and collection, default having occurred in the covenants thereof, the undersigned Assignee will offer for sale at public auction to the highest bidder at the front door of the Court House in Princess Anne, Somerset

purchase in their entirety; and that bid or combination of bids accepted which shall produce the highest purchase price for said lots. Deposit of twenty per cent (20%) of the purchase price(s) in cash or by check acceptable to undersigned will be required of the purchaser(s) on the date of sale, and the balance(s) of said purchase price(s) upon final ratification of said sale(s), said balance(s) to bear interest at the rate of seven per centum (7%) per annum from date of sale to date of ratification and settlement and to be secured to the satisfaction of undersigned, or in cash, as the purchaser(s) shall elect. State and County real estate taxes will be adjusted between the parties as of date of sale. Title papers and all documentary stamps and transfer taxes at the expense of the purchaser(s).

VICTOR H. LAWS

Assignee for the Purpose of Foreclosure and Collection

47-4tc

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

VICTOR H. LAWS
Attorney at Law
107 North Baptist Street
Salisbury, Maryland

# ORDER NISI

NO. 0000 CHANCERY CASE

In the Circuit Court for Somerset County, State of Maryland

Victor H. Laws, Assignee for the Purpose of Foreclosure and Collection of Mortgages to Pocomoke Realty, Incorporated
From
Marvin C. Gunter, Sr. and Janet P. Gunter, his wife

ORDER NISI

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 19th day of April, 1971, that the sales of the property mentioned in these proceedings made and reported by Victor H. Laws, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown, on or before the 20th day of May, 1971, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 10th day of May, 1971.

The report states the amount of sales to be Two Thousand Two Hundred Fifty Dollars ($2,250.00).

I. THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I. THEODORE PHOEBUS
CLERK

52-3t

PRINCESS ANNE, MD., April 19 71

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Apr 22 29 May 6

Business Manager MARYLANDER and HERALD

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

FILED
JUN 9 9 01 AM '71
RECORDED IN
LIBER NO. FOLIO
I. THEODORE PHOEBUS, CLK. CT. CT.
BY DEPUTY

LIBER 044 PAGE 127

LIBER 016 PAGE 128

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, this 4 day of June, 1971, that the sales of the property mentioned in the foregoing Report made by Victor H. Laws, Assignee, be and the same are hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although due notice thereof appears to have been given in accordance with the Order Nisi passed in said cause.

E. McMaster Duer
Judge

LAW OFFICES
VICTOR H. LAWS
107 NORTH BAPTIST STREET
SALISBURY, MARYLAND 21801

FEB 8 1974

| | | |
|---|---|---|
| John Lankford<br>Route 1<br>Pocomoke City, Maryland 21851 | : | No. 9014 Chancery |
| | : | In the Circuit Court for |
| vs | : | |
| Edwin C. Cottman, whose last known address is Pocomoke, Maryland, and the unknown heirs or devisees of Edwin C. Cottman, and all persons having or claiming to have any interest in certain real estate described as "all that lot of land consisting of 2.5 acres of unimproved land, on the north side of Bowland Road; bearing county tax map Ø42-11-41" | : | Somerset County, Maryland |

R. 33571

BILL OF COMPLAINT

John Lankford, by Jones & Jones, his attorneys, alleges:

1. That he resides at Route 1, Pocomoke City, Maryland, and his post office address is Route 1, Pocomoke City, Maryland 21851.

2. That on the 17th day of June, 1969, there was issued to John Lankford, the complainant herein, whose address appears above, by Carlos Bozman, Collector of Taxes of the State of Maryland and Treasurer of Somerset County and Collector of State and County taxes therein the following certificate of sale, to wit: A certificate showing payment by the said John Lankford unto the said Treasurer and Collector the sum of $45.53 for which he had issued a certificate of tax sale showing sale to the said John Lankford on said 17th day of June, 1969 of the following real estate, namely: "All that lot of land consisting of 2.5 acres of unimproved land, on the North side of Bowland Road; bearing county tax map Ø42-11-41, and assessed to Edwin C. Cottman."

3. That said certificate of sale is attached to this bill of complaint as a part hereof.

4. That the above property has not been redeemed by any parties in interest, although more than one year from the date of said sale has expired.

5. That the complainant has caused the Land and Testamentary Records of Somerset County, Maryland, to be examined by Alexander G. Jones, a member of the Bar of Maryland, whose affidavit is attached hereto, and in reliance upon which your complainant alleges and says that the land subject of this proceeding was assessed to Edwin C. Cottman. That said records indicate no lien or encumbrances

of any nature against said property while the same was owned by Edwin C. Cottman. That in reliance upon the aforesaid affidavit your complainant alleges and avers that there have been no off conveyances of record against the real estate and further that there is no record of any will executed by the said Edwin C. Cottman or any administration in said Somerset County on the estate of Edwin C. Cottman. It is not known whether the said Edwin C. Cottman is living or dead or if dead, what heirs-at-law he left surviving him who might be entitled to the real estate of which he was seized as aforesaid, wherefore your complainant has joined in these proceedings all persons having or claiming to have any interest in said property. Further it is not known how Edwin C. Cottman acquired title to said property. Further the proceedings in No. 8490 Chancery in the Circuit Court for Somerset County indicate that this property was previously sold for taxes by Carlos Bozman, Treasurer, to The Landman, Inc. on June 15, 1965 and said purchaser instituted proceedings in said case on on June 8, 1967 to foreclose the right of redemption. However, said proceedings were never terminated and the property was offered for resale and resold by the County Treasurer as aforesaid.

6. That the amount necessary for the redemption of said property is $45.53 including costs of sale, taxes and interest through June 30, 1969 in addition to taxes and interest accrued since July 1, 1969 and those costs and disbursements provided for in Article 81, Sections 110 and 111 of the Annotated Code of Maryland.

WHEREFORE, the complainant prays your Honors:

(a) That summons may be issued for the said named defendant.

(b) That your Honors may grant unto your complainant the order of publication directed to the said named defendant, if living and absent from the jurisdiction, and all persons having or claiming to have any interest in the aforesaid property.

(c) That this Honorable Court may pass a final decree foreclosing all rights of redemption of the defendant in and to any and all of the real estate of which he is assessed.

(d) And further direct the Collector of Taxes for the State of Maryland and for Somerset County to execute a deed to the complainant as provided in Section 115 of Article 81.

(e) That your complainant may have such other and further relief as his case may require.

And, as in duty bound, etc.

John Lankford (SEAL)
John Lankford, Complainant

JONES & JONES

By _____
Attorneys for Complainant
Princess Anne, Maryland
Telephone: 651-2747

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 12th day of March, in the year nineteen hundred and seventy-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared John Lankford and made oath in due form of law that the matters and facts set forth and contained in the aforegoing bill of complaint are true as therein stated, to the best of his knowledge, information and belief, and signed same in my presence.

As witness my hand and Notarial Seal the day and year above written.

PATSY E. ADKINS NOTARY PUBLIC SOMERSET COUNTY, MD.

Patsy E. Adkins
Notary Public

500-6/65

LIBER 044 PAGE 132

#4

CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on June 17, 1969 I sold to John Lankford at public auction for the sum of $ 220.00 , of which $ 45.53 has been paid, the property in Somerset County, described as follows: All that lot of land consisting of 2.5 acres of unimproved land, on the North side of Bowland Road; bearing tax map #42-11-41;

and assessed to Edwin G. Goisman.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 17th. day of June 1969.

Carlos Bozman

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on June 17, 1969, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Notary Public

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I hereby certify, that on this 12th day of March, in the year nineteen hundred and seventy-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, and being duly sworn, did depose and say that he is a member of the Bar of the State of Maryland and has been practicing his profession therein in said Somerset County since 1955 and that he made an examination of the public records of SomersetCounty, Maryland, to ascertain whether there have been any conveyances by or liens against Edwin C. Cottman with respect to the real estate described in paragraph 2. of the bill of complaint, from 1918 to and including the date of this affidavit and found none; and further that he made an examination of the Testamentary Records of said Somerset County and found no record of any will or administration on Edwin C. Cottman; and further that said records do not indicate any lien or encumbrance against said land while the same was owned by Edwin C. Cottman; and that the said attorney was informed by Carlos Bozman, Treasurer of Somerset County, and Collector of State and County taxes therein, that the taxes on said property became delinquent and the property was offered for sale and sold after due notice on June 17, 1969 to John Lankford; and further that he examined the grantee index of Somerset County from 1665 to date and found no record of any conveyance of any property to Edwin C. Cottman and further the proceedings in No. 8490 Chancery in the Circuit Court for Somerset County indicate that this property was previously sold for taxes by Carlos Bozman, Treasurer, to The Landman, Inc. on June 15, 1965 and said purchaser instituted proceedings in said case on June 8, 1967 to foreclose the right of redemption. However, said proceedings were never terminated and the property was offered for resale and resold by the County Treasurer as aforesaid.

As witness my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC SOMERSET COUNTY, MD.

Patsy E. Ake
Notary Public

LIBER 044 PAGE 133

LIBER 044 PAGE 134

JONES & JONES
Attorneys at Law

| | | |
|---|---|---|
| John Lankford<br>Route 1<br>Pocomoke City, Maryland 21851 | : | No. 9614 Chancery |
| | : | In the Circuit Court for |
| vs | : | |
| Edwin C. Cottman, whose last known address is Pocomoke, Maryland, and the unknown heirs or devisees of Edwin C. Cottman, and all persons having or claiming to have any interest in certain real estate described as "all that lot of land consisting of 2.5 acres of unimproved land, on the north side of Bowland Road; bearing county tax map #42-11-41" | : | Somerset County, Maryland |

ORDER OF PUBLICATION

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property situate in Dublin Election District No. 4, in Somerset County, Maryland, and sold by Carlos Bozman, Treasurer of Somerset County and Collector of State and County taxes therein, which is to say: "All that lot of land consisting of 2.5 acres of unimproved land, on the north side of Bowland Road; bearing county tax map #42-11-41;" and assessed to Edwin C. Cottman.

The bill states, among other things, that the amount necessary for the redemption of the aforesaid property has not been paid although more than a year and a day from the date of said sale, being June 17, 1969, has expired; it is thereupon this 17th day of March, 1971, by the Circuit Court for SomersetCounty, Maryland, ORDERED that notice be given by the insertion of a copy of this order in some newspaper having a general circulation in said Somerset County, once a week for four successive weeks before the 16 day of April, 1971, warning all persons interested in said property to be and appear in this Court by the 18th day of May, 1971, and redeem the property and answer the bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in said property and vesting in the plaintiff a title free and clear of all encumbrances.

E. McMaster Duer
Judge

FILED

APR 6 2 49 PM '71

RECORDED IN
LIBER NO. ____ FOLIO ____
T. THEODORE PHOEBUS, CLK. CT.
BY ____ EPUTY

PRINCESS ANNE, MD., April 1971

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Mar 25
Apr 1 8 15

LIBER 945 PAGE 135

Business Manager MARYLANDER and HERALD

JONES AND JONES
Attorneys at Law

# ORDER OF PUBLICATION

John Lankford
Route 1
Pocomoke City, Maryland 21851

vs

Edwin C. Cottman, whose last known address is Pocomoke, Maryland, and the unknown heirs or devisees of Edwin C. Cottman, and all persons having or claiming to have any interest in certain real estate described as "all that lot of land consisting of 2.5 acres of unimproved land, on the north side of Bowland Road; bearing county tax map No. 42-11-41"

NO. 9014 CHANCERY

In the Circuit Court of Somerset County, Maryland

ORDER OF PUBLICATION

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property situate in Dublin Election District No. 4, in Somerset County, Maryland, and sold by Carlos Bozman, Treasurer of Somerset County and Collector of State and County taxes therein, which is to say: "All that lot of land consisting of 2.5 acres of unimproved land, on the north side of Bowland Road; bearing county tax map No. 42-11-41;" and assessed to Edwin C. Cottman.

The bill states, among other things, that the amount necessary for the redemption of the aforesaid property has not been paid although more than a year and a day from the date of said sale, being June 17, 1969, has expired; it is thereupon this 17th day of March, 1971, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this order in some newspaper having a general circulation in said Somerset County, once a week for four successive weeks before the 16th day of April, 1971, warning all persons interested in said property to be and appear in this Court by the 18th day of May, 1971, and redeem the property and answer the bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in said property and vesting in the plaintiff a title free and clear of all encumbrances.

S|E. McMASTER DUER
Judge

TRUE COPY, TEST:
T. Theodore Phoebus, Clerk

48-4t

LIBER 044 PAGE 136

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Edwin C. Cottman
Pocomoke, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....April.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of John Lankford
vs
Edwin C. Cottman, etal

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...18.....day of...March....., 19..71....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....18th.....day of.....May....., 1971..... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

.....Jones and Jones.....
Name

Princess Anne, Maryland
Address

*Sheriff's Return*
*Non Est 4/6/71 s/s/ Thomas H. Foxwell, Sheriff*

.....Clerk

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Edwin C. Cottman
Pocomoke, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....May.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of John Lankford
vs.
Edwin C. Cottman, et al

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..12.....day of.....April....., 19.71.....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...18th.....day of.....May....., 19.71.... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Jones & Jones
.....
Name
Princess Anne, Maryland
.....
Address

Theodore Roberts
.....
Clerk

*SHERIFFS RETURN*
*Non Est 4/13/71 s/ Thomas H. Foxwell, Sheriff.*

LIBER 044 PAGE 137

LIBER 044 PAGE 138

| | | |
|---|---|---|
| John Lankford | : | No. 9014 Chancery |
| vs | : | In the Circuit Court for |
| Edwin C. Cottman, et al | : | Somerset County, Maryland |

PETITION FOR DECREE PRO CONFESSO AND FOR
LEAVE TO TAKE TESTIMONY AND ORDER OF COURT THEREON

The petition of John Lankford, plaintiff in the above entitled action, respectfully shows:

1. That as appears from the proceedings herein, that an order of publication has been duly published against all persons having or claiming to have any interest in the real estate subject of this proceeding and the time in which the answer of any person having any interest in the property mentioned and described in these proceedings, and the redemption thereof from the tax sale herein mentioned, has expired, and no appearance has been entered for such person or any answer filed by, or on behalf of any such person.

2. That your petitioner desires to take testimony to support certain of the allegations in his bill of complaint which may not be taken as a matter of course by this Honorable Court.

Wherefore petitioner prays:

a. That the said bill of complaint may be taken pro confesso against Edwin C. Cottman and all persons having or claiming to have, any interest in and to the said property mentioned and described in these proceedings; and

b. That your petitioner may be granted leave to take testimony before one of the Standing Examiners of this Court to substantiate the allegations of his bill of complaint.

And as in duty bound, etc.

JONES & JONES

By _____
Attorneys for Petitioner

ORDER OF COURT

The aforegoing petition having been read and considered, it is thereupon this 19th day of May, 1971, by the Circuit Court for Somerset County, Maryland, sitting in Equity, ORDERED that the bill of complaint in this cause be and the same is hereby taken pro confesso against the named defendant and all other possible defendants, being all persons having or claiming to have any interest in and to the certain real estate mentioned and described in these proceedings, or in the right to redemption thereof, and the plaintiff be, and he is hereby granted leave to take testimony before one of the Standing Examiners of this Court, to substantiate the allegations of his said bill of complaint.

William W. Lawson
Judge

| | | |
|---|---|---|
| John Lankford | : | No. 9014 Chancery |
| vs | : | In the Circuit Court for |
| Edwin C. Cottman, et al | : | Somerset County, Maryland |

To the Honorable, the Judge of said Court:

The petition of John Lankford by Jones & Jones, his attorneys, repsectfully represents:

That the regular Court Examiner is in ill health and unable to perform his normal duties.

Your petitioner, therefore, prays your Honor to pass an order appointing Eunice Pilchard special examiner of this Court to take testimony in the above entitled case.

And as in duty bound,

JONES & JONES

By _____
Attorneys for Petitioner

ORDER

Upon the above petition, it is ORDERED by the Circuit Court for Somerset County, this 19th day of May, in the year nineteen hundred and seventy-one, that Eunice Pilchard be and she is hereby appointed special examiner of this Court to take testimony in the above entitled case.

_____
Judge

| | | |
|---|---|---|
| John Lankford | : | No. 9014 Chancery |
| vs | : | In the Circuit Court for |
| Edwin C. Cottman, et al | : | Somerset County, Maryland |

TESTIMONY

In this cause, testimony having to be taken to support the allegations of the bill, I, Eunice Pilchard, of Princess Anne, Maryland, special examiner of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc., do hereby certify that on this 8th day of July, 1971, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION OF CARLOS BOZMAN, ESQ.:

Q. Please state your name, residence and occupation.
A. I am Carlos Bozman, I reside in Somerset County, Maryland, and I am the duly elected and qualified Treasurer of Somerset County, as such collect the State and County taxes for said Somerset County.

Q. Mr. Bozman, I hand you a certain document previously filed in this proceeding and ask if you can identify it.
A. Yes. This document is a certificate of sale issued by me to John Lankford as the purchaser at a certain tax sale held by me in my official capacity on June 17, 1969.

Q. Will you please identify the certificate more specifically?
A. Yes. I am now testifying in reference to a certificate of sale dated June 17, 1969, signed by me as Collector and all notarized on June 17, 1969 by Gertrude H. Bozman, Notary Public. Said certificate relates to the property assessed to Edwin C. Cottman referred to in the bill of complaint in paragraph 2 and paragraph 5. This certificate recites a sale to Mr. Lankford on June 17, 1969 in the sum of $220.00 of which $45.53 was paid at the date of sale.

Q. Prior to the offeringof this property for sale at public auction for delinquent taxes, did you or your deputies receive due notice of assessment of this property and tax bills for it for the years for which it was sold, and did you or your deputies comply with all the prerequisites of law pertaining to said tax sale?
A. Yes. The property was so assessed and I did receive such bills and my deputies and I complied with all the preprequisites of law in advertising and held the tax sale.

Q. With reference to the property which you have set forth in your testimony, have you received any notice of redemption of this property, or any notice of intent to redeem this property, or any offers for payment on account of such redemption from any person or persons?
A. None whatsoever.

Q. Since the date of the tax sale and the filing of the bill of complaint, has the purchaser, Mr. John Lankford, made any further payments to you in your official capacity.
A. Yes. I wish to file as an exhibit a statement issued by my office showing that on the 8th day of July 1971, Mr. Lankford paid a total of $187.32

representing the total balance due on the bid or purchase price for this property. This figure represents the total difference between the amount bid and the amount paid on June 17, 1969, plus all taxes and interest which have since accrued.

Q. Does Mr. Lankford owe anything further to your office on account of this property?
A. No. As to this property Mr. Lankford has paid all charges made by my office and in addition has paid all taxes and interest thereon levied against this property through June 30, 1971.

Q. Do you in your official capacity know of any reason why the sale of this property to Mr. Lankford should not be ratified by this Court or do you have any objection to such ratification?
A. I know of no reason why the sale should not be ratified and I have no objection to its ratification.

Q. At this point the examiner marked the document submitted by Mr. Bozman as Complainant's Exhibit A to be attached to Mr. Bozman's transcript of testimony.

Q. COURT'S QUESTION:
A. No.

Carlos Bozman

Carlos Bozman

EXAMINATION OF ALEXANDER G. JONES, ESQ.:

Alexander G. Jones, a witness produced on behalf of the complainant, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.
A. I am Alexander G. Jones and I reside at Princess Anne, Maryland. I am an attorney at law with an office for the practice of my profession in Princess Anne, Somerset County, Maryland.

Q. Will you please state your connection with this proceeding?
A. I was employed by the complainant, John Lankford, the purchaser of certain property at a tax sale held by the County Treasurer on June 17, 1969. I was requested by Mr. Lankford to make an examination of the public records of Somerset County pertaining to the ownership of the property mentioned in the bill of complaint in paragraphs 2 and 5 and to take such steps as are required by law to give notice of this proceeding to the attention of the former owners of record and to any other persons who might be interested in said property or the redemption of it.

Q. What legal actions did you take?
A. I personally examined the appropriate Somerset County records and prepared and filed the bill of complaint in this proceeding together with an affidavit dated March 12, 1971 referring to my title examination. I now reaffirm the contents of that affidavit as a part of my testimony in this proceeding. I also caused to be published the order of publication herein as more fully appears by the printers certificate heretofore filed in this proceeding and caused subpoena to be issued and served upon the property owner subject to process.

Q. Since the filing of the suit, the issuance of subpoena and the publication of the order of publication have there been any changes in the status of the property mentioned in the bill of complaint?
A. I can confirm the testimony of Mr. Carlos Bozman, County Treasurer, filed in this proceeding. There has been no change in the property described in paragraph 2 in the bill of complaint. As Mr. Bozman stated all costs, taxes and interest levied by his office against the property has been paid in full by Mr. Lankford.

Q. Has any offer been made to you to redeem the property described in paragraph 2 and paragraph 5 in the bill of complaint?
A. No person has made any offer to me to redeem the property to which you refer nor has anyone disclosed to me any intention to redeem it.

Q. Do you know of any reason why the sale of the property should not be ratified by this Court?
A. No.

Q. COURT'S QUESTION.
A. No.

Alexander G.Jones

There being no further witnesses to be examined and at the suggestion of the attorney for the Plaintiff, the papers are herewith returned to the Court, and I further certify this annexed bill of costs is correct and paid by the plaintiff. This examination was conducted in compliance with Rule 580. In the judgment of the examiner, no further examination or cross-examination was proper or necessary for a full presentation of the true facts in the case. There were no irregularities or unusual circumstances in the taking of the testimony or in the conduct of the proceedings.

Bill of Costs

Examiner $10.00

Witness my hand and seal.

Eunice Pilchard (SEAL)
Eunice Pilchard
Special Examiner

LIBER 044 PAGE 144

Exhibit "A"

# Office Of Treasurer Of Somerset County # 7014 Chancery

PRINCESS ANNE, MARYLAND

PLEASE RETURN THIS STATEMENT WHEN PAYING TAXES.

EDWIN C COTTMAN --BOUGHT IN TAX SALE BY JOHN LANKFORD

*To* CARLOS BOZMAN, TREAS. *Dr.*

DUBLIN DISTRICT — June ~~July~~ INTEREST INC.

| | | | |
|---|---|---|---|
| 1969 Taxes due | $ 6 | 63 | |
| 1970 " " | 6 | 22 | |
| TAXES DUE | | | $ 12 85 |
| BALANCE PURCHASE PRICE DUE | | | 174 47 |
| TOTAL NOW DUE | | | 187 32 |

PAID
JUN 3 1971
CARLOS BOZMAN
TREASURER

| | | |
|---|---|---|
| John Lankford | : | No. 9014 Chancery |
| vs | : | In the Circuit Court for |
| Edwin C. Cottman, et al | : | Somerset County, Maryland |

DECREE

The above entitled proceeding having been presented to this Court, and it appearing that all defendants named therein have been duly notified thereof by service of process or by publication as appropriate, and all pleadings, exhibits, affidavits, testimony and other matters having been duly read and considered by this Court, it is hereby

DECREED, this 20 day of July, 1971, by the Circuit Court for Somerset County, Maryland, in Equity, that as to the property hereinafter named and described in this decree there is hereby vested in the complainant, John Lankford, an absolute and indefeasible title in fee simple in said property, free and clear of all alienations and descents of said property occuring prior to the time and date of this decree and free and clear of any encumbrances thereon, except taxes accruing subsequent to the date of sale of said property (if any of said taxes remain outstanding, due and unpaid) and except easements to which said property is subject and of which the complainant had actual or constructive knowledge at the time of said sale, and it is further

DECREED, that Carlos Bozman, Treasurer of Somerset County and Collector of State and County Taxes for Somerset County, shall execute a deed to John Lankford conveying the hereinafter described property upon payment to said Collector of the balance of the purchase price, due on account of the purchase price of the property, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale (if any of said purchase price, taxes, interest and penalties remain outstanding, due and unpaid); the said deed to be prepared by the complainant's attorney, and all expenses incident to the preparation and execution of said deed shall be paid by the said John Lankford, and it is further

DECREED, that the Clerk of the Circuit Court for Somerset County shall issue a certified copy of this decree to the aforesaid Carlos Bozman, Treasurer and Collector of Taxes, who shall not be obligated to execute the deed hereinbefore provided for until such certified copy of said decree is served upon him and it

is further

DECREED, that the complainant, John Lankford, shall forthwith, and before delivery of said certified copy of this decree to said Collector by said Clerk, shall pay all Court costs accrued to date in this proceeding and it is further

DECREED, that the property subject of this decree is identified and described as follows: All that lot of land consisting of 2.5 acres of unimproved land, on the north side of Bowland Road; bearing county tax map #42-11-41, and assessed to Edwin C. Cottman.

E. McMaster Duke
Judge

FEB 8 1974

R# 34/708

| | | |
|---|---|---|
| Herman Outen, Sr.<br>887 North Forty-eighth Street<br>Philadelphia, Pennsylvania 19139 | : | No. 9045 Chancery<br>In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Mary Outen<br>1722 West Erie Avenue<br>Philadelphia, Pennsylvania<br>and all mortgagees and judgment<br>creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | : | |

To the Clerk of the Circuit Court for Somerset County.

Dear Mr. Clerk:

Please file the within bill of complaint and issue an order of publication for the non-resident defendant named therein.

JONES & JONES

By _____

Solicitors for Complainant
Princess Anne, Maryland
Telephone 651-2747

LIBER 044 PAGE 147

LIBER 844 PAGE 148

| | | |
|---|---|---|
| Herman Outen, Sr.<br>887 North Forty-eighth Street<br>Philadelphia, Pennsylvania 19139 | : | No. 9045 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Mary Outen<br>1722 West Erie Avenue<br>Philadelphia, Pennsylvania | : | |
| and all mortgagees and judgment creditors of | : | |
| Jolly C. Outen, Mary Outen and Herman Outen, Sr., if any there be | : | |

To the Honorable, the Judge of said Court:

Your Orator, complaining says:

1. That Herman Outen, Sr., the complainant herein, and Mary Outen, the respondent herein, are seized and possessed as tenants in common of the hereinafter described real estate in the shares hereinafter set forth:

All those lots or parcels of land situate, lying and being in Brinkleys Election District, Somerset County, Maryland, and more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, located on the north side of the Marumsco Road, bounded on the west and on the north by the land assessed to Jesse E. Outen, and on the east by the land assessed to Marion V. Tawes, assessed as containing 3 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 66, Block 10, Parcel 52.

Second: All that lot or parcel of land, situate as aforesaid, lying and binding on the north side of the road which leads in an easterly direction to intersect the county road leading from Marumsco to Rumbling Point, bounded on the west by the property of Maryland Ornithological Society, Inc., bounded on the north and in part on the east by the land assessed to Inez Rockwell, and on the east in part by the land assessed to George S. Miller and Norma Miller, assessed as containing 12 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 66, Block 13, Parcel 53.

2. The land above described was formerly owned by Jolly C. Outen and upon his death, intestate, around the year 1950, title to the above described parcels of land vested in the said Mary Outen, his surviving spouse, and Herman Outen, Sr., his surviving son, who were and are the only heirs at law of the said Jolly C. Outen,

to the end that an undivided one-third interest in said property vested in Mary Outen and an undivided two-thirds interest vested in Herman Outen, Sr.

3. That the above described property is not susceptible to partition without material loss and injury to the parties entitled to interests therein.

4. That all parties to this proceeding are adults over the age of twenty-one years.

To the end, therefore,

a. That a decree may be passed by this Court for the sale of the real estate described in the above petition and a division of the money arising from said sale may be made among the parties according to their respective rights.

b. That your orator may have such other and further relief as his case may require.

May it please your Honor to grant unto your orator the order of publication, giving notice to the said Mary Outen, residing at 1722 West Erie Avenue, Philadelphia, Pennsylvania, who is a non-resident of this State, of the object and substance of this bill and warning her to appear in this court in person, or by solicitor, on or before a certain day to be named therein, to show cause, if any she has, why a decree ought not to be passed as prayed.

And as in duty bound,

JONES & JONES

By _____

Solicitors for Complainant
Princess Anne, Maryland
Telephone 651-2747

LIBER 044 PAGE 150

JONES & JONES
Attorneys

ORDER OF PUBLICATION

| | | |
|---|---|---|
| Herman Outen, Sr.<br>807 North Forth-eighth Street<br>Philadelphia, Pennsylvania 19139 | : | No. 9045 Chancery<br>In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Mary Outen<br>1722 West Erie Avenue<br>Philadelphia, Pennsylvania<br>and all mortgagees and judgment<br>creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | : | |

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, formerly owned by Jolly C. Outen, late of Somerset County, deceased, for a division of the money arising from said sale among the parties hereto according to their respective rights.

The bill of complaint recites that Jully C. Outen, late of Somerset County, deceased, died intestate around the year 1950 and at the time of his death was the owner of the following described real estate:

All those lots or parcel of land situate, lying and being in Brinkleys Election District, Somerset County, Maryland, and more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, located on the north side of the Marumsco Road, bounded on the west and on the north by the land assessed to Jesse E. Outen, and on the east by the land assessed to Marion V. Tawes, assessed as containing 3 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 66, Block 10, Parcel 52.

Second: All that lot or parcel of land, situate as aforesaid, lying and binding on the north side of the road which leads in an easterly direction to intersect the county road leading from Marumsco to Rumbling Point, bounded on the west by the property of Maryland Ornithological Society, Inc., bounded on the north and in part on the east by the land assessed to Inez Rockwell, and on the east in part by the land assessed to George S. Miller and Norma Miller, assessed as containing 12 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 66, Block 13, Parcel 53.

The land above described was formerly owned by Jolly C. Outen and upon his death, intestate, around the year 1950, title to the above described parcels of

land vested in the said Mary Outen, his surviving spouse, and Herman Outen, Sr., his surviving son, who were and are the only heirs at law of the said Jolly C. Outen to the end that an undivided one-third interest in said property vested in Mary Outen and an undivided two-third interest vested in Herman Outen, Sr.; that it is not susceptible of partition without material loss and injury to the parties entitled to interests therein, and that in order to make division of said interests, it will be necessary that said real estate be sold and the proceeds thereof divided among the parties according to their interests. The bill further states that all parties to this proceeding are adults over the age of twenty-one years.

It is thereupon, this 10th day of June, 1971, ordered by the Circuit Court for Somerset County, in Equity, that the plaintiff, by causing a copy of this order to be inserted in some newspaper published in said Somerset County once in each of four successive weeks on or before the 16th day of July, 1971, giving notice to the non-resident defendant, Mary Outen, and to all mortgagees and judgment creditors Jolly C. Outen, Mary Outen and Herman Outen, Sr., if any there be, of the object and substance of this bill, warning them to appear in this Court in person or by solicitor, on or before the 17th day of August, 1971, to show cause, if any they have, why a decree ought not to be passed as prayed.

I. Theodore Phoebus
I. THEODORE PHOEBUS
Clerk of the Circuit Court for
Somerset County

LIBER 044 PAGE 152

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment<br>creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br><br>:<br><br>: | Somerset County, Maryland |

AFFIDAVIT RE MAILING OF NOTICE BY REGISTERED MAIL

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 14th day of June, in the year nineteen hundred and seventy-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones and made oath in due form of law that on the 10th day of June, 1971, by registered mail No. 776 postmarked at Princess Anne, Maryland, he mailed to Mrs. Mary Outen, 1722 West Erie Avenue, Philadelphia, Pennsylvania, a conformed copy of the bill of complaint and the order of publication filed in No. 9045 Chancery together with a personal letter, a copy of which is attached to this affidavit. Said registered mail was delivered on June 11, 1971 and the return receipt therefor was signed by one William E. Martin and returned to Jones & Jones, Princess Anne, Maryland 21853, by the United States Post Office Department on June 14, 1971. The receipt for registered mail No. 776 dated June 10, 1971 and the return receipt signed by William E. Martin are attached to this affidavit.

Affidavit is filed pursuant to Rule 105e. of the Maryland Rules of Procedure.

As witness my hand and Notarial Seal the day and year above written.

EUNICE PILCHARD NOTARY PUBLIC SOMERSET COUNTY, MD.

Eunice Pilchard
Notary Public

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES
ALEXANDER G. JONES

AREA CODE 301
TELEPHONE 651-2747

June 10, 1971

Mrs. Mary Outen
1722 West Erie Avenue
Philadelphia, Pennsylvania

Dear Mrs. Outen:

I am enclosing herewith a conformed copy of the bill of complaint and the order of publication filed in No. 9045 Chancery, in the Circuit Court for Somerset County, Maryland. This suit was filed on behalf of Herman Outen, Sr. against you and any mortgagees or judgment creditors having an interest in the property. The purpose of the law suit is to procure a decree for the sale of two parcels of land in Brinkleys Election District, assessed to Jolly C. Outen and described in the enclosed papers. You will have until August 17, 1971 to show cause to the Court why the sale of the property should not proceed. If the property is sold pursuant to a court order the proceeds of the sale will be distributed under the supervision of the Court and you will receive your distributive share from the sale of the properties.

Very truly yours,

Alexander G. Jones

AGJ:sep

COPY

Via Registered Mail - Return Receipt Requested

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S). REQUIRED FEE(S) PAID.
☐ Show to whom, date and address where delivered
☐ Deliver ONLY to addressee

RECEIPT
*Received the numbered article described below.*

REGISTERED NO. 776
CERTIFIED NO.
INSURED NO.
DATE DELIVERED JUN 11 1971

(1) SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)
(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
William E. Smith
SHOW WHERE DELIVERED (*only if requested*)

LIBER 044 PAGE 153

633-10-71343-11 347-193 GPO

REGISTERED NO. 776
Value $ N/V
Special Delivery $
Reg. Fee $ 95
Return Receipt $ 15
Handling Charge $
Restricted Delivery $
Postage $ 5
☐ AIRMAIL
POSTMASTER (By)
FROM
TO Mrs. Mary Outen 1722 West Erie Ave Phila. Pa.
POSTMARK OF MAILING OFFICE
PRINCESS ANNE, MD. JUN 10 1971
☆ G.P.O.: 1968—616-167

LIBER 044 PAGE 154

#9045

JONES AND JONES
Attorneys

# ORDER OF PUBLICATION

Herman Outen, Sr.
887 North Forty-eighth Street
Philadelphia, Pennsylvania
19139

vs

Mary Outen
1722 West Erie Avenue
Philadelphia, Pennsylvania
and all mortgages and judgment creditors of

Jolly C. Outen, Mary Outen and Herman Outen, Sr., if any there be

No. 9045 Chancery In the Circuit Court for Somerset County, Maryland

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, formerly owned by Jolly C. Outen, late of Somerset County, deceased, for a division of the money arising from said sale among the parties hereto according to their respective rights.

The bill of complaint recites that Jolly C. Outen, late of Somerset County, deceased, died intestate around the year 1950 and at the time of his death was the owner of the following described real estate:

All those lots or parcel of land situate, lying and being in Brinkleys Election District, Somerset County, Maryland, and more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, located on the north side of the Marumsco Road, bounded on the west and on the north by the land assessed to Jesse E. Outen, and on the east by the land assessed to Marion V. Tawes, assessed as containing 3 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 00, Block 10, Parcel 52.

Second: All that lot or parcel of land, situate as aforesaid, lying and binding on the north side of the road which leads in an easterly direction to intersect the county road leading from Marumsco to Rumbling Point, bounded on the west by the property of Maryland Ornithological Society, Inc., bounded on the north and in part on the east by the land assessed to Inez Rockwell, and on the east in part by the land assessed to George S. Miller and Norma Miller, assessed as containing 12 acres and indicated on the 1970 Tax Assessment Maps of Somerset County in Map 00, Block 13, Parcel 53.

The land above described was formerly owned by Jolly C. Outen and upon his death, intestate, around the year 1950, title to the above described parcels of land vested in the said Mary Outen, his surviving spouse, and Herman Outen, Sr., his surviving son, who were and are the only heirs at law of the said Jolly C. Outen to the end that an undivided one-third interest in said property vested in Mary Outen and an undivided two-third interest vested in Herman Outen, Sr.; that it is not susceptible of partition without material loss and injury to the parties entitled to interests therein, and that in order to make division of said interests, it will be necessary that said real estate be sold and the proceeds thereof divided among the parties according to their interests. The bill further states that all parties to this proceeding are adults over the age of twenty-one years.

It is thereupon, this 10th day of June, 1971, ordered by the Circuit Court for Somerset County, in Equity, that the plaintiff, by causing a copy of this order to be inserted in some newspaper published in said Somerset County once in each of four successive weeks on or before the 16th day of July, 1971, giving notice to the non-resident defendant, Mary Outen, and to all mortgagees and judgment creditors Jolly C. Outen, Mary Outen and Herman Outen, Sr., if any there be, of the object and substance of this bill, warning them to appear in this Court in person or by solicitor, on or before the 17th day of August, 1971, to show cause, if any they have, why a decree ought not to be passed as prayed.

I. THEODORE PHOEBUS
Clerk of the Circuit Court for Somerset County

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
8-4tc

PRINCESS ANNE, MD., July 19 71

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: June 17 24 July 1 8 1971

Clarence L. Byrd
Business Manager MARYLANDER and HERALD
per MOH

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment<br>creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>:<br>: | Somerset County, Maryland |

To the Honorable, the Judge of said Court:

The petition of Herman Outen, Sr., by Jones & Jones, his attorneys, respectfully represents:

That the defendant, Mary Turpin, having been duly summoned to appear to the bill of complaint in this cause but has failed to appear to or answer said bill of complaint.

The plaintiff, therefore, prays that the bill of complaint in this cause may be taken pro-confesso against the said defendant, and that the plaintiff have leave to take testimony before one of the standing examiners of this Court.

JONES & JONES

By _____
Solicitors for Plaintiff

ORDER

It appearing in the above entitled cause that the adult defendant, Mary Outen, has been duly subpoenaed to appear to the bill of complaint in this cause, but has failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

It is thereupon, this 20 day of August, in the year nineteen hundred and seventy-one, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that the said bill of complaint be and the same is hereby taken pro-confesso against said defendant.

And it is further ordered that the plaintiff have leave to take testimony before one of the standing examiners of this Court.

E. McMaster Dize
Judge

LIBER 044 PAGE 155

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment<br>creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br><br>:<br><br>: | Somerset County, Maryland |

To the Honorable, the Judge of said Court:

The petition of Herman Outen, Sr., by Jones & Jones, his attorneys, respectfully represents:

That the regular Court Examiner is in ill health and unable to perform his normal duties.

Your petitioner, therefore, prays your Honor to pass an order appointing Eunice Pilchard special examiner of this Court to take testimony in the above entitled case.

And as in duty bound,

JONES & JONES

By

Solicitors for Plaintiff

ORDER

Upon the above petition, it is ORDERED by the Circuit Court for Somerset County this 26 day of August, in the year nineteen hundred and seventy-one, that Eunice Pilchard be and she is hereby appointed special examiner of this Court to take testimony in the above entitled case.

E. McWaster Dixon

Judge

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>:<br>: | Somerset County, Maryland |

In the above entitled cause, an order having been passed for the taking of testimony to support the allegations of the bill of complaint, I, Eunice Pilchard, of Princess Anne, Maryland, special examiner appointed by the Circuit Court for Somerset County, duly sworn, etc., do hereby certify that on the 20th day of August, in the year nineteen hundred and seventy-one, at the office of Jones & Jones, in Princess Anne, Maryland, beginning at the hour of about 2:00 o'clock P. M. I did take the following depositions, that is to say:

Herman Outen, Sr., a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

Int. 1 - State your name, age, residence and occupation.

Ans. Herman Outen, Sr., I am 57 years of age, I reside at 887 North 48th Street, Philadelphia, Pennsylvania, and I am a chef.

Int. 2 - What is your relationship to the parties to this suit?

Ans. I am the complainant, the defendant, Mary Outen, is my stepmother and is the widow of my father, Jolly C. Outen.

Int. 3 - Did Jolly C. Outen own any land in Somerset County at the time of his death? If so, describe it.

Ans. My father, Jolly C. Outen, died without a will in the late 1950s. At the time of his death he owned the following real estate: First, a parcel of land located on the north side of the Marumsco Road assessed as containing about 3 acres and improved by a small dwelling. Second, another tract of land adjoining the property of the Maryland Ornithological Society on the north side of a road which leads in an easterly direction to intersect the county road leading from Marumsco to Rumbling Point, assessed as containing 12 acres. Both of the parcels are in Brinkleys District. Upon his death, Jolly C. Outen was survived by his

widow, Mary Outen, the defendant in this case, and by myself, his surviving son. We are the only heirs of Jolly C. Outen. I am informed under the law a one-third interest in this property is owned by Mary Outen and a two-thirds interest by me.

Int. 4 - What is the value of the land?

Ans. The three acre parcel is assessed for tax purposes at $630.00 and I estimate it is worth approximately $1,000.00. The twelve acre property is assessed at $240.00 and in my opinion is worth about $500.00.

Int. 5 - Is the land susceptible to division among the parties interested therein without material loss and injury to them?

Ans. I do not think this property could be fairly divided between Mary Outen and myself. It would be to our mutual benefit and advantage to have the property sold and divide the proceeds.

COURT QUESTION AND ANSWER

Nothing more.

Herman Outen Sr
Herman Outen, Sr.

Robert L. Lankford, Jr., a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

Int. 1 - State your name, age, residence and occupation.

Ans. Robert L. Lankford, Jr., I am 45 years of age, I reside at Marion, Somerset County, Maryland, and I am a tax assessor for Somerset County.

Int. 2 - Are you acquainted with the parties to this suit?

Ans. No.

Int. 3 - Are you familiar with the property subject of this suit?

Ans. I have appraised this property for purposes of this suit.

Int. 4 - In your opinion what is the value of the Land?

Ans. In my opinion the twelve acre lot is worth $1800.00 and the three acre lot is worth $700.00.

Int. 5 - Do you know how the property is presently titled?

Ans. I have read the bill of complaint which sets forth the names of the present owners and I believe it to be accurate.

Int. 6 - Is the property susceptible of division?

Ans. No.

Int. 7 - Would it be to the benefit and advantage of the owners to sell the property and divide the proceeds?

Ans. In my opinion it would be the fairest way to deal with the property.

COURT QUESTION AND ANSWER.

Nothing more.

Robert L. Lankford Jr.
Robert L. Lankford, Jr.

There being no further witnesses to be examined and at the suggestion of the attorney for the plaintiff, the papers are herewith returned to the Court, and I further certify this annexed bill of costs is correct and paid by the plaintiff. The examination was conducted in compliance with Rule 580. In the judgment of the examiner, no further examination or cross-examination was proper or necessary for a full presentation of the true facts in the case. There were no irregularities or unusual circumstances in the taking of the testimony or in the conduct of the proceedings.

Bill of Costs

| | |
|---|---|
| Examiner | $10.00 |

Witness my hand and seal.

Eunice Pilchard (SEAL)
Eunice Pilchard
Special Examiner

LIBER 044 PAGE 160

| | | |
|---|---|---|
| Herman Outén, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>:<br>: | Somerset County, Maryland |

This cause standing ready for hearing and being submitted on the bill of complaint and testimony having been filed pursuant to Order of this Court, the proceedings were read and considered;

It is thereupon, this 21 day of September, in the year nineteen hundred and seventy-one, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED and DECREED that the property mentioned in the proceedings to be sold; that Alexander G. Jones be, and he is hereby, appointed trustee to make said sale, and that the course and manner of his proceeding shall be as follows: He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by him, and a surety or sureties, to be approved by this Court in the penalty of $ 2500.00, 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 sale, having given at least three weeks notice by advertisement, inserted in such newspaper or newspapers published in Somerset County, Maryland, as he shall think proper, of the time, place, manner and terms of sale, which terms shall be one-half cash, on day of sale, and balance to be paid upon the ratification of sale, or all cash, at the option of the purchaser or purchasers, the credit portions to bear interest at the rate of six per cent per annum and to be secured to the satisfaction of the trustee, and, as soon as may be convenient after such sale of sales, the said trustee shall return to this court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the trust thereof and of the fairness of said sale; and, on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, the said trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded accoYding to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them

sold, free, clear and discharged from all claims of the parties hereto, plaintiff and defendants, 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 costs 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 appear to have discharged his trust.

E. McMaster Dunn
Judge

*FOR BOND SEE BOND BOOK NO. 9, FOLIO 478*

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>:<br>: | Somerset County, Maryland |

To the Honorable, the Judge of said Court:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 21st day of September, in the year nineteen hundred and seventy-one, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the "Marylander and Herald", a weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, Maryland, on the 26th day of October, 1971, at the hour of 1:00 o'clock P.M., and then and there proceeded to sell said property in manner following, that is to say:

Your trustee offered at public sale to the highest bidder the property mentioned in said decree, and described as follows:

All those lots or parcels of land situate, lying and being in Brinkleys Election District, Somerset County, Maryland, and more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, located on the north side of the Marumsco Road, bounded on the west and on the north by the land assessed to Jesse E. Outen, and on the east by the land assessed to Marion V. Tawes, assessed as containing 3 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 66, Block 10, Parcel 52, and sold the same to Herman Outen, Sr., at and for the sum of $1,000.00, he being at said sum the highest bidder therefor.

Second: All that lot or parcel of land, situate as aforesaid, lying and binding on the north side of the road which leads in an easterly direction to intersect the

the county road leading from Marumsco to Rumblin Point, bounded on the west by the property of Maryland Ornithological Society, Inc., bounded on the north and in part on the east by the land assessed to Inez Rockwell, and on the east in part by the land assessed to George B. Miller and Norma Miller, assessed as containing 12 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 66, Block 13, Parcel 53, and sold the same to the Maryland Ornithological Society, Inc., at and for the sum of $2,050.00, it being at said sum the highest bidder therefor.

The land above described was formerly owned by Jolly C. Outen and upon his death, intestate, around the year 1950, title to the above described parcels of land vested in the said Mary Outen, his surviving spouse, and Herman Outen, Sr., his surviving son, who were and are the only heirs at law of the said Jolly C. Outen to the end that an undivided one-third interest in said property vested in Mary Outen and an undivided two thirds interest vested in Herman Outen, Sr.

Your Trustee further reports that the said purchasers have complied fully with the terms of sale.

Respectfully submitted,

Alexander G. Jones

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of October, in the year nineteen hundred and seventy-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee, named in the above report of sale, and he made oath in due form of law that the matters and facts stated in the aforegoing report are true as therein stated, to the best of his knowledge, information and belief, and that the sales therein reported were fairly made.

As witness my hand and Notarial Seal the day and year above written.

Eunice Pilchard
Notary Public

EUNICE PILCHARD NOTARY PUBLIC SOMERSET COUNTY, MD.

LIBER 044 PAGE 164

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment<br>creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br><br>:<br>: | Somerset County, Maryland |

Purchaser's Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of October, 1971, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared Herman Outen, Sr., the purchaser of the real estate described in the above entitled proceeding as item First and he made oath in due form of law, in compliance with Maryland Rule BR6:

1. That in making said purchase he was not acting as agent for anyone.
2. That others interested in said purchase, as principals, are none.
3. That he did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal the day and year above written.

Notary Public

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>:<br>: | Somerset County, Maryland |

Purchaser's Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of October, 1971, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared V. Edwin Unger, Purchasing Agent for Maryland Ornithological Society, Inc., the purchaser of the real estate described in the above entitled proceeding as item Second, and he made oath in due form of law, and in compliance with Maryland Rule BR6:

1. That in making said purchase he was acting as agent for Maryland Ornithological Society, Inc.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal the day and year above written.

EUNICE PILCHARD NOTARY PUBLIC SOMERSET COUNTY, MD.

Eunice Pilchard
Notary Public

LIBER 044 PAGE 165

Order Nisi

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>: | Somerset County, Maryland |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander C. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 30th day of November, 1971, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 29th day of November, 1971.

The report states the amount of sale to be $3,050.00.

Dated: October 27, 1971.

L. Thodore Phillips
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 1st day of ~~November~~ December, 1971, that the sale made and reported by the Trustee aforesaid, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause; and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the auditor.

Z. McMaster Duer
Judge

#9045 Chancery

JONES AND JONES
Princess Anne, Maryland

# TRUSTEE'S SALE OF VALUABLE REAL ESTATE

By virtue of the power contained in a decree of the Circuit Court for Somerset County, Maryland, in Equity, passed in a cause in which Herman Outen, Sr. is complainant and Mary Outen, et al, are the defendants, the same being No. 9045 on the Chancery Docket of said Court, the undersigned Trustee named in said decree will sell at public auction in front of the Court House door, in Princess Anne, Maryland, on

He:

## TUESDAY OCT. 26, 1971

at 1:00 o'clock P. M.

All those lots or parcels of land situate, lying and being in Brinkleys Election District, Somerset County, Maryland, and more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, located on the north side of the Marumsco Road, bounded on the west and on the north by the land assessed to Jesse E. Outen, and on the east by the land assessed to Marion V. Tawes, assessed as containing 3acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 60, Block 10, Parcel 52.

Second: All that lot or parcel of land, situate as aforesaid, lying and binding on the north side of the road which lends in an easterly direction to intersect the county road leading from Marumsco to Rumblin Point, bounded on the west by the property of Maryland Orinthological Society, Inc., bounded on the north and in part on the east by the land assessed to Inez Rockwell, and on the east in part by the land assessed to George S. Miller and Norma Miller, assessed as containing 12 acres and indicated on the 1970 Tax Assessment Maps of Somerset County on Map 66, Block 13, Parcel 53.

The land above described was formerly owned by Jolly C. Outen and upon his death, intestate, around the year 1950, title to the above described parcels of land vested in the said Mary Outen, his surviving spouse, and Herman Outen, Sr., his surviving son, who and are the only heirs at law of the said Jolly C. Outen to the end that an undivided one-third interest in said property vested in Mary Outen and an undivided two thirds interest vested in Herman Outen, Sr.

Terms of Sale: One-half cash on day of sale, and balance to be paid upon the ratification of sale, or all cash, at the option of the purchaser or purchasers, the credit portion to bear interest at the rate of six per cent per annum and to be secured to the satisfaction of the trustee.

Title papers, documentary stamps and transfer tax at the expense of the purchaser or purchasers.

ALEXANDER G. JONES
TRUSTEE

23-4tc

PRINCESS ANNE, MD., October 27 19 71

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Sept 30 Oct 7 14 21

Business Manager MARYLANDER and HERALD

LIBER 044 PAGE 167

LIBER 044 PAGE 168

PRINCESS ANNE, MD., November 19 71

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Nov 4 11 18 25

Business Manager MARYLANDER and HERALD

JONES & JONES
Attorneys at Law
Princess Anne, Md.

ORDER NISI

Herman Outen, Sr.
VS
Mary Outen
and all mortgagee and judgment creditors of
Jolly C. Outen, Mary Outen and Herman Outen, Sr., if any there be

No. 9045 Chancery

In the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 30th day of November, 1971, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 29th day of November, 1971.

The report states the amount of sale to be $3,050.00.

Dated: October 27, 1971

S/I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland
TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

28-4to

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>:<br>: | Somerset County, Maryland |

PETITION FOR REFERRAL TO SPECIAL AUDITOR

To the Honorable, the Judge of said Court:

Your petitioner, Alexander G. Jones, Trustee named in the above entitled proceedings, respectfully represents:

1. That the property referred to in the above entitled cause has been sold and the proceeds paid or are in the process of being paid and, if there are no objections to the ratification of said sale the proceedings will be ready for auditing following final ratification of the report of sale by this Court.

2. That the Standing Auditor of this Court is, or is believed to be Harry C. Dashiell, Esquire, but who for reasons of ill health is unable to perform his duties.

Wherefore, your petitioner requests the appointment of a special auditor to file an audit in these proceedings pursuant to Maryland Rule 595.

Petitioner

Order of Court

The aforegoing petition having been read and considered, it is thereupon this 1st day of December, 1971, by the Circuit Court for Somerset County, Maryland, ORDERED and DECREED that Eunice Pilchard be and she is hereby appointed special auditor to examine the account and proceedings in this case in conformity with Maryland law and Maryland rules of procedure.

Judge

LIBER 044 PAGE 170

OATH OF SPECIAL AUDITOR PURSUANT TO ARTICLE 16, SECTION 9 OF THE ANNOTATED CODE OF MARYLAND

I hereby certify, that on this 1 day of December 1971, before me, E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland and of Somerset County, Maryland, personally appeared Eunice Pilchard, Special Auditor heretofore appointed by me in this proceeding and made oath in due form of law that she would well and faithfully execute the duties of said office of special auditor without favor, affection, partiality or prejudice.

As witness my hand and seal this 1st day of December, 1971.

Eunice Pilchard
Special Auditor

E. McMaster Duer
Judge

| | | |
|---|---|---|
| Herman Outen, Sr. | : | No. 9045 Chancery |
| vs | : | In the Circuit Court for |
| Mary Outen<br>and all mortgagees and judgment creditors of<br>Jolly C. Outen, Mary Outen and<br>Herman Outen, Sr., if any there be | :<br>:<br>: | Somerset County, Maryland |

SPECIAL AUDITOR'S REPORT

To the Honorable, the Judge of said Court:

Your Special Auditor, to whom the proceedings were referred in the above case to state an account, submits the following Special Auditor's Report:

Alexander G. Jones, Trustee for the sale and distribution of the moneys arising therefrom, reports the following collections and disbursements:

RECEIPTS

| | | |
|---|---|---|
| Amount of sale as per report | | $3,050.00 |

DISBURSEMENTS

| | | |
|---|---|---|
| To Trustee for his commissions | $302.50 | |
| To Trustee for his costs and expenses, not personal: | | |
| Plaintiff's solicitor | 10.00 | |
| Clerk's costs, accrued and to accrue | 37.00 | |
| Recording | 15.00 | |
| Advertising order of publication | 105.00 | |
| Advertising sale | 70.00 | |
| Order nisi | 20.00 | |
| Testimony | 10.00 | |
| Bond premium | 10.00 | |
| Auctioneer | 50.00 | |
| Registered mail to defendant | 1.18 | |
| Auditor stating this account | 25.00 | |
| The balance of the funds in the hands of the Trustee is distributed as follows: | | |
| To Mary Outen 1/3 | 798.11 | |
| To Herman Outen, Sr. 2/3 | 1,596.21 | |
| | $3,050.00 | $3,050.00 |

Respectfully submitted,

Eunice Pilchard
Special Auditor

ORDER NISI

ORDERED by the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, this 7th day of December, 1971, that the aforesaid Special Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 23rd day of December, 1971.

S. Theodore Phoebus
Clerk

FINAL ORDER OF RATIFICATION

ORDERED, this 27th day of December, 1971, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Special Auditor's Report be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, and that said Trustee apply the proceeds accordingly.

S. Theodore Phoebus
Clerk

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES
ALEXANDER G. JONES

AREA CODE 301
TELEPHONE 651-2747

December 7, 1971

Mr. Herman Outen, Sr.
887 North 48th Street
Philadelphia, Pa. 19139

and

Mrs. Mary Outen
1722 West Erie Avenue
Philadelphia, Pa.

Re: Herman Outen, Sr.
vs. Mary Outen, et al
No. 9045 Chancery
In the Circuit Court for
Somerset County, Maryland

COPY

Enclosed is copy of Special Auditor's Report in the above entitled case. If no exceptions are filed distribution will be made on or about December 24, 1971.

Very truly yours,

Alexander G. Jones

AGJ:sp

I hereby certify that a copy of the Special Auditor's Report was mailed to the plaintiff and to the defendant on December 7, 1971.

Alexander G. Jones

LIBER 044 PAGE 173

FEB 8 1974

#35499

LIBER 044 PAGE 174

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in Mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

Mr. Clerk:

Please docket the above entitled suit and file the original mortgages among the papers therein, said mortgages are attached hereto and are identified as follows:

1. Mortgage from Custom Pet Food Packers, Inc., a body corporate of the State of Delaware, to the Bank of Somerset, a body corporate of the State of Maryland, dated April 27, 1965, recorded April 27, 1965 among the Land Records of Somerset County in Liber I.T.P. No. 225, folio 333 in the original amount of $142,000.00.

2. Mortgage from Custom Pet Food Packers, Inc., a body corporate of the State of Delaware, to the Bank of Somerset, a body corporate of the State of Maryland, dated December 5, 1967, recorded December 5, 1967 among the Land Records of Somerset County in Liber I.T.P. No. 240, folio 565 in the original amount of $40,000.00.

Alexander G. Jones
Princess Anne, Maryland 21853
Telephone: 651-2747

*FOR MORTGAGES SEE LIBER NO. 225 Folio 333, and LIBER No. 240, Folio 565.*
*FOR BOND SEE BOND BOOK No. 9, Folio 492.*

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

To the Honorable, the Judge of said Court:

The petition of Alexander G. Jones, Attorney, respectfully represents:

1. That as attorney named in two certain mortgages from Custom Pet Food Packers, Inc., a body corporate, to the Bank of Somerset and filed in this proceeding for purpose of foreclosure he is responsible for conducting a fair sale of the mortgaged premises.

2. That the subject premises consists of 11.12 acres of valuable land with frontage on a paved county public road providing access to U.S. Route 13 and with frontage on the property of Penn Central Railroad, together with a railroad spur providing service to the improvements.

3. That said improvements include a large building constructed of concrete and steel in 1966 and assessed as containing 35,380 square feet, together with other outbuildings and a deep well and said premises has been used in the past for the production of canned pet food.

4. That although your petitioner intends to advertise said property in accordance with statute and rules applicable to such proceedings in the Marylander and Herald, a newspaper published weekly in Somerset County, Maryland, said newspaper has a relatively limited circulation and as a result such legal advertisement may not come to the attention of persons who might be interested in purchasing said premises.

5. That the minimum legal advertisement required by law could conceivably and quite probably work to the disadvantage of the mortgagor and mortgagee and other parties interested in this proceeding.

Wherefore, your petitioner prays an order of this Court authorizing him in his discretion to place advertising concerning said foreclosure proceeding in such publications or other media, including but not limited to The Daily Record (Baltimore, Maryland) and the Wall Street Journal (New York) and in such form

as may be appropriate under the circumstances, the costs of said advertising to be added to and made a part of the costs assessed in said foreclosure proceeding.

Alexander G. Jones
Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 17th day of September, 1971, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones and made oath in due form of law that the matters and facts set forth above are true and correct to the best of his knowledge, information and belief.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Oke
Notary Public

ORDER

The aforegoing petition having been read and considered and it appearing that the interest of the mortgagor and mortgagee in this proceeding and that of other persons interested therein would be served by advertising said foreclosure proceeding in a manner and form beyond the minimum required by statute or rule it is thereupon ORDERED, this 20 day of Sept., 1971, that the said Alexander G. Jones, the petitioner herein and the attorney named in said mortgages, be and he is hereby authorized to advertise said foreclosure proceeding, in his discretion, in such publications or other media and in such form as may be appropriate under the circumstances, the costs of said advertising to be added to and made a part of the costs assessed in said foreclosure proceeding.

E. McMaster Duer
Judge

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 10th day of September, in the year nineteen hundred and seventy-one, before me, the undersigned officer, personally appeared Edward J. Price, President and Agent of the Bank of Somerset, and made oath in due form of law as follows:

1. That the principal amount due and owing on the mortgage from Custom Pet Food Packers, Inc. dated April 27, 1965, recorded April 27, 1965 in Liber I.T.P. No. 225, folio 333 is $147,600.41 with interest from September 10, 1971. This figure includes insurance premiums advanced by said mortgagee to insure and keep insured the improvements upon the premises described in said mortgage pursuant to the covenants, terms and conditions of said mortgage, together with interest thereon to September 10, 1971.

2. That the principal amount due and owing on the mortgage from Custom Pet Food Packers, Inc. dated December 5, 1967, recorded December 5, 1967 in Liber I.T.P. No. 240, folio 565 is $30,291.65 with interest from September 10, 1971.

As witness my hand and Notarial Seal the day and year above written.

PATSY E. AKE NOTARY PUBLIC SOMERSET COUNTY, MD.

Patsy E. Ake
Notary Public

LIBER 044 PAGE 177

1 31 Hopkins Plaza, Baltimore, Md. 21201
2 970 Broad St., Newark, N. J. 07102
3 401 N. Broad St., Philadelphia, Pa. 19108
4 P.O. Box 2488, Pittsburgh, Pa. 15230
5 400 N. 8th St., Richmond, Va. 23240
300 Delaware Ave., Wilmington, Del. 19801

**Department of the Treasury**

Address any reply to DISTRICT DIRECTOR at office No. 1

District Director
**Internal Revenue Service**

LIBER 044 PAGE 178

| Date: | In reply refer to: |
|---|---|
| October 6, 1971 | C:SP:JBZ |

Clerk of the Circuit Court
Somerset County
Princess Anne, Maryland

Dear Sir:

In the matter of:

Bank of Somerset
vs.
Custom Pet Food Packers, Inc.
Princess Anne, Md.
Mortgage Foreclosure

We have enclosed a Proof of Claim, in duplicate, which relates to the proceeding noted above.

Your attention is directed to the priority of this claim and the personal liability provisions of section 3467, United States Revised Statutes, which provides:

"Liability of Fiduciary: Every executor, administrator, or assignee, or other person, who pays, in whole or in part, any debt due by the person or estate for whom or for which he acts before he satisfies and pays the debts due to the United States from such person or estate, shall become answerable in his own person and estate to the extent of such payments for the debts so due to the United States, or for so much thereof as may remain due and unpaid."

The original Proof of Claim is for your files. Please acknowledge its receipt by stamping or endorsing the duplicate copy and returning it to us. A return envelope, which requires no postage, is enclosed for your convenience. Thank you for your cooperation.

Sincerely yours,
District Director

Enclosures:
Proof of Claim in duplicate
Envelope

Copy to United States Attorney
Copy to Alexandar G. Jones, Attorney

Form L-241 (10-68)

No. 9079 CHANCERY Case

FORM 4490
(OCT. 1968)

DEPARTMENT OF THE TREASURY—INTERNAL REVENUE SERVICE

# PROOF OF CLAIM FOR INTERNAL REVENUE TAXES

IN THE CIRCUIT COURT

FOR ~~THE~~ SOMERSET COUNTY, MARYLAND

IN THE MATTER OF:
Bank of Somerset
vs.
Custom Pet Food Packers, Inc.
Princess Anne, Maryland

DOCKET NO.

TYPE OF PROCEEDING Mortgage Foreclosure

**CLAIM OF THE UNITED STATES**
FOR INTERNAL REVENUE TAXES

TAXPAYER'S IDENTIFYING NUMBER
Social Security No.
Employer Identification No. 52-0809625

The undersigned officer of the Internal Revenue Service, a duly authorized agent of the United States in this behalf, being duly sworn, deposes and says that:

1. Custom Pet Food Packers, Inc. is justly and truly indebted to the United States in the sum of $563.62 with interest thereon as hereinafter stated

2. The said debt is for taxes due under the internal revenue laws of the United States as follows:

| KIND OF TAX | PERIOD | AMOUNT DUE | Date Tax ~~XXXXXX~~ Lien Filed | DATE TAX LIEN AROSE |
|---|---|---|---|---|
| WT-FICA | | | | |
| 941 | 9-30-70 | $195.32 | 7-26-71 | |
| Interest to 11-30-71 | | 8.66 | | |
| Late Payment Penalty | | 8.55 | | |
| Lien Fee | | 6.00 | | |
| FUTA | | | | |
| 940 | 12-31-69 | 321.50 | 7-26-71 | |
| Interest to 11-30-71 | | 8.45 | | |
| Late Payment Penalty | | 9.14 | | |
| Lien Fee | | 6.00 | | |
| Grand Total | | $563.62 | | |

3. No part of said debt has been paid and it is now due and payable at the Office of the District Director of Internal Revenue:
4. There are no set-offs or counterclaims to said debt;
5. Except for the statutory tax liens which arose on the dates shown above, the United States does not hold, to the deponent's knowledge or belief, any security or securities for said debt;
6. No note or other negotiable instrument has been received for said debt or any part thereof, nor has any judgment been rendered with respect to said debt; and
7. Said debt has priority and must be paid in full in advance of distribution to creditors to the extent provided by law: See section 3466 of the Revised Statutes (31 U.S.C. 191). Any executor, administrator, or other person who fails to pay the claims of the United States in accordance with its priority, may become personally liable for said debt under section 3467 (31 U.S.C. 192).

SUSCRIBED AND SWORN TO BEFORE ME THIS 6th day of October 1971

Marcia G. Burrows
Notary Public

SIGNATURE C.L. Solomon

INTERNAL REVENUE SERVICE TITLE
C.L. Solomon
Chief, Special Procedures Staff

ADDRESS
P.O. Box 1076
Baltimore, Md. 21203

FORM 4490 (10-68)

LIBER 044 PAGE 179

PART 1 For Court (or Fiduciary, if required by local procedures)

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in Mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

To the Honorable, the Judge of said Court:

The report of sale of Alexander G. Jones, Attorney named in two certain mortgages made and executed by Custom Pet Food Packers, Inc., a body corporate, the first dated April 27, 1965 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 225, folio 333 and the second dated December 5, 1967 and recorded among the aforesaid Land Records in Liber I.T.P. No. 240, folio 585, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgages or in the payment of the interest thereon or in some other covenant and condition of said mortgages, whereby the said mortgage debts have become due and demandable, respectfully represents to your Honor, that after giving bond with security approved by the Clerk of this Court or by one of the Judges thereof, for the faithful performance of the trust so as aforesaid reposed in him by said mortgages, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in Somerset County, once a week for three successive weeks before the day of sale, he did pursuant to said notice attend at the premises, near Princes Anne, Somerset County, Maryland, on the 26th day of October, 1971, at two o'clock P.M., and then and there proceed to sell the property in said mortgage, to wit: All that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, more particularly described as follows: All that tract or parcel of land, situate as aforesaid, bounded on the east by the Right of Way of the N.Y.P. & N. Railroad, bounded on the south by the land described as Parcel No. 1 on the plat hereinafter referred to, bounded on the west by the land of Homer S. Kemp and Nancy Lee Kemp, and the property formerly known as the Robert Colborn lot and on the north by the land formerly known as Myra McClemmy Farm and more particularly described as follows: Beginning for the same at a concrete

post placed on the west side of the N.Y.P. & N. Railroad Right of Way at the extreme northeast corner of the land described as Parcel No. 1, on said plat and at the extreme southeast corner of the land herein described, thence (1) North 85° 26' West a distance of 750 feet by and with the North side of Parcel No. 1 (said Parcel No. 1 now being a paved county road and part of the county road system) to a concrete post; thence (2) by and with the Kemp land North 0° 31' West 359 feet to a concrete post, thence (3) by and with the south side of the aforesaid Colborn lot South 86° 06' East a distance of 99.40 feet to an iron post placed in the center of a ditch, thence (4) by and with the center of said ditch and the East side of the Colborn lot North 1° 21' West a ditance of 284 feet to a concrete post, thence (5) by and with the South side of the aforesaid McClemmy Farm and an existing ditch South 86° 01' East a distance of 748.95 feet to a concrete post, thence (6) by and with the west side of the N.Y.P. & N. Railroad Right of Way south 7° 51' West 650 feet to the first mentioned concrete post and place of beginning, containing 11.12 acres, more or less, accurately laid down and described as Parcel No. 2 on a plat prepared by W. Ballard Miles, Registered Surveyor, dated May 15, 1964, and recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, folio 40, and being the same and all the land conveyed unto the said Custom Pet Food Packers, Inc. by Homer S. Kemp and Nancy Lee Kemp, his wife, by the second item of a deed dated May 21, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 220, folio 654, and sold the same to Bank of Somerset, a body corporate, at and for the sum of one hundred twenty thousand dollars ($120,000.00), it being then and there the highest bidder therefor, said purchaser has complied with the terms of sale to the satisfaction of said attorney.

Respectfully submitted,

Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of October, in the year nineteen hundred and seventy-one, before me, the subscriber, a Notary Public of the

State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Attorney, named in the above report of sale, and he made oath in due form of law that the matters and facts stated in the aforegoing report are true as therein stated, to the best of his knowledge, information and belief, and that the sale therein reported was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Notary Public

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in Mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

Purchaser's Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of October, 1971, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared Edward J. Price, President of the Bank of Somerset, the purchaser of the real estate in the above entitled proceeding and he made oath in due form of law, and in compliance with Maryland Rule BR6:

1. That in making said purchase he was acting as agent for the Bank of Somerset.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Ake
Notary Public

Order Nisi

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in Mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

Ordered this 27th day of October, in the year nineteen hundred and seventy-one, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Attorney named in the above mortgages, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 30th day of November, 1971, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of three successive weeks before the 29th day of November, 1971.

The report states the amount of sales to be $120,000.00.

L. Theodore Phoebus
Clerk of the Circuit Court

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in Mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

Ordered by the Circuit Court for Somerset County, in Equity, this 1st day of ~~November~~ December, in the year nineteen hundred and seventy-one, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney named in said mortgages, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause.

Emmanuel Dize
Judge

# 9079 Chesney

JONES & JONES, Attorneys

# ATTORNEY'S SALE

OF

VALUABLE COMMERCIAL PROPERTY CONTAINING 11.12 ACRES BY RECORDED SURVEY AND LARGE CONCRETE AND STEEL BUILDING CONTAINING 35,380 SQUARE FEET, MORE OR LESS, ON PAVED PUBLIC ROAD WITH RAILROAD SIDING LOCATED NEAR PRINCESS ANNE, SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in two certain mortgages from Custom Pet Food Packers, Inc., a body corporate, the first dated April 27, 1965 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 225, folio 333 and the second dated December 5, 1967 and recorded among the aforesaid Land Records in Liber I.T.P. No. 240, folio 565, default having occurred in said mortgages I will offer at public sale on the premises, near Princess Anne, Somerset County, Maryland, on

## TUESDAY, OCTOBER 26, 1971

at or about the hour of 2:00 o'clock P.M., all that tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland, more particularly described as follows: All that tract or parcel of land, situate as aforesaid, bounded on the east by the Right of Way of the N.Y.P. & N. Railroad, bounded on the south by the land described as Parcel No. 1 on the plat hereinafter referred to, bounded on the west by the land of Homer S. Kemp and Nancy Lee Kemp, and the property formerly known as the Robert Colborn lot and on the north by the land formerly known as Myra McClemmy Farm and more particularly described as follows: Beginning for the same at a concrete post placed on the west side of the N.Y.P. & N. Railroad Right of Way at the extreme northeast corner of the land described as Parcel No. 1, on said plat and at the extreme southeast corner of the land herein described, thence (1) North 85° 26' West a distance of 750 feet by and with the North side of Parcel No. 1 (said Parcel No. 1 now being a paved county road and part of the county road system) to a concrete post, thence (2) by and with the Kemp land North 0° 31' West 359 feet to a concrete post, thence (3) by and with the south side of the aforesaid Colborn lot South 86° 06' East a distance of 99.40 feet to an iron post placed in the center of a ditch, thence (4) by and with the center of said ditch and the East side of the Colborn lot North 1° 21' West a distance of 284 feet to a concrete post, thence (5) by and with the South side of the aforesaid McClemmy Farm and an existing ditch South 86° 01' East a distance of 748.95 feet to a concrete post, thence (6) by and with the West side of the N.Y.P. & N. Railroad Right of Way South 7° 51' West 650 feet to the first mentioned concrete post and place of beginning, containing 11.12 acres, more or less, accurately laid down and described as Parcel No. 2 on a plat prepared by W. Ballard Miles, Registered Surveyor, dated May 15, 1964, and recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, folio 40, and being the same and all the land conveyed unto the said Custom Pet Food Packers, Inc. by Homer S. Kemp and Nancy Lee Kemp, his wife, by the second item of a deed dated May 21, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 220, folio 654.

This property fronts 750 feet on a paved county public road providing access to U.S. Route 13. This property also fronts 650 feet along the right of way of the Penn Central Railroad property and a spur railroad track has been constructed to the main building on the property. The property is improved by a building of concrete and steel, constructed in 1966 and assessed as containing 35,380 square feet and since its construction has been used for the production of canned pet food. A deep well is located on the premises. The property contains two small outbuildings.

State and County real estate taxes levied against the real estate and improvements will be adjusted and prorated as of the date of sale. All title papers, documentary stamps, transfer tax and recording costs at purchaser's expense.

Terms of Sale: Twenty-five per cent of the purchase price payable in cash or by certified check at the time of sale and the balance to be secured to the satisfaction of the undersigned payable in not less than thirty days with interest at the rate of six per cent from the date of sale.

ALEXANDER C. JONES
ATTORNEY
Princess Anne, Maryland 21853
Telephone 301-651-2747

PRINCESS ANNE, MD., Oct
This is to certify that the annexed Att
has been published in the *MARYLANDER*
newspaper published in Somerset County,
the terms and requirements contained in s
Dates Inserted: Sept 23 30
Oct 7 14 21
Business Manager M

LIBER 044 PAGE 185

LIBER 044 PAGE 186

OATH OF SPECIAL AUDITOR PURSUANT TO ARTICLE 16, SECTION 9 OF THE ANNOTATED CODE OF MARYLAND

I hereby certify, that on this 1st day of December, 1971, before me, E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland and of Somerset County, Maryland, personally appeared Eunice Pilchard, Special Auditor heretofore appointed by me in this proceeding and made oath in due form of law that she would well and faithfully execute the duties of said office of special auditor without favor, affection partiality or prejudice.

As witness my hand and seal this 1st day of December, 1971.

Eunice Pilchard
Special Auditor

E. McMaster Duer
Judge

PRINCESS ANNE, MD November 1971 19

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Nov 4 11 18 25

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

JONES & JONES
Attorneys at Law
Princess Anne, Md.

ORDER NISI

Alexander G. Jones, Attorney Ex Parte under power contained in Mortgages from Custom Pet Food Packers, Inc. to the Bank of Somerset, a body corporate

No. 9079 Chancery

In the Circuit Court for Somerset County, Maryland

Ordered this 27th day of October, in the year nineteen hundred and seventy-one, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Attorney named in the above mortgages, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 20th day of November, 1971, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of three successive weeks before the 20th day of November, 1971.

The report states the amount of sales to be $120,000.00

S/I. THEODORE PHOEBUS
Clerk of the Circuit Court

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

28-4tc

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte under power contained in mortgages from Custom Pet Food Packers, Inc. to the Bank of Somerset, a body corporate | : | No. 9079 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |

PETITION FOR REFERRAL TO SPECIAL AUDITOR

To the Honorable, the Judge of said Court:

Your petitioner, Alexander G. Jones, Attorney named in the above entitled proceedings for purposes of foreclosure of certain mortgages referred to therein, respectfully represents:

1. That the property referred to in the above entitled cause has been sold and the proceeds paid or are in the process of being paid and, if there are no objections to the ratification of said sale the proceedings will be ready for auditing following final ratification of the report of sale by this Court.

2. That the Standing Auditor of this Court is, or is believed to be Harry C. Dashiell, Esquire, but who for reasons of ill health is unable to perform his duties.

Wherefore, your petitioner requests the appointment of a special auditor to file an audit in these proceedings pursuant to Maryland Rule 595.

Petitioner

Order of Court

The aforegoing petition having been read and considered, it is thereupon this 1st day of December, 1971, by the Circuit Court for Somerset County, Maryland, ORDERED and DECREED that Eunice Pilchard be and she is hereby appointed special auditor to examine the account and proceedings in this case in conformity with Maryland law and Maryland rules of procedure.

E. Norris Duer
Judge

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9079 Chancery |
| under power contained in Mortgages from | : | In the Circuit Court for |
| Custom Pet Food Packers, Inc. to the | : | Somerset County, Maryland |
| Bank of Somerset, a body corporate | : | |

SPECIAL AUDITOR'S REPORT

To the Honorable, the Judge of said Court:

Your Special Auditor, to whom the proceedings were referred in the above case to state an account, submits the following Special Auditor's Report:

Alexander G. Jones, Attorney for the sale and distribution of the moneys arising therefrom, reports the following collections and disbursements:

RECEIPTS

| | | |
|---|---|---|
| Amount of sale as per report | | $120,000.00 |

DISBURSEMENTS

| | | |
|---|---|---|
| To Attorney for his commissions | $3,075.00 | |
| To Attorney for his costs and expenses, not personal: | | |
| Solicitors fees | 150.00 | |
| Bond premium | 1,000.00 | |
| Clerk of the Circuit Court | 46.00 | |
| Auctioneer's fee and expenses | 125.00 | |
| Expenses not personal | 3.83 | |
| Robert A. Porter, Jr., envelopes et cetera | 30.00 | |
| Postage for mailing copies of advertisement | 39.68 | |
| Auditor | 35.00 | |
| Marylander and Herald, reprints of advertisement | 26.00 | |
| Marylander and Herald, advertising | 180.00 | |
| Order nisi | 20.00 | |
| Wall Street Journal, advertising | 120.96 | |
| National Observer, advertising | 26.74 | |
| The Sun, advertising | 15.00 | |
| The Daily Times, advertising | 19.13 | |
| Daily Record, advertising | 33.60 | |
| Balance to be distributed | 115,054.06 | |
| | $120,000.00 | $120,000.00 |
| To Bank of Somerset, principal and interest as per affidavit filed in this proceeding | | $177,892.06 |
| Credit from above account | | 115,054.06 |
| Deficit - - - - - - - - - - | | $62,838.00 |

Claim of Internal Revenue Service denied due to lack of funds.

Respectfully submitted,

Eunice Pilchard
Special Auditor

ORDER NISI

ORDERED by the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, this 2nd day of December, 1971, that the aforesaid Special Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 20th day of December, 1971.

L. Theodore Shockley
Clerk

FINAL ORDER OF RATIFICATION

ORDERED, this 21st day of December, 1971, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Special Auditor's Report be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, and that said Attorney apply the proceeds accordingly.

L. Theodore Shockley
Clerk

LIBER 044 PAGE 190

| DEPT. | NO. | S/B | INST | D C | YEAR | EFF. DATE | PREM. EXPIRY DATE | STATE | QUANTITY | OR. OFF. | SUB-BRANCH |
|---|---|---|---|---|---|---|---|---|---|---|---|
| J | 589 41 30 | | | 1 | 9 | 10-20-71 | 10-20-72 | 19 | 00 | 60 | 27 |

PRINCIPAL & ADDRESS: Alexander G. Jones - Princess Anne, Maryland

DEV.

OBLIGEE & ADDRESS: vs. Custom Pet Food Packers, Inc.

BRANCH: Baltimore

SUB AGENT: Jones & Jones Ins. Agency

| LINE | FORM | CLASS | SUB CLASS | AMT. CON | PR. CTL. EXP. | AMT. COV. IN THOUS. | TOTAL PREMIUM | DESCRIPTION OF RISK |
|---|---|---|---|---|---|---|---|---|
| | 15 | 269 | | 31 | | 200,000 | 1,000. | Foreclosure |
| | | | | | | | PREMIUM | |

ATTORNEY: Applicant
COURT: Circuit
COUNTY: Somerset
STATE: Maryland
COLL. OR IND.
DATE EXECUTED: 10-20-71 TO BE COMPLETED BY

P.O. TERM
REN'L. PREMIUM: 1,000.
FORM OF REN'L: Cont.
APPROVED BY: HWW/sj

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

BILL FOR PREMIUM

Princess Anne, Maryland
October 26, 1971

Alexander G. Jones, Trustee in
No. 9079 Chancery in the
Circuit Court for Somerset County

To: Edwin B. Muir

To auctioneer's fee in sale of Custom Pet Food Packers, Inc.
property under mortgage foreclosure $125.00

DOW JONES & COMPANY, INC.

THE WALL STREET JOURNAL

ADVERTISING INVOICE

DATE: OCTOBER 22, 1971

ACCOUNT NUMBER: JON3296 06

LIBER 044 PAGE 192

JONES & JONES
ALEXANDER G JONES
PRINCESS ANNE, MD 21853

PLEASE REMIT TO

DOW JONES & CO INC
BOX 4137
NEW YORK NY 10049

RETURN YELLOW COPY OF THIS INVOICE IN THE ENCLOSED WINDOW ENVELOPE

THIS INVOICE PAYABLE ON PRESENTATION
NO CASH DISCOUNT

| | | DESCRIPTION | EDITION | LINES | RATE | GROSS | |
|---|---|---|---|---|---|---|---|
| OCT | 15 | RE-SRL | EASTERN | 14 | 4.3200 | $60.48 | |
| | 22 | RE-SRL | EASTERN | 14 | 4.3200 | 60.48 | |

PLEASE REMIT THIS AMOUNT $120.96

ADDRESS BILLING INQUIRIES TO:
DOW JONES & COMPANY, INC. ATT: ACCOUNTS RECEIVABLE
P.O. BOX 300, PRINCETON, NEW JERSEY 08540

DOW JONES & COMPANY, INC.

THE NATIONAL OBSERVER

ADVERTISING INVOICE

OCTOBER 28, 1971

JON4661 06

JONES & JONES
ATTN: A G JONES
PRINCESS ANNE MD 21853

PLEASE REMIT TO

DOW JONES & CO INC
BOX 4137
NEW YORK NY 10049

RETURN YELLOW COPY OF THIS INVOICE IN THE ENCLOSED WINDOW ENVELOPE

THIS INVOICE PAYABLE ON PRESENTATION
NO CASH DISCOUNT

| | | DESCRIPTION | EDITION | LINES | RATE | GROSS | |
|---|---|---|---|---|---|---|---|
| OCT | 23 | ISB | EASTERN | 14 | 1.9100 | $26.74 | |
| | | | LIBER 044 PAGE 193 | | | | |
| | | | | | PLEASE REMIT THIS AMOUNT | $26.74 | |

ADDRESS BILLING INQUIRIES TO:
DOW JONES & COMPANY, INC. ATT: ACCOUNTS RECEIVABLE
P.O. BOX 300, PRINCETON, NEW JERSEY 08540

# THE DAILY TIMES

DELMARVA'S LARGEST DAILY NEWSPAPER

LIBER 044 PAGE 194

*Sold To* Jones & Jones
Princess Anne, Md. 21853

10/6,13,20/71. Attorney's Sale $19.13

Commercial Property

MONTHLY STATEMENT

MORNING EVENING SUNDAY

THE SUN

THE A. S. ABELL COMPANY, PUBLISHERS
BALTIMORE, MD. 21203

OCT 31 '71

JONES & JONES ATTORNEYS AT LAW
ATTN ALEXANDER G JONES
PRINCESS ANNE MD 21853

DISREGARD THIS STATEMENT IF PAYMENT MADE AFTER NOV 22

| DATE MO | DAY | YEAR | ADVERTISING | IDENT # | CLASS OR POSITION | LINES | TIMES | AMOUNT |
|---|---|---|---|---|---|---|---|---|
| 10 | 22 | 71 | ATTORNEY | 3694109 | 095 | 10 | 3 | 15.00 |
| | | | | | TOTAL | | | 15.00 |

LIBER 044 PAGE 195

MAKE CHECKS PAYABLE TO: THE A. S. ABELL COMPANY

THE DAILY RECORD CO.

41263

11-15 EAST SARATOGA STREET BALTIMORE, MD. 21

PHONE: PLAZA 2-3849

PUBLISHERS OF "THE DAILY RECORD" A NEWSPAPER OF GENERAL CIRCULATION DEVOTED TO LAW, REAL ESTATE AND GENERAL INTELLIGENCE.

ATTORNEY'S SALE
AT PUBLIC AUCTION
ON OCTOBER 26, 1971
AT
VALUABLE
COMMERCIAL
PROPERTY
CONTAINING [illegible]
LARGE CONCRETE AND
STEEL BUILDING
CONTAINING [illegible] SQUARE FEET
ON PAVED PUBLIC ROAD
RAILROAD SIDING
LOCATED NEAR
PRINCESS ANNE,
SOMERSET COUNTY, MARYLAND
For details write Alexander G. Jones, Attorney, Princess Anne, Md., and bring or call 301-651-[illegible]
[illegible]

LIBER 044 PAGE 196

Mr. Alexander G. Jones
Princess Anne, Md. 21853

DATE October 8, 1971

| | | | |
|---|---|---|---|
| Attorney's Sale - Public Auction<br>Commercial Property.<br><br>3t 35L | | $33.60 | |

*The Eastern Shore Publishing Company*

**MARYLANDER AND HERALD**

*Established In 1826*

*39 Main Street*
*Post Office Box 158*
*Princess Anne, Maryland 21853*
*Phone: 301-651-2000*

October 27, 1971

Jones & Jones
Princess Anne, Md. 21853

| | | | | | | |
|---|---|---|---|---|---|---|
| Sept | 23 | to | Attorney | Sale | Custom Pet Food 30 inch @ 2.00 | $ 60.00 |
| | 30 | to | " | " | " @ 1.00 | 30.00 |
| Oct | 7 | to | " | " | " " | 30.00 |
| | 14 | to | " | " | " | 30.00 |
| | 21 | to | " | " | " " | 30.00 |
| | | | | | | $ 180.00 |

certificate sent

LIBER 844 PAGE 197

JAMES E. BYRD, EDITOR  CLARENCE L. BYRD, BUSINESS MANAGER  J. BRYAN BYRD, PRODUCTION MANAGER

LIBER 044 PAGE 193

*The Eastern Shore Publishing Company*

# MARYLANDER AND HERALD

*Established In 1826*

*39 Main Street*
*Post Office Box 158*
*Princess Anne, Maryland 21853*
*Phone: 301-651-2000*

Oct 27, 1971

Jones & Jones
Princess Anne, Md. 21853

| | | | | | |
|---|---|---|---|---|---|
| Sept 21 | to 500 reprints | Attorney Sale | Custom Pet Food | @ 15.00 tx 60 | $ 15.60 |
| Oct 8 | to 150 reprints | " " | " " | @ 10.00 tx 40 | 10.40 |
| | | | | | $ 26.00 |

JAMES E. BYRD, EDITOR  CLARENCE L. BYRD, BUSINESS MANAGER  J. BRYAN BYRD, PRODUCTION MANAGER

*The Eastern Shore Publishing Company*

**MARYLANDER AND HERALD**

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*39 Main Street*
*Post Office Box 158*
*Princess Anne, Maryland 21853*
*Phone: 301-651-2000*

Dec. 1, 1971

Jones & Jones
Princess Anne, Md. 21853

Nov 4 11 18 25 to order nisi Custon Pet Food Packers $ 20.00

certificate enc

LIBER 044 PAGE 199

JAMES E. BYRD, EDITOR CLARENCE L. BYRD, BUSINESS MANAGER J. BRYAN BYRD, PRODUCTION MANAGER

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES
ALEXANDER G. JONES

AREA CODE 301
TELEPHONE 651-2747

December 2, 1971

LIBER 044 PAGE 200

C. L. Solomon, Esq.
Chief, Special Procedures Staff
Internal Revenue Service
P. O. Box 1076
Baltimore, Maryland 21203

Re: Foreclosure of mortgage Bank of Somerset
vs. Custom Pet Food Packers, Inc.
No. 9079 Chancery
In the Circuit Court for Somerset County, Maryland
Employer Identification No. 52-0809625

COPY

Dear Mr. Solomon:

By order of the Circuit Court for Somerset County, Maryland, the undersigned was named Special Auditor in the above entitled proceeding. Pursuant to Rule 595g2 of the Maryland Rules of Procedure, I hereby give notice that the original of the attached account or report was filed in said proceeding on this date; that exceptions to the said audit must be filed within fifteen days from this date and that if no objections are filed within such fifteen day period, the account or report or audit may thereupon be ratified. This notice is given you as a result of your having filed in this proceeding a proof of claim for Internal Revenue Taxes.

Very truly yours,

Eunice Pilchard

Eunice Pilchard

I hereby certify that on this 2nd day of December, 1971, the original of the above letter was mailed by United States first class mail, postage prepaid, to C. L. Solomon, Chief, Special Procedures Staff, Internal Revenue Service, P. O. Box 1076, Baltimore, Maryland 21203.

Eunice Pilchard

Eunice Pilchard

FEB 8 1974

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9103 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| HENRY HARRIS & LULA HARRIS, his wife Manokin, Maryland | * | State of Maryland |
| | * | |
| | * | |

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated January 28, 1971 from Henry Harris and Lula Harris, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 259, Folio 200; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

*FOR DEED OF TRUST SEE LIBER. No. 259, Folio 200.*
*FOR APPOINTMENT OF SUBSTITUTE TRUSTEE SEE Liber No. 263, Folio 545.*

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

Rt 36649

LIBER 044 PAGE 202

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. _____ Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| HENRY HARRIS & LULA HARRIS, his wife Manokin, Maryland | * | State of Maryland |
| | * | |
| | * | |

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 2nd day of October, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Henry Harris and Lula Harris, his wife, dated January 28, 1971 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 259, Folio 200; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 3,435.01 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendant is Manokin, Maryland.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: July 1, 1974

VERNADETTE M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

Chancery

MORTGAGEE OR ATTORNEYS' BOND

No. 9103

# Know all Men by these Presents:

*THAT WE* LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

*of* Salisbury, Maryland

*and the* AETNA INSURANCE COMPANY, *a body corporate, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland, in the full and just sum of* THREE THOUSAND FIVE HUNDRED ($3,500.00) ---------- *Dollars, to be paid to the said State, or its certain attorney, to which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this* 26th *day of* November *in the year of our Lord nineteen hundred and* seventy-one

*WHEREAS, the above bounden* Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees *by virtue of a power contained in* ~~mortgage~~ Deed of Trust *from* Henry Harris and Lula Harris, his wife

*to* Jim Walter Corporation

*dated* January 28, 1971 *and recorded in Liber* I.T.P. *No.* 259 *folio* 200 *etc., one of the Land Record Books of* Somerset County, Maryland *is authorized and empowered to sell the property described in said mortgage in case of default being made in any of the covenants contained therein, and whereas such default has occurred and the said* Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, are *~~is~~ about to execute the power vested in him in said* ~~mortgage~~ DEED of Trust.

*NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden do and shall abide by and fulfill any order or decree which shall be passed by any Court of Equity in relation to the sale of said property or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.*

*Signed, sealed and delivered in the presence of* }

Lloyd O. Whitehead, Substitute Trustee [SEAL]

Donald C. Davis, Substitute Trustee [SEAL]

AETNA INSURANCE COMPANY

By Robert W. Gray
Attorney-in-Fact

ATTEST: Bernadette M. Hudson

HARTFORD CONNECTICUT AETNA INSURANCE CO.

LIBER 044 PAGE 203

LIBER 044 PAGE 204

# Ætna Insurance Company

OF HARTFORD, CONNECTICUT

## POWER OF ATTORNEY

**Know all Men by these Presents,** That ÆTNA INSURANCE COMPANY, a corporation created by and existing under the laws of the State of Connecticut, having its principal office in the City of Hartford, State of Connecticut, does hereby nominate, constitute and appoint

David F. Wheaton or Robbin W. Gray or Ralph Estes Shockley of Snow Hill, Maryland

its true and lawful attorney(s) in fact, with full power and authority hereby conferred to execute, and to affix thereto the seal of the corporation, as Surety, as its act and deed, subject to the limitations and conditions hereinafter set forth, bonds and undertakings as follows:

**Any and all bonds and undertakings of suretyship provided the penal sum of no one bond shall in any event exceed FIVE HUNDRED THOUSAND ($500,000) DOLLARS**

and to bind ÆTNA INSURANCE COMPANY thereby as fully and to the same extent as if such bond were signed by the duly authorized officers of ÆTNA INSURANCE COMPANY, and all the acts of said attorney(s), pursuant to the authority herein given, are hereby ratified and confirmed.

This power of attorney is granted under and by the authority of the following applicable paragraphs of ARTICLE II of the BYLAWS of the company:

The president or a vice president may execute fidelity and surety bonds and other bonds, contracts of indemnity, recognizances, stipulations, undertakings, receipts, releases, deeds, releases of mortgages, contracts, agreements, policies, notices of appearance, waivers of citation and consents to modifications of contracts as may be required in the ordinary course of business or by vote of the directors, and such execution may be attested where necessary or desirable and the seal of the company where necessary or desirable may be affixed to the specific instrument by a secretary or an assistant secretary.

The president or a vice president may with the concurrence of a secretary or an assistant secretary appoint and authorize an attorney-in-fact or any other person to execute on behalf of the company any such instruments and undertakings and to affix the seal of the company thereto where necessary or desirable.

The attorneys-in-fact under the preceding paragraphs of this article are authorized and empowered to certify to a copy of any of the bylaws of the company or any resolutions adopted by the directors or to the financial statement of the condition of the company and to affix the seal of the company thereto where necessary or desirable.

This power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the ÆTNA INSURANCE COMPANY at a meeting duly called and held on the 11th day of February, 1966.

RESOLVED THAT, in the execution, attestation and sealing of any instrument or undertaking authorized by Article II of the Bylaws, the facsimile signatures of the officers and the facsimile seal of the Company affixed thereto shall be valid and binding upon the Company.

**IN WITNESS WHEREOF,** ÆTNA INSURANCE COMPANY has caused these presents to be signed by its President and its Secretary and its corporate seal to be hereunto affixed, attested by its Secretary, this 1st day of November, 19 71.

ÆTNA INSURANCE COMPANY

Attest: J. J. Murphy, Secretary

F. D. Watkins, President

HARTFORD ÆTNA INSURANCE CO. CONNECTICUT

J. J. Murphy, Secretary

STATE OF CONNECTICUT }
COUNTY OF HARTFORD } ss.

On this 1st day of November, 19 71, before me, Olive E. Mackey, the undersigned officer, personally appeared F. D. WATKINS and J. J. MURPHY who acknowledged themselves to be the President and Secretary of ÆTNA INSURANCE COMPANY, a corporation, and that they, as such President and Secretary being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by themselves as President and Secretary, and that said Secretary affixed thereto the seal of the corporation and attested to the execution of the foregoing instrument.

**In Witness Whereof I hereunto set my hand and seal.**

OLIVE E. MACKEY NOTARY PUBLIC HARTFORD, CONN.

Olive E. Mackey, Notary Public

My commission expires April 1, 1972

## CERTIFICATE

I, the undersigned, Secretary of the ÆTNA INSURANCE COMPANY, a Connecticut corporation, DO HEREBY CERTIFY that the above and foregoing Power of Attorney remains in full force and has not been revoked; and, furthermore, that the paragraphs of ARTICLE II of the BYLAWS of the corporation, and the Resolution of the Board of Directors, as set forth in the Power of Attorney, are now in force.

**Signed and Sealed at Hartford, Connecticut, this** 24 **day of** November, 19 71.

HARTFORD ÆTNA INSURANCE CO. CONNECTICUT

J. J. Murphy, Secretary

#3657
Form 630-87 Ed. 8-66 PRINTED IN U.S.A.

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | * | No. 9103 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| HENRY HARRIS<br>Manokin, Maryland | * | State of Maryland |
| | * | |
| | * | |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated January 28, 1971 from HENRY HARRIS and LULA HARRIS, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 259 Folio 200 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Maryland & Herald a newspaper published in Princess Anne , Maryland, prior to Friday, November 26, 1971 , and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, November 26, 1971 at or about 11:00 o'clock A.M. attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Henry Harris and Lula Harris, his wife said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that lot, piece or parcel of land situate, lying and being in Westover Election District, Somerset County, State of Maryland, located on the Northeast side of the Manokin-Kinston Road, and on the Northeast side of the first sharp bend in said road after leaving the Manokin Post Office, and starting for the outbounds thereof at a stake located on the Northeast right of way line of the aforesaid road, thence (1) from the said stake and with the right of way of the said road, N 69° W for a distance of 100' to a stake; thence (2) from the said stake and with a line at a right angle to the road, N 31° E, for a distance of 150'; thence (3) parallel with the aforesaid road, S 69° E for a distance of 100'; thence (4) S 31° W for a distance of 150' to the place of beginning, containing 15,000 sq. ft. of land more or less and being a part of the same land conveyed unto the said Walter Ayres and wife, by deed from Williams Thomas et al, dated December 18, 1946, and recorded among the Land Records for Somerset County, Maryland in Liber B.L.B. No. 138, Folio 518.

LAW OFFICES, PERDUE, OWNUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to Jim Walter Corporation, a Florida corporation,

at and for the sum of $ 3000.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 26th day of November, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974



LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 208

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 26th day of November, 19 71, that the sale of the property mentioned in those proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Henry Harris and Lula Harris, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 27th day of December, 19 71; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 20th day of December, 19 71.

The report states the amount of the sale to be $ 3000.00.

Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 27th day of January, 1972, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

-vs-

HENRY HARRIS
Manokin, Maryland

* No. 9103 Chancery

* In the Circuit Court

* For Somerset County

* State of Maryland

*********

AFFIDAVIT OF COMPLIANCE - RULE W.2(b)

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, Henry Harris and Lula Harris, his wife at the Mortgagors last known address at Manokin, Maryland by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on November 15, 1971. Also attached is Return Receipt showing the said Mortgagor duly received the same.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 26th day of November, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, and made oath in due form of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

My Commission Expires: July 1, 1974

LIBER 044 PAGE 209

LAW OFFICES, PERDUE, GWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 210

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801
749-2211

EASTON OFFICE
18 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1988

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8408

November 15, 1971

Mr. & Mrs. Henry Harris
Manokin
Maryland

Dear Mr. & Mrs. Harris:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Corporation of January 28, 1971 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 259, folio 200, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Maryland & Herald beginning October 27, 1971. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, November 26, 1971 at or about 11:00 o'clock A.M.. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Corporation and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 14737

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 722567

INSURED NO.

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Lola J. Harris

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | * | No. 9103 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| HENRY HARRIS<br>Manokin, Maryland | * | State of Maryland |
| | * | |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 26th day of November, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD, the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

1. That in making said purchase, he was acting as agent for Jim Walter Corporation, a body corporate of the State of Florida.

2. That there are no other parties than Jim Walter Corporation interested in the purchase of the said real estate as principals.

3. That he, as agent for Jim Walter Corporation, did not directly or indirectly discourage anyone from bidding for said property.

Affiant

AS WITNESS my hand and Notarial Seal the day and year first above written.

Vernadett M. Hudson
NOTARY PUBLIC

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

My Commission Expires: July 1, 1974

LIBER 044 PAGE 211

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 212

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | * | No. 9103 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| HENRY HARRIS<br>Manokin, Maryland | * | State of Maryland |
| | * | |

****** * *******

Perdue, Owrutsky & Whitehead
Professional Association
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE HOME AND LOT

at or near Westover Election District, Somerset County, Md. and known as the Henry Harris Property.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Henry Harris and Lula Harris, his wife, dated January 28, 1971 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 259, Folio 200, default having occurred thereunder, the undersigned Substitute Trustees will sell at Public Auction

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD.

ON

## FRIDAY NOV. 26, 1971

at or about 11:00 A.M., the following land and all improvements located thereon:

ALL that lot, piece or parcel of land situate, lying and being in Westover Election District, Somerset County, State of Maryland, located on the Northeast side of the Manokin-Kingston Road, and on the Northeast side of the first sharp bend in said road after leaving the Manokin Post Office, and starting for the outbounds thereof at a stake located on the Northeast right of way line of the aforesaid road, thence (1) from the said stake and with the right of way of the said road, N 69° W for a distance of 100' to a stake; thence (2) from the said stake and with a line at a right angle to the road, N 31° E, for a distance of 150'; thence (3) parallel with the aforesaid road, S 69° E for a distance of 100'; thence (4) S 31°W for a distance of 150' to the place of beginning, containing 15,000 sq. ft. of land more or less and being a part of the same land conveyed unto the said Walter Ayres and wife, by deed from Williams Thomas et al, dated December 18, 1946, and recorded among the Land Records for Somerset County, Maryland in Liber B. L. B. No. 138, Folio 518.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead and
Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone: 749-2211

27-4tc

PRINCESS ANNE, MD., November 19 71

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Oct 28 Nov 4 11 18

Business Manager MARYLANDER and HERALD

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

PRINCESS ANNE, MD., January 1972

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Nisi

Dates Inserted: Dec 29 16

per [signature]

Business Manager MARYLANDER and HERALD

LIBER 044 PAGE 213

Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

LLOYD O. WHITEHEAD and
DONALD C. DAVIS
Substitute Trustees

- VS -

HENRY HARRIS
Manokin, Maryland

No. 9103 Chancery

In the Circuit Court for Somerset County State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 26th day of November, 1971, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis Substitute Trustees, under the power of sale contained in the Deed of Trust from Henry Harris and Lula Harris, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 27th day of December 1971; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 20th day of December, 1971.

The Report states the amount of the sale to be $3000.00.

I. THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

32-3tc

LIBER 044 PAGE 214

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9103 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| HENRY HARRIS Manokin, Maryland | * | State of Maryland |
| | * | |

**********

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

PRINCESS ANNE, MD., December 21 19 71

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Nisi

Dates Inserted: Nov 2 9 16

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

LLOYD O. WHITEHEAD and
DONALD C. DAVIS
Substitute Trustees

- VS -

HENRY HARRIS
Manokin, Maryland

No. 9103 Chancery

Whitel In the Circuit Court for Somerset County State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 20th day of November, 1971, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis Substitute Trustees, under the power of sale contained in the Deed of Trust from Henry Harris and Lula Harris, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 27th day of December 1971; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 20th day of December, 1971.

The Report states the amount of the sale to be $3000.00.

I. THEODORE THOEBUS
CLERK

TRUE COPY, TEST:
I. Theodore Thoebus, Clerk
12-3t6

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | *<br>* | No. 9103 Chancery<br>In the Circuit Court |
| -vs- | * | For Somerset County |
| HENRY HARRIS<br>Manokin, Maryland | *<br>* | State of Maryland |

**********

PETITION FOR APPOINTMENT OF SPECIAL AUDITOR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Comes now your Petitioners, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, and says:

1. That the sale in this case was heretofore finally ratified and confirmed by the Circuit Court of this County and is now ready for referral to the Auditor for statement of his Audit.

2. That the standing Auditor of this Court is Mr. Harry Dashiell who is ill and unable to handle the business of the Court concerning statement of an Audit in this case.

3. That Petitioners request this Court to appoint a Special Auditor to state an audit in order that they may pay the bills in this case and have a formal Court approval therefore as required by the Rules of Procedure.

4. That Petitioners suggest Bette Jane Patt as Special Auditor in that Bette Jane Patt has no financial interest in this case and is an experienced bookkeeper and will be able to handle the matter expeditiously.

WHEREFORE, Petitioners request the passage of an appropriate Order.

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

ORDER OF COURT

The aforegoing Petition having been read and considered, it is thereupon this 27th day of January, 1972, by the Circuit Court for Somerset County, Maryland, ORDERED and DECREED that Bette Jane Patt be appointed as Special Auditor to audit the vouchers and expenditures in this file, give notice within the Maryland Rules of Procedure to interested parties and state a formal audit in this case.

JUDGE

LIBER 044 PAGE 215

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | * | No. 9103 Chancery |
| vs. | * | In the Circuit Court<br>For Somerset County |
| HENRY HARRIS<br>Manokin, Maryland | * | State of Maryland |

******

SPECIAL AUDITOR's REPORT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Special Auditor, to whom the proceedings were referred in the above entitled cause to state an account submits the following Special Auditor's Report and hereby certifies that notices required by Rule 595 (g) of Maryland Rules of Procedure have been mailed.

Betty Jane Patt
SPECIAL AUDITOR

Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees for the sale and moneys arising therefrom, report the following collections and disbursements:

RECEIPTS

| | | | |
|---|---|---|---|
| Proceeds as per report of sale | | | $3,000.00 |

DISBURSEMENTS TO COSTS AND EXPENSES

| | | | |
|---|---|---|---|
| I. Theodore Phoebus, Clerk<br>Court Costs | | $ 45.00 | |
| Marylander & Herald<br>Advertising<br>Order NISI | $75.00<br>20.00 | 95.00 | |
| O. J. Brittingham<br>Auctioneer fee | | 25.00 | |
| Jones, Wheaton, Booth & Brown<br>Bond premium | | 14.00 | |
| Vernadett Hudson<br>Notary Public | | 3.50 | |

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| Perdue, Owrutsky & Whitehead, PA<br>Reimbursement, Registered Mail | $ 2.00 | |
| Betto Jane Patt<br>Special Auditor's fee | 45.00 | |
| Lloyd O. Whitehead<br>Donald C. Davis<br>Trustees' fee in lieu of commission | 200.00 | |
| DIVIDEND to be applied on mortgage | 2,570.50 | $3,000.00 |

| | | |
|---|---|---|
| Jim Walter Homes, Inc.<br>Mortgage Principal<br>Interest to 7/8/72 | 3,435.01<br>248.96<br>3,683.97 | DEFICIENCY |
| LESS: Dividend | 2,570.50 | $1113.47 |

ORDER NISI

ORDERED by the subscriber, Clerk of the Circuit Court of Somerset County, Maryland, this 23rd day of June, 1972, that the aforesaid Special Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 10th day of July, 1972.

L. Theodore Phoebus
CLERK

FINAL ORDER OF RATIFICATION

ORDERED, this 2nd day of August, 1972, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Special Auditor's Report be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, and that said Attorneys apply the proceeds accordingly.

L. Theodore Phoebus
CLERK

LIBER 044 PAGE 217

FEB 8 1974

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Rosa King, and all persons having or claiming to have any interest in certain property hereinafter described, whose last known address is Church Street, Princess Anne, Maryland

No. 9121 Chancery
in the Circuit Court for
Somerset County, Maryland

LIBER 044 PAGE 218

And the Real Estate and Improvements Hereinafter Described

BILL TO ENFORCE LIEN(S)

The petition of The Somerset County Sanitary Commission, by Richard M. Cooley, Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Petitioner, under the provisions of Article 43 of the Code of Public General Laws of Maryland, 1957 edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all properties, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner.

2. That the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant(s) named herein.

3. That the charges and assessments against such property or properties are as follows:

A—Water Service Charge(s) including penalty of $5.00.....$

B—Sewer Service Charge(s).....$

C—Water Connection Charge(s).....$

D—Sewer Connection Charge(s).....$

E—Front Foot Assessment(s) including interest at the rate of one-half of one per cent per month from _____ (Date) .....$

| | |
|---|---|
| 1970 - $31.70 plus interest from March 1, 1970 | 31.70 |
| 1971 - 31.70 plus interest from March 1, 1971 | 31.70 |
| TOTAL $ | 63.40 |

4. That on the date of establishment of the charges and assessments set forth above the defendant(s) named herein were the owners of record of the property or properties described as follows:

(A) All that tract or parcel of land in...West.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

All that lot or parcel of land, situate as aforesaid, in the Town of Princess Anne, lying and binding on the west side of Church Street and fronting 60 feet thereon and running westerly therefrom in a uniform width of 60 feet for a depth of 104 feet, laid down and described as lot No. 6 on a plat entitled "William J. Brittingham's Plat of Lots - Princess Anne" and recorded among the Land Records of Somerset County in Liber L.W. No. 13, folio 216; said land being bounded on the south by the land of James Leon Gates and Charlotte M. Gates (I.T.P. No. 217, folio 380), bounded on the north by the land owned or formerly owned by Adele Dashiell (W.J.S. No. 87, folio 14) and bounded on the west by the land owned or formerly owned by Victoria B. Nesbit (B.L.B. No. 158, folio 550).

5 That according to the applicable provisions of Article 43 said charge or charges or assessments are first liens against the property or properties described above, and a public record of said lien(s) is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.—Notice of Liens".

6. That despite written notice of such charges, assessments and liens from the Petitioner to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Petitioner prays a decree of this Honorable Court ordering:

(1) That the property or properties described above be sold according to law and that the proceeds from said sale be applied to satisfy the Petitioner's said lien(s) including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the Rules of Court.

(2) That the Petitioner have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

Somerset County Sanitary Commission,
Acting For and On Behalf of
Somerset County Sanitary District, Inc.

By .....

Alexander O. Jones
Attorney for Petitioner
Princess Anne, Maryland

Telephone 651-2747

## Petitioner's Motion for Summary Judgment

The Petitioner moves for summary judgment on the ground that the Defendant(s) has no defense to its claim, and that there is no genuine dispute between the parties as to any material fact, and that it is entitled to judgment as a matter of law.

.....
Attorney for Petitioner

## Affidavit in Support of Petitioner's Motion for Summary Judgment

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 27th day of December, in the year nineteen hundred and seventy-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Stanley C. Street (name), Secretary-Treasurer (title) of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Petitioner from the Defendant(s) named in the attached Bill to Foreclose Lien(s) the sum of $ 63.40, being charges or assessments for facilities and services provided by the Petitioner to the Defendant(s) and to the property or properties described in said Bill, that said charges are in default and are a lien or liens against said property or properties; that in his official capacity the affiant herein is familiar with the matters set forth in said Bill, that he has personal knowledge of them, and is competent to testify to them, and that he is duly authorized to make this affidavit.

As witness my hand and Notarial Seal the day and year above written.

Tacy E. Oke
Notary Public

To the Defendant(s):

Take notice that unless you make your defense within the time allowed by law or Rule of Court, judgment will be entered against you. If you assert a defense, this motion may be heard by the Court fifteen days after its service on you, but not earlier than the expiration of the time allowed by law or Rule of Court to plead in answer to the Bill of Complaint.

.....
Attorney for Petitioner

ALEXANDER G. JONES
Attorney

ORDER OF PUBLICATION
In the Circuit Court for Somerset County,
Maryland

No. 9121 Chancery

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Rosa King, Princess Anne, Somerset County, Maryland
and the unknown heirs, devisees or personal
representatives of Rosa King

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendant named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 9121 Chancery recites that the following described real estate is all of the land conveyed unto Rosa King, described as follows: All that lot or parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, in the Town of Princess Anne, lying and binding on the west side of Church Street and fronting 60 feet thereon and running westerly therefrom in a uniform width of 60 feet for a depth of 104 feet, laid down and described as lot No. 6 on a plat entitled "William J. Brittingham's Plat of Lots - Princess Anne" and recorded among the Land Records of Somerset County in Liber L.W. No. 13, folio 216; said land being bounded on the south by the land of James Leon Gates and Charlotte M. Gates (I.T.P. No. 217, folio 380), bounded on the north by the land owned or formerly owned by Adele Dashiell (W.J.S. No. 87, folio 14) and bounded on the west by the land owned or formerly owned by Victoria B. Nesbit (B.L.B. No. 158, folio 550).

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved,

served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 9121 Chancery (Rosa King) | |
| Front foot assessment plus interest from March 1, 1970 | $31.70 |
| Front foot assessment plus interest from March 1, 1971 | 31.70 |
| | $63.40 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendant said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said Rosa King and was returned "Mortuus Est"; that the successor in interest of Rosa King would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 27th day of January, 1972, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of Rosa King; that such notice by publication be made at lease once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 24th day of February, 1972, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 29th day of March, 1972.

Burman Ness
Judge

No. 9121 Chancery Case

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

## The State of Maryland,
## Somerset County, to wit:

**TO** *Rosa King,*
*and all persons having or claiming to have any interest in certain property hereinafter described, whose last known address is*
*Church Street, Princess Anne, Maryland*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...*January*.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..*28th*..day of....*December*....., 19..*71*....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....*18th*.day of....*January*....., 19..*72*... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Jones & Jones*
Name
*Princess Anne, Maryland*
Address

S. Theodore Phoebus
Clerk

*Sheriff's Return*
*Mortuus Est,*
*/s/ Thomas H. Foxwell, Sheriff*

LIBER 044 PAGE 223

LIBER 044 PAGE 224

| | |
|---|---|
| The Somerset County Sanitary Commission,<br>Acting for and on Behalf of<br>Somerset County Sanitary District, Inc.,<br>a body corporate of the State of Maryland<br><br>vs<br><br>Rosa King, and all persons having or claiming to have any interest in certain property hereinafter described<br><br>And the Real Estate and Improvements Hereinbefore Described | No. 9121 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 14th day of April, in the year nineteen hundred and seventy-two the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Alexander G. Jones be and he is hereby appointed Trustee to make sale, and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by said Trustee and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $1200.00, 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 at public auction, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County, Maryland as he shall think proper, of the time, place, manner and terms of sale, and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, 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 the payment of the whole purchase money, the said Trustee shall, by a good and sufficient deed, to be excuted, acknowledged and recorded, according to law, convey to the purchaser, or purchasers, his, her or their heirs and assigns, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties hereto, 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 the Court, after deducting costs of this suit, and such commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

E. McMaster Duer
Judge

*FOR BOND SEE BOND BOOK No. 9, Folio 524.*

Somerset County Sanitary Commission
vs
Rosa King

PRINCESS ANNE, MD., February 1972

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Feb 3 10 17 24, 1972

Business Manager MARYLANDER and HERALD

ALEXANDER JONES
Attorney

# ORDER OF PUBLICATION

In the Circuit Court for Somerset County, Maryland

No. 9121 Chancery

The Somerset County Sanitary Commission,
Acting for and on Behalf of Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland
vs
Rosa King, Princess Anne, Somerset County, Maryland

and the unknown heirs, devisees or personal representatives of Rosa King

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the defendant named in this proceeding to satisfy the lien of the petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 9121 Chancery recites that the following described real estate is all of the land conveyed unto Rosa King, described as follows: All that lot or parcel of land situate in West Princess Anne election District, Somerset County, Maryland, in the Town of Princess Anne, lying and binding on the west side of Church Street and fronting 60 feet thereon and running westerly therefrom in a uniform width of 60 feet for a depth of 104 feet, laid down and described as lot No. 6 on a plat entitled "William J. Brittingham's Plat of Lots - Princess Anne" and recorded among the Land Records of Somerset County in Liber L.W. No. 13, folio 216; said land being bounded on the south by the land of James Leon Gates and Charlotte M. Gates (I.T.P. No. 217, folio 380), bounded on the north by the land owned or formerly owned by Adele Dashiell (W.J.S. No. 87, folio 14) and bounded on the west by the land owned or formerly owned by Victoria B. Nesbit (B.L.B. No. 158, folio 550).

The Bill of Complaint further recites that the petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the petitioner; that the petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant named herein; that the charges and assessments against such property or properties are as follows:

| | |
|---|---|
| No. 9121 Chancery (Rosa King) | |
| Front foot assessment plus interest from March 1, 1970 | $31.70 |
| Front foot assessment plus interest from March 1, 1971 | 31.70 |
| | $63.40 |

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the petitioner to the defendant said charge is overdue and in default and this suit is brought to enforce said lien.

That a writ of subpoena was issued by this Court directed to the said Rosa King and was returned "Mortuus Est"; that the successor in interest of Rosa King would be a proper party to this proceeding, but it is not known whether there is any such successor in interest or who such successor is, or whether he is a resident or non-resident.

Accordingly it is this 27th day of January, 1972, ORDERED by the Circuit Court for Somerset County, that notice by publication of this proceeding be given to the unknown heirs, devisees or personal representatives of Rosa King; that such notice by publication be made at least once a week in each of four successive weeks in a newspaper published in Somerset County, Maryland, before the 27th day of February, 1972, stating the substance and object of the original Bill and warning said unknown heirs, devisees or personal representatives to file an initial pleading to said Bill on or before the 29th day of March, 1972.

s/ C. BURNAM MACE
JUDGE

TRUE COPY, TEST:
T. THEODORE PHOEBUS
CLERK

41-4tc

LIBER 044 PAGE 225

PRINCESS ANNE, MD., November 9 1972

This is to certify that the annexed trustees sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper publialed in Somerset County, Maryland, according to the terms and settlements contained in said SALE

Date Inserted: Nov 2-9-15

Business Manager MARYLANDER and HERALD

ALEXANDER G. JONES
Attorney

# TRUSTEE'S SALE OF VALUABLE PROPERTIES

By virtue of the power contained in a decree of the Circuit Court for Somerset County, Maryland, in Equity, passed in a cause in which Isaac H. Fontaine and Florence Fontaine are defendants, the same being No. 8655 Chancery on the Chancery Docket of said Court,

And by virtue of the power contained in a decret of said Court, passed in a cause in which Olden Matthew White and Errene White are defendants, the same being No. 8656 Chancery on the Chancery Docket of said Court,

And by virtue of the power contained in a decree of said Court, passed in a cause in which Andrew Ballard and Mary Ballard are defendants, the same being No. 8908 Chancery on the Chancery Docket of said Court,

And by virtue of the power contained in a decree of said Court, passed in a cause in which Coriane Mullen is defendant, the same being No. 8909 Chancery on the Chancery Docket of said Court,

And by virtue of the power contained in a decree of said Court, passed in a cause in which Rosa King is defendant, the same being No. 9121 Chancery on the Chancery Docket of said, Court,

The undersigned Trustee named in said decrees will sell at public auction in front of the Court House door, in Princess Anne, Maryland, on

## TUESDAY, NOV. 21, 1972

at 2.00 o'clock P. M., all the following described tracts of parcels of land situate in Somerset County, Maryland, more particularly described as follows:

1. (8655 Chancery) All that lot or parcel of land, situate in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the south side of Hampden Avenue, and fronting 50 feet thereon, bounded on the east by the land of the Supreme Council of the House of Jacob, on the south by other land of Isaac Fontaine, on the west by a seven foot path and the land of Dorothy Dixon and Orrie King and being the same and all the land which was conveyed unto Isaac Fontaine and Florence Fontaine by Item I of a deed from Lester Francis Brown dated December 8, 1949 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 140, folio 46.

2. (8656 Chancery) All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the north side of Hampden Avenue and fronting 45 feet thereon, bounded on the west by the land of Helen and John Thomas Byrd, on the north by the land of Elmer Amos, on the east by the land of Elizabeth Amos Twigg and being the same and all the land which was conveyed unto Olden Matthew White and Edrena White by Dorothy Dixon, widow, by deed dated June 8, 1042 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 122, folio 322.

3. (No. 8908 Chancery) All that lot or parcel of land situate in West Princess Anne Election District, in the Town of Princess Anne, Somerset County Maryland, at the southeast intersection of Beckford Avenue and Washington Street and fronting 80 feet on the east side of Beckford Avenue and 60 feet on the south of Washington Street, bounded on the south by the land owned or formerly owned by McCullough Pinkett and Roxie Pinkett (deed reference B.L.B. No. 158, folio 409) and on the east by the land owned or formerly owned by Sarah Elizabeth Pinkett (deed reference J.M.T. No. 112, folio 200); the land herein described being laid down and described lot No. 8 on the plat filed with and as a part of a deed from William J. Brittingham and wife to William O. Wilson recorded among the Land Records of Somerset County in Liber L. W. No. 13, folio 215 and being the same and all the land which was conveyed unto Andrew Ballard and Mary Ballard by Allen Foster Matthews and wife by deed dated September 8, 1958 and recorded among the aforesaid Land Records in Liber G.J.B. No. 188, folio 477.

4. (No 8909 Chancery) All those lots or parcels of land situate, lying and being in East Princess Anne Election District in the Town of Princess Anne, Somerset County, Maryland, lying and binding on the south side of Hampden Avenue Extended said lots having a total frontage on the south side of Hampden Avenue of 100 feet and extending back therefrom a depth of approximately 173 feet, bounded on the east by the land owned or formerly owned by the Trustees of Mt. Carmel Baptist Church (deed reference B.L.B. No. 128, folio 63) and bounded on the west by the land owned or formerly owned by Ella Pearl Doane, et al, (deed reference B.L.B. No. 155, folio 552); said lots being described on a plat by W. Ballard Miles dated July 15, 1946 and recorded among the Land Records of Somerset County in Plat Book B.L.B. No 1, folio 43 and being the same and all the land which was conveyed unto Coriane Mullen by James I Boomer and wife by deed dated November 3, 1966 and recorded among the aforesaid Land Records in Liber I.T.P. No. 235, folio 304.

5. (No. 9121 Chancery) All that lot or parcel of land situate in West Princess Anne Election District, in the Town of Princess Anne, Somerset County, Maryland, lying and binding on the west side of Church Street and fronting 60 feet thereon and running westerly therefrom in a uniform width of 60 feet for a depth of 104 feet, laid down and described as lot No. 6 on a plat entitled "William J. Brittingham's Plat of Lots - Princess Anne" and recorded among the Land Records of Somerset County in Liber L.W. No. 13, folio 216; said land being bounded on the south by the land of James Leon Gates and Charlotte M. Gates (I.T.P. No. 217, folio 380, bounded on the north by the land owned or formerly owned by Adele Dashiell (W.J.S. No. 87 folio 14) and bounded on the west by the land owned or formerly owned by Victoria B. Nesbit (B.L.B. No. 158, folio 550).

Terms of Sale: Cash. Title papers, documentary stamps, transfer tax at the expense of the purchaser or purchasers.

Each sale is subject to ratification by the Circuit Court for Somerset County.

Alexander G. Jones
Trustee

27-4tc

The Somerset County Sanitary Commission, : No. 9121 Chancery
Acting for and on Behalf of
Somerset County Sanitary District, Inc. : In the Circuit Court for
a body corporate of the State of Maryland
: Somerset County, Maryland

vs

:

Rosa King

To the Honorable, the Judge of said Court:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 14th day of April, in the year nineteen hundred and sevety-two, to make sale of certain real estate therein mentioned respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the "Marylander and Herald", a weekly newspaper published in Somerset County, for four successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 21st day of November, 1972, at the hour of 2:00 o'clock P.M., and then and there proceeded to sell said property, to wit:

All that lot or parcel of land situate in West Princess Anne Election District, in the Town of Princess Anne, Somerset County, Maryland, lying and binding on the west side of Church Street and fronting 60 fee thereon and running westerly therefrom in a uniform width of 60 feet for a depth of 104 feet, laid down and described as lot No. 6 on a plat entitled "William J. Brittingham's Plat of Lots - Princess Anne" and recorded among the Land Records of Somerset County in Liber L.W. No. 13, folio 216; said land being bounded on the south by the land of James Leon Gates and Charlotte M. Gates (I.T.P. No. 217, folio 380), bounded on the north by the land owned or formerly owned by Adele Dashiell (W.J.S No. 87, folio 14) and bounded on the west by the land owned or formerly owned by Victoria B. Nesbit (B.L.B. No. 158, folio 550), and sold same to Wilson E. Davis & Son, Inc., at and for the sum of five hundred dollars ($500.00), it being then and there the highest

bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $500.00 |
| To Clerk of Circuit Court for costs | $56.00 | |
| To 1970 Front foot assessment | 36.93 | |
| To 1971 Front foot assessment | 35.03 | |
| To 1972 Front foot assessment | 33.13 | |
| To 1970 Town taxes | 4.97 | |
| To 1971 Town taxes | 4.64 | |
| To 1972 Town taxes | 4.30 | |
| To 1970 State & County taxes | 16.90 | |
| To 1971 State & County taxes | 16.41 | |
| To 1972 State & County taxes | 15.39 | |
| To Marylander & Herald, order of publication | 125.00 | |
| To Marylander & Herald, advertising | 30.00 | |
| To Marylander & Herald, nisi | 20.00 | |
| To bond premium | 10.00 | |
| To Auctioneer | 25.00 | |
| To Trustee's Commissions | 50.00 | |
| To balance to be distributed | 16.30 | |
| | $500.00 | $500.00 |

Respectfully submitted,

Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 21st day of November, in the year nineteen hundred and seventy-two, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and facts stated in the aforegoing report are true as therein stated to the best of his knowledge, information and belief, and that the sale therein reported was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Oakes
Notary Public

NOTARY PUBLIC

LIBER 044 PAGE 220

LIBER 044 PAGE 230

Order Nisi

| | |
|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | No. 9121 Chancery |
| | In the Circuit Court for |
| | Someset County, Maryland |
| vs | |
| Rosa King | |

Ordered by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 22nd day of December, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 21st day of December, 1972.

The report states the amount of sale to be $500.00.

Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 29 day of December, 1972, that the sale made and reported by the Trustee aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause.

Judge

| | |
|---|---|
| The Somerset County Sanitary Commission,: Acting for and on Behalf of Somerset County Sanitary District, Inc.,: a body corporate of the Stateof Maryland | No. 9121 Chancery |
| : | In the Circuit Court for |
| vs | Somerset County, Maryland |
| : | |
| Rosa King | |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 21st day of November, in the year nineteen hundred and seventy-two, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Wilson E. Davis, President ofWilson E. Davis & Son, Inc., the purchaser of the real estate in the above entitled proceedings and made oath in due form oflaw:

1. That in making said purchase he was not acting as agent for anyone.

2. That others interested in said purchase, as principals are none.

3. That he did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC SOMERSET COUNTY

Patsy E. Oke

LIBER 044 PAGE 232

PRINCESS ANNE, MD., November december 72 19

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according the terms and requirements contained in said Nisi

Dates Inserted: Nov 30 Dec 7 14 1972

Business Manager MARYLANDER and HERALD

EXANDER G. JONES
rincess Anne, Maryland

# ORDER NISI

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland

VS

Rosa King

No. 9171 Chancery In the Circuit Court for Somerset County, Maryland

Ordeded by the Circuit Court for Somerset County that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary there of be shown on or before the 22nd day of December, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of four successive weeks on or before the 21st day of December, 1972.

The report states the amount of sale to be $500.00.

s/I. THEODORE PHOEBUS
Clerk of the Circuit Court
for Somerset County, Maryland

True Copy, Test:
I. Theodore Phoebus, Clerk

82-4tc

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a Body Corporate of the State of Maryland | * | No. 9121 Chancery |
| | * | In the Circuit Court for |
| Vs. | * | |
| Rosa King | * | Somerset County, Maryland |

* * * * * * *

NOTICE OF LIEN

The President and Commissioners of Princess Anne, by Logan C. Widdowson, their Solicitor, hereby makes claim for payment of their lien against the Rosa King property.

Said lien arises from the powers expressed in the Municipal Charter of the Town of Princess Anne, more specifically, Ordinance 22B (21)-1; under which Ordinance the Town Manager had the fire-damaged structure on said property removed and had the property cleared and mowed for the protection, safety and well-being of the residents of the Town of Princess Anne. Said Ordinance states that the lien or charge shall be collected in the same manner as municipal taxes.

Therefore, it is the opinion of the President and Commissioners of Princess Anne this lien should be paid after the expenses of said sale and after the state taxes on the property but before any other lien or interest in the property.

Reference is made to the exhibits attached hereto as follows:

#1 - A copy of Town Ordinance No. 22B (21)-1
#2 - A copy of the Fire Marshal's order for the removal of the building
#3 - A copy of the bill for removing the structure in the amount of $700.00
#4 - Copies of the bill for clearing and mowing the lot in the amount of $30.00 and $25.00--totaling $55.00

The total amount of the lien is $755.00, plus any unpaid municipal taxes.

Respectfully submitted,

Logan C. Widdowson

Logan C. Widdowson, Solicitor to the President and Commissioners of Princess Anne, Maryland

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 233

I hereby certify that on this 22nd day of December, 1972, a copy of the aforegoing Notice of Lien was mailed to Alexander G. Jones, Esquire, Main Street, Princess Anne, Maryland, by regular U. S. mail, postage prepaid.

Logan C. Widdowson
Solicitor to the President and
Commissioners of Princess Anne, Md.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

INVOICE NO. 712
Sept. 7, 1971

Rosa King Heirs
c/o Daisey Stevens
1914 Harlan Street
Philadelphia, Pa. 19121

| | | |
|---|---|---|
| July 7, 1971 | Cost of tearing down condemned structure | $700.00 |

JV 781
Sept 7, 1971

LIBER 044 PAGE 235

LIBER 044 PAGE 230

William H. Bozman
Upper Fairmount, Md.
Box 114 7/21 71
The Town of Princess Anne
Princess Anne, Maryland

Taking down house $700.00
Church St - Rear King Street

William Bozman

DATE RECEIVED
APPROVED BY Robert Dougherty
DATE PAID
CHECK NUMBER
AMOUNT
ACCOUNT CHARGED

In re

J. C. Robertson

vs.

Heirs of Rosa King
c/o Daisy B. Stevens
1914 Harlan Street
Philadelphia, Penn. 19121.

Case No. 140

Fire Prevention Commission and
Fire Marshal

Whereas an inspection has been made and hereafter more particularly referred to of the 2½ story frame dwelling located at 124 Church Street, Princess Anne, Somerset County, Maryland. The property in question as described above is owned or is reputed to be owned by the Heirs of Rosa King, c/o Daisy B. Stevens, 1914 Harlan Street, Philadelphia, Penn. 19121, and ownership is so indicated on the tax records of Somerset County under Map No. 6-15-6.

And whereas an inspection of said property was made by Stanley F. Conner, Fire Investigator, on May 28, 1971, shows said structure is open to trespass, in a dilapidated condition and constitutes a fire hazard to adjoining property.

Now, therefore, be, and it is hereby ordered, pursuant to the provisions of Section 9, Article 38A, Annotated Code of Maryland, 1957 Edition, 1970 Supplement, that the structure or building above referred to, located at 124 Church Street, Princess Anne, Somerset County, Maryland, be razed within thirty days from the date of service of copy of this Order and the materials of which the structure is constructed be removed from the premises, otherwise this Department will proceed, at the expense of the owner of record, to raze said structure and have the premises cleared in order to abate the fire hazard and hazard to safety occasioned by the present condition of said structure.

Be it further ordered that any person desiring to contest the validity of this Order may enter an appeal therefrom within thirty days from the date of service of copy of this Order to the Circuit Court of Somerset County, Maryland, praying a review of this Order.

Dated at Baltimore, Maryland
this 2nd day of June, 1971.

State Fire Marshal

I hereby certify that the above is a true and full copy of an Order this day, issued by me and served on Heirs of Rosa King, c/o Daisy B. Stevens, by registered mail, addressed as above and posted on the premises in question.

LIBER 044 PAGE 237

Witness my hand and the seal of the Office of the Fire Marshal, affixed at Baltimore, Maryland, this 2nd day of June, 1971.

State Fire Marshal

LIBER 044 PAGE 238

INVOICE NO. 694
August 3, 1970

Rosa King Heirs
c/o Mrs. Blassey Stevens
1914 Harlan Street
Philadelphia, Pa. 19121

August 1, 1970
To mowing and cleaning lot on Church Street.....$30.00

JW 731
Aug 3, 1970

Nov. 7, 1969
INVOICE NO. 662

Mrs. Daisey Stevens
1914 Harlan St.
Phila elphia, Pa. 19121

To mowing and cleaning lot - Rosa King Heirs - Church Street.....$25.00

gw 708
11/17/69

LIBER 044 PAGE 239

9121

ORDINANCE NO. 22B (21) - 1

AN ORDINANCE TO COMPEL THE OWNER OR OWNERS OF LOTS, BUILDINGS, PREMISES OR OUT-HOUSES SITUATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF PRINCESS ANNE TO ABATE OR CLEANSE THE SAME WHEN THE SAME MAY BECOME FILTHY OR UNWHOLESOME, AND TO AUTHORIZE THE SAID ABATEMENT OR CLEANSING TO BE DONE BY PROPER OFFICERSOF THE TOWN, UNDER CERTAIN CONDITIONS AND TO ASSESS THE EXPENSE THEREFOR AGAINST THE OWNER OR OWNERS OF SAID PROPERTY.

BE IT ORDAINED by the President and Commissioners of Princess Anne, Maryland that an Ordinance to compel the owner or owners of lots, buildings, premises and out-houses situate within the corporate limitsof the Town of Princess Anne to abate or cleanse the same when the same may become filthy or unwholesome and to authorize the said abatement or cleansing to be done by proper officers of the Town, under certain conditions and to assess the expense thereof against the owner or owners of said property.

BE AND THE SAME IS HEREBY ENACTED AS FOLLOWS:

Sec. I All lots, buildings, premises and out-houses, situate within the corporate limits of the Town of Princess Anne, shall at all times be maintained and kept free from weeds, rubbish, refuse, trash, stagnant water, discarded materials and articles, or any other substance which may be a nuisance or a danger to the public health.

Sec. II Whenever any lot, building, premises or out-house within the corporate limits of the Town of Princess Anne shall become filthy or unwholesome to such an extent that in the opinion of the Town Manager of Princess Anne, the condition of said lot, building, premises or out-house shall be detrimental to the public health, then the Town Manager shall order that the owner or owners of said premises shall cleanse and abate the same to the end that the same shall be put in a clean and healthy condition.

Sec. III After the lot, building, premises or out-house as mentioned in the preceding sections has been ordered to be cleansed by the Town Manager, a copy of the order shall be mailed by registered mail to the owner or owners of said premises, at the last known post office address of said owner or owners, and a copy of said order, mailed as aforesaid, shall have attached thereto a notice to the owner or owners of said premises to abate and cleanse said premises within five days from the date of such mailing.

Sec. IV Whenever the Town Manager shall cause a copy of the order, together with the notice, as provided in the preceding sections, to be mailed, as aforesaid, and the premises mentioned therein shall not be cleansed or abated within the period of five days from the date of such mailing, then, and in that event, the Town Manager shall cause the said premises to be cleansed and abated, under his direction, at the cost and expense of the owner or owners of said property, and a copy of the said order and the notice thereto attached, together with proof of mailing as aforesaid, and a receipted bill, showing the amount of money actually expended in the cleansing or abatement of said premises, shall be sufficient to make the sum of money expended in cleansing or abating the same, a lien and a charge against the property so cleansed or abated, the said lien or charge to be collected in the same manner as

ORDINANCE # 22B (21) - 1

Municipal Taxes are now collected.

AND BE IT THEREFORE ORDAINED by the President and Commissioners of Princess Anne, Maryland that this Ordinance shall take effect from the date of its passage.

Passed this 7th day of August, 1956.

(Signed)

John H. Jeffries, President
Mahlon D. Price
W. Irving Gallihor

Test: (Signed)
Arthur Emerson
Town Manager

| | |
|---|---|
| The Somerset County Sanitary Commission, : Acting for and on Behalf of Somerset County Sanitary District, Inc., : a body corporate of the State of Maryland : | No. 9121 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| vs : | |
| Rosa King | |

COMPLAINANT'S ANSWER TO NOTICE OF LIEN

The Somerset County Sanitary Commission, by Alexander G. Jones, its attorney, answers the "Notice of Lien" heretofore filed in this proceeding by The President and Commissioners of Princess Anne as follows:

1. Article 81, Section 70 of the Annotated Code of Maryland provides in part: "From and after January 1, 1944, all unpaid State, county and city taxes on real estate shall be until paid, liens on the real estate in respect to which they are levied from the date they became or become payable; . . ."

2. Article 43, Section 657 of the Annotated Code of Maryland provides in part: "The annual benefit assessment or other charges as above specified shall be a first lien upon the property against which they are assessed until paid, any statute of limitations to the contrary notwithstanding, subject only to prior State and/or municipal taxes; and if any property be sold for State and/or municipal taxes or both and if after sale there is a surplus after all costs and expenses incident to such sale shall have been paid, then the said commission upon proper petition to the circuit court for said county shall be allowed any balance from said surplus and shall be a preferred lienor to the extent of its lien."

3. Pursuant to the provisions of Article 43, Section 657 (f) the complainant herein filed a proceeding in No. 9121 Chancery, in Equity, to enforce the payment of its lien and thereafter, pursuant to an order of this Court, the trustee named therein proceeded with the advertisement and sale of the subject property, all of which was duly reported to and ratified nisi by this Court.

4. From the proceeds of said sale in the total amount of $500.00 the trustee reported the distribution of proceeds, in general, to the payment of all costs, to the payment of State, county and municipal taxes through the levy of 1972 and to the payment of the complainant's front foot assessments for the years 1970-72

inclusive and reported a surplus of $16.30 now held by the trustee.

5. The complainant has no objection to the validity of Town Ordinance No. 22B (21) - 1 nor to the payment of any surplus as reported to The President and Commissioners of Princess Anne; the objection of the complainant is to the claim of priority by The President and Commissioners of Princess Anne: While the costs incurred by the Town are defined by said ordinance as "a lien and a charge against the property" the ordinance does not and cannot give such lien any priority over State, county and municipal taxes nor can it give priority over the lien of the complainant, the priority of whose claim is clearly established by Article 43, Section 657. Further, the mere statement in the ordinance that "said lien or charge to be collected in the same manner as municipal taxes are now collected" relates merely to the procedure for enforcement of said lien and of said ordinance but cannot, and does not purport to grant any such priority to said lien. In short, it is the position of the complainant that had The President and Commissioners of Princess Anne taken the appropriate action to enforce its claim under Ordinance No. 22B (21) - 1 and had proceeded to the sale of the property, that from the proceeds of the sale it would have been required first to pay all State, county and municipal taxes and secondly all front foot benefit assessments and other charges assessed by the complainant before applying any of the proceeds of said sale to its claim under the ordinance.

WHEREFORE, the complainant respectfully suggests that as to any sum of money arising from said sale beyond the amount of $16.30 reported as surplus that, the Notice of Lien filed by The President and Commissioners of Princess Anne be disallowed and dismissed upon payment of costs by said claimant.

Alexander G. Jones
Attorney for Complainant

I hereby certify, that on this 27th day of December, 1972, I mailed a copy of the aforegoing Complainant's Answer to Notice of Lien to Logan C. Widdowson, Esq., Attorney to The President and Commissioners of Princess Anne, Main Street, Princess Anne, Maryland, by first-class U.S. mail, postage prepaid.

Alexander G. Jones

( ) ( )

LIBER 044 PAGE 244

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|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland | No. 9121 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| vs | |
| Rosa King | |

ORDER OF COURT

The matter of the "Notice of Lien" filed by The President and Commissioners of Princess Anne and the complainant's answer to said Notice of Lien having come before this Court at a hearing held in chambers on December 28, 1972 at which the claimant, The President and Commissioners of Princess Anne, was represented by Logan C. Widdowson, Esq. and the complainant, The Somerset County Sanitary Commission, was represented by Alexander G. Jones, Esq. and the arguments of counsel having been duly considered it is hereupon ADJUDGED, ORDERED and DECREED this 29th day of December, 1972, that the trustee in this proceeding pay unto The President and Commissioners of Princess Anne the sum of $16.30, representing the balance to be distributed as set forth in the report of sale hereinbefore filed, less any costs which have accrued as a result of the file of said Notice of Lien, answer, hearing and order, which said costs shall be paid to the Clerk of the Circuit Court for Somerset County by said trustee.

And it is further ADJUDGED, ORDERED and DECREED that the balance of the claim of The President and Commissioners of Princess Anne be disallowed and dismissed.

And it is further ADJUDGED, ORDERED and Decreed that the trustee in this proceeding shall execute and deliver unto the purchaser named in said proceeding a deed conveying the land subject of this proceeding free and clear of the aforesaid lien or claim of The President and Commissioners of Princess Anne.

E. McMaster Duer
Judge

FEB 8 1974

33898

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

-vs-

CARSON W. EWELL and JANE Y. EWELL, his wife

No. 9025 Chancery

In the Circuit Court

For Somerset County

State of Maryland

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated June 20, 1968 from Carson W. Ewell and Jane Y. Ewell, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 246, Folio 17; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

FOR ORIGINAL DEED OF TRUST SEE LIBER I.T.P. No. 246, FOLIO 17.

FOR BOND SEE BOND BOOK No. 9, FOLIO 465.

LAW OFFICES, PERDUE, OWHUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 246

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |
| | * | |
| | * | |

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 13th day of April, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Carson W. Ewell and Jane Y. Ewell, his wife, dated June 20, 1968 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 246, Folio 17; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 5,834.88 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendants is Route #1, Box 72, Pocomoke, Maryland.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Vernadette M. Hudson
Notary Public

My Commission Expires: July 1, 1974

VERNADETTE M. HUDSON NOTARY PUBLIC WICO CO. MD.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |

*********

AFFIDAVIT OF COMPLIANCE - RULE W.2(b)

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, Carson W. Ewell and Jane Y. Ewell, his wife at the Mortgagors last known address at Route #1, Box 72, Pocomoke, Maryland by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on April 27, 1971. Also attached is Return Receipt showing the said Mortgagor duly received the same.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of May, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, and made oath in due form of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETTE M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWHUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 224 PAGE 248

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS
L. CLARK EWING
DOUGLAS H. RIESEWETTER

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801

749-2211

EASTON OFFICE
18 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1988

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-6400

April 27, 1971

Mr. & Mrs. Carson W. Ewell
Route #1, Box 72
Pocomoke, Maryland

Dear Mr. & Mrs. Ewell:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Corporation of June 20, 1968 and recorded among the Land Records of Somerset County, Maryland in Liber No. 246, folio 17, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Marylander & Herald beginning April 9, 1971. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, May 7, 1971 at or about 10:00 o'clock A.M. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Corporation and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 14118

PRINCESS ANNE, MD., May 7 1971 19

This is to certify that the annexed Trustee Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Apr 14, 22 29 May 6

Business Manager MARYLANDER and HERALD

PERDUE, OWRUTSKY & WHITEHEAD
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF

## VALUABLE HOME AND LOT

AT OR NEAR POCOMOKE, MARYLAND

known as the Carson W. Ewell and Jane Y. Ewell property.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Carson W. Ewell and Jane Y. Ewell, his wife, dated June 20, 1968, and recorded among the Land Records of Somerset County, State of Maryland, in Liber J.W.T.S. No. 246, Folio 17, default having occurred thereunder, the undersigned Substitute Trustees will sell, at public auction—

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD. on

## FRIDAY MAY 7, 1971

at or about 10:00 A. M., all the following land:

All that lot or parcel of land, situate and being in the Dublin Election District, Somerset County, on the South side of old Route 13, leading from Westover to Costen Station, and beginning North 74 degrees, 45 minutes West, 105 ft. along the said road from the northwest corner of the Asbury Tilghman property recorded in G.W.L. No. 96, Folio 511, with Plat recorded in G.W.L. No. 96, Folio 512, and at the Northwest corner of property intended to be conveyed to Willie Ames, at a later date, thence (1) south 14 degrees, 45 minutes west, 210 feet; thence, (2) parallel with the aforesaid road, north 74 degrees, 45 minutes west, 105 feet; thence (3) 45 minutes east, 210 feet to the aforesaid road; thence (4) with the said road, south 74 degrees, 45 minutes east, 105 feet to the place of beginning containing five-tenths (0.5) acres of land more or less, and being the westerly one-half of the property conveyed by Roosevelt Turner and Ora Lee Turner, his wife, to Jim Walter Corporation, a Florida Corporation, by a deed dated the 9th day of March, 1964, and recorded in Book 220, Folio 56, Land Record Book of Somerset County, State of Maryland.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if described, title papers, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

LLOYD O. WHITEHEAD
AND
DONALD C. DAVIS
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone 749-2211

51-4tc

LIBER [illegible] PAGE [illegible]

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |
| | * | |
| | * | |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated June 20, 1968 from CARSON W. EWELL and JANE Y. EWELL, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber 246 Folio 17 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald a newspaper published in Princess Anne , Maryland, prior to May 7, 1971 , and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, May 7, 1971 at 10:00 o'clock A.M. attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Carson W. Ewell & Jane Y. Ewell, his wife said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that lot or parcel of land, situate and being in the Dublin Election District, Somerset County, on the South side of old Route 13, leading from Westover to Coston Station, and beginning North 74 degrees, 45 minutes West, 105 ft. along the said road from the Northwest corner of the Asbury Tilghman property recorded in G.W.L. No. 96, Folio 511, with Plat recorded in G.W.L. No. 96, Folio 512, and at the Northwest corner of property intended to be conveyed to Willie Ames, at a later date, thence (1) South 14 degrees, 45 minutes west, 210 feet; thence (2) parallel with the aforesaid road, North 74 degrees, 45 minutes West, 105 feet; thence (3) 45 minutes East, 210 feet to the aforesaid road; thence (4) with the said road, South 74 degrees, 45 minutes East, 105 feet to the place of beginning containing five-tenths (0.5) acres of land, more or less, and being the Westerly one-half of the property conveyed by Roosevelt Turner and Ora Lee Turner, his wife, to Jim Walter Corporation, a Florida Corporation, by a deed dated the 9th day of March, 1964 and recorded in Book 220, Folio 56, Land Record Book of Somerset County, State of Maryland

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to Jim Walter Corporation

at and for the sum of $ 4300.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of May, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

Law Offices, Perdue, Owrutsky & Whitehead, Professional Association

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 7th day of May, 1971, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Carson W. Ewell and Jane Y. Ewell, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 8th day of June, 1971; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 1st day of June, 1971.

The report states the amount of the sale to be $ 4300.00.

S. Theodore Phelps
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 9th day of ~~May~~ June, 1971, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

E. McMaster Duer
JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 124 PAGE 354

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |
| | * | |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of May, 1971, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared DONALD C. DAVIS, the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

1. That in making said purchase, he was acting as agent for Jim Walter Corporation, a body corporate of the State of Florida.

2. That there are no other parties than Jim Walter Corporation interested in the purchase of the said real estate as principals.

3. That he, as agent for Jim Walter Corporation, did not directly or indirectly discourage anyone from bidding for said property.

Donald C. Davis
Affiant

AS WITNESS my hand and Notarial Seal the day and year first above written.

Vernonette M. Hudson
NOTARY PUBLIC

NOTARY PUBLIC WICOMICO CO. MD.

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWNUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |
| | * | |

**********

PERDUE, OWRUTSKY & WHITEHEAD
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

OF

## VALUABLE HOME AND LOT

AT OR NEAR POCOMOKE, MARYLAND

known as the Carson W. Ewell and Jane Y. Ewell property.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Carson W. Ewell and Jane Y. Ewell, his wife, dated June 20, 1968, and recorded among the Land Records of Somerset County, State of Maryland, in Liber J.W.T.S. No. 246, Folio 17, default having occurred thereunder, the undersigned Substitute Trustees will sell, at public auction—

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD. on

**FRIDAY**
**MAY 7, 1971**

at or about 10:00 A. M., all the following land:

All that lot or parcel of land, situate and being in the Dublin Election District, Somerset County, on the South side of old Route 13, leading from Westover to Costen Station, and beginning North 74 degrees, 45 minutes West, 105 ft. along the said road from the northwest corner of the Asbury Tilghman property recorded in G.W.L. No. 96, Folio 511, with Plat recorded in G.W.L. No. 96, Folio 512, and at the Northwest corner of property intended to be conveyed to Willie Ames, at a later date, thence (1) south 14 degrees, 45 minutes west, 210 feet; thence, (2) parallel with the aforesaid road, north 74 degrees, 45 minutes west, 105 feet; thence (3) 45 minutes east, 210 feet to the aforesaid road; thence (4) with the said road, south 74 degrees, 45 minutes east, 105 feet to the place of beginning containing five-tenths (0.5) acres of land more or less, and being the westerly one-half of the property conveyed by Roosevelt Turner and Ora Lee Turner, his wife, to Jim Walter Corporation, a Florida Corporation, by a deed dated the 9th day of March, 1964, and recorded in Book 220, Folio [illegible], Land Record Book of Somerset County, State of Maryland.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if described, title papers, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

LLOYD O. WHITEHEAD
AND
DONALD C. DAVIS
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone 749-2211

51-4tc

PRINCESS ANNE, MD., May 1 1971

This is to certify that the annexed Trustee Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: April 15 22 29 May 6

Business Manager MARYLANDER and HERALD

Carson W Ewell

LIBER [illegible] PAGE [illegible]

LIBER 044 PAGE 256

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |
| | * | |

**********

PERDUE, OWRUTSKY & WHITEHEAD
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

LLOYD O. WHITEHEAD and DONALD C. DAVIS,
Substitute Trustees

-vs-

CARSON W. EWELL and JANE Y. EWELL, his wife

NO. 9025 CHANCERY

Whit
vs
C.W.

In the Circuit Court for Somerset County State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 7th day of May, 1971 that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Carson W. Ewell and Jane Y. Ewell, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless to the contrary be shown on or before the 8th day of June, 1971; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the first day of June, 1971.

The Report states the amount of the sale to be $4300.00.

S/ L. THEODORE PHOEBUS,
CLERK

TRUE COPY, TEST:
L. THEODORE PHOEBUS,
CLERK

3-3tc

PRINCESS ANNE, MD., May 28 1971

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: May 13 20 27

Business Manager MARYLANDER and HERALD

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |
| | * | |

**********

MOTION FOR APPOINTMENT OF SPECIAL AUDITOR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Complainants, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, by Ronald G. Rayne, their Attorney, respectfully represents:

1. That the standing auditor of this Court is Mr. Harry Dashiell, who is in a very bad state of health and is unable to state an audit promptly.

2. That your Petitioners desire to expedite this matter and request this Honorable Court to appoint BETTY JANE PATT as Special Auditor for the purpose of stating an Audit.

WHEREFORE, your Petitioners request the passage of an appropriate Order.

Ronald G. Rayne

Attorney for Complainants

ORDER OF COURT

The aforegoing Order having been read and considered, it is thereupon this 1 day of ~~June~~ July, 1971, by the Circuit Court of Somerset County, Maryland, ORDERED and DECREED that the said Betty Jane Patt be and she is hereby appointed Special Auditor for the purpose of stating an audit.

E. M. Macklin Dale

JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9025 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CARSON W. EWELL and JANE Y. EWELL, his wife | * | State of Maryland |

**********

## SPECIAL AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Special Auditor, to whom the proceedings were referred in the above case to state an account, submits the following Special Auditor's Report, and hereby certifies that notices required by Rule 595(g) of Maryland Rules of Procedure have been mailed.

Bette Jane Patt
SPECIAL AUDITOR

Lloyd O. Whitehead and Donald C. Davis, Trustees for the sale of the above named property reports the following collections and disbursements therefrom:

### RECEIPTS

Purchase Price as per report of sale $4,300.00

### DISBURSEMENTS TO COST AND EXPENSE

| | | |
|---|---|---|
| 1. Theodore Phoebus, Clerk | | |
| Court Costs | | $ 47.00 |
| Marylander & Herald | | |
| Advertising | $ 85.00 | |
| Order NISI | 20.00 | 105.00 |
| Carlos Bozman, Treasurer | | |
| 1970-71 State and County Tax | | 45.64 |
| Booth & Brown Insurance Agency | | |
| Bond premium | | 24.00 |
| Vernadette Hudson | | |
| Notary Public fees | | 2.50 |
| Bette Jane Patt | | |
| Special Auditor fees | | 35.00 |

Perdue, Owrutsky & Whitehead, Prof. Assn
Reimbursement

| | | |
|---|---|---|
| Registered mail | $2.50 | |
| Telephone tolls | 2.50 | $ 5.00 |

Lloyd O. Whitehead and
Donald C. Davis

| | | |
|---|---|---|
| Trustees fee in lieu of commission | 200.00 | $ 464.14 |

DISTRIBUTION

| | | | |
|---|---|---|---|
| Jim Walter Corporation | | (Dividend) | |
| Balance due as per statement | $5834.88 | $ 3835.86 | $4300.00 |

ORDER NISI

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, Maryland, this 29th day of September, 1971, that the aforegoing Special Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 15th day of October, 1971.

S. Theodore Phoebus
CLERK

FINAL ORDER OF RATIFICATION

ORDERED, this 19th day of March, 1974, by the Circuit Court of Somerset County, Maryland, in Equity, that the aforegoing Special Auditor's Report be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown and that said Trustees apply the proceeds accordingly.

Lloyd L. Simpkins
JUDGE

5 1975
Ent'd

LIBER [illegible] PAGE [illegible]

LIBER 144 PAGE 200

Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection.

No. 9046 Chancery

In the Circuit Court for

Somerset County, Maryland

H-34786

Mr. Clerk:

Please file the within mortgage in your Chancery Records for the purpose of foreclosure and collection.

Wade D. Ward, Attorney for
Bank of Crisfield

FOR ORIGINAL MORTGAGE SEE LIBER I.T.P. NO. 240, FOLIO 411.
FOR ASSIGNMENT SEE LIBER I.T.P. NO. 261, FOLIO 279.
FOR BOND SEE BOND BOOK NO. 9, FOLIO 477.

FILED

JUN 16 2 21 PM '71

RECORDED IN _____
LIBER NO. _____ FOLIO _____
I. THEODORE PHOEBUS, CLK.CT.CT.
BY _____ DEPUTY

Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection.

Chancery Docket No. 9046

In the Circuit Court for

Somerset County, Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 16th day of June, 1971, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared F. Doyle Tyler, President of the Bank of Crisfield, a body corporate, and made oath in due form of law that the total amount due on the principal on the mortgage in the above entitled case is $5,890.99 and the amount due in interest is $134.51, making a total of $6,025.50.

Witness my hand and seal this day of June, 1971.

Jane Wharton
Notary Public

JANE WHARTON NOTARY PUBLIC SOMERSET CO.

LIBER 044 PAGE 201

FILED

JUN 16 2 21 PM '71

RECORDED IN
LIBER NO. FOLIO
I. THEODORE PHOEBUS, CLK. CT. CT
BY DEPUT.

LIBER 144 PAGE 282

Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection.

No. 9046 Chancery

In the Circuit Court for Somerset County, Maryland

# REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Wade D. Ward, Assignee of a mortgage made and executed by William L. Brittingham and Kay Frances Brittingham, his wife, to the Bank of Crisfield, a body corporate, existing under the laws of the State of Maryland, dated October 18, 1967, recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 240, folio 411, duly assigned to the undersigned for the purpose of foreclosure and collection, under and by virtue of a power of sale therein contained, default having been made in the payment of the interest thereon, or in some other covenant of said mortgage whereby the said mortgage debt has become due and demandable, respectfully represents unto Your Honors:

That after giving bond with security approved by the Clerk of this Court for the faithful performance of the assignee, as aforesaid, reposed in him by and pursuant to said mortgage and as required by law, and after giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in Somerset County, Maryland, once in each of three successive weeks before the day of sale;he did, pursuant to said notice, attend in front of the Post Office in Crisfield, Maryland, on the 16th day of July, 1971 at 2:00 P.M. then and there proceed to sell the property described in said mortgage, to wit:

All that lot or parcel of land situate, lying and being in Lawson's Election District, Somerset County, State of Maryland,

and more particularly described as follows:

All that lot or parcel of land situate as aforesaid, and beginning at an open ditch located on the north side of Mill Lane, thence N 01° 30'W, a distance of one hundred twenty eight and seventy hundredths (128.70) feet to Plum Avenue; thence N 88° 30' E, a distance of one hundred (100) feet to the lands of Fred Evans; thence S 01° 30' E, a distance of one hundred forty seven and fifty hundredths (147.50) feet to a concrete post; thence S 34° 36' 30" W, a distance of forty and thirty eight hundredths (40.38) feet to a ditch which is located on the north side of Mill Lane; thence N 57° 28' 50'W, a distance of ninety one and ninety two hundredths (91.92) feet to the place of beginning; and being all of Lot No. Sixty (60) and part of Lot No. Fifty Eight (58) as laid down and described on a plat prepared by Edward H. Richardson Associates, Inc., and recorded with a deed to the said William L. Brittingham and Kay Frances Brittingham, his wife; and being a party, only, of that property conveyed to William S. Cox and Virginia Cox, his wife, by deed duly recorded in Liber B.L.B. No. 182, folio 80; and being the same and all that property conveyed to William L. Brittingham and Kay Frances Brittingham, his wife, by deed dated October 18, 1967, and recorded in Liber I.T.P. No. 241, folio 353.

And the said property was sold to William S. Cox and Virginia B. Cox, his wife, they being then and there the highest bidders therefor, at and for the sum of Seven Thousand Forty Five Dollars ($7,045.00) and the purchase price having been fully paid, and the purchasers have complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

Wade D. Ward, Attorney

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 14th day of July, 1971, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Wade D. Ward, Attorney named in the foregoing Report of Sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge, information and belief and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal the day and year first above written.

Jane Wharton
Notary Public

JANE WHARTON NOTARY PUBLIC SOMERSET CO.

Wade D. Ward, Assignee
Ex Parte, for the purpose
of foreclosure and collection
under power contained in a
mortgage to the Bank of
Crisfield, from William L.
Brittingham and Kay Frances
Brittingham, his wife, and
they by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9046 Chancery

In the Circuit Court for

Somerset County, Maryland

## O R D E R  N I S I

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 23rd day of August, 1971, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 16th day of August, 1971.

The report states the amount of sale of $7,045.00

I. Theodore Phoebus
I. Theodore Phoebus, Clerk

LIBER 044 PAGE 256

Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection.

No. 9046 Chancery

In the Circuit Court for

Somerset County, Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 23rd day of August, 1971, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared William S. Cox and Virginia Cox, his wife, purchasers of the real estate in the above entitled proceedings and they made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone.

2. That other interest in said purchase as principal is none.

3. That they did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and seal the day and year first above written:

Jane A. Sutton
Notary Public

JANE A. SUTTON NOTARY PUBLIC SOMERSET CO. MARYLAND

Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection.

No. 9046 Chancery

In the Circuit Court for

Somerset County, Maryland

## AFFIDAVIT

I HEREBY CERTIFY, that I had notified the mortgagors of the notice of sale as prescribed by the Maryland Rules, by certified U.S. mail, a copy of the receipts are attached hereto.

Wade D. Ward
Attorney for Plaintiff

Subscribed and sworn to before me this 24th day of August, 1971.

June Wharton
Notary Public

JUNE WHARTON NOTARY PUBLIC SOMERSET CO.

No. 553268 RETURN RECEIPT REQUESTED

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO Mrs William J. Brittingham
STREET AND NO. Mill Lane
P.O., STATE AND ZIP CODE Crisfield Md 21817

POSTMARK OR DATE: CRISFIELD, MD JUL 8 1971 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES
RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 60¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢
DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 30¢

POD Form 3800 Sep. 1968

NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL

(See other side)

No. 553265 RETURN RECEIPT REQUESTED

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO Mrs Kay Fra. u Brittingham
STREET AND NO. Mill Lane
P.O., STATE AND ZIP CODE Crisfield Md 21817

POSTMARK OR DATE: CRISFIELD, MD JUL 8 1971 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES
RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 60¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢
DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 30¢

POD Form 3800 Sep. 1968

NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL

(See other side)

LIBER C 34 PAGE 257

LIBER 544 PAGE 388

Wade D. Ward, Solicitor

July 16, 1971

# PUBLIC SALE

## Of

## Valuable Property

By virtue of the power and authority contained in a mortage from William L. Brittingham and Kay Frances Brittingham, his wife, to the Bank of Crisfield, a body corporate, dated October 18, 1967, recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 240, folio 411, which said mortage has been duly assigned to the undersigned by the Bank of Crisfield, a body corporate as aforesaid, by assignment dated June 14, 1971, and recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 240, folio 414, for the purpose of foreclosure and collection, default having occurred under the conditions of said mortgage, I will sell at public auction in front of the Post Office Steps in Crisfield, Maryland, on Friday,

at or about the hour of 2:00 P.M., all that lot or parcel of land situate, lying and being in Lawson's Election District, Somerset County, Maryland, and more particularly described as follows:

All that lot or parcel of land situate as aforesaid, and beginning at an open ditch located on the north side of Mill Lane, thence N 01 30' W, a distance of one hundred twenty eight and seventy hundredths (128.70) feet to Plum Avenue; thence N 88 degrees 30' E, a distance of one hundred (100) feet to the lands of Fred Evans; thence S 01 degrees 30' E, a distance of one hundred forty seven and fifty hundreths (147.50) feet to a concrete post; thence S 34 degrees 36' 30" W, a distance of forty and thirty eight hundredths (40.38) feet to a ditch which is located on the north side of Mill Lane; thence N 57 degrees 28' 50" W, a distance of ninety one and ninety two hundredths (91.92) feet to the place of beginning; and being all of Lot. No. Sixty (60) and part of Lot. No. Fifty Eight (58) as laid down and described on a plat prepared by Edward H. Richardson Associates, Inc., and recorded with a deed to the said William L. Brittingham and Kay Frances Brittingham, his wife; and being a part, only, of that property conveyed to William S. Cox and Virginia Cox, his wife, by deed duly recorded in Liber B. L. B. No. 182, folio 80; and being the same and all that property conveyed to the mortgagers herein from William S. Cox and Virginia Cox, his wife, by deed dated October 18, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 241, folio 353.

This property is improved by a bungalow.

Terms of Sale: Cash, as prescribed by mortgage. Title papers at the expense of the purchaser or purchasers.

Wade D. Ward,
Attorney
Assignee of said Mortgage

6-25-4T

CRISFIELD, MD., Aug. 19 19 71

THIS is to certify that the annexed NOTICE OF SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said NOTICE OF SALE for 4 weeks beginning with the issue of June 25 19 71 and ending July 16 19 71.

The Crisfield Times
Publisher, THE CRISFIELD TIMES
by Jackie M Bozman

Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection.

No. 9046 Chancery

In the Circuit Court for

Somerset County, Maryland

FINAL ORDER

ORDERED, by this Court this 27 day of August 1971, that the sale made and reported by the Attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Dunn
Judge

Wade D. Ward, Att.

Wade D. Ward, Assignee Ex Parte, for the purpose of foreclosure and collection under power contained in a mortgage to the Bank of Crisfield, from William L. Brittingham and Kay Frances Brittingham, his wife, and they by assignment to Wade D. Ward for foreclosure and collection.

No. 9046 Chancery In the Circuit Court for Somerset County, Maryland.

**ORDER NISI**

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 23rd day of August, 1971, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 16th day of August, 1971.

The report states the amount of sale of $7,045.00.

I. Theodore Phoebus, Clerk

7-23-3

LIBER 224 PAGE 285

CRISFIELD, MD., Aug. 19 19 71

THIS is to certify that the annexed ORDER NISI has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI for 3 weeks beginning with the issue of July 23 19 71 and ending Aug. 6 19 71.

The Crisfield Times
Publisher THE CRISFIELD TIMES

LIBER 044 PAGE 270

Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection.

In Equity No. 9046

In the Circuit Court for

Somerset County, Maryland

PETITION AND ORDER APPOINTING AUDITOR

The Petition of Wade D. Ward, respectfully shows unto this Court as follows:

That he is the Attorney and Assignee by assignment from the Bank of Crisfield, a body corporate, under the power contained in a mortgage from William L. Brittingham and Kay Frances Brittingham, his wife, to said Bank of Crisfield, said mortgage being duly recorded and foreclosed as more fully described by his Report of Sale herein filed.

That the Auditor for this Court is not available and the Petitioner prays for an appointment of a special auditor to whom such report of sale may be referred, to state an account, pursuant to Rule BR6 b5 and 595 B.

And your Petitioner will ever pray, etc.

Wade D. Ward
Petitioner

O R D E R

Upon the foregoing Petition it is this 8 day of September, 1971, by the Circuit Court for Somerset County, Maryland, in Equity, Ordered that June Wharton be and she is hereby appointed a special auditor to whom the report of sale herein shall be referred to state an account.

E. McMaster Duer
Judge

MAR. 5 1975
Ex'd,

RA 37784

IN THE CIRCUIT COURT OF SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS, MICHAEL T. NALLS, Substitute Trustees | : | |

Mr. Clerk:

Please docket suit in the above entitled cause and file a (certified copy of the) deed of trust, recorded in liber 257 at folio 236 enter my appearance as solicitor for the Substitute Trustees and file the affidavit of indebtedness, bond and approval of the bond.

J. Willard Nalls

J. WILLARD NALLS, JR.
4400 East-West Highway
Bethesda, Maryland
OL 4 4626

FOR ORIGINAL DEED OF TRUST SEE LIBER I.T.P. NO. 257, FOLIO 236.
FOR DEED OF APPOINTMENT SEE LIBER I.T.P. NO. 265, FOLIO 403.
FOR BOND SEE BOND BOOK NO. 9, FOLIO 509.

LIBER 224 PAGE 272

IN THE CIRCUIT COURT OF SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the deed of trust from CHARLES S. TEAGUE, and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS, and MICHAEL T. NALLS, Substitute Trustees | : | |

AFFIDAVIT OF INDEBTEDNESS

STATE OF ~~MARYLAND~~ Virginia :

: to wit:

COUNTY OF Fairfax :

MARY A. H. BALLARD, being duly sworn, deposes and says that she is the holder of a certain note made by CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife, dated September 25, 1970, which note is secured by deed of trust, which is the subject of foreclosure proceedings in Equity No._____ in the Circuit Court for Somerset County, Maryland. That there is now due and owing on account of the indebtedness evidenced by said note, the sum of $4,579.62, which includes interest at the rate of 8% computed through February 19, 1972, in the amount of $222.13 and the principal balance of $4,357.49.

Mary A. H. Ballard (SEAL)

SUBSCRIBED AND SWORN TO before me this 14 day of February 1972.

My commission expires:

Thelma Shaver
Notary Public

THELMA SHAVER NOTARY PUBLIC FAIRFAX COUNTY, VA.

My commission expires December 2, 1974

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the Matter of the Deed of Trust from C HARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND )
) to wit:
COUNTY OF MONTGOMERY )

WE HEREBY CERTIFY that on the 10TH day of February, 1972, we mailed notice, by certified mail, postage prepaid, to Charles S. Teague & Lillian R Teague at their last known address, 6323 61st Ave, Riverdale, Maryland, giving notice of the time, place and terms of sale for the property to be sold in the above entitled cause, by sending them a copy of the advertisement as published in Marylander and Herald.

Ruth M. Brooks
RUTH M. BROOKS

Michael T. Nalls
MICHAEL T. NALLS

Subscribed and sworn to before me this 10 day of February, 1972, as to Michael T. Nalls.

My Commission Expires:
7/1/74

Notary Public

Subscribed and sworn to before me this 11th day of February, 1972, as to Ruth M. Brooks.

My Commission Expires:
7/1/74

Leona H. Smith
Notary Public

LIBER 124 PAGE 278

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the Matter of the Deed of Trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | LIBER 264 PAGE 274 |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

**AFFIDAVIT**

MARY A. H. BALLARD, being first duly sworn under oath, deposes and says:

1. That she was the purchaser at the foreclosure sale set forth in Equity No. 9144 of a certain lot of ground described as 10 acres more or less near the Northeasterly corner of N. Thomas Whittington property, in Somerset County, Maryland and being more particularly described in the Deed of Trust recorded in Liber 257, folio 236, recorded among the Land Records of Somerset County, Maryland.

2. That no other individuals or corporations are involved as principals in the purchase.

3. That she has not directly or indirectly discouraged anyone from bidding on the property aforesaid.

Mary A. H. Ballard
MARY A. H. BALLARD

STATE OF ~~MARYLAND~~ Virginia )
COUNTY OF ~~MONTGOMERY~~ Fairfax ) to wit:

I HEREBY CERTIFY that on this 29th day of February, 1972, before me, the subscriber, a Notary Public in and for the _____ aforesaid, personally appeared MARY A. H. BALLARD and made oath in due form of law that the matters and facts set forth in the foregoing affidavit are true to the best of her knowledge, information and belief.

IN WITNESS WHEREOF I hereunto set my hand and seal.

My Commission Expires:

Helma Shepherd
Notary Public

My commission expires December 2, 1974

HELMA SHEPHERD NOTARY PUBLIC FAIRFAX COUNTY, VA.

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND
SITTING AS A COURT OF EQUITY

| | | |
|---|---|---|
| In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

TRUSTEE'S REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of RUTH M. BROOKS and MICHAEL T. NALLS, substitute trustees, authorized and empowered to make sale of lands and premises described in the deed of trust in this cause filed respectfully shows:

That default having been made in payment of the indebtedness secured by said deed of trust with interest thereon as in said deed of trust was covenanted and agreed to be paid, the said substitute trustees having been directed by the holder of said not secured by said deed of trust to execute the power of sale in them vested and to make sale of said lands and premises, the said trustees gave bond with approved security as required by law and after having given more than fifteen days' notice publicly of the time and place of sale by advertisement in the Marylander and Herald, a weekly newspaper published in Somerset County, Maryland, prior to the day of sale, a copy of which advertisement is annexed hereto and made a part hereof marked Exhibit No. 1, and after having compiled with all other prerequisites of law, RUTH M. BROOKS, substitute trustee, certifies that the co-trustee MICHAEL T. NALLS was out of the jurisdiction on the date of sale; and that she offered and exposed for sale at public auction at the Court House door in Somerset County, Maryland on Saturday,

February 19, 1972 at 1:00 p.m. being the time and place mentioned in said advertisement the lands and premises in said deed of trust mentioned and the same being 10 acres more or less near the Northeasterly corner of N. Thomas Whittington property in Somerset County more particularly described in Deed of Trust recorded in Liber 257 at Folio 236 among the land records of Somerset County, Maryland and then and there sold said property to MARY A. H. BALLARD for the sum of $2,000.00, she being at that price the highest bidder therefor and upon the following terms; namely, all cash upon ratification of sale by the Court with conveyancing, notary fee, recording, examination of title, State and Federal Revenue Stamps to be paid at the cost of the purchaser.

Memorandum in writing of the sale to which is annexed a copy of said advertisement is herewith filed as part hereof, marked Exhibit No. 2.

A deposit of $500.00 in cash was made by the purchaser who offered herself ready and willing to comply with the terms of sale upon ratification of sale by this Honorable Court.

Ruth M. Brooks
RUTH M. BROOKS,
substitute trustee

STATE OF MARYLAND :
COUNTY OF ~~SOMERSET~~ Montgomery : SS

I HEREBY CERTIFY that on this 13th day of March 1972, before the subscriber a Notary Public, in and for the State and County aforesaid, personally appeared RUTH M. BROOKS, substitute trustee, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct as therein set forth, to the best of her knowledge, information, and belief, and that said MARY A. H. BALLARD was the highest bidder therefor and that to the best of her knowledge, information and belief all the rules of Court and requirements of law are compiled with in said sale.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal.

My commission expires:
7/1/74

Leona H. Smith
Notary Public

NOTARY
LEONA H. SMITH

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the Deed of Trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

This is to certify that the property described in the attached advertisement was sold at public auction at the Court House door, Somerset, Maryland to:

Mary A.H. Ballard for $2,000.00, upon the terms and conditions as set forth in said advertisement.

J. Willard Nalls, Jr.
J. WILLARD NALLS, JR.

PRINCESS ANNE, MD., Feb. 19 72

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Trustee Sale

Dates Inserted: Feb 3 10

Business Manager MARYLANDER and HERALD

# TRUSTEES SALE

## OF VALUABLE UNIMPROVED

## *REAL ESTATE*

DESCRIBED AS TEN ACRES MORE OR LESS NEAR THE NORTHEASTERLY CORNER OF THE N. THOMAS WHITTINGTON PROPERTY, IN SOMERSET COUNTY, MD.

UNDER and by virtue of the power and authority conferred upon them by a certain deed of trust from Charles S. Teague, and Marion G. Young, trustees, dated September 25, 1970, recorded among the Land Records of Somerset County, Maryland on October 6, 1970 at 8:40 p.m. in Liber 257 at folio 236 and default having occurred in the note secured against said property by said deed of trust, the undersigned substitute Trustees will sell at public auction at th Court House door in Princess Anne, Maryland on:

## *SATURDAY*

## *FEB. 19, 1972*

AT 1 O'CLOCK P. M.

all that lot of ground and improvements thereon situate lying and being in Somerset County, Maryland, and described as ten (10) acres more or less near the Northeasterly corner of the N. Thomas Whittington property in Somerset County, Maryland as said property is more particularly described in said deed of trust.

This property consists of ten (10) acres more or less of unimproved real estate.

Sale will be subject to an existing first deed of trust the original balance of which was $4,599.19.

TERMS OF SALE: All cash, upon ratification thereof by the Circuit Court of Somerset County, Maryland. A deposit of Five hundred dollars ($500.00) will be required at time of sale. Conveyancing, recording, notary fee, examination of title, state revenue stamps and all Transfer Taxes will be at the cost of the purchaser. State and County Taxes will be adjusted to the date of sale. Interest at the rate of 6% per annum on the purchase price shall run from date of sale and paid by purchaser. Terms of sale to be compiled with within five (5) days after final ratification of sale by the Court, or property will be resold at the risk and cost of the defaulting purchaser.

RUTH M. BROOKS
Substitute Trustee

MICHAEL T. NALLS
Substitute Trustee

J. WILLARD NALLS, JR.
Solicitor for Substitute Trustees
4400 East-West Highway
Bethesda, Maryland
OL 4-2626

41-3tc

Valuable Improved Property
nr N:Thomas Whittington Prop

LIBER 244 PAGE 277

LIBER 144 PAGE 278

# IN THE CIRCUIT COURT FOR ~~MONTGOMERY~~ SOMERSET COUNTY, MARYLAND

**Military Affidavit under Soldiers' and Sailors' Civil Relief Act of 1940 and Amendment thereto of October 6, 1942**

In matter of Deed of Trust
from
Charles S. Teague and
Lillian R. Teague
~~to~~ to
Ruth M. Brooks and
Michael T. Nalls, Substitute trustees

LAW
EQUITY NO. 9144

Virginia Fairfax

STATE OF ~~MARYLAND, MONTGOMERY~~ COUNTY, TO WIT:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, in and for said County, personally appeared Mary A.H. Ballard

and made oath in due form of law that ~~he~~ (she) knows the defendants herein, and that to the best of ~~his~~ (her) information, knowledge and belief

(1) said defendants ~~is~~ are not in the military service of the United States,

(2) said defendants ~~is~~ are not in the military service of any nation allied with the United States,

(3) said defendants has not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended,

(4) said defendants ~~is~~ are not a member of the Enlisted Reserve Corps who has been ordered to report for military service.

Mary A.H. Ballard
*Affiant.*

Subscribed and sworn to before me

this 14th day of March 1972

Thelma Sheer
*Notary Public*

My commission expires December 4 1974

H.M.S. #21

## ORDER NISI

In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife to RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees

In the Circuit Court for ~~Montgomery~~ Somerset County, as a Court of Equity.

No. 9144 Equity.

ORDERED, this 14th day of March, A. D., 19 72, by the Circuit Court for ~~Montgomery~~ Somerset County, as a Court of Equity, that the sale made by RUTH M. BROOKS, Substitute Trustee to MARY A. H. BALLARD, and reported in the above entitled cause, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 17th day of April next; provided a copy of this order be inserted in some newspaper published in said ~~Montgomery~~ Somerset County, once a week for three successive weeks before the 3rd day of April, 1972.

The report states the amount of the sale to be $ 2,000.00

S. Theodore Phoebus

*Clerk of the Circuit Court for ~~Montgomery~~ Somerset County*

## FINAL ORDER OF RATIFICATION

In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife to ~~VS.~~ RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees

In the Circuit Court for ~~Montgomery~~ Somerset County, as a Court of Equity.

No. 9144 Equity.

ORDERED, this 11th day of May, A. D., 19 72, by the Circuit Court for ~~Montgomery~~ Somerset County, sitting as a Court of Equity, and by the authority thereof, that the sale made by RUTH M. BROOKS, Substitute Trustee to MARY A. H. BALLARD, and reported in the above entitled cause be, and the same is hereby, finally ratified and confirmed; no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding order.

E. McMaster Dyer

*Judge of the Circuit Court*

# ORDER NISI

In the matter of the deed of trust from Charles S. Teague and Lillian R. Teague, his wife

to

Ruth M. Brooks and Michael T. Nalls, Substitute Trustees In the Circuit Court of Somerset County, as a Court of Equity.

No. 9144 Equity.

ORDERED, this 14th day of March, A.D., 1972, by the Circuit Court for Somerset County as a Court of Equity, that the sale made by Ruth M. Brooks, Substitute Trustee to Mary A. H. Ballard and reported in the above entitled cause, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 17th day of April next; provided a copy of this order be inserted in some newspaper published in said Somerset County, once a week for three successive weeks before the 3rd day of April, 1972.

The report states the amount of the sale to be $2,000.00.

s| L. THEODORE PHOEBUS
Clerk of the Circuit Court for Somerset County

TRUE COPY, TEST:
L. THEODORE PHOEBUS
CLERK

47-3tc

PRINCESS ANNE, MD., April 19 72

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: ~~Mar 16 23 30~~ 1972

Business Manager MARYLANDER and HERALD

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

PETITION FOR APPOINTMENT OF SPECIAL AUDITOR

Your Petitioner, MARY A. H. BALLARD, by her attorney, J. Willard Nalls, Jr., respectfully shows unto this Court as follows:

1. That she is the noteholder in the above entitled cause.

2. That the proceeds from the sale of the real estate in this action were not sufficient to pay the entire amount of the indebtedness owed to your Petitioner.

3. That your Petitioner desires to proceed against the Mortgagor in personam.

4. That in order to proceed in personam against the Mortgagor it is necessary that an Auditor prepare an account to be approved by the Court.

5. That the Auditor for the Circuit Court of Somerset County is not available.

WHEREFORE, your Petitioner, MARY A. H. BALLARD prays that HELEN M. AMBROSE of Montgomery County be appointed Special Auditor in the above entitled cause in order that an accounting of the Trustees sale may be prepared.

J. WILLARD NALLS, JR.
Attorney for Noteholder
4400 East-West Highway
Bethesda, Maryland 20014
654-4626

POINTS AND AUTHORITIES

LIBER 044 PAGE 251

Maryland Rules of Procedure BR6 b 5.

Maryland Rules of Procedure 595 B.

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

LIBER 044 PAGE 282

| | | |
|---|---|---|
| In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

ORDER OF COURT

The Petition for Appointment of Special Auditor having been read and considered, it is thereupon this 29th day of June, 1972, by the Circuit Court for Somerset County, Maryland,

ORDERED, that HELEN M. AMBROSE of Montgomery County, Maryland, be and is hereby appointed as Special Auditor in the above entitled cause.

Richard M. Pollitt
JUDGE OF THE CIRCUIT COURT FOR
SOMERSET COUNTY, MARYLAND

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of Helen M. Ambrose, Auditor, unto your Honors, respectfully represents:

1. That this account is stated at the request of the Substitute Trustees as above named, in the matter of the deed of trust, wherein it appears that the proceeds of the sale are sufficient to pay the expenses of the sale, but not enough proceeds are left to pay the person who foreclosed.

2. That in the within account Ruth M. Brooks and Michael T. Nalls, Substitute Trustees, are charged with the gross proceeds of the sale and they are allowed their commissions for making this sale; the court costs in this cause; the several advertising costs, the cost of the bond; the cost of two certified copies, and the fee of your Auditor for stating this account, and the balance of the proceeds is directed to be paid to Mary A. H. Ballard.

Respectfully submitted,

Helen M. Ambrose

HELEN M. AMBROSE
Auditor

TO WHOM IT MAY CONCERN:

Enclosed herewith is a copy of the audit duly certified by the undersigned Auditor, and pursuant to Rule 595, Section G, Maryland Rules of Procedure, notice is hereby given that the audit in the cause entitled, "In the matter of the deed of trust from Charles S. Teague and Lillian R. Teague, his wife, to Ruth M. Brooks and Michael T. Nalls, Substitute Trustees" being Cause No. 9144, in the Circuit Court for Somerset County, in Equity, has been filed with the Clerk of said Court in said cause, Princess Anne, Maryland, on August 4, 1972, and that exceptions to said audit must be filed on or before August 19, 1972, or the account may thereupon be ratified on August 28, 1972.

Very truly yours,

Helen M. Ambrose
HELEN M. AMBROSE
Auditor

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the deed of trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

Foreclosure sale under deed of trust recorded in Liber 257, folio 236, described as ten acres more or less near Northeasterly corner of the N. Thomas Whittington Property, in Somerset County, Maryland
Date of Sale: February 19, 1972
Ratified: April 17, 1972
Solicitor for Substitute Trustees:
J. Willard Nalls, Jr.
4400 East-West Highway
Bethesda, Maryland 20014
Noteholder: Mary A. H. Ballard
Purchaser: Noteholder

AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Pursuant to the Final Order of Ratification of the sale in the above cause, the Solicitor for the Substitute Trustees has submitted to your Auditor their accounts and vouchers with a request that an audit be made thereof. Accordingly, your Auditor has stated an audit, report of which is hereinafter respectfully submitted.

I

The original Deed of Trust note is filed herewith.

II

Since the noteholder purchased at the sale no interest is charged on the balance of the purchase money, and no interest is allowed past the date of ratification of the sale.

III

The report states a deficiency in the proceeds of the sale as found in Item 5, hereinafter following, the said proceeds

being less than the amount necessary to pay debt secured. The Trustees are charged for and credited with the following items:

| | | CHARGES | CREDITS |
|---|---|---|---|
| 1) | To amount of sale<br>Sale Price | $ 2,000.00 | - |
| 2) | To Ruth M. Brooks and Michael T. Nalls, Substitute Trustees Their commission for making sale as per item 7 of the deed of trust | - | $ 100:00 |
| 3) | BY COSTS & EXPENSES OF SALE | | |
| | a. Court costs, Clerk, Somerset County | | |
| | Court costs $ 35.00 | | |
| | Recording Deed of Appointment 8.00 | | |
| | Petition to appoint Auditor 1.00 | | |
| | TOTAL $ 44.00 | - | 44.00 |
| | b. Auditor's fee | - | 45.00 |
| | c. Solicitor's fee, J. Willard Nalls, Jr., Esquire | - | 250.00 |
| | d. Bond Premium (Fidelity and Deposit Co. of Maryland) | - | 20.00 |
| | e. Publication - Marylander and Herald - advertise sale | - | 52.00 |
| | Order Nisi, sale | - | 20.00 |
| 4) | Unpaid Principal per affidavit | - | 4,579.62 |
| 5) | Deficiency | 3,110.62 | - |
| TOTAL | | $ 5,110.62 | $ 5,110.62 |

Respectfully submitted,

Helen M. Ambrose
HELEN M. AMBROSE
Auditor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of August, 1972, I have mailed a copy of the aforegoing Auditor's Report by ordinary mail, postage prepaid, to Charles S. Teague and Lillian R. Teague, 6323 - 61st Avenue, Riverdale, Maryland, Ruth M. Brooks and

Michael T. Nalls, 4400 East-West Highway, Bethesda, Maryland 20014, Mary A. H. Ballard, Point of Rocks Road, Point of Rocks, Maryland, and J. Willard Nalls, Jr., Esquire, 4400 East-West Highway, Bethesda, Maryland 20014.

Helen M. Ambrose

Helen M. Ambrose

LIBER 044 PAGE 238

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this* 7th *day of* August *1972 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the* 22nd *day of* August *19* 72

L. Theodore Phelps ... Clerk

No 9144 ..... Chancery

Vs .....

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date .....

..... Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this* 16th *day of* October *19* 72 *that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

L. Theodore Phelps

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

Rt# 4580

| | | |
|---|---|---|
| In the matter of the Deed of Trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

MOTION FOR DEFICIENCY DECREE

The Motion of Mary A. H. Ballard, the Noteholder, by J. Willard Nalls, Jr., her attorney, respectfully represents unto this Honorable Court as follows:

1. That she is the noteholder of the deed of trust foreclosed in these proceedings; that it has been found and determined by the judgment of this court, upon the report of the auditor thereof, that there is a deficiency of $3,110.62 as is shown on such report filed herein and duly ratified.

2. That the said noteholder would be entitled to maintain an action of law against the mortgagors upon the covenants of the deed of trust for such deficiency.

3. That the mortgagors, and their last known address is as follows:

Charles S. Teague
Lillian R. Teague
4905 Sheriden Street
Riverdale, Maryland

WHEREFORE, Mary A. H. Ballard, Noteholder, moves:

1. That Charles S. Teague and Lillian R. Teague be duly notified by summons, or otherwise, of the filing of this Motion.

2. That a decree in personam be entered against Charles S. Teague and Lillian R. Teague, for the aforesaid deficiency in the amount of $3,110.62

3. And for such other and further relief as the nature of the case may require.

And as in duty bound, etc.

J. Willard Nalls, Jr.

J. WILLARD NALLS, JR.
Attorney for Noteholder
4400 East West Highway
Bethesda, Maryland
654-4626

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the Deed of Trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | LIBER 044 PAGE 290 |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

SHOW CAUSE ORDER

The foregoing Motion having been read and considered, it is thereupon ordered by the Circuit Court for Somerset County, this 15 day of Nov, 1973, that the Clerk of this court be and he is hereby directed to issue the writ of subpoena directed to the said CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife, commanding them to be and appear in this court on the 3 day of Dec, 1973, to answer the following Motion and show cause, if any there be, within fifteen days from the return of said writ, why a decree should not be entered as prayed.

E. McMaster Duer
JUDGE OF THE CIRCUIT COURT
FOR SOMERSET COUNTY, MARYLAND

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the Deed of Trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

ORDER

The foregoing Motion having been presented to the Court and by the Court read and considered, it is thereupon this 15 day of November, 1973, by the Circuit Court for Somerset County, Maryland, sitting as a Court of Equity, and by the authority thereof,

ORDERED, that summons be issued to CHARLES S. TEAGUE and LILLIAN R. TEAGUE, returnable on the 3rd day of December 1973, and directing them to show cause within fifteen days thereafter why a decree in the amount of $3,110.62 in favor of Mary A. H. Ballard, should not be entered, provided a copy of the aforegoing Motion and this Order be delivered by registered mail, with return receipt, to the said CHARLES S. TEAGUE and LILLIAN R. TEAGUE, on or before Nov 20, 1973.

E. Moncastle Dunn

JUDGE OF THE CIRCUIT COURT FOR
SOMERSET COUNTY, MARYLAND
Sitting as a Court of Equity

Bill of Mortgage Order

No. 9144 Chancery Case

**WRIT OF SUBPOENA:**

LIBER 044 PAGE 392

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

NOV 15 9 17 AM '73
CLERK'S OFFICE
CIRCUIT COURT
SOMERSET COUNTY

## The State of Maryland,
## Somerset County, to wit:

**TO** *Charles S. Teague*
*Lillian R. Teague*
*4905 Sheriden Street*
*Riverdale, Maryland*

*GREETING:*

We command and enjoin you that you do within the time limited by law, *AS PER ORDER OF COURT ATTACHED* ~~beginning on the first Monday of next and ending fifteen days thereafter~~ cause your answer or other defense to be filed to the complaint of *Mary A. H. Ballard, Noteholder, by J. Willard Nalls, Jr., her attorney*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the *15th* day of *November*, 19*73*.

~~TO THE DEFENDANT(S):~~

~~You are required to file your answer or other defense in the Clerk's Office on or before the day of , 19 . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which shall upon proper proof be converted into a final decree for the relief demanded.~~

Solicitor for Complainant(s)

*J. Willard Nalls, Jr.*
Name *Attorney for Noteholder*
*4400 East West Highway*
Address *Bethesda, Maryland*

Clerk

Summoned ① Lillian R. League. ② Charles S. League.
Personal delivery of and leaving a copy of
Motion, Order, Summons
with said Lillian R. League Charles S. League at
Riverdale Md on this 1729 8
14 day of Nov 1973. 1740 8
Should be
4309 Sheridan St

DON EDWARD ANSELL
Sheriff of Prince George's Co.
By James Ephraim
Deputy Sheriff JAMES EPHRAIM

SERVED:
NON EST:
NON EST OTHER:

PRINCE GEORGE'S COUNTY, MD.
BY:
DEPUTY SHERIFF

ATTEMPTS AT SERVICE

| DATE | TIME | DATE | TIME |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

LIBER 044 PAGE 292 A

MAR. 12 1975

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the matter of the Deed of Trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | : | |

MR. CLERK:

By consent of counsel, please continue the hearing on the Show Cause Order now set for December 3, 1973 to December 17, 1973.

J. Willard Nalls Jr.

J. WILLARD NALLS, JR.
Attorney for Noteholder
4400 East West Highway
Bethesda, Maryland 20014
654-4626

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November 1973, a copy of the foregoing line was mailed by ordinary mail, postage prepaid, to Joseph L. Gibson, Jr., Esquire, attorney for Charles S. and Lillian R. Teague, 6001 Sheriff Road, Fairmont Heights, Maryland 20027.

J. Willard Nalls Jr.

J. WILLARD NALLS, JR.

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND
SITTING AS A COURT OF EQUITY

LIBER 042 PAGE 334

| | | |
|---|---|---|
| IN THE MATTER OF | * | |
| DEED OF TRUST | * | |
| CHARLES TEAGUE and LILLIAN R. TEAGUE, his wife | * | EQUITY NOS. 9144 |
| TO | * | |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | * | |

L I N E

Will the Clerk of the Court please enter the appearance of counsel below for the morgagor, Charles Teague and Lillian R. Teagus, his wife.

JOSEPH L. GIBSON, JR.
Attorney for Morgagor
5408 Silver Hill Road, #404
Suitland, Maryland 20028
202-223-3190

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Line was mailed, postage prepaid, to J. Willard Nalls, Esq., attorney for Noteholder, 4400 East West Highway, Bethesda, Maryland 20014, this 30th day of November 1973.

JOSEPH L. GIBSON, JR.

LAW OFFICES
REYNOLDS, MUNDY & ANDERSON
SOLAR BUILDING
1000 16th STREET, N. W.
WASHINGTON, D. C. 20036

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| IN THE MATTER OF THE DEED of TRUST from | * | |
| CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | * | EQUITY NO. 9144 |
| to | | |
| RUTH M. BROOKS and MICHAEL T. NALLS, Substitute Trustees | * | |

CONSENT ORDER

The Mortgagors, Charles S. Teague and Lillian R. Teague, his wife, herewith consent to an entry of judgement against them in the amount of $3,110.62.

Dated
Dec 20, 1973

E. Moorman Duer
JUDGE

Charles S. Teague
CHARLES S. TEAGUE

Lillian R. Teague
LILLIAN R. TEAGUE

Joseph L. Gibson Jr.
JOSEPH L. GIBSON, JR.
Attorney for Mortgagors
5408 Silver Hill Road #404
Suitland, Maryland 20028
223-3190

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was mailed this 14th day of December 1973, postage prepaid, to J. Willard Nalls, Jr., Esq., attorney for Substitute Trustees, 4400 East West Highway Bethesda, Maryland 20014.

Joseph L. Gibson Jr.
JOSEPH L. GIBSON, JR.

LAW OFFICES
REYNOLDS, MUNDY & ANDERSON
SOLAR BUILDING
1000 16th STREET, N. W.
WASHINGTON, D. C. 20006

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| In the Matter of the Deed of Trust from CHARLES S. TEAGUE and LILLIAN R. TEAGUE, his wife | : | LIBER 24 PAGE 298 |
| to | : | Equity No. 9144 |
| RUTH M. BROOKS and MICHAEL T. NALLS Substitute Trustees | : | |

LINE

MR. CLERK:

Please dismiss the judgment in the above entitled cause and mark it Paid and Satisfied.

J. Willard Nalls

J. WILLARD NALLS, JR.
Attorney for Noteholder
4400 East West Highway
Bethesda, Maryland 20014
654-4626

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of February 1974, a copy of the foregoing Line to dismiss was mailed by ordinary mail, postage prepaid, to Joseph L. Gibson, Jr., Esq. Attorney for Charles S. and Lillian R. Teague, 5408 Silver Hill Road, #404, Suitland, Maryland 20028.

J. Willard Nalls

J. WILLARD NALLS, JR.

MAR 5 1975
Ex'd

| | | |
|---|---|---|
| EX PARTE | : | No. 9150 Chancery |
| HOBART B. HUGHES, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation | : | In the Circuit Court For Somerset County State of Maryland |

* * * * *

## ORDER TO FILE MORTGAGE FOR FORECLOSURE

Mr. Clerk:

Please docket suit as above and file for foreclosure the mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation, dated May 23, 1966, and duly recorded among the Land Records of Somerset County and State of Maryland, in Liber I.T.P. No. 234, Folio 18; said mortgage having been assigned on February 15, 1972, unto Hobart B. Hughes for the purpose of foreclosure and collection.

Hobart B. Hughes
124 East Main Street
Salisbury, Maryland 21801
Phone: 301-742-7178

FOR ORIGINAL MORTGAGE SEE LIBER I.T.P. NO. 234, FOLIO 18,
FOR ASSIGNMENT SEE LIBER NO. ITP 265, FOLIO 508.
FOR BOND SEE BOND BOOK NO. 9, FOLIO 525.

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 297

LIBER 044 PAGE 298

EX PARTE

HOBART B. HUGHES, Assignee
for the Purpose of Foreclosure
and Collection of a Mortgage
to United Mortgage Corporation

VS

CURTIS S. WEST and

BETTY L. WEST, his wife

IN THE

CIRCUIT COURT

FOR

SOMERSET COUNTY

EQUITY NO. 9150

* * * * * * *

## AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND

ANNE ARUNDEL COUNTY, to wit:

I HEREBY CERTIFY, that on this 15th day of February, 1972, before me, the subscriber, a Notary Public of and for the state and county aforesaid, personally appeared Richard A. Brown, President of United Mortgage Corporation, the holder of a mortgage from Curtis S. West and Betty L. West, his wife, dated May 23, 1966, and recorded among the Land Records of Somerset County, State of Maryland at Liber No. 234m folio 18 & c., and he made oath in due form of law that the following account represents the balance due and owing upon the mortgage filed for foreclosure in the above entitled cause:

| | |
|---|---|
| Principal balance | $4514.87 |
| Interest due through February 5, 1972 | 361.20 |
| Real Estate tax payment by United Mortgage | 96.04 |
| Late charges due through February 5, 1972 | 40.20 |
| TOTAL AMOUNT DUE | $5012.31 |

UNITED MORTGAGE CORPORATION

BY: [signature]
Richard A. Brown, President

SUBSCRIBED AND SWORN TO before me this 15th day of February, 1972.

[signature]
Michi Sakamoto, Notary Public

My commission expires July 1, 1974

EX PARTE

| | |
|---|---|
| HOBART B. HUGHES, Assignee for the Purpose of Foreclosure and Collection of a Mortgage to United Mortgage Corporation | IN THE |
| | CIRCUIT COURT |
| VS | FOR |
| CURTIS S. WEST and | SOMERSET COUNTY |
| BETTY L. WEST, his wife | EQUITY NO. 9150 |

* * * * * * *

## AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF MARYLAND

ANNE ARUNDEL COUNTY, to wit:

I HEREBY CERTIFY, that on this 15th day of February, 1972, before me, the subscriber, a Notary Public of and for the state and county aforesaid, personally appeared Richard A. Brown, President of United Mortgage Corporation, and he made oath under due form of law that to the best of his knowledge and belief Curtis S. West and Betty L. West, his wife, are not in the military service of the United States of America.

IN WITNESS WHEREOF, I hereunto set my hand and notarial seal.

Michi Sakamoto

Michi Sakamoto, Notary Public

My commission expires July 1, 1974

LIBER 044 PAGE 003

LIBER 124 PAGE 300

| | | |
|---|---|---|
| EX PARTE | * | No. 9150 Chancery |
| HOBART B. HUGHES, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation | * | In the Circuit Court For Somerset County State of Maryland |

********

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, this 19th day of June, 1972, that the sale of the property mentioned in these proceedings and made and reported by Hobart B. Hughes, Assignee, be ratified and confirmed unless cause to the contrary be shown on or before the 20th day of July, 1972, provided a copy of this Order be inserted in some newspaper published in this County, once in each of three (3) successive weeks, before the 10th day of July, 1972.

The Report of Sale states the amount of the sale to be FIVE THOUSAND DOLLARS ($5,000.00).

S. Theodore Phoebus
CLERK

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

PRINCESS ANNE, MD., June 1972

This is to certify that the annexed ASSIGNEE'S SALE has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: ~~May 25 June 1 & 15, 1972~~

Business Manager MARYLANDER and HERALD

Long, Laws, Hughes & Behen
Attys

# ASSIGNEE'S SALE

## OF VALUABLE

# HOUSE AND LOT

Under and by virtue of a power of sale contained in a Mortgage from Curtis S. West and Betty L. West, his wife, default having been made in the terms, covenants and conditions thereof, the undersigned as Assignee for the purpose of foreclosure and collection will offer for sale at public auction at the front door of the Court House in Princess Anne, Somerset County, Maryland, on

## *TUESDAY*

## *JUNE 13, 1972*

AT 10:00 O'CLOCK A. M.

all the following described property:

ALL that lot or parcel of ground situate and lying in the County of Somerset, State of Maryland, and described as follows, to wit: Beginning at a point on the Northern margin of the Meadowbridge Road and the most Southeast corner of the Adolph Bowland land and running with the Adolph Bowland line in a Northerly direction 105 feet to a point; thence running in an Easterly direction parallel to said road, 210 feet to a point; thence running in a Southerly direction parallel to the first call 105 feet to a point on the Nortsern margin of said road; thence running in a Westerly direction along the Northern margin of said road, 210 feet to the true point and place of beginning; and being in all respects the same land conveyed unto Curtis S. West and Betty L. West, his wife, by Deed from United Mortgage Corporation, dated May 28, 1966 and recorded among the Land Records of Somerset County, State of Maryland, in Liber T. T. P. No. 288, Folio 257.

TERMS OF SALE: Deposit of $1,000.00 on date of sale and the balance to be paid upon final ratification of sale, the credit portion to bear interest from the date of sale until paid at the rate of eight (8) per cent per annum and to be secured to the satisfaction of the undersigned, or all cash, at the option of the purchaser. All title papers, transfer tax, and recording costs are at the expense of the purchaser. Taxes will be pro-rated to the date of final ratification of the sale.

HOBART B. HUGHES
Assignee
124 East Main Street
Salisbury, Maryland 21801
Telephone 301 749-2356

5-4tc

LIBER PAGE

| | | |
|---|---|---|
| EX PARTE | * | No. 9150 Chancery |
| HOBART B. HUGHES, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation | * * * | In the Circuit Court For Somerset County State of Maryland |

**********

ASSIGNEE'S REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Hobart B. Hughes, Assignee, under and by virtue of a Power of Sale contained in the Mortgage filed herein respectfully represents:

That after having given bond with sufficient security for the faithful performance of the trust reposed in him and after having complied with all the other prerequisites as required by law and the aforesaid Mortgage and after having given notice of the time, place, manner and terms of sale by advertisements duly inserted in the Marylander & Herald, a weekly newspaper published in Somerset County, for four (4) successive weeks before the day of sale all as more particularly set forth in the Certificate of Publication attached hereto, he did, pursuant to said advertisement attend at the front door of the Court House in Princess Anne, Maryland, on the 13th day of June, 1972 at the hour of 10:00 o'clock A.M. and he did then and there proceed to sell said property in the manner following, that is to say: Your Assignee offered at public sale to the highest bidder or bidders the property mentioned in the aforesaid advertisement and situate in Somerset County, Maryland, and being more particularly described as follows:

ALL that lot or parcel of ground situate and lying in the County of Somerset, State of Maryland, and described as follows, to wit: BEGINNING at a point on the Northern margin of the Meadowbridge Road and the most Southeast corner of the Adolph Bowland land and running with the Adolph Bowland line in a

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

Northerly direction 105 feet to a point; thence running in an Easterly direction parallel to said road, 210 feet to a point; thence running in a Southerly direction parallel to the first call 105 feet to a point on the Northern margin of said road; thence running in a Westerly direction along the Northern margin; of said road, 210 feet to the true point and place of beginning; and being in all respects the same land conveyed unto Curtis S. West and Betty L. West, his wife, by Deed from United Mortgage Corporation, dated May 23, 1966 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 233, Folio 257.

AND your Assignee reports the amount of the sale to be FIVE THOUSAND DOLLARS ($5,000.00).

Respectfully submitted,

HOBART B. HUGHES, Assignee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 14th day of June, 1972, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Hobart B. Hughes, Assignee, named in the aforegoing Report of Sale and made oath in due form of law that the matters and facts stated herein are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My commission expires: July 1, 1974

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

EX PARTE

HOBART B. HUGHES, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation

* No. 9150 Chancery
* In the Circuit Court
* For Somerset County
* State of Maryland
*

***********

PETITION TO APPOINT SPECIAL AUDITOR

The Petition of Hobart B. Hughes, Assignee, respectfully shows to this Court as follows:

1. That he is the Assignee in the above cause in which he sold certain real property as shown on the Report of Sale heretofore filed in these proceedings.

2. That the Auditor for this Court is not available and the Petitioner prays for the appointment of a special auditor to whom such report of sale may be referred to state an account, pursuant to Rules of this Court.

HOBART B. HUGHES, Assignee

ORDER OF COURT

Upon the aforegoing Petition, it is, this 19th day of June, 1972, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED that Virginia B. Miles, be and she is hereby appointed Special Auditor to whom the Report of Sale herein shall be referred to state an account.

E. M. Moshe Duke
JUDGE

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

| | | |
|---|---|---|
| EX PARTE | * | No. 9150 Chancery |
| HOBART B. HUGHES, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation | * * * | In the Circuit Court For Somerset County State of Maryland |

**********

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of June, 1972, before me, the subscriber, a Notary Public for the State and County aforesaid, personally appeared Richard A. Brown, president of United Mortgage Corporation, and made oath in due form of law that he was the purchaser at the sale of the property described in this cause, and that:

(a) That he was not acting as agent for any other person, firm, partnership, or corporation other than stated above;

(b) That there are no other interested principals;

(c) That no one was either directly or indirectly discouraged from bidding at said sale.

UNITED MORTGAGE CORPORATION

BY [signature]

Richard A. Brown

SUBSCRIBED and SWORN to before me this 23rd day of June, 1972.

[signature]

NOTARY PUBLIC

Michi Sakamoto

MY COMMISSION EXPIRES JULY 1, 1974

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

EX PARTE

HOBART B. HUGHES, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation

* No. 9150 Chancery

* In the Circuit Court

* For Somerset County

* State of Maryland

*

***************

AMENDED ASSIGNEE'S REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Hobart B. Hughes, Assignee, under and by virtue of a Power of Sale contained in the Mortgage filed herein respectfully represents:

That after having given bond with sufficient security for the faithful performance of the trust reposed in him and after having complied with all the other prerequisites as required by law and the aforesaid Mortgage and after having given notice of the time, place, manner and terms of sale by advertisements duly inserted in the Marylander & Herald, a weekly newspaper published in Somerset County, for four (4) successive weeks before the day of sale all as more particularly set forth in the Certificate of Publication attached hereto, he did, pursuant to said advertisement attend at the front door of the Court House in Princess Anne, Maryland, on the 13th day of June, 1972 at the hour of 10:00 o'clock A. M. and he did then and there proceed to sell said property in the manner following, that is to say: Your Assignee offered at public sale to the highest bidder or bidders the property mentioned in the aforesaid advertisement and situate in Somerset County, Maryland, and being more particularly described as follows:

ALL that lot or parcel of ground situate and lying in the County of Somerset, State of Maryland, and described as follows, to wit: BEGINNING at a point on the Northern margin of the Meadowbridge Road and the most Southeast corner of the Adolph Bowland land and running with the Adolph Bowland line in a

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
134 EAST MAIN STREET
SALISBURY, MARYLAND 21801

Northerly direction 105 feet to a point; thence running in an Easterly direction parallel to said road, 210 feet to a point; thence running in a Southerly direction parallel to the first call 105 feet to a point on the Northern margin of said road; thence running in a Westerly direction along the Northern margin of said road, 210 feet to the true point and place of beginning; and being in all respects the same land conveyed unto Curtis S. West and Betty L. West, his wife, by Deed from United Mortgage Corporation, dated May 23, 1966 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 233, Folio 257.

AND your Assignee sold the above described property unto United Mortgage Corporation at and for the sum of FIVE THOUSAND DOLLARS ($5,000.00), it being, at that sum, the highest bidder therefor.

Respectfully submitted,

HOBART B. HUGHES, Assignee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of July, 1972, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Hobart B. Hughes, Assignee named in the aforegoing Amended Report of Sale and made oath in due form of law that the matters and facts stated herein are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My commission expires: July 1, 1974

LIBER [illegible] PAGE [illegible]

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 124 PAGE 308

| | | |
|---|---|---|
| EX PARTE | * | No. 9150 Chancery |
| Hobart B. Hughes, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation | * | In the Circuit Court |
| | * | For Somerset County |
| | * | State of Maryland |
| | * | |

**********

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 6th day of September, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Hobart B. Hughes, Assignee in the above captioned, and made oath in due form of law, and pursuant to Rule W74(b) of the Maryland Rules of Procedure, that he mailed by Registered Mail, Return Receipt Requested, to the Mortgagors, Curtis S. West and Betty L. West, his wife, at their last known address, c/o Mrs. Geraldine Wallace 413 Patrick Avenue, Salisbury, Maryland, 21801, a notice of the time, place and terms of sale; that said notice was mailed on the 1st day of June, 1972, which was not earlier than twenty (20) days and not later than five (5) days before the date of sale, the return receipt for said mailing being attached hereto.

AS WITNESS my hand and Notarial Seal the day and year first above written.

NOTARY PUBLIC

My commission expires: July 1, 1974

HOBART B. HUGHES, Assignee

LAW OFFICES
LONG, LAWS
HUHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

INSTRUCTIONS TO DELIVERING EMPLOYEE
☒ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT
Received the numbered article described below.

| | |
|---|---|
| REGISTERED NO. | SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) |
| CERTIFIED NO. 028922 | (1) Curtis West |
| INSURED NO. | SIGNATURE OF ADDRESSEE'S AGENT, IF ANY (2) Geraldine Wallace |
| DATE DELIVERED 6/2/72 | SHOW WHERE DELIVERED (only if requested) (3) |

U.S.G.P.O. 1969-O-371-340

| | | |
|---|---|---|
| EX PARTE | * | No. 9150 Chancery |
| Hobart B. Hughes, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation | * | In the Circuit Court For Somerset County State of Maryland |

**********

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County and State of Maryland, in Equity, this 8 day of July, 1972, that the sale made, reported and amended by the Assignee aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause and the said Assignee is allowed the usual commissions or fees and such proper expenses as he shall produce vouchers therefor.

E. McMaster Dennis
JUDGE

ORDER NISI

EX PARTE

HOBART B. HUGHES, Assignee for the purpose of foreclosure and collection of a Mortgage from Curtis S. West and Betty L. West, his wife, to United Mortgage Corporation

No. 9150 Chancery In the Circuit Court for Somerset County State of Maryland

ORDERED, by the Circuit Court for Somerset County and State of Maryland, this 19th day of June, 1972, that the sale of the property mentioned in these proceedings and made and reported by Hobart B. Hughes, Assignnee, be ratified and confirmed unless cause to the contrary be shown on or before the 20th day of July, 1972, provided a copy of this Order be inserted in some newspaper published in this County, once in each of three (3) successive weeks, before the 10th day of July, 1972.

The Report of Sale states the amount of the sale to be Five Thousand Dollars (5,000.00).

I. THEODORE PHOEBUS
CLERK

True Copy, Test:
I. Theodore Phoebus, Clerk
9-3tc

PRINCESS ANNE, MD., July 19 72

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: June 22 29 July 7

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

LAW OFFICES
LONG, LAWS
HUHES & BAHE
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 042 PAGE 309

| | | |
|---|---|---|
| EX PARTE | : | No. 9150 CHANCERY |
| HOBART B. HUGHES, ASSIGNEE FOR THE PURPOSE OF FORECLOSURE | : | IN THE CIRCUIT COURT |
| AND COLLECTION OF A MORTGAGE | : | FOR SOMERSET COUNTY |
| FROM CURTIS S. WEST AND BETTY L. WEST, HIS WIFE, | : | STATE OF MARYLAND |
| TO UNITED MORTGAGE CORPORATION | | |

## FIRST AND FINAL AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

VIRGINIA B. MILES, SPECIAL AUDITOR, DULY APPOINTED BY THIS COURT, REPORTS TO THE COURT THAT SHE HAS MADE AN EXAMINATION OF THE PROCEEDINGS IN THE ABOVE ENTITLED CAUSE, AND FROM THEM AND THE LIST OF THE EXPENSES FURNISHED HER BY THE ATTORNEYS AND ASSIGNEES THEREIN, HAS STATED THE FOLLOWING ACCOUNT.

SHE HAS CHARGED THE SAID ASSIGNEES AND ATTORNEYS WITH THE AMOUNT OF SALE REPORTED BY THEM, BEING THE SUM OF FIVE THOUSAND DOLLARS ($5000.00).

SHE HAS THEN ALLOWED THE SAID ASSIGNEES THEIR PROPER FEES, COST AND ALL OTHER PROPER EXPENSES, AMOUNTING TO FOUR HUNDRED SEVENTY-FOUR DOLLARS AND EIGHTY-EIGHT CENTS ($474.88).

THE BALANCE THEN REMAINING, AMOUNTING TO FOUR THOUSAND, FIVE HUNDRED TWENTY-FIVE DOLLARS AND TWELVE CENTS ($4525.12), BEING INTEREST AT FOUR HUNDRED FIFTY-SIX DOLLARS AND SIXTY-SIX CENTS ($456.66) TO DATE OF SALE; TAXES AT NINETY SIX DOLLARS AND FOUR CENTS ($96.04); AND LATE CHARGES AT FORTY DOLLARS AND TWENTY CENTS ($40.20); AND PAYMENT ON PRINCIPAL OF THREE HUNDRED THIRTY-TWO DOLLARS AND TWENTY-TWO CENTS ($3932.22) IS AUDITED TO UNITED MORTGAGE CORPORATION AS PAYMENT ON THE MORTGAGE HEREIN FORECLOSED.

YOUR AUDITOR HEREBY CERTIFIES THAT RULE 595 G 2 OF MARYLAND RULES OF PROCEDURE, 1963 REPLACEMENT VOLUME, HAS BEEN COMPLIED WITH BY MAILING ON THE DATE OF THE FILING OF THIS AUDIT COPIES OF THIS REPORT TO THE FOLLOWING PARTIES:

HOBART B. HUGHES, ESQUIRE
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

UNITED MORTGAGE CORPORATION
210 CRAIN HIGHWAY, N. W.
GLEN BURNIE, MARYLAND 21061

CURTIS S. WEST AND
BETTY L. WEST
c/o MRS. GERALDINE WALLACE
413 PATRICK AVENUE
SALISBURY, MARYLAND 21801

RESPECTFULLY SUBMITTED,

Virginia B. Miles

VIRGINIA B. MILES,
SPECIAL AUDITOR

OCTOBER 6, 1972

| | | DR | CR |
|---|---|---|---|
| TO AMOUNT OF SALE, PER ASSIGNEE'S REPORT OF SALE, FILED HEREIN | | $ 5000.00 | |
| TOTAL AMOUNT TO BE ACCOUNTED FOR: | | $ 5000.00 | |
| COST AND EXPENSES AS FOLLOWS: | | | |
| I. THEODORE PHOEBUS, CLERK, COURT COST | | | $ 40.00 |
| AVERY W. HALL INSURANCE AGENCY BOND PREMIUM | | | 24.00 |
| MARYLANDER & HERALD | | | |
| ADVERTISING | $ 60.00 | | |
| ORDER NISI | 20.00 | | |
| | | | 80.00 |
| MARGARET H. FIELDS NOTARY PUBLIC FEES | | | 1.95 |
| VIRGINIA B. MILES AUDITOR'S FEE | | | 35.00 |
| STATE AND COUNTY TAXES, 1972,73 | | | 43.93 |
| LONG, LAWS, HUGHES & BAHEN, FEE IN LIEU OF COMMISSIONS | | | 250.00 |
| | | | $ 474.88 |
| BALANCE | | $425.12 | |
| BALANCE TO UNITED MORTGAGE CORPORATION AS SET FORTH IN FIRST AND FINAL REPORT OF AUDITOR | | | $4,525.12 |
| DEFICIENCY IN PAYMENT ON PRINCIPAL | | | $ 582.65 |

LIBER 044 PAGE 312

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, In Equity, this* 10th *day of* October 1972 *that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the* 26th *day of* October 1972.

L. Theodore Phoebus Clerk

No. 9150 Chancery

Vs

IN THE CIRCUIT COURT FOR SOMERSET COUNTY.

I hereby certify that no exceptions have been filed in the above proceedings to the final ratification of the Auditor's Report, and that the costs, as shown by vouchers exhibited have been paid by the trustee as required by law.

Date April 16, 1973

L. Theodore Phoebus Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, In Equity, this* 16th *day of* April 1973 *that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

L. Theodore Phoebus

FEB 5 1975
Cid

Pt 37976

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor, | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

Mr. Clerk:

Please docket the above entitled suit and file the original mortgage among the papers therein.

Alexander G. Jones
Princess Anne, Maryland
Telephone: 651-2747

LIBER 142 PAGE 314

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor, | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 3rd day of March, 1972, before me, the undersigned officer, personally appeared Victor H. Dryden, Vice President of the Bank of Somerset, and made oath in due form of law as follows: The principal amount owing on the above mortgage is $3258.63 with interest from March 2, 1972, and also made oath in due form of law that the defendants are not in the military service as hereinafter set forth and that they have not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlisted reserve corps thereof.
2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;
3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

NOTARY PUBLIC SOMERSET COUNTY, MD.

Patsy E. Oke
Notary Public

FOR ORIGINAL MORTGAGE SEE LIBER I.T.P. NO. 248, FOLIO 312
FOR BOND SEE BOND BOOK NO. 9, FOLIO 518.

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor, | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

To the Honorable, the Judge of said Court:

The report of sales of Alexander G. Jones, Attorney named in a certain mortgage made and executed by George Frederick Taylor and Joan Marie Taylor, his wife, to the Bank of Somerset, a body corporate, dated March 28, 1969 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 248, folio 312, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant and condition of said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to your Honor, that after giving bond with security approved by the Clerk of this Court, or by one of the Judges thereof, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper published in Somerset County, once a week for four successive weeks before the day of sale, he did pursuant to said notice attend at the Court House door, in Princess Anne, Maryland, on the 18th day of April, 1972, at two o'clock P.M., and then and there proceed to sell the property described in said mortgage, to wit:

All those lots or parcels of land situate in Fairmount Election District, Somerset County, Maryland, more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, and described in 1913 as follows: It being a three cornered piece of ground and joins the land of John Branford on the southeast, said line being six hundred feet long, joins the land of Robert Miles on the southwest, said line being six hundred feet long, joins the land of J. W. Bozman on the north, said line being one hundred feet long, and supposed to contain one acre, more or less, being the same and all the land which was conveyed unto the said George Frederick Taylor and Joan Marie Taylor by Clinton F. Bozman and Brenda M. Bozman by the first itme of a deed dated March 28, 1969

and recorded among the Land Records of Somerset County in Liber I.T.P. No. 249, folio 604, with a full and free right of way over the private road of L. H. Miles and John Branford.

Second: All that lot or parcel of land, situate as aforesaid, described in 1951 as located on the south side of and binding upon a lane leading from the home of the said Clinton Bozman to John W. Bozman, beginning for the same at the northeast corner of the land whereon the said Clinton Bozman and wife now reside; thence by and with the aforesaid lane a distance of 100 yards to a stone bounder located on the south side of said lane; thence in a southerly direction in a straight line to the north side of the lane leading from the property of John Hinks to the county road leading from the home of John W. Bozman to the Westover State Road; thence in a westerly direction by and with said lane a distance of twenty feet to the property of the said Clinton Bozman; thence by and with the easterly side of the said Clinton Bozman land to the place of beginning, containing 3 acres, more or less, and being the same and all the land which was conveyed unto George Frederick Taylor and Joan Marie Taylor, his wife, by Clinton F. Bozman and Brenda M. Bozman by the second item of the aforesaid deed, and sold the same to the Bank of Somerset at and for the sum of fifty-two hundred fifty dollars ($5250.00), it being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $5250.00 |
| To Clerk of the Circuit Court for costs | $45.00 | |
| To Marylander & Herald, advertising and nisi | 102.50 | |
| To Bond premium | 14.00 | |
| To Solicitor's fee | 75.00 | |
| To Auctioneer | 25.00 | |
| To 1970-71 State & County taxes | 69.90 | |
| To 1971-72 State & County taxes | 89.64 | |
| To Certified mail | .90 | |
| To Attorney as commission (4) | 206.25 | |
| To Balance to be distributed | 4621.81 | |
| | $5250.00 | $5250.00 |

| | | |
|---|---|---|
| Balance to be distributed | | $4621.81 |
| To Bank of Somerset, mortgage principal | $3258.63 | |
| To Bank of Somerset, interest | 32.20 | |
| To George Frederick Taylor & Joan Marie Taylor | 1330.98 | |
| | $4621.81 | $4621.81 |

Respectfully submitted,

Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 18th day of April, in the year nineteen hundred and seventy-two, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Attorney named in the aforegoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Lucy E. Oke

Notary Public

LIBER 044 PAGE 018

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

Purchaser's Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 18th day of April, 1972, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared Edward J. Price, President of the Bank of Somerset, the purchaser of the real estate in the above entitled proceedings and he made oath in due form of law.

1. That in making said purchase it was not acting as agent for anyone.

2. That others interested in said purchase, as principals, are none.

3. That it did not directly or indirectly discourage anyone from bidding for the said property.

As witness my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC SOMERSET COUNTY

Patsy E. Ake
Notary Public

FILED
Apr 10 3 00 PM '72

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES
ALEXANDER G. JONES

AREA CODE 301
TELEPHONE 651-2747

April 3, 1972

Mr. George Frederick Taylor
Route 1
Fruitland, Maryland 21826

Mrs. Joan Marie Taylor Van Bentheysen
Warwick Trailer Park
Trailer #7
Princess Anne, Maryland 21853

COPY

Dear Mr. Taylor and Mrs. Van Bentheysen:

Pursuant to Rule W-74 a 2 (a) (ii) (b) this is to inform you that proceedings have been filed in No. 9155 Chancery, in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from George Frederick Taylor and Joan Marie Taylor to the Bank of Somerset dated March 28, 1969 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 248, folio 312. The foreclosure sale is currently being advertised in the Marylander and Herald, a newspaper published in Princess Anne, Somerset County, Maryland. The property described in the mortgage will be offered for sale at 2:00 o'clock P.M., Tuesday, April 18, 1972 in front of the Court house door in Princess Anne, Maryland. Terms of Sale: Twenty-five per cent of the purchase price payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned payable in not less than thirty days with interest from date of sale. A copy of the advertisement is attached to this letter for your convenience.

Very truly yours,

Alexander G. Jones
Attorney for Foreclosure and Collection

AGJ:pea

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APR 21 2 34 PM '72

LIBER [illegible] PAGE [illegible]

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

PRINCESS ANNE, MD. AP 3 PM 1972
FREDERICK DOUGLASS AP 3 1972
APR 19 PM 1972 21826

RETURN RECEIPT REQUESTED

RETURNED TO SENDER
REASON CHECKED
Unclaimed
Addressee unknown
Insufficient address
No such street
No such office
Refused
Do not forward
Remain in envelope

Mr. George Frederick Taylor
Route 1
Fruitland, Maryland 21826

CERTIFIED MAIL
No 795095

No. 795095

**RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)**

SENT TO: Mr. George Frederick Taylor
STREET AND NO.: Route 1
P.O., STATE AND ZIP CODE: Fruitland, Maryland 21826

POSTMARK OR DATE: PRINCESS ANNE MD APR 31 1972 U.S.A.

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POD Form 3800
July 1969

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered
☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 795094
INSURED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Joan Marie Taylor Van Bentheysen
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY:

DATE DELIVERED: 4-4-72
SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

No. 795094

**RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)**

SENT TO: Mrs. Joan Marie Taylor Van Bentheysen
STREET AND NO.: Warwick Trailer Park, Trailer #7
P.O., STATE AND ZIP CODE: Princess Anne, Md. 21853

POSTMARK OR DATE: PRINCESS ANNE MD APR 31 1972 U.S.A.

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POD Form 3800
July 1969

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In theCircuit Court for |
| George Frederick Taylor and Joan Marie Taylor | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

ATTORNEY'S AFFIDAVIT AS TO NOTICE TO MORTGAGORS

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 21st day of April, in the year nineteen hundred and seventy-two, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, pursuant to the provisions of Rule W-74 a 2 (b) and made oath in due form of law that he was and is the attorney named in the mortgage in the above entitled proceeding filed for foreclosure and collection, that on April 3, 1972 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to George Frederick Taylor, Route 1, Fruitland, Maryland (post office receipt No. 795095) and to Mrs. Joan Marie Taylor Van Bentheysen (post office receipt No. 795094) by certified mail; that as indicated by post office receipt said letter was delivered to Mrs. Van Bentheysen on April 4, 1972 and that the letter to Mr. Taylor was returned to him by the Post Office Department on April 20, 1972 marked "unclaimed" and further that he was informed by Vaughn E. Richardson, Esq., Attorney for Mr. Taylor, that Mr. Taylor was in fact aware of the mortgage foreclosure prior to the date and time of said sale.

The aforesaid post office receipts, returned letter and copy of letter are attached hereto to be filed in this proceeding.

Alexander G. Jones

Notary Public

Jones and Jones, Attorneys

# ATTORNEY'S SALE

## OF VALUABLE RESIDENTIAL PROPERTY

Under and by virtue of the power of sale contained in a mortgage from George Frederick Taylor and Joan Marie Taylor, his wife, dated March 28, 1969, recorded among the Land Records of Somerset County in Liber I.T.P. No. 248 folio 312, default having occurred in said mortgage, the undersigned as attorney in said mortgage, will offer at public sale in front of the Court House door in Princess Anne, Somerset County, Maryland, on

## TUESDAY APRIL 18, 1972

at or about the hour of 2:00 o'clock P.M., all those lots or parcels of land situate in Fairmount Election District, Somerset County, Maryland, more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, and described in 1913 as follows: It being a three cornered piece of ground and joins the land of John Branford on the southeast, said line being six hundred feet long, joins the land of Robert Miles on the southwest, said line being six hundred feet long, joins the land of J. W. Bozman on the north, said line being one hundred feet long, and supposed to contain one acre, more or less, being the same and all the land which was conveyed unto the said George Frederick Taylor and Joan Marie Taylor by Clinton F. Bozman and Brenda M. Bozman by the first item of a deed dated March 28, 1969 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 249, folio 604, with a full and free right of way over the private road of L. H. Miles and John Branford.

Second: All that lot or parcel of land, situate as aforesaid, described in 1951 as located on the south side of and binding upon a lane leading from the home of the said Clinton Bozman to John W. Bozman, beginning for the same at the northeast corner of the land whereon the said Clinton Bozman and wife now reside; thence by and with the aforesaid lane a distance of 100 yards to a stone boundar located on the south side of said lane; thence in a southerly direction in a straight line to the north side of the lane leading from the property of John Hinks to the county road leading from the home of John W. Bozman to the Westover State Road; thence in a westerly direction by and with said lane a distance of twenty feet to the property of the said Clinton Bozman; thence by and with the easterly side of the said Clinton Bozman land to the place of beginning, containing 3 acres, more or less, and being the same and all the land which was conveyed unto George Frederick Taylor and Joan Marie Taylor, his wife, by Clinton F. Bozman and Brenda M. Bozman by the second item of the aforesaid deed.

This property is improved by a two-story frame dwelling with modern conveniences, together with an outbuilding.

Terms of Sale: Twenty-five per cent of purchase price payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned payable in not less than thirty days with interest from date of sale.

Title papers, revenue stamps and transfer tax at purchaser's expense.

ALEXANDER G. JONES
ATTORNEY

40-4tc

PRINCESS ANNE, MD., April 72

This is to certify that the annexed Attorney's Sale

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Mar 23 30 Apr 6 13, 1972

Business Manager MARYLANDER and HERALD

Residential Property
Taylor

Order Nisi

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

Ordered by the Circuit Court for Somerset County this 18 day of April, in the year nineteen hundred and seventy-two, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 22nd day of May, 1972, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 18th day of May, 1972.

The report states the amount of sales to be $5250.00.

L. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor, | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

Ordered by the Circuit Court for Somerset County, in Equity, this 6th day of ~~May~~ June, in the year nineteen hundred and seventy-two, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney mentioned in said mortgage, and the distribution of the proceeds therein, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause.

LIBER [illegible] PAGE [illegible]

E. McMaster Dwyer
Judge

Alexander G. Jones, Attorney,

# ORDER NISI

Ex Parte under power contained in Mortgage from George Frederick Taylor and Joan Marie Taylor his wife, to the Bank of Somerset, a body corporate

No. 9155 Chancery

In the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County this 18th day of April, in the year nineteen hundred and seventy-two, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 22nd day of May, 1972, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 18th day of May, 1972.

The report states the amount of sales to be $5250.00.

S| I. THEODORE PHOEBUS

Clerk of the Circuit Court for Somerset County, Maryland

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

52-4tc

PRINCESS ANNE, MD., April 19 72

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Apr 20 17 May 4 11

Clarence L Byrd
Business Manager MARYLANDER and HERALD

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor, | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

PETITION FOR PAYMENT OF JUDGMENT FROM SURPLUS

To the Honorable, the Judge of said Court:

The petition of Bank of Somerset, by Jones & Jones, its attorneys, respectfully represents:

1. That your petitioner is the holder of a judgment against George F. Taylor and Joan Marie Taylor dated January 20, 1972, as Suit No. 2-2-72 CV 185 in the District Court of Maryland for Somerset County.

2. That the balance due is $1124.93, with interest at the rate of 6% per annum from January 20, 1972.

3. That no part of said judgment has ever been paid other than that already credited and that no additional security therefor has ever been given.

That your petitioner is further advised that it is entitled to be paid from certain surplus funds obtained from the sale of the property in these proceedings.

WHEREFORE, your petitioner prays your Honor to pass an order making allowance accordingly to your petitioner as contemplated by reason of Rule W-75of the Maryland Rules of Procedure.

And as in duty bound, etc.

JONES & JONES

By

Attorneys for Petitioner

State of Maryland, Somerset County, to wit: LIBER 224 PAGE 325

I hereby certify, that on this 19th day of April, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared William White, Agent of the Bank of Somerset, and made oath in due form of law that the matters and facts set forth herein are true and correct to the best of his knowledge, information and belief.

As witness my hand and Notarial Seal.

Patsy E. Oke
Notary Public

NOTARY PUBLIC

ORDER OF COURT

The foregoing petition and affidavit thereon having been read and considered, it is thereupon this 6th day of June, 1972, by the Circuit Court for Somerset County, Maryland, sitting in equity, ORDERED that the claim of the Bank of Somerset, be and the same is hereby allowed according to the priority to which it shall appear to be entitled from the proceedings in this case, in the distribution of any surplus arising from the proceeds of sale herein, and allowance will be made accordingly.

E. McMaster Duer
Judge

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor, | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

PETITION FOR REFERRAL TO SPECIAL AUDITOR

To the Honorable, the Judge of said Court:

Your petitioner, Alexander G. Jones, Attorney named in the above entitled proceedings for purposes of foreclosure of a certain mortgage referred to therein, respectfully represents:

1. That the property referred to in the above entitled cause has been sold and the proceeds paid or are in the process of being paid and, if there are no objections to the ratification of said sale the proceedings will be ready for auditing following final ratification of the report of sale by this Court.

2. That the Standing Auditor of this Court is, or is believed to be Harry C. Dashiell, Esquire, but who for reasons of ill health is unable to perform his duties.

Wherefore, your petitioner requests the appointment of a special auditor to file an audit in these proceedings pursuant to Maryland Rule 595.

Petitioner

Order of Court

The aforegoing petition having been read and considered, it is thereupon this 7 day of June, 1972, by the Circuit Court for Somerset County, Maryland, ORDERED and DECREED that Eunice Pilchard be and she is hereby appointed special auditor to examine the account and proceedings in this case in conformity with Maryland law and Maryland rules of procedure.

E. McMaster Duer
Judge

**OATH OF SPECIAL AUDITOR PURSUANT TO ARTICLE 16, SECTION 6 OF THE ANNOTATED CODE OF MARYLAND**

I hereby certify, that on this 7 day of June, 1972, before me, E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland and of Somerset County, Maryland, personally appeared Eunice Pilchard, Special Auditor heretofore appointed by me in this proceeding and made oath in due form of law that she would well and faithfully execute the duties of said office of special auditor without favor, affection partiality or prejudice.

~~As witness my hand and seal this _____ day of _____, 1972.~~

E. McMaster Duer
Judge

Eunice Pilchard
Special Auditor

FILED
JUN 7 3 00 PM '72

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9155 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| George Frederick Taylor and Joan Marie Taylor, | : | Somerset County, Maryland |
| his wife, to the Bank of Somerset, | : | |
| a body corporate | : | |

SPECIAL AUDITOR'S REPORT

To the Honorable, the Judge of said Court:

Your Special Auditor, to whom the proceedings were referred in the above case to state an account, submits the following Special Auditor's Report

Alexander G. Jones, Attorney for the sale and distribution of the moneys arising therefrom, reports the following collections and disbursements:

RECEIPTS

| | | | |
|---|---|---|---|
| Amount of sale as per report | | | $5250.00 |

DISBURSEMENTS

| | | | |
|---|---|---|---|
| I. Theodore Phoebus, Clerk | | | |
| Court costs | | 45.00 | |
| Marylander & Herald | | | |
| Advertising | 82.50 | | |
| Nisi | 20.00 | 102.50 | |
| Fidelity and Deposit Company of Maryland | | | |
| Bond premium | | 14.00 | |
| Edwin B. Muir | | | |
| Auctioneer's Fee | | 25.00 | |
| Carlos Bozman, Treasurer | | | |
| 1970-71 taxes | 69.90 | | |
| 1971-72 taxes | 89.64 | 159.54 | |
| Certified mail | | .90 | |
| Alexander G. Jones | | | |
| Solicitor's fee | 75.00 | | |
| Commission | 206.25 | 281.25 | |
| Eunice Pilchard | | | |
| Special Auditor's Fee | | 25.00 | |
| Bank of Somerset, mortgage | | | |
| Principal | 3258.63 | | |
| Interest | 32.20 | 3290.83 | 3944.02 |

DISTRIBUTION OF BALANCE OF $1305.98.

LIBER 332 PAGE 329

| | | | |
|---|---|---|---|
| Bank of Somerset, judgment | | | |
| Principal | 1175.67 | | |
| Interest | 17.82 | | |
| Collection fee | 112.49 | 1305.98 | $5250.00 |

Respectfully submitted,

Eunice Pilchard
Special Auditor

ORDER NISI

ORDERED by the subscriber, Clerk of the Circuit Court for Somerset County, Maryland, this 8th day of June, 1972, that the aforesaid Special Auditor's Report be ratified and confirmed, unless cause to the contrary be shown by exception filed on or before the 23rd day of June, 1972.

Clerk

FINAL ORDER OF RATIFICATION

ORDERED, THIS 26th day of June, 1972, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing Special Auditor's Report be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, and that said Attorney apply the proceeds accordingly.

Clerk

Princess Anne, Maryland
June 8, 1972

Mr. George Frederick Taylor
Route 1
Fruitland, Maryland 21826

Mrs. Joan Marie Taylor Van Bentheysen
Warwick Trailer Park
Trailer #7
Princess Anne, Maryland 21853

Mr. Alexander G. Jones, Attorney
Princess Anne, Maryland 21853

Bank of Somerset
Princess Anne, Maryland 21853

Re: Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from George Frederick Taylor and Joan Marie Taylor, his wife, to the Bank of Somerset, a body corporate
No. 9155 Chancery

To the Parties and Claimants named above:

I hereby give notice that on this 8th day of June, 1972, I have filed an account with the Clerk of the Circuit Court for Somerset County, Maryland, in the above entitled proceeding. Exceptions to such audit account must be filed within fifteen days from June 8, 1972 and if no exceptions are filed within such fifteen day period the account or report may thereupon be ratified.

Very truly yours,

Eunice Pilchard

Eunice Pilchard
Special Auditor in No. 9155 Chancery

Certificate of Mailing

I, Eunice Pilchard, Special Auditor named in the above entitled proceeding, do hereby certify that on this 8th day of June, 1972, I mailed the above notice to the addressees set forth above, being the parties and claimants in such action by first-class U.S. mail, postage prepaid to the last known address of said parties and claimant.

Eunice Pilchard
Eunice Pilchard, Special Auditor

LIBER 124 PAGE 331

LIBER 064 PAGE 032

| | | |
|---|---|---|
| Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores<br>121 Fooks Street<br>Salisbury, Maryland | : | No. 9162 Chancery |
| Louise S. Wells<br>437 Monticello Avenue<br>Salisbury, Maryland | : | |
| Elsie S. Thommen<br>811 Alvin Avenue<br>Salisbury, Maryland | : | |
| Vs. | : | |
| Marion P. Todd<br>R.F.D. 1<br>Perryville, Maryland | : | |
| Eva T. Jack<br>Harford Street<br>Perryville, Maryland | : | |
| Phillip M. Todd<br>Harford Street<br>Perryville, Maryland | : | |
| Creston B. Todd<br>R.F.D. 1<br>Perryville, Maryland | : | In the Circuit Court for |
| Helen T. Carsins<br>Box 86<br>Perryville, Maryland | : | |
| Charles G. Todd<br>c/o Helen Carsins<br>Box 86<br>Perryville, Maryland | : | |
| Elberta T. Stevens<br>Perryville<br>Maryland | : | |
| Dorothy T. Harris<br>205 Wilson Street<br>Harve de Grace, Maryland | : | Somerset County and |
| Suzanne Stearn<br>R.F.D. 2<br>Harve de Grace, Maryland | : | |
| Franklin D. Todd<br>288 Glasco Drive<br>Newark, Delaware | : | |
| Marion H. Todd<br>6511 Hazelwood Avenue<br>Baltimore, Maryland | : | |
| Lester Todd<br>24 Lincoln Avenue<br>Endicott, New York | : | State of Maryland |

Re 38145

Janet Bobbit :
R.F.D. 1 - Box 248
Conowingo, Maryland :

Gene M. Todd :
638 Colaine Drive
Aberdeen, Maryland :

Corbin L. Grafton :
36 Taff Street
Aberdeen, Maryland :

Beverly J. Grafton :
17 Market Street
Aberdeen, Maryland :

Warren Grafton :
Aberdeen
Maryland :

Betty G. Kheel :
c/o Gene M. Todd
638 Colaine Drive :
Aberdeen, Maryland
:
Howard E. White
716 New Road :
Elsmere, Wilmington, Delaware
:
Alice W. Yeatman
2104 Englewood Road :
Fairfax, Wilmington, Delaware
:
James White
205 Trinity Avenue :
Keminski Gardens
Wilmington, Delaware :

Norris White :
2210 Seaton Drive
Falkland Heights :
Wilmington, Delaware
:
Walton White
200 Townsend Avenue :
Greenmount, Wilmington, Delaware
:
Shirley W. Farrall
503 Ohio Avenue :
Brookland Terrace
Wilmington, Delaware :

Richard A. White :
9 Paynter Drive
Edgemoor Gardens :
Wilmington, Delaware
:
Nellie W. Thielman
175 Edge Avenue :
Swanwick Estates
New Castle, Delaware :

LIBER [illegible] PAGE [illegible]

Thomas S. White
Presidential Towers
733 Naamans Road
Claymont, Delaware

Samuel W. Shores
2500 East Lan Ohas Boulevard
Fort Lauderdale, Florida

Harry Shores, Jr.
Partridge Acres
R.D. #1 - Box 214-24
West Monroe, New York

and any unknown heirs of
Margaret J. Shores

LIBER 044 PAGE 304

* * * * * * * *

INFORMATION

PLAINTIFFS:

Thomas E. Shores, individually
& as Personal Representative
of the Estate of Elmer Shores
121 Fooks Street
Salisbury, Maryland

Louise S. Wells
437 Monticello Avenue
Salisbury, Maryland

Elsie S. Thommen
811 Alvin Avenue
Salisbury, Maryland

PLAINTIFFS' ATTORNEYS:

Hearne, Fox & Bailey
Colonial Building
Salisbury, Maryland 21801
Telephone: 301-749-5144

DEFENDANTS:

Marion P. Todd
R.F.D. 1
Perryville, Maryland

Eva T. Jack
Harford Street
Perryville, Maryland

Phillip M. Todd
Harford Street
Perryville, Maryland

Creston B. Todd
R.F.D. 1
Perryville, Maryland

Helen T. Carsins
Box 86
Perryville, Maryland

Charles G. Todd
c/o Helen Carsins
Box 86
Perryville, Maryland

Elberta T. Stevens
Perryville
Maryland

Dorothy T. Harris
205 Wilson Street
Harve de Grace, Maryland

Suzanne Stearn
R.F.D. 2
Harve de Grace, Maryland

Franklin D. Todd
288 Glasco Drive
Newark, Delaware

Marion H. Todd
6511 Hazelwood Avenue
Baltimore, Maryland

Lester Todd
24 Lincoln Avenue
Endicott, New York

Janet Bobbit
R.F.D. 1 - Box 248
Conowingo, Maryland

Gene M. Todd
638 Colaine Drive
Aberdeen, Maryland

Corbin L. Grafton
36 Taff Street
Aberdeen, Maryland

Beverly J. Grafton
17 Market Street
Aberdeen, Maryland

Warren Grafton
Aberdeen
Maryland

Betty G. Kheel
c/o Gene M. Todd
638 Colaine Drive
Aberdeen, Maryland

Howard E. White
716 New Road
Elsmere, Wilmington, Delaware

Alice W. Yeatman
2104 Englewood Road
Fairfax, Wilmington, Delaware

James White
205 Trinity Avenue
Keminski Gardens
Wilmington, Delaware

Norris White
2210 Seaton Drive
Falkland Heights
Wilmington, Delaware

LIBER [illegible] PAGE [illegible]

Walton White
200 Townsend Avenue
Greenmount, Wilmington, Delaware

and any unknown heirs of
Margaret J. Shores

Shirley W. Farrall
503 Ohio Avenue
Brookland Terrace
Wilmington, Delaware

LIBER 044 PAGE 308

Richard A. White
9 Paynter Drive
Edgemoor Gardens
Wilmington, Delaware

Nellie W. Thielman
175 Edge Avenue
Swanwick Estates
New Castle, Delaware

Thomas S. White
Presidential Towers
733 Naamans Road
Claymont, Delaware

Samuel W. Shores
2500 East Lan Ohas Boulevard
Fort Lauderdale, Florida

Harry Shores, Jr.
Partridge Acres
R.D. #1 - Box 214-24
West Monroe, New York

**DEFENDANTS' ATTORNEYS:**

| | | |
|---|---|---|
| Thomas E. Shores , individually & as Personal Representative of the Estate of Elmer Shores, Louise S. Wells and Elsie S. Thommen | : | No. 9162 Chancery |
| Vs. | : | |
| Marion P. Todd<br>Eva T. Jack<br>Phillip M. Todd<br>Creston B. Todd<br>Helen T. Carsins<br>Charles G. Todd<br>Elberta T. Stevens<br>Dorothy T. Harris<br>Suzanne Stearn<br>Franklin D. Todd<br>Marion H. Todd<br>Lester Todd<br>Janet Bobbit<br>Gene M. Todd<br>Corbin L. Grafton<br>Beverly J. Grafton<br>Warren Grafton<br>Betty G. Kheel<br>Howard E. White<br>Alice W. Yeatman<br>James White<br>Norris White<br>Walton White<br>Shirley W. Farrall<br>Richard A. White<br>Nellie W. Thielman<br>Thomas S. White<br>Samuel W. Shores<br>Harry Shores, Jr.,<br>and any unknown heirs of<br>Margaret J. Shores | : | In the Circuit Court for<br><br>Somerset County and<br><br>State of Maryland |

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Thomas E. Shores, individually and as Personal Representative of the Estate of Elmer Shores, Louise S. Wells and Elsie S. Thommen, by their attorneys, Hearne, Fox & Bailey, respectfully represent:

FIRST:

That they are the owners as tenants in common with Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Helen T. Carsins, Charles G. Todd, Elberta T. Stevens, Dorothy T. Harris, Suzanne Stearn, Franklin D. Todd, Marion H. Todd, Lester Todd, Janet Bobbit, Gene M. Todd, Corbin L. Grafton, Beverly J. Grafton, Warren Grafton, Betty G. Kheel, Howard E. White, Alice W. Yeatman, James White, Norris White, Walton White, Shirley W. Farrall,

Richard A. White, Nellie W. Thielman, Thomas S. White, Samuel W. Shores and Harry Shores, Jr., and any unknown heirs of Margaret J. Shores, Defendants, of the following described parcel of land:

ALL that lot, tract or parcel of land situate, lying and being in Dames Quarter Election District, of Somerset County and State of Maryland, located on the Southerly side of and binding upon the Wicomico River, and being more particularly described as follows: Beginning for the same at a cement post settled in the ground at the Southwesterly corner of Item First of the land conveyed to James B. Kelley from Marion L. Burton, dated September 3, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 247, Folio 83, said point of beginning being the Northwesterly corner of a 30-foot right-of-way, and being the Southeasterly corner of the land hereby conveyed; (1) thence running by and with the Westerly line of the Kelley land North 22 degrees 25 minutes West a distance of 136 feet to an iron pipe; (2) thence running in a Westerly direction 145-1/2 feet, more or less, to a cement post and the Westerly line of the land now or formerly owned by William Vic Shores; (3) thence running in a general Southerly direction by and with the Easterly line of the Shores land 147 feet, more or less, to a cement post on the land now or formerly owned by John B. Bozman; (4) thence by and with the Northerly line of said John B. Bozman land in a general Easterly direction 141 feet with a ditch to the place of beginning, and being more particularly shown and designated as "Heirs of Emory and Margaret Shores", as shown on plat entitled "James B. Kelley", made by W. Ballard Miles, and recorded among the aforesaid Land Records in Liber I.T.P. No. 247, Folio 85, together with all rights-of-way to the aforesaid described property as have existed in the past; and being the same land that was conveyed unto Margaret J. Shores by S. Frank Dashiell and Mary P. Dashiell, his wife, by deed dated May 20, 1909, and recorded among the aforesaid Land Records in Liber S.F.D. No. 52, Folio 39,

the said Margaret J. Shores having since departed this life on November 11, 1926 intestate whereupon said property descended unto Elmer Shores, Nathaniel Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, her children, and unto her grandchildren, Walton Bennett Shores, son of Ernest J. Shores who died September 13, 1908, Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., children of Sandy J. Shores who died August 4, 1918, they being the sole heirs-at-law of the said Margaret J. Shores, the said Walton Bennett Shores having since departed this life on November 25, 1927 intestate whereupon his one-eighth interest in the above property descended unto the following: Elmer Shores, Nathaniel Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his aunts and uncles, and Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said Nathaniel Shores having since departed this life on June 14, 1928 intestate whereupon his one-seventh interest in the above property descended unto Elmer Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his brothers and sisters, and unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said Aubrey Shores having since departed this life on or about 1937 intestate whereupon his interest in said property descended unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his brothers and sisters, they being his sole heirs-at-law; the said Julius Daniel Shores having since departed this life on September 16, 1946 intestate whereupon his one-sixth interest in said property descended unto Elmer Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his brothers and sisters, and unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said William R.

Shores having since departed this life on February 18, 1947 intestate whereupon his one-fifth interest in said property descended unto Eva Shores Todd, Margie Shores Todd, Elmer Shores, his sisters and brother, and Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his nieces and nephews, his sole heirs-at-law; the said Harry Shores, Sr. having since departed this life intestate on or about 1956 whereupon his interest in said property descended unto his wife, Irene Shores, and his son, Harry Shores, Jr., they being his sole heirs-at-law, and the said Irene Shores having since departed this life intestate on or about 1966 whereupon her interest in said property descended unto her son, Harry Shores, Jr., her sole heir-at-law; the said Eva Shores Todd having since departed this life on September 16, 1959 intestate whereupon her one-fourth interest in said property descended unto the following: Edwin Major Todd, Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Dorothy T. Harris and Gene M. Todd, her children, and to Helen T. Carsins, Marion H. Todd, Charles G. Todd, Suzanne Stearn, Elberta T. Stevens, Lester Todd and Janet Bobbit, children of Elbert Todd who predeceased his mother, Eva Shores Todd, and to Corbin L. Grafton, Warren Grafton, Beverly J. Grafton and Betty G. Kheel, children of Grace B. Todd Grafton who predeceased her mother, the said Eva Shores Todd, grandchildren, they being the sole heirs-at-law of the said Eva Shores Todd; the said Edwin Major Todd having since departed this life March 16, 1961 intestate whereupon his interest in said property descended unto his son, Franklin D. Todd, his sole heir-at-law; the said Margie Shores White having since departed this life intestate on August 13, 1962 whereupon her one-fourth interest in said property descended unto Howard E. White, Nellie W. Thielman, Alice W. Yeatman, James White, Norris White, Walton White and Shirley W. Farrall, her children, and unto her grandchildren, Thomas S. White and Richard A. White, children of her son, Austin White, who died April 26, 1960, they being her sole heirs-at-law; the said Elmer Shores having

since departed this life intestate on February 6, 1971 whereupon his one-fourth interest in said property vested in Thomas E. Shores who qualified as Personal Representative of his estate.

SECOND:

That your Petitioners, Thomas E. Shores, Louise S. Wells and Elsie S. Thommen, are adult residents of Salisbury, Wicomico County, Maryland.

THIRD:

That Marion P. Todd is an adult resident of Perryville, Maryland; that Eva T. Jack is an adult resident of Perryville, Maryland; that Phillip M. Todd is an adult resident of Perryville, Maryland; that Creston B. Todd is an adult resident of Perryville, Maryland; that Helen T. Carsins is an adult resident of Perryville, Maryland; that Charles G. Todd is an adult resident of Perryville, Maryland; that Elberta T. Stevens is an adult resident of Perryville, Maryland; that Dorothy T. Harris is an adult resident of Harve de Grace, Maryland; that Suzanne Stearn is an adult resident of Harve de Grace, Maryland; that Franklin D. Todd is an adult resident of Newark, Delaware; that Marion H. Todd is an adult resident of Baltimore, Maryland; that Lester Todd is an adult resident of Endicott, New York; that Janet Bobbit is an adult resident of Conowingo, Maryland; that Gene M. Todd is an adult resident of Aberdeen, Maryland; that Corbin L. Grafton is an adult resident of Aberdeen, Maryland; that Beverly J. Grafton is an adult resident of Aberdeen, Maryland; that Warren Grafton is an adult resident of Aberdeen, Maryland; that Betty G. Kheel is an adult resident of Aberdeen, Maryland; that Howard E. White is an adult resident of Elsmere, Wilmington, Delaware; that Alice W. Yeatman is an adult resident of Fairfax, Wilmington, Delaware; that James White is an adult resident of Wilmington, Delaware; that Norris White is an adult resident of Wilmington, Delaware; that Walton White is an adult resident of Greenmount, Wilmington, Delaware; that Shirley W. Farrall is an

adult resident of Wilmington, Delaware; that Richard A. White is an adult resident of Wilmington, Delaware; that Nellie W. Thielman is an adult resident of New Castle, Delaware; that Thomas S. White is an adult resident of Claymont, Delaware; that Samuel W. Shores is an adult resident of Fort Lauderdale, Florida; and that Harry Shores, Jr. is an adult resident of West Monroe, New York.

FOURTH:

That the above described real estate is not susceptible of partition without material loss or injury to the parties entitled to interest therein as stated and in order to make division of their certain interest it will be necessary that said real estate be sold and that the proceeds thereof be divided among the parties according to their several interests.

TO THE END, THEREFORE:

(1) That a decree may be passed for the sale of said real estate.

(2) That the proceeds of said sale may be distributed between your Petitioners and said Defendants, according to their respective interests.

(3) That your Petitioners may have such other and further relief as their case may require.

May it please your Honors to grant unto your Petitioners the Writ of Subpoena directed to the following adult residents of the State of Maryland: Marion P. Todd, residing at R.F.D. 1, Perryville, Maryland; Eva T. Jack, residing at Harford Street, Perryville, Maryland; Phillip M. Todd, residing at Harford Street, Perryville, Maryland; Creston B. Todd, residing at R.F.D. 1, Perryville, Maryland; Helen T. Carsins, residing at Box 86, Perryville, Maryland; Charles G. Todd, residing c/o Helen Carsins, Box 86, Perryville, Maryland; Elberta T. Stevens, residing at Perryville, Maryland; Dorothy T. Harris, residing at 205 Wilson Street, Harve de Grace, Maryland; Suzanne Stearn, residing at

R.F.D. 2, Harve de Grace, Maryland; Marion H. Todd, residing at 6511 Hazelwood Avenue, Baltimore, Maryland; Janet Bobbit, residing at R.F.D. 1, Box 248, Conowingo, Maryland; Gene M. Todd, residing at 638 Colaine Drive, Aberdeen, Maryland; Corbin L. Grafton, residing at 36 Taff Street, Aberdeen, Maryland; Beverly J. Grafton, residing at 17 Market Street, Aberdeen, Maryland; Warren Grafton, residing at Aberdeen, Maryland; Betty G. Kheel, residing c/o Gene M. Todd, 638 Colaine Drive, Aberdeen, Maryland; and the Order of Publication directed to the following adult non-residents: Franklin D. Todd, residing at 288 Glasco Drive, Newark, Delaware; Lester Todd, residing at 24 Lincoln Avenue, Endicott, New York; Howard E. White, residing at 716 New Road, Elsmere, Wilmington, Delaware; Alice W. Yeatman, residing at 2104 Englewood Road, Fairfax, Wilmington, Delaware; James White, residing at 205 Trinity Avenue, Keminski Gardens, Wilmington, Delaware; Norris White, residing at 2210 Seaton Drive, Falkland Heights, Wilmington, Delaware; Walton White, 200 Townsend Avenue, Greenmount, Wilmington, Delaware; Shirley W. Farrall, residing at 503 Ohio Avenue, Brookland Terrace, Wilmington, Delaware; Richard A. White, residing at 9 Paynter Drive, Edgemoor Gardens, Wilmington, Delaware; Nellie W. Thielman, residing at 175 Edge Avenue, Swanwick Estates, New Castle, Delaware; Thomas S. White, residing at Presidential Towers, 733 Naamans Road, Claymont, Delaware; Samuel W. Shores, residing at 2500 East Lan Ohas Boulevard, Fort Lauderdale, Florida; and Harry Shores, Jr., residing at Partridge Acres, R.D.#1, Box 214-24, West Monroe, New York, commanding them to be and appear in this Court at some certain day to be named therein and answer the premises and abide and perform such decree as may be passed therein.

AND, as in duty bound, etc.

Louise S. Wells
Edgie L. Thommen
Thomas E. Shores
Thomas E. Shores, individually
& as Personal Representative
of the Estate of Elmer Shores

LIBER [illegible] PAGE [illegible]

HEARNE, FOX & BAILEY
By Frederic E. Wierman
Attorneys for Petitioners

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 13th day of March, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, Louise S. Wells and Elsie S. Thommen, Petitioners in the above entitled cause, and each made oath in due form of law that the matters and facts set forth in the aforegoing Petition are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

Rebecca W. Trivits
Notary Public

REBECCA W. TRIVITS
NOTARY PUBLIC
WICOMICO CO., MD.

Thomas E. Shores, individually: & as Personal Representative of the Estate of Elmer Shores :
121 Fooks Street
Salisbury, Maryland :

Louise S. Wells :
437 Monticello Avenue
Salisbury, Maryland :

Elsie S. Thommen :
811 Alvin Avenue
Salisbury, Maryland :

Vs. :

Marion P. Todd :
R.F.D. 1
Perryville, Maryland :

Eva T. Jack :
Harford Street
Perryville, Maryland :

Phillip M. Todd :
Harford Street
Perryville, Maryland :

Creston B. Todd :
R.F.D. 1
Perryville, Maryland :

Helen T. Carsins :
Box 86
Perryville, Maryland :

Charles G. Todd :
c/o Helen Carsins
Box 86
Perryville, Maryland :

Elberta T. Stevens :
Perryville
Maryland :

Dorothy T. Harris :
205 Wilson Street
Harve de Grace, Maryland :

Suzanne Stearn :
R.F.D. 2
Harve de Grace, Maryland :

Franklin D. Todd :
288 Glasco Drive
Newark, Delaware :

Marion H. Todd :
6511 Hazelwood Avenue
Baltimore, Maryland :

Lester Todd :
24 Lincoln Avenue
Endicott, New York :

No. 9162 Chancery

In the Circuit Court for

Somerset County and

State of Maryland

LIBER 0[illegible] PAGE 0[illegible]

LIBER 044 PAGE 040

Janet Bobbit :
R.F.D. 1 - Box 248
Conowingo, Maryland :

Gene M. Todd :
638 Colaine Drive
Aberdeen, Maryland :

Corbin L. Grafton :
36 Taff Street
Aberdeen, Maryland :

Beverly J. Grafton :
17 Market Street
Aberdeen, Maryland :

Warren Grafton :
Aberdeen
Maryland :

Betty G. Kheel :
c/o Gene M. Todd
638 Colaine Drive :
Aberdeen, Maryland
:

Howard E. White
716 New Road :
Elsmere, Wilmington, Delaware
:

Alice W. Yeatman
2104 Englewood Road :
Fairfax, Wilmington, Delaware
:

James White
205 Trinity Avenue :
Keminski Gardens
Wilmington, Delaware :

Norris White :
2210 Seaton Drive
Falkland Heights :
Wilmington, Delaware
:

Walton White
200 Townsend Avenue :
Greenmount, Wilmington, Delaware
:

Shirley W. Farrall
503 Ohio Avenue :
Brookland Terrace
Wilmington, Delaware :

Richard A. White :
9 Paynter Drive
Edgemoor Gardens :
Wilmington, Delaware
:

Nellie W. Thielman
175 Edge Avenue :
Swanwick Estates
New Castle, Delaware :

Thomas S. White
Presidential Towers
733 Naamans Road
Claymont, Delaware

Samuel W. Shores
2500 East Lan Ohas Boulevard
Fort Lauderdale, Florida

Harry Shores, Jr.
Partridge Acres
R.D. #1 - Box 214-24
West Monroe, New York

and any unknown heirs of
Margaret J. Shores

* * * * * * * * * * *

The object of these proceedings is to secure the sale and partition of the following described real estate:

ALL that lot, tract or parcel of land situate, lying and being in Dames Quarter Election District, of Somerset County and State of Maryland, located on the Southerly side of and binding upon the Wicomico River, and being more particularly described as follows: Beginning for the same at a cement post settled in the ground at the Southwesterly corner of Item First of the land conveyed to James B. Kelley from Marion L. Burton, dated September 3, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 247, Folio 83, said point of beginning being the Northwesterly corner of a 30-foot right-of-way, and being the Southeasterly corner of the land hereby conveyed; (1) thence running by and with the Westerly line of the Kelley land North 22 degrees 25 minutes West a distance of 136 feet to an iron pipe; (2) thence running in a Westerly direction 145-1/2 feet, more or less, to a cement post and the Westerly line of the land now or formerly owned by William Vic Shores; (3) thence running in a general Southerly direction by and with the Easterly line of the Shores land 147 feet, more or less, to a cement post on the land now or formerly owned by John B. Bozman; (4) thence by and with the Northerly line of said John B. Bozman land in a general Easterly direction 141 feet with a ditch to the place of beginning, and being more particularly shown and designated as "Heirs of Emory and Margaret Shores", as shown on plat entitled "James B. Kelley", made by W. Ballard Miles, and recorded among the aforesaid Land Records in Liber I.T.P. No. 247, Folio 85,

LIBER PAGE

together with all rights-of-way to the aforesaid described property as have existed in the past; and being the same land that was conveyed unto Margaret J. Shores by S. Frank Dashiell and Mary P. Dashiell, his wife, by deed dated May 20, 1909, and recorded among the aforesaid Land Records in Liber S.F.D. No. 52, Folio 39, the said Margaret J. Shores having since departed this life on November 11, 1926 intestate whereupon said property descended unto Elmer Shores, Nathaniel Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, her children, and unto her grandchildren, Walton Bennett Shores, son of Ernest J. Shores who died September 13, 1908, Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., children of Sandy J. Shores who died August 4, 1918, they being the sole heirs-at-law of the said Margaret J. Shores, the said Walton Bennett Shores having since departed this life on November 25, 1927 intestate whereupon his one-eighth interest in the above property descended unto the following: Elmer Shores, Nathaniel Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his aunts and uncles, and Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said Nathaniel Shores having since departed this life on June 14, 1928 intestate whereupon his one-seventh interest in the above property descended unto Elmer Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his brothers and sisters, and unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said Aubrey Shores having since departed this life on or about 1937 intestate whereupon his interest in said property descended unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his brothers and sisters, they being his sole

heirs-at-law; the said Julius Danie Shores having since departed this life on September 16, 1946 intestate whereupon his one-sixth interest in said property descended unto Elmer Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his brothers and sisters, and unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said William R. Shores having since departed this life on February 18, 1947 intestate whereupon his one-fifth interest in said property descended unto Eva Shores Todd, Margie Shores Todd, Elmer Shores, his sisters and brother, and Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his nieces and nephews, his sole heirs-at-law; the said Harry Shores, Sr. having since departed this life intestate on or about 1956 whereupon his interest in said property descended unto his wife, Irene Shores, and his son, Harry Shores, Jr., they being his sole heirs-at-law, and the said Irene Shores having since departed this life intestate on or about 1966 whereupon her interest in said property descended unto her son, Harry Shores, Jr., her sole heir-at-law; the said Eva Shores Todd having since departed this life on September 16, 1959 intestate whereupon her one-fourth interest in said property descended unto the following: Edwin Major Todd, Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Dorothy T. Harris and Gene M. Todd, her children, and to Helen T. Carsins, Marion H. Todd, Charles G. Todd, Suzanne Stearn, Elberta T. Stevens, Lester Todd and Janet Bobbit, children of Elbert Todd who predeceased his mother, Eva Shores Todd, and to Corbin L. Grafton, Warren Grafton, Beverly J. Grafton and Betty G. Kheel, children of Grace B. Todd Grafton who predeceased her mother, the said Eva Shores Todd, grandchildren, they being the sole heirs-at-law of the said Eva Shores Todd; the said Edwin Major Todd having since departed this life March 16, 1961 intestate whereupon his interest in said property descended unto his son,

Franklin D. Todd, his sole heir-at-law; the said Margie Shores White having since departed this life intestate on August 13, 1962 whereupon her one-fourth interest in said property descended unto Howard E. White, Nellie W. Thielman, Alice W. Yeatman, James White, Norris White, Walton White and Shirley W. Farrall, her children, and unto her grandchildren, Thomas S. White and Richard A. White, children of her son, Austin White, who died April 26, 1960, they being her sole heirs-at-law; the said Elmer Shores having since departed this life intestate on February 6, 1971 whereupon his one-fourth interest in said property vested in Thomas E. Shores who qualified as Personal Representative of his estate.

The Petition filed herein states that Thomas E. Shores, individually and as Personal Representative of the Estate of Elmer Shores, Louise S. Wells and Elsie S. Thommen, the Plaintiffs, are the owners as tenants in common with Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Helen T. Carsins, Charles G. Todd, Elberta T. Stevens, Dorothy T. Harris, Suzanne Stearn, Franklin D. Todd, Marion H. Todd, Lester Todd, Janet Bobbit, Gene M. Todd, Corbin L. Grafton, Beverly J. Grafton, Warren Grafton, Betty G. Kheel, Howard E. White, Alice W. Yeatman, James White, Norris White, Walton White, Shirley W. Farrall, Richard A. White, Nellie W. Thielman, Thomas S. White, Samuel W. Shores, Harry Shores, Jr., and any unknown heirs of Margaret J. Shores, Defendants.

The Petition further states that Marion P. Todd is an adult resident of Perryville, Maryland; that Eva T. Jack is an adult resident of Perryville, Maryland; that Phillip M. Todd is an adult resident of Perryville, Maryland; that Creston B. Todd is an adult resident of Perryville, Maryland; that Helen T. Carsins is an adult resident of Perryville, Maryland; that Charles G. Todd is an adult resident of Perryville, Maryland; that Elberta T. Stevens is an adult resident of Perryville, Maryland; that Dorothy T. Harris is an adult resident of Harve de Grace, Maryland; that Suzanne Stearn is an adult resident of Harve de Grace, Maryland; that Franklin D. Todd is an adult resident of Newark, Delaware; that Marion H. Todd is an adult resident of Baltimore, Maryland; that Lester Todd

is an adult resident of Endicott, New York; that Janet Bobbit is an adult resident of Conowingo, Maryland; that Gene M. Todd is an adult resident of Aberdeen, Maryland; that Corbin L. Grafton is an adult resident of Aberdeen, Maryland; that Beverly J. Grafton is an adult resident of Aberdeen, Maryland; that Warren Grafton is an adult resident of Aberdeen, Maryland; that Betty G. Kheel is an adult resident of Aberdeen, Maryland; that Howard E. White is an adult resident of Elsmere, Wilmington, Delaware; that Alice W. Yeatman is an adult resident of Fairfax, Wilmington, Delaware; that James White is an adult resident of Wilmington, Delaware; that Norris White is an adult resident of Wilmington, Delaware; that Walton White is an adult resident of Greenmount, Wilmington, Delaware; that Shirley W. Farrall is an adult resident of Wilmington, Delaware; that Richard A. White is an adult resident of Wilmington, Delaware; that Nellie W. Thielman is an adult resident of New Castle, Delaware; that Thomas W. White is an adult resident of Claymont, Delaware; that Samuel W. Shores is an adult resident of Fort Lauderdale, Florida; and that Harry Shores, Jr. is an adult resident of West Monroe, New York.

The Petition further cites that the above described real estate is not susceptible of partition and that it will be necessary for the real estate to be sold and the proceeds be divided among the parties according to their interests.

The Petition prays for a Decree ordering the sale and the distribution of the proceeds according to the respective interests of the owners.

IT IS, THEREUPON, this 17th day of March, A.D., 1972, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED that the Plaintiffs, by causing a copy of this Order to be served upon said Defendants by personal service before the 17th day of April, A.D., 1972, or by causing a copy of this Order to be inserted in some newspaper published in Somerset County, Maryland, once a week for four successive weeks before the 17th

day of April, A.D., 1972, give notice warning all persons interested in said property to be and appear in this Court by the 18th day of May, A.D., 1972, to show cause, if any they have, why a Decree ought not to be passed as prayed.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

No. 9162 Chancery Case

# WRIT OF SUBPOENA:

## The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO *Marion H. Todd*
*6511 Hazelwood Avenue*
*Baltimore, Maryland*

Date 10

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of *April* next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, 121 Fooks Street, Salisbury, Maryland, Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland, and Elsie S. Thommen 811 Alvin Avenue, Salisbury, Maryland*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the *17* day of *March*, 19*72*.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the *18th* day of *April*, 19*72*. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Hearne, Fox & Bailey*
Name *Colonial Building*
*Salisbury, Maryland 21801*
Address

LIBER 044 PAGE 353

I. Theodore Phoebus
Clerk

PAGE 127 RETURN DATE 4/3/72
DEPUTY Betty Gutrich (Initials) B. H.
DATE SERVED 3-22-72 DATE NON. EST.
NON. EST. REASON

RECEIVED
1972 MAR 21 AM 9:38
SHERIFF'S OFFICE
SALTO. CO.

Copy Subpoena, Petition served on Marion H. Todd on this 22nd day of March 1972
cost $10.00 Gilbert L. Dyke
Sheriff Balto Co

479

LIBER U44 PAGE 354

RECEIVED

MAR 20 1972

CECIL COUNTY SHERIFF'S DEPT.

TIME _____

**WRIT OF SUBPOENA:**

*No. 9162 Chancery Case*

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

## The State of Maryland,

## Somerset County, to wit:

TO

*Marion P. Todd*
*R.F.D. 1*
*Perryville, Maryland*

*Phillip M. Todd*
*Harford Street*
*Perryville, Maryland*

*Helen T. Carsins*
*Box 86*
*Perryville, Maryland*

*Elberta T. Stevens*
*Perryville*
*Maryland*

*Eva T. Jack*
*Harford Street*
*Perryville, Maryland*

*Preston B. Todd*
*R.F.D. 1*
*Perryville, Maryland*

*Charles G. Todd*
*c/o Helen Carsins*
*Box 86*
*Perryville, Maryland*

*Janet Bobbit*
*R.F.D. 1 - Box 248*
*~~Conowingo~~,*
*Maryland*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of *April* next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, 121 Fooks Street, Salisbury, Maryland, Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland, and Elsie S. Thommen 811 Alvin Avenue, Salisbury, Maryland*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the *17th* day of *March*, 19*72*.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the *18th* day of *April*, 19*72*. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Hearne, Fox & Bailey*
Name *Colonial Building*
*Salisbury, Maryland 21801*
Address

L. Theodore Gaeberlein
Clerk

Summoned as marked by each name above this 23rd Day of March 1972.( Non-Est as to Janet Bobbit subject moved to Olka.)

Larry E Dales
Deputy

Samuel F duPont
Sheriff

No. 9162 Chancery Case

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

## The State of Maryland,
## Somerset County, to wit:

TO *Gene M. Todd*
*638 Colaine Drive*
*Aberdeen, Maryland*

*Beverly J. Grafton*
*17 Market Street*
*Aberdeen, Maryland*

*Betty G. Kheel*
*c/o Gene M. Todd*
*638 Colaine Drive*
*Aberdeen, Maryland*

*Corbin L. Grafton*
*36 Taff Street*
*Aberdeen, Maryland*

*Warren Grafton*
*Aberdeen*
*Maryland*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of *April* next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, 121 Fooks Street, Salisbury, Maryland, Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland, and Elsie S. Thommen, 811 Alvin Avenue, Salisbury, Maryland*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the *17th* day of *March*, 19*72*.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the *18th* day of *April*, 19*72*. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Hearne, Fox & Bailey*
Name *Colonial Building*
*Salisbury, Maryland 21801*
Address

S. Theodore Shockley
Clerk

Sheriff's Return

March 20, 1972 LIBER 624 PAGE 355

Summoned Gene M. Todd, Beverly J. Grafton and Warren Grafton and a copy of Subpoena and Petition read to and left with each. As to Betty G. Knell, Non Est. (living at Broad St., Perryville, Md., Cecil Co.) As to Corbin L. Grafton, Non Est. (lives 3647 Hineline Rd., Balto. Md.)

William J. Kunkel
Sheriff of Harford County

44

No. 9162 Chancery Case

**WRIT OF SUBPOENA:**

LIBER 044 PAGE 356

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

## The State of Maryland,
## Somerset County, to wit:

TO *Dorothy T. Harris*
*205 Wilson Street*
*Harve de Grace, Maryland*

*Suzanne Stearn*
*R.F.D. 2*
*Harve de Grace, Maryland*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of *April* next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, 121 Fooks Street, Salisbury, Maryland, Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland, and Elsie S. Thommen, 811 Alvin Avenue, Salisbury, Maryland*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the *17th* day of *March*, 19*72*.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the *18th* day of *April*, 19*72*. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Hearne, Fox & Bailey*
Name *Colonial Building*
*Salisbury, Maryland 21801*
Address

S. Theodore Phoebus
Clerk

March 20, 1972 Sheriff's Return

Summoned Suzanne Stearn and a copy of Subpoena and Petition read to and left with her. As to Dorothy T. Harris, Non Est. (lives 1111 4th St. Perry Point, Md.) Cecil Co.)

William J. Kunkel
Sheriff of Harford County

44

| | | |
|---|---|---|
| Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, et al | : | No. 9162 Chancery |
| | : | In the Circuit Court for |
| Vs. | : | Somerset County and |
| Marion P. Todd, et al | : | State of Maryland |

* * * * * * *

MR. CLERK:

Please reissue summons in the above entitled cause directed to the following adult residents of the State of Maryland:

Dorothy T. Harris
1111 4th Street
Perry Point, Maryland (Cecil County)

Betty G. Kheel
Broad Street
Perryville, Maryland (Cecil County)

Corbin L. Grafton
3647 Hineline Road
Baltimore, Maryland

HEARNE, FOX & BAILEY
By [signature]
Attorneys for Petitioners

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144
PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 368

| | | |
|---|---|---|
| Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, et al | : | No. 9162 Chancery |
| | : | In the Circuit Court for |
| Vs. | : | Somerset County and |
| Marion P. Todd, et al | : | State of Maryland |

* * * * * *

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 5th day of April, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Frederic E. Wierman, of Hearne, Fox & Bailey, attorneys for the Petitioners, and made oath in due form of law that in compliance with the Maryland Rules of Procedure notice of the within proceedings was given to Lester Todd, Norris White, Walton White, Shirley W. Farrall, Richard A. White, Nellie W. Thielman, Thomas S. White, Samuel W. Shores and Harry Shores, Jr., non-resident Defendants, by mailing a copy of the Order of Publication by certified mail as evidenced by the return receipts attached hereto and made a part hereof, said return receipts being dated March 22, 1972, bearing No. 748286; March 21, 1972, bearing No. 748284; March 25, 1972, bearing No. 748283; March 22, 1972, bearing No. 748282; March 22, 1972, bearing No. 748281; March 21, 1972, bearing No. 663744; March 21, 1972, bearing No. 663743; March 23, 1972, bearing No. 663742; March 23, 1972, bearing No. 663738, respectively.

AS WITNESS my hand and Notarial Seal,

Ruth T. Donaway
Notary Public

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144

PROFESSIONAL ASSOCIATION

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 748282
INSURED NO.
DATE DELIVERED [illegible] 22 197

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Marlin R Farra
(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

---

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

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RECEIPT
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REGISTERED NO.
CERTIFIED NO. 748281
INSURED NO.
DATE DELIVERED 3-22-72

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Richard A White
(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

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SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

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RECEIPT
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REGISTERED NO.
CERTIFIED NO. 748286
INSURED NO.
DATE DELIVERED 3/22/72

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Leaston Todd
(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: Leaston Todd
(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

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SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
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RECEIPT
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REGISTERED NO.
CERTIFIED NO. 748284
INSURED NO.
DATE DELIVERED 3-21-72

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Mrs Nerio Zulita
(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

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SENDER: Be sure to follow instructions on other side

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RECEIPT
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REGISTERED NO.
CERTIFIED NO. 748283
INSURED NO.
DATE DELIVERED [illegible] 25

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Walter G Lita
(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

LIBER [illegible] PAGE [illegible]

LIBER 064 PAGE 390

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
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RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 663744

INSURED NO.

DATE DELIVERED 3-21-72

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Nellie Schulemann

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: Janet Point

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

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SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

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RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 663743

INSURED NO.

DATE DELIVERED 3-21-72

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): J. S. White

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

---

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
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RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 663742

INSURED NO.

DATE DELIVERED MAR 23 1972

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): D. Shores

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

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SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

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RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 663738

INSURED NO.

DATE DELIVERED 3-23-72

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): [illegible]

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: Sandy Shores

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

486

**WRIT OF SUBPOENA:** *No. 9162 Chancery Case*

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,

Somerset County, to wit:

S/Ced
~~TO~~ *Dorothy T. Harris*
*1111 4th Street*
*Perry Point, Maryland (Cecil County)*

Not Est.
*Janet Bobbit*
*R.F.D. 1 - Box 248*
*Conowingo, Maryland*

S/Ced
*Betty G. Khell*
*Broad Street*
*Perryville, Maryland (Cecil County)*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of *May* next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, 121 Fooks Street, Salisbury, Maryland, Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland, and Elsie S. Thommen, 811 Alvin Avenue, Salisbury, Maryland*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the *30* day of *March*, 19*72*.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the *16th* day of *May*, 19*72*. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Hearne, Fox & Bailey*
Name *Colonial Building*
*Salisbury, Marylad 21801*
Address

S. Theodore Phoebus
Clerk

Summoned by leaving a copy with Dorothy T Harris and Betty G Khell this 9th Day of April 1972. Non-Est as to Janet Bobbit, subject has moved out of State.

Larry E Dales
Deputy

Samuel F. duPont
Sheriff

LIBER 124 PAGE 351

LIBER 044 PAGE 352 10 April 1972

In response to Writ of Subpoena, No. 9162, Chancery Case, the following is hereby submitted:

I, Suzanne Todd Stearn, heir of the Shores Estate, do hereby relinquish my respective interest and/or share in all that lot, tract, or parcel of land, situate, lying, and being in Dames Quarter Election District of Somerset County of the State of Maryland, as described in writ of Subpoena, No. 9162, Chancery case, to Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland.

Suzanne T. Stearn
SUZANNE TODD STEARN
Rfd #2, Box 299
Havre de Grace, Maryland 21078

HARFORD COUNTY, MD. • B. DELORIS TESTERMAN • NOTARY PUBLIC

Deloris Testerman
Notary Public
R.D. #2, Box 327A My Comm. exp. 7/1/74
Havre de Grace Md 21078

No. 9162 Chancery Case

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Corbin L. Grafton
3647 Hineline Road
Baltimore, Maryland

4/11/72
6:10PM

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of...May.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, 121 Fooks Street, Salisbury, Maryland, Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland, and Elsie S. Thommen, 811 Alvin Avenue, Salisbury, Maryland

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....30....day of.....March....., 19...72...

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....16th.....day of.....May....., 19...72... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Hearne, Fox & Bailey
Name Colonial Building
Salisbury, Maryland 21801
Address

LIBER 0[illegible] PAGE 0[illegible]

S. Theodore Phoebus
Clerk

Copy of the Within Process and a copy of the Petition served on Corbin L. Grafton at 3647 Hineline Road at 6:10PM on the 11th day of April, 1972 in the presence of John Kuys

Fee $[illegible]

Frank J. Belz
Sheriff

LIBER 124 PAGE 304

10 April 1972

In response to Writ of Subpoena, No. 9162, Chancery Case, the following is hereby submitted:

I, Elberta T. Stevens heir of the Shores estate, do hereby relinquish my respective interest and/or share in all that lot, tract, or parcel of land, situate, lying, and being in Dames Quarter Election District of Somerset County of the State of Maryland, as described in Writ of Subpoena, No. 9162, Chancery case, to Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland.

Elberta T. Stevens

HARVEY C. HOPKINS NOTARY PUBLIC HARFORD COUNTY, MD.

Harvey B. Hopkins
14 April, 1972

10 April 1972

In response to Writ of Subpoena, No. 9162, Chancery Case, the following is hereby submitted:

I, Charles B. Todd heir of the Shores estate, do hereby relinquish my respective interest and/or share in all that lot, tract, or parcel of land, situate, lying, and being in Dames Quarter Election District of Somerset County of the State of Maryland, as described in Writ of Subpoena, No. 9162, Chancery case, to Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland.

Charles Gordon Todd
Frenchtown Road
Perryville, Maryland 21903

HARVEY B. HOPKINS
NOTARY PUBLIC
HARFORD COUNTY, MD.

Harvey B. Hopkins
14 April, 1972

LIBER 044 PAGE 395

LIBER 044 PAGE 308

10 April 1972

In response to Writ of Subpoena, No. 9162, Chancery Case, the following is hereby submitted:

I, Helen Todd Carsins, heir of the Shores estate, do hereby relinquish my respective interest and/or share in all that lot, tract, or parcel of land, situate, lying, and being in Dames Quarter Election District of Somerset County of the State of Maryland, as described in Writ of Subpoena, No. 9162, Chancery case, to Louise S. Wells, 437 Monticello Avenue, Salisbury, Maryland.

Helen Todd Carsins
HELEN TODD CARSINS
Box 86
Perryville, Maryland

HARLEY D. MORAN
NOTARY PUBLIC
HARFORD COUNTY, MD.

Harley D. Moran
14 April, 1972

FILED
APR 17 9 44 AM '72

| | | |
|---|---|---|
| Thomas E. Shores, individually & as Personal Representative of the Estate of Elmer Shores, et al | : | No. 9162 Chancery<br>In the Circuit Court for |
| Vs. | : | Somerset County and |
| Marion P. Todd, et al | : | State of Maryland |

* * * * * *

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 18th day of April, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Frederic E. Wierman, of Hearne, Fox & Bailey, attorneys for the Petitioners, and made oath in due form of law that in compliance with the Maryland Rules of Procedure notice of the within proceedings was given to Franklin D. Todd, Janet Bobbit (believed to have been a resident of the State of Maryland at the time of the initiation of these proceedings), Howard E. White and James White, non-resident Defendants, by mailing a copy of the Order of Publication by certified mail as evidenced by the return receipts attached hereto and made a part hereof, said return receipts being dated April 12, 1972, bearing No. 748298; April 14, 1972, bearing No. 748296; April 11, 1972, bearing No. 748297; and March 7, 1972, bearing No. 748310, respectively; that Alice W. Yeatman, one of the non-resident Defendants, refused to accept delivery of a copy of said Order of Publication as evidenced by the envelope addressed to the said Alice W. Yeatman, attached hereto and made a part hereof.

AS WITNESS my hand and Notarial Seal.

REBECCA W. TRIVITS NOTARY PUBLIC WICOMICO CO., MD.

Rebecca W. Trivits
Notary Public

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144
PROFESSIONAL ASSOCIATION

LAW OFFICES
HEARNE, FOX & BAILEY
PROFESSIONAL ASSOCIATION
COLONIAL BUILDING
SALISBURY, MD. 21801

CERTIFIED
No. 74295
MAIL

RETURN RECEIPT REQUESTED

SALISBURY
APR-5'72
MD.
P.O. 557505
.69

REFUSED
RETURN TO SENDER
4/10/72 + 3/8/72

APR 11 1972

Mrs. Alice W. Yeatman
2104 Englewood Road
Fairfax, Wilmington, Delaware

LIBER 6 PAGE 508

SENDER: Be sure to follow instructions on other side

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(Additional charges required for these services)

[X] Show to whom, date and address where delivered

[ ] Deliver ONLY to addressee

APR 1972

RECEIPT
Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO. 748310

INSURED NO.

DATE DELIVERED 4-7-72

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): J. White

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: M. B. White

(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

---

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

[X] Show to whom, date and address where delivered

[ ] Deliver ONLY to addressee

RECEIPT
Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO. 748298

INSURED NO.

DATE DELIVERED 2/12/72

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): T. Frank Todd

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

(3) SHOW WHERE DELIVERED (Only if requested)

c55—16—71848-11 347-198 GPO

---

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

[X] Show to whom, date and address where delivered

[ ] Deliver ONLY to addressee

RECEIPT
Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO. 748297

INSURED NO.

DATE DELIVERED 4/11/72

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): [illegible]

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

(3) SHOW WHERE DELIVERED (only if requested)

c55—16—71848-11 347-198 GPO

---

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

[X] Show to whom, date and address where delivered

[ ] Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 748296

INSURED NO.

DATE DELIVERED 4-14-72

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in): Janet Bobbitt

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

LIBER 124 PAGE 515

LIBER 024 PAGE 370

| | |
|---|---|
| Thomas E. Shores, individually: & as Personal Representative of the Estate of Elmer Shores,: et al | No. 9162 Chancery |
| | In the Circuit Court for |
| Vs. : | Somerset County and |
| Marion P. Todd, et al : | State of Maryland |

* * * * *

AFFIDAVIT OF SERVICE

Pursuant to Rule 105 of the Annotated Code of Maryland, Frederic E. Wierman, as one of the attorneys for the Plaintiffs, filed an Order for Process by Publication. As has been evidenced by other documents filed in this case prior hereto, certified letters were sent to all non-resident Defendants. A certified letter was sent to Mrs. Alice W. Yeatman, 2104 Englewood Road, Fairfax, Wilmington, Delaware. Alice W. Yeatman refused to accept a certified letter in this case. The attorney for the Plaintiffs also called Mrs. Yeatman at 302-658-9640 on numerous occasions to advise her of the pending suit but was unable to reach her. Efforts have been made to contact her in the past and Mrs. Yeatman was advised prior to the filing of the suit what was involved in the suit. Frederic E. Wierman does allege that he has made every possible effort in good faith to notify Alice W. Yeatman as to the pending suit and further alleges that she has actual notice of the nature of the suit.

Frederic E. Wierman

Frederic E. Wierman

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 17th day of May, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Frederic E. Wierman, and made oath in due form of law that the matters and facts set forth in the aforegoing Affidavit of Service are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

REBECCA W. TRIVITS NOTARY PUBLIC WICOMICO CO. MD.

Rebecca W. Trivits

Notary Public

HEARNE, FOX & BAILEY
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144

| | |
|---|---|
| Thomas E. Shores, individually: & as Personal Representative of the Estate of Elmer Shores,: et al | No. 9162 Chancery |
| | In the Circuit Court for |
| Vs. : | Somerset County and |
| Marion P. Todd, et al : | State of Maryland |

* * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Thomas E. Shores, individually and as Personal Representative of the Estate of Elmer Shores, Louise S. Wells and Elsie S. Thommen, by their attorneys, Hearne, Fox & Bailey, respectfully represents:

FIRST:

That they have heretofore filed in these proceedings a Petition praying that the real estate mentioned therein be sold and the proceeds divided among the parties according to their interests.

SECOND:

That, in accordance with the provisions of law, an Order of Publication was issued and delivered by certified mail to the non-resident Respondents, Franklin D. Todd, Lester Todd, Janet Bobbit, Howard E. White, James White, Norris White, Walton White, Shirley W. Farrall, Richard A. White, Nellie W. Thielman, Thomas S. White, Samuel W. Shores and Harry Shores, Jr., as will be disclosed by reference to the certifications of Frederic E. Wierman, attorney for Plaintiffs, filed in these proceedings; that a writ of subpoena was served upon the resident Respondents, Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Helen T. Carsins, Charles G. Todd, Elberta T. Stevens, Dorothy T. Harris, Suzanne Stearn, Marion H. Todd, Gene M. Todd, Corbin L. Grafton, Beverly J. Grafton, Warren Grafton and Betty G. Kheel, as will be disclosed by reference to the certifications of various Sheriffs filed in these proceedings; that Alice W. Yeatman, one of the non-resident Respondents, refused to accept delivery of a certified letter addressed to her as evidenced by affidavits filed in these proceedings; and

HEARNE, FOX & BAILEY
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
SALISBURY, MD
AREA CODE 301
749-5144

that the time for Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Helen T. Carsins, Charles G. Todd, Elberta T. Stevens, Dorothy T. Harris, Suzanne Stearn, Franklin D. Todd, Marion H. Todd, Lester Todd, Janet Bobbit, Gene M. Todd, Corbin L. Grafton, Beverly J. Grafton, Warren Grafton, Betty G. Kheel, Howard E. White, Alice W. Yeatman, James White, Norris White, Walton White, Shirley W. Farrall, Richard A. White, Nellie W. Thielman, Thomas S. White, Samuel W. Shores and Harry Shores, Jr., Respondents, to appear in this Court by answer or by solicitor has now expired and your Petitioners are entitled to obtain a decree pro confesso against said Respondents.

WHEREFORE, your Petitioners pray this Honorable Court that an Order be passed authorizing them to take this Bill of Complaint pro confesso against the said Respondents who failed to answer and to grant permission unto the Petitioners to take testimony in this case before one of the Standing Examiners of this Court.

HEARNE, FOX & BAILEY
By Frederick E. Werner
Attorneys for Petitioners

ORDER OF COURT

It appearing that all of the non-resident Respondents herein were duly summonsed by an Order of Publication mailed as required by law, and that all of the resident Respondents were served with a writ of subpoena as required by law, and that the Respondents, Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Helen T. Carsins, Charles G. Todd, Elberta T. Stevens, Dorothy T. Harris, Suzanne Stearn, Franklin D. Todd, Marion H. Todd, Lester Todd, Janet Bobbit, Gene M. Todd, Corbin L. Grafton, Beverly J. Grafton, Warren Grafton, Betty G. Kheel, Howard E. White, Alice W. Yeatman, James White, Norris White, Walton White, Shirley W. Farrall, Richard A. White, Nellie W. Thielman, Thomas S. White, Samuel W. Shores and Harry Shores, Jr., have failed to appear either in person or by solicitor within the time provided for their appearance, it is, thereupon, this 23 day of May, A.D.,

1972, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED and DECREED that the Bill of Complaint in this cause be and it is hereby taken pro confesso and leave be and is hereby granted unto the Petitioners to take testimony before one of the Standing Examiners of this Court.

E. McMaster Duer
JUDGE

LIBER 064 PAGE 374

| | |
|---|---|
| Thomas E. Shores, individually: & as Personal Representative of the Estate of Elmer Shores,: et al | No. 9162 Chancery |
| | In the Circuit Court for |
| Vs. : | Somerset County and |
| Marion P. Todd, et al | State of Maryland |

* * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Thomas E. Shores, individually and as Personal Representative of the Estate of Elmer Shores, Louise S. Wells and Elsie S. Thommen, by their attorneys, Hearne, Fox & Bailey, respectfully represents:

FIRST:

That the regular Court Examiner is in ill health and unable to perform his normal duties.

Your Petitioners, therefore, pray this Honorable Court to pass an Order appointing Eunice Pilchard as Special Examiner of this Court to take testimony in the above entitled case.

AND, as in duty bound, etc.

HEARNE, FOX & BAILEY
By Fabian E. Wiorn
Attorneys for Petitioners

ORDER OF COURT

The above Petition having been read and considered, it is, ORDERED by the Circuit Court for Somerset County, Maryland, this 19 day of June, A.D., 1972, that Eunice Pilchard be and she is hereby appointed Special Examiner of this Court to take testimony in the above entitled case.

E. McMaster Duer
JUDGE

HEARNE, FOX & BAILEY
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144

| | | |
|---|---|---|
| Thomas E. Shores, individually and as Personal Representative of the Estate of Elmer Shores, et al | : | No. 9162 Chancery |
| | : | In the Circuit Court for |
| Vs. | : | Somerset County and |
| Marion P. Todd, et al | : | State of Maryland |

In the above entitled cause, an order having been passed for the taking of testimony to support the allegations of the bill of complaint, I, Eunice Pilchard, of Princess Anne, Maryland, special examiner appointed by the Circuit Court for Somerset County, duly sworn, etc., do hereby certify that on the 3rd day of July, in the year nineteen hundred and seventy-two, at the office of Jones & Jones, in Princess Anne, Maryland, beginning at the hour of 10:00 o'clock A. M. I did take the within depositions, that is to say:

Q. 1. Give us your full name please.

A. I am Reverend Thomas E. Shores and I live at 121 Fooks Street, Salisbury, Maryland.

Q. 2. How old are you?

A. 67 on June 26

Q. 3. Are you acquainted with the Shores property in Somerset County?

A. Surely, I have known the Shores property for a period of time. In fact, I have visited the property within the last two (2) or three (3) months.

Q. 4. Will you tell us briefly something about this property?

A. The property was originally owned by Margaret J. Shores who was my grandmother. She died in approximately 1926 and the heirs were Elmer Shores, Nathaniel Shores, Julius Shores, Bill Shores, Eva Todd, and Margie White.

Q. 5. Reverend were there other heirs of your grandmother at the time of her death?

A. Yes, because Ernest predeceased her having died in 1928, Sandy Shores died in August of 1918 and Walton Shores died November of 1927 or shortly after my grandmother.

Q. 6. Do you mean that the interest they had then would have gone to the grandchildren?

A. Yes.

Q. 7. Who are these grandchildren?

A. In order to save time, it would be fair to say that I did a lot of investigation in this case. I have been sort of the family historian throughout the period of time and know the various heirs. In short, at the present time, there are thirty-two (32) heirs that I know of and no unknown heirs that I know of. The heirs are the ones that are listed in the suit which you have filed and in looking at the list of them, I know of no other heirs.

Q. 8. Reverend is it fair to say that the order of publication in the complaint which you filed in this case, fairly list who these heirs are?

A. Yes, the petition and the order of publication list all of these heirs. I have gone to great lengths to ascertain who others of these heirs are, and have found none.

Q. 9. Reverend Shores, have you done anything else to ascertain the whereabouts of the heirs?

A. Yes, I have been in touch with the various heirs at times and inquired as to the whereabouts and addresses in this case. In fact, I spent a lot of time hoping that the property could have been sold under a regular deed.

Q. 10. Whatever happened to the deed?

A. The deed was actually prepared by your office and circulated and although Mr. Fox wrote all the heirs in advance, we never received any negative response. I am afraid it's a case where some of the heirs would not sign until the other one signed and in view of this fact we never did receive the deed back.

Q. 11. Reverend, you indicate the fact that you know the Shores property, what would you pay for it?

A. I would sell it for anything that it would bring, naturally.

Q. 12. Reverend what do you feel, though, the property is worth?

A. I would feel the property is worth approximately $3,000 to $4,000 at best.

Q. 13. Reverend do you know all of the heirs personally in this suit?

A. Although I do not know all of the heirs personally, I am acquainted with at least the mothers and fathers of some of these children. We are a fairly close family but due to distance and time, I haven't seen some of the children personally. I am personally acquainted, however and have been in contact with the family.

Q. 14. Thank you Reverend Shores for your testimony.

Rev. Thomas E. Shores

Frederic E. Wierman next examined Hamilton P. Fox concerning the property.

Q. 1. Please state your name and occupation.

A. I am Hamilton P. Fox of Wicomico County and I am a practicing lawyer.

Q. 2. Mr. Fox, can you tell us what your part has been in the Shores transfer and sale of the property?

A. Yes, I originally had an inquirer as to the sale of the property and proceeded to search the title concerning the same. I found that from the assessment records, etc. that Thomas E. Shores of 121 Fooks Street was the person who seemed to know something about the property. I inquired about the sale and he'd indicated that there were other heirs he would have to check with.

Q. 3. Mr. Fox, did you talk to Reverend Shores on various occasions concerning these heirs?

A. Naturally, I have had him in the office on several occasions and Reverend Shores spent a considerable amount of time telephoning and writing the various heirs, in the hopes that the property could be sold. However, although Reverend

Shores felt all the heirs would sign, I was unable to get the deed signed.

Q. 4. Mr. Fox, can you tell us what happened that the deed was not signed.

A. Yes, basically I got the address of every heir that was conceivable to find and I wrote each one of them. In some cases, the letters cam back because the addresses were wrong. When the address was wrong, I was able to find out from Reverend Shores where the heirs did live and I sent a further letter. In all, this took approximately six (6) weeks to contact all the heirs and I explained in great detail that I had a buyer who might possibly be interested in the property if the price were right. I did receive some favorable response and in fact did not receive any refusals as to a sale of the property if it were at a fair price. Based on this I did prepare a deed and did send it out for the various heirs to sign. The only people who did sign were Thomas E. Shores, Louise S. Wells, and Elsie S. Thommen. None of the other heirs signed.

Q. 5. Mr. Fox, do you mean they did not understand the deed?

A. No, I believe they understood the deed, but apparently some of the heirs felt that they would not sign until some of the other heirs signed and there was a question on who would sign first. Also, there was the question of the mechanics of getting the deed signed and there came a point in time when I realized it would be impossible to get all the signatures and therefore, I recommended a partition suit.

Q. 6. Mr. Fox, do you know of any heirs who have not been made a party to this suit?

A. No, I do not. In fact, I went to great lengths when I wrote the original letter to explain to all the heirs if they knew any other heirs who were involved in the suit or who should be made a party to contact me. As of this date, the only responses I have gotten have been the usual response as to an incorrect spelling of the date of death. I did not receive any further names and have purposely run the order of publication so that other heirs could be served. As of this time. I know of no other parties who should possibly be made a party of this suit.

Q. 7. Mr. Fox, what has been your practice as far as the service of the defendants in this case?

A. At various times I have checked with the Clerk's Vault in Somerset County and have examined the case. I have gotten service on all the Maryland residents and have personally served all of the out of state residents as will be particularly demonstrated by the affidavits in the case.

Q. 8. Mr. Fox, is there any heirs who have not been personally served or at least sent a registered letter?

A. No, you yourself and I have contacted various heirs where it was possible. The only person we were unable to personally reach was Alice W. Yeatman but we had reached her several times prior to the suit and I believe it's a case she has moved.

Q. 9. Mr. Fox, did you do anything else in contacting Alice W. Yeatman?

A. Yes, pursuant to the Maryland rules I tried at various hours of the day and also as late as midnight on two occasions to reach Mrs. Yeatman. The letter sent to her was refused and returned to me. Other members of her family have been advised of the suit, I think it's a case where she is reluctant to be made a party.

Q. 10. Mr. Fox, have you filed a decree pro confesso against these heirs?

A. Yes, I have filed this and it is my intention to go ahead and have the property sold at the Court House door to the highest bidder.

Q. 11. Mr. Fox, do you know what the value of this property is?

A. I would estimate that based upon the Somerset County Assessment Records, and in contact with various heirs, etc. that Reverend Shores' estimate is a fairly accurate one. The property is on the Wicomico River, but is a relatively small piece. It is only approximately 141 feet by 147 feet and the property in the area has not sold too readily in the past. I do feel that if it went for as much as $3,000 to $4,000 the heirs would be very fortunate.

Q. 12. Thank you Mr. Fox.

Hamilton P. Fox

Hamilton P. Fox

Frederic E. Wierman next examined Louise S. Wells concerning the property.

Q. 1. Please give us your full name and address.

A. I am Louise S. Wells and my address is 437 Monticello Avenue.

Q. 2. Are you one of the heirs to the suit?

A. Yes, my father was Aubrey Shores who died in 1937 and I am a sister to Thomas E. Shores, Samuel W. Shores, Harry Shores, Sr. and I am a sister to Elsie S. Thommen. In addition, I am also one of the parties that filed the suit.

Q. 3. I notice from the Chancery procedure that several heirs have assigned interest in the suit to you, can you explain what this is about?

A. Yes, I have been contacted by several heirs who are interested in my having the interest in the property which they hold.

Q. 4. Have you examined the Petition Suit and the other papers in this case?

A. Yes.

Q. 5. Do you know of any other heirs who should be made a party to this suit?

A. No, I think my brother and I have exhausted the family tree, etc. and we know of no other heirs.

Q. 6. Do you mean there is no one else who should be joined?

A. None to my knowledge.

Q. 7. Could you tell us what the value of this property is?

A. I would judge that the property is worth somewhere in the neighborhood of $3,000 to $4,000.

Q. 8. Thank you very much Mrs. Wells for your testimony.

A. You're certainly welcome.

Louise S. Wells
Louise S. Wells

There being no further witnesses produced to me to be examined, I herewith at the request of plaintiffs' solicitor, return the above depositions to Court, closed under my hand and seal and certify that I read over the testimony verbatim to each of the witnesses, and thereupon they signed the same in my presence and that all the requirements of the Rules of Equity have been complied with.

Given under my hand and seal this 3rd day of July, 1972.

Eunice Pilchard (SEAL)
Eunice Pilchard, Special Examiner

| | | |
|---|---|---|
| Thomas E. Shores, individually and as Personal Representative of the Estate of Elmer Shores, et al | : | No. 9162 Chancery |
| | : | In the Circuit Court for |
| Vs. | : | Somerset County and |
| Marion P. Todd, et al | : | State of Maryland |

* * * * * * * * * * *

DECREE

The Petition, Exhibits, Answers, Order of Court for Decree Pro Confesso and Testimony submitted in the above entitled cause having been read and considered, it is, thereupon, this 18 day of July, A.D., 1972, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED, ADJUDGED and DECREED that the property described in these proceedings is not susceptible of partition without material loss or injury to the parties interested therein, and that a sale of said property is to the best interest and advantage of said parties; that Charles E. Hearne, Jr., Hamilton P. Fox and Frederic E. Wierman, be, and they are hereby appointed Trustees to make said sale and that the course and manner of their proceedings shall be as follows: They shall first file with the Clerk of this Court a bond to the State of Maryland executed by themselves and corporate surety to be approved by the Clerk of this Court in the penalty of FOUR THOUSAND DOLLARS ($4000.00) conditioned upon the faithful performance of the trust reposed in them by this Decree or to be reposed in them by any future Decree or Order in the premises; they shall then proceed to make said sale after having given at least three weeks notice by advertisement inserted in such daily or weekly newspaper or newspapers published in said Somerset County giving due notice of the time, place, manner and terms of sale, which shall be ten per cent (10%) cash on day of sale, the balance to bear interest from the date of sale at the rate of six per centum per annum, and to be paid upon ratification of sale, or all cash at the option of the purchaser or purchasers, and as soon as may be

convenient after said sale, the said Trustees shall return to this Court a full and particular account of their proceedings relative to such sale with an annexed affidavit of the truth thereof and of the fairness of said sale, and upon obtaining the Court's ratification of said sale and upon the payment of the whole purchase price of the property so sold, the said Trustees shall by good and sufficient deed convey to the purchaser or purchasers, his, her, or its heirs, successors or assigns, the property and estate hereby sold, and the said Trustees shall thereafter bring into this Court the money arising from said sale together with a report of their proceedings, and upon the final ratification of the same, the matter shall be referred to the Court Auditor for the purpose of preparing an audit for the distribution of said funds after allowing the costs of these proceedings and the usual commissions allowed to Trustees making sales or real estate in Equity, subject to the final ratification or further Order of this Court in the premises.

E. McMaster Duer
JUDGE

FOR BOND SEE BOND BOOK NO. 9, FOLIO 530.

# ORDER OF PUBLICATION

Thomas E. Shores, individuall & as Personal Representativ of the Estate of Elmer Shore
121 Fooks Street
Salisbury, Maryland

Louise S. Wells
437 Monticello Avenue
Salisbury, Maryland

Elsie S. Thommen
811 Alvin Avenue
Salisbury, Maryland

VS

Marion P. Todd
R.F.D. 1
Perryville, Maryland

Eva T. Jack
Harford Street
Perryville, Maryland

Phillip M. Todd
Harford Street
Perryville, Maryland

Creston B. Todd
R.F.D. 1
Perryville, Maryland

Helen T. Carsins
Box 86
Perryville, Maryland

Charles G. Todd ✓
c/o Helen Carsins
Box 86
Perryville, Maryland

Elberta T. Stevens
Perryville
Maryland

Dorothy T. Harris
205 Wilson Street
Havre De Grace, Maryland

Suzanne Stearn ✓
R.F.D. 2
Havre De Grace, Maryland

Franklin D. Todd
288 Glasco Drive
Newark, Delaware

Marion H. Todd
6511 Hazelwood Avenue
Baltimore, Maryland

Lester Todd
24 Lincoln Avenue
Endicott, New York

Janet Bobbit
R.F.D. 1 - Box 248
Conowingo, Maryland

Gene M. Todd
638 Colaine Drive
Aberdeen, Maryland

Corbin L. Grafton
36 Taff Street
Aberdeen, Maryland

Beverly J. Grafton
17 Market Street
Aberdeen, Maryland

Warren Grafton
Aberdeen
Maryland ✓

Betty G. Kheel
c/o Gene M. Todd
638 Colaine Drive
Aberdeen, Maryland

Howard E. White
716 New Road
Elsmere, Wilmington, Delaware

Alice W. Yeatman
2104 Englewood Road
Fairfax, Wilmington, Delaware

James White
205 Trinity Avenue
Keminski Gardens
Wilmington, Delaware

Norris White
2210 Seaton Drive
Falkland Heights
Wilmington, Delaware

Walton White ✓
200 Townsend Avenue
Greenmount, Wilmington, Del.

Shirley W. Farrall ✓
503 Ohio Avenue
Brookland Terrace
Wilmington, Delaware

Richard A. White ✓
9 Paynter Drive
Edgemoor Gardens
Wilmington, Delaware

Nellie W. Thielman
175 Edge Avenue
Swanwick Estates
New Castle, Delaware

Thomas S. White
Presidential Towers
733 Naamans Road
Claymont, Delaware

Samuel W. Shores
2500 East Lan Ohas Boulevard
Fort Lauderdale, Florida

Harry Shores, Jr.
Partridge Acres
R.D. No. 1 - Box 214-24
West Monroe, New York

and any unknown heirs of
Margaret J. Shores

NO. 9162 CHANCERY

In the Circuit Court for Somerset County and State of Maryland

The object of these proceedings is to secure the sale and partition of the following described real estate:

ALL that lot, tract or parcel of land situate, lying and being in Dames Quarter Election District, of Somerset County and State of Maryland, located on the Southerly side of and binding upon the Wicomico River, and being more particularly described as follows: Beginning for the same at a cement post settled in the ground at the Southwesterly corner of Item First of the land conveyed to James B. Kelley from Marion L. Burton, dated September 3, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 247, Folio 83, said point of beginning being the Northwesterly corner of a 30-foot right-of-way, and being the Southeasterly corner of the land hereby conveyed; (1) thence running by and with the Westerly line of the Kelley land North 22 degrees 25 minutes West a distance of 136 feet to an iron pipe; (2) thence running in a Westerly direction 145-½ feet, more or less, to a cement post and the Westerly line of the land now or formerly owned by William Vic Shores; (3) thence running in a general Southerly direction by and with the Easterly line of the Shores land 147 feet, more or less, to a cement post on the land now or formerly owned by John B. Bozman; (4) thence by and with the Northerly line of said John B. Bozman land in a general Easterly direction 141 feet with a ditch to the place of beginning, and being more particularly shown and designated as "Heirs of Emory and Margaret Shores", as shown on plat entitled "James B. Kelley", made by W. Ballard Miles, and recorded among the aforesaid Land Records in Liber I.T.P. No. 247, Folio 85, together with all rights-of-way to the aforesaid described property as have existed in the past; and being the same land that was conveyed unto Margaret J. Shores by S. Frank Dashiell and Mary P. Dashiell, his wife, by deed dated May 20, 1909, and recorded among the aforesaid Land Records in Liber S.F.D. No. 52, Folio 39, the said Margaret J. Shores having since departed this life on November 11, 1926 intestate whereupon said property descended unto Elmer Shores, Nathaniel Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, her children, and unto her grandchildren, Walton Bennett Shores, son of Ernest J. Shores who died September 13, 1908, Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores Aubrey Shores and Harry Shores, Sr., children of Sandy J. Shores who died August 4, 1918, they being the sole heirs-at-law of the said Margaret J. Shores, the said Walton Bennett Shores having since departed this life on November 25, 1927 intestate whereupon his one-eighth interest in the above property descended unto the following: Elmer Shores, Nathaniel Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his aunts and uncles, and Thomas E. Shores, Louise S. Wells, Elsie S. Thommen Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law, the said Nathaniel Shores having since departed this life on June 14, 1928 intestate whereupon his one-seventh interest in the above property descended unto Elmer Shores, Julius Daniel Shores, William R. Shores, Eva Shores Todd, Margie Shores White, his brothers and sisters, and unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores, Aubrey Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said Aubrey Shores having since departed this life on or about 1937 intestate whereupon his interest in said property descended unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his brothers and sisters, they being his sole heirs-at-law; the said Julius Daniel Shores having since departed this life on September 16, 1946 intestate whereupon his one-sixth interest in said property descended unto Elmer Shores, William R.

PRINCESS ANNE, MD., April 1972

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Mar 23 30 Apr 6 13

Business Manager MARYLANDER and HERALD

Shores, Wells, Thommen vs. Todd, Jack & others

LIBER 0224 PAGE 0003

Shores, Eva Shores Todd, Margie Shores White, his brothers and sisters, and unto Thomas E. Shores, Louise S. Wells, Elsie S. Thommen, Samuel W. Shores and Harry Shores, Sr., his nieces and nephews, they being his sole heirs-at-law; the said William R. Shores having since departed this life on February 18, 1947 intestate whereupon his one-fifth interest in said property descended unto Eva Shores Todd, Margie Shores Todd, Elmer Shores, his sisters and brother, and Thomas E. Shores, Louise S. Wells, Elsie E. Thommen, Samuel W. Shores and Harry Shores, Sr., his nieces and nephews, his sole heirs-at-law; the said Harry Shores, Sr. having since departed this life intestate on or about 1956 whereupon his interest in said property descended unto his wife, Irene Shores, and his son, Harry Shores, Jr., they being his sole heirs-at-law, and the said Irene Shores having since departed this life intestate on or about 1966 whereupon her interest in said property descended unto her son, Harry Shores, Jr., her sole heir-at-law; the said Eva Shores Todd having since departed this life on September 16, 1959 intestate whereupon her one-fourth interest in said property descended unto the following: Edwin Major Todd, Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Dorothy T. Harris and Gene M. Todd, her children, and to Helen T. Carsins, Marion H. Todd, Charles G. Todd, Suzanne Stearn, Elberta T. Stevens, Lester Todd and Janet Bobbit, children of Elbert Todd who predeceased his mother, Eva Shores Todd, and to Corbin L. Grafton, Warren Grafton, Beverly J. Grafton and Betty G. Kheel, children of Grace B. Todd Grafton who predeceased her mother, the said Eva Shores Todd, grandchildren, they being the sole heirs-at-law of the said Eva Shores Todd; the said Edwin Major Todd having since departed this life March 16, 1951 intestate whereupon his interest in said property descended unto his son, Franklin D. Todd, his sole heir-at-law; the said Margie Shores White having since departed this life intestate on August 13, 1962 whereupon her one-fourth interest in said property descended unto Howard E. White, Nellie W. Thielman, Alice W. Yeatman, James White, Norris White, Walton White and Shirley W. Farrall, her children, and unto her grandchildren, Thomas S. White and Rihcard A. White, children of her son, Austin White, who died April 26, 1960, they being her sole heirs-at-law; the said Elmer Shores having since departed this life intestate on February 6, 1971 whereupon his one-fourth interest in said property vested in Thomas E. Shores who qualified as Personal Representative of his estate.

The Petition filed herein states that Thomas E. Shores, individually and as Personal Representative of the Estate of Elmer Shores, Louise S. Wells and Elsie S. Thommen, the Plaintiffs, are the owners as tenants in common with Marion P. Todd, Eva T. Jack, Phillip M. Todd, Creston B. Todd, Helen T. Carsins, Charles G. Todd, Elberta T. Stevens, Dorothy T. Harris, Suzanne Stearn, Franklin D. Todd, Marion H. Todd, Lester Todd, Janet Bobbitt, Gene M. Todd Corbin L. Grafton, Beverly J. Grafton, Warren Grafton, Betty G. Kheel, Howard E. White, Alice W. Yeatman, James White, Norris White, Walton White, Shirley W. Farrall, Richard A. White, Nellie W. Thielman, Thomas S. White, Samuel W. Shores, Harry Shores, Jr., and any unknown heirs of Margaret J. Shores, Defendants.

The Petition further states that Marion P. Todd is an adult resident of Perryville, Maryland; that Eva T. Jack is an adult resident of Perryville, Maryland; that Phillip M. Todd is an adult resident of Perryville, Maryland; that Creston B. Todd is an adult resident of Perryville, Maryland; that Helen T. Carsins is an adult resident of Perryville, Maryland; that Charles G. Todd is an adult resident of Perryville, Maryland; that Elberta T. Stevens is an adult resident of Perryville, Maryland; that Dorothy T. Harris is an adult resident of Havre De Grace, Maryland; that Suzanne Stearn is an adult resident of Havre De Grace, Maryland; that Franklin D. Todd is an adult resident of Newark, Delaware; that Marion H. Todd is an adult resident of Baltimore, Maryland; that Lester Todd is an adult resident of Endicott, New York; that Janet Bobbit is an adult resident of Conowingo, Maryland; that Gene M. Todd is an adult resident of Aberdeen, Maryland; that Corbin L. Grafton is an adult resident of Aberdeen, Maryland; that Beverly J. Grafton is an adult resident of Aberdeen, Maryland; that Warren Grafton is an adult resident of Aberdeen, Maryland; that Betty G. Kheel is an adult resident of Aberdeen, Maryland; that Howard E. White is an adult resident of Elsmere, Wilmington, Delaware; that Alice W. Yeatman is an adult resident of Fairfax, Wilmington, Delaware; that James White is an adult resident of Wilmington, Delaware; that Norris White is an adult resident of Wilmington Delaware; that Walton White is an adult resident of Greenmount, Wilmington, Delaware; that Shirley W. Farrall is an adult resident of Wilmington, Delaware; that Richard A. White is an adult resident of Wilmington, Delaware; that Nellie W. Thielman is an adult resident of New Castle, Delaware; that Thomas W. White is an adult resident of Claymont, Delaware; that Samuel W. Shores is an adult resident of Fort Lauderdale, Florida; and that Harry Shores, Jr. is an adult resident of West Monroe, New York.

The Petition further cites that the above described real estate is not susceptible of partition and that it will be necessary for the real estate to be sold and the proceeds be divided among the parties according to their interests.

The Petition prays for a Decree ordering the sale and the distribution of the proceeds according to the respective interests of the owners.

IT IS, THEREUPON, this 17th day of March, A.D., 1972, by the Circuit Court for Somerset County, Maryland, in Equity ORDERED that the Plaintiffs, by causing a copy of this Order to be served upon said Defendants by personal service before the 17th day of April, A.D., 1972, or by causing a copy of this Order to be inserted in some newspaper published in Somerset County, Maryland, once a week for four successive weeks before the 17th day of April, A.D., 1972, give notice warning all persons interested in said property to be and appear in this Court by the 18th day of May, A.D., 1972, to show cause, if any they have, why a Decree ought not to be passed as prayed.

s/ I. THEODORE PHOEBUS
I. Theodore Phoebus, Clerk
TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

48-4ts

| | | |
|---|---|---|
| Thomas E. Shores, Individually and as Personal Representative of the Estate of Elmer Shores, et al | : | No. 9162 Chancery |
| | : | In the Circuit Court for |
| Vs. | : | Somerset County and |
| Marion P. Todd, et al | : | State of Maryland |
| | : | |

* * * * * * * * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF SALE of Charles E. Hearne, Jr., Hamilton P. Fox and Frederic E. Wierman, Trustees appointed by a Decree in the above entitled cause to make sale of fee simple property located in Somerset County, Maryland, in the proceedings in said cause mentioned, respectfully shows:

That after having given bond with security for the faithful performance of their trust, and afterhaving complied with all the other prerequisites as required by law ~~and the said power contained in said mortgage~~, and after having given notice of the time, place, manner and terms of sale by advertisement in The Marylander & Herald, a weekly newspaper published in said

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.



LIBER 624 PAGE 301

Somerset County for at least twenty days before the day of sale, as will appear by reference to the attached Certificate of Publication of said notice of sale, they did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Maryland, on Tuesday, August 22, 1972, at 2:00 o'clock P. M., and then and there proceeded to sell the said real estate mentioned in said mortgage in the manner following, that is to say:

Your Trustees offered at public auction to the highest bidder the real estate mentioned in said mortgage, same being described as follows:

ALL that lot, tract or parcel of land situate, lying and being in Dames Quarter Election District, of Somerset County and State of Maryland, located on the Southerly side of and binding upon the Wicomico River, being approximately 141' x 147', and being bounded by land now or formerly owned by Maryland Steamship Company of Baltimore, land now or formerly owned by John B. Bozman, and land now or formerly owned by James B. Kelley, and being more particularly shown and designated as "Heirs of Emory and Margaret Shores", as shown on plat entitled "James B. Kelley", made by W. Ballard Miles and recorded among the Land Records of said Somerset County, Maryland, in Liber I.T.P. No. 247, Folio 85, together with all rights-of-way to the aforesaid property as have existed in the past; and being the same land that was conveyed unto Margaret J. Shores by S. Frank Dashiell and Mary P. Dashiell, his wife, by deed dated May 20, 1909, and recorded among the aforesaid Land Records in Liber S.F.D. No. 52, Folio 39.

AND the said Trustees, under and by virtue of said decree, sold the above described land unto James P. Kelly and Mildred K. Kelly, his wife, at and for the sum of SIX THOUSAND AND 00/100 DOLLARS ($6000.00), they being at that sum the highest bidders therefor, and the said purchasers have complied with the said terms of sale.

Respectfully submitted,

Charles E. Hearne, Jr.

Hamilton P. Fox

Frederic E. Wierman
-Trustees-

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 28th day of August, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Charles E. Hearne, Jr., Hamilton P. Fox and Frederic E. Wierman, Trustees as hereinbefore set forth, and made oath in due form of law that the matters and things stated in the aforegoing Report of Sale are true to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Patricia S. Godfrey
Notary Public

PATRICIA S. GODFREY NOTARY PUBLIC WICOMICO CO., MD.

LIBER 122 PAGE 308

HEARNE, FOX & BAILEY

ATTORNEYS AT LAW

SALISBURY, MARYLAND

| | | |
|---|---|---|
| THOMAS E. SHORES, Individually and as Personal Representative of the Estate of Elmer Shores, et al | : | No. 9162 Chancery |
| | : | In the Circuit Court for |
| Vs. | : | Somerset County and |
| MARION P. TODD, et al | : | State of Maryland |

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 30th day of August, A.D., 1972, that the sale of the property mentioned in these proceedings ~~and the distribution of the funds arising from said sale~~, made and reported by Charles E. Hearne, Jr., Hamilton P. Fox and Frederic E. Wierman

be ratified and confirmed, unless cause to the contrary be shown on or before the 2nd day of October, A.D., 1972, provided a copy of this Order be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 25th day of September, A.D., 1972.

The report states the amount of sale to be SIX THOUSAND AND 00/100----- DOLLARS ($ 6000.00).

J. Theodore Phoebus
CLERK

PRINCESS ANNE, MD., August 1972

This is to certify that the annexed ~~Trustee's Sale~~ has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Jul 27 Aug 3 10 14

Business Manager MARYLANDER and HERALD

HEARN FOX & BAILEY
Professional Association
Colonial Building
Salisbury, Maryland

# TRUSTEE'S SALE

## OF VALUABLE REAL ESTATE

Under and by virtue of a Decree of the Circuit Court for Somerset County, Maryland in No. 9162 Chancery, the undersigned Trustees will sell at public auction to the highest bidder at the frount door of the Court House in Princess Anne, Somerset County, Maryland, on

Valu
Dames
Chanc

**TUESDAY**
**AUG. 22, 1972**
**AT 2:00 O'CLOCK P.M.**

ALL that lot, tract or parcel of land situate, lying and being in Dames Quarter Election District, of Somerset County and State of Maryalnd, located on the Southerly side of and binding upon the Wicomico River, being approximately 141' x 147', and being bounded by land now or formerly owned by Maryland Steamship Company of Baltimore, land now or formerly owned by John B. Bozman, and land now or formerly owned by James B. Kelley, and being more particularly shown and designated as "Heirs of Emory and Margaret Shores", as shown on plat entitled "James B. Kelley", made by W. Ballard Miles, and recorded among the Land Records of said Somerset County, Maryland, in Liber I.T.P. No. 247, Folio 85, together with all rights-of-way to the aforesaid property as have existed in the past; and being the same land that was conveyed unto Margaret J. Shores by S. Frank Dashiell and Mary P. Dashiell, his wife, by deed dated May 20, 1909, and recorded among the aforesaid Land Records in Liber S.F.D. No. 52, Folio 39.

TERMS OF SALE: Ten per cent (10%) cash on day of sale, balance to be secured to the satisfaction of the sellers, to bear interest at the rate of eight per centum (8%) per per annum, and to be payable upon ratification of sale; or all cash at the option of the purchaser; title papers, revenue stamps and sfer tax at the expense of the purchase with taxes adjusted as of the date of sale.

CHARLES E. HEARNE, JR.
HAMILTON P. FOX,
FREDERIC E. WIERMAN,
T STEES

Colonial Building
126 East Main Street
Salisbury, Maryland 21801
Phone: 301-749-5144

LIBER 124 PAGE 308

No. 0162 Chancery

LIBER 042 PAGE 390

# AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 5th day of ~~August~~ September, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared James B. Kelly, one of the purchaser s named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, James B. Kelly, attended the sale the property described in the mortgage filed in these proceedings held in Princess Anne, Maryland, on Tuesday, August 22, 1972, and purchased the same for myself and my wife, Mildred K. Kelly.

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That neither I nor anyone on my behalf or on behalf of my said wife directly or indirectly discouraged anyone from bidding on said property.

James B. Kelly
Affiant James B. Kelly

SUBSCRIBED AND SWORN TO, before me, this 5th day of ~~August~~ Sept., A.D., 1972.

Virginia B. Miles
Notary Public

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY, MD.

## FINAL ORDER OF RATIFICATION

ORDERED, this 10 day of October, A.D., 19 72 by the Circuit Court for Somerset County, Maryland, in Equity, that the sale and distribution of the funds arising from said sale, made and reported by Charles E. Hearne, Jr., Hamilton P. Fox and Frederic E. Wierman

be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause, and BE IT FURTHER ORDERED that the papers of this proceeding ~~need not~~ be referred to the Court Auditor to state an account therein.

E. McMaster Duer
JUDGE

HEARNE, FOX & BAILEY
Attorneys at Law
Salisbury, Maryland

# ORDER NISI

Thomas E. Shores, Individually and as Personal Representative of the Estate of Elmer Shores, et al
VS
Marion P. Todd, et al

No. 9162 Chancery

In the Circuit Court for Somerset County and State of Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 30th day of August, A.D., 1972, that the sale of the property mentioned in these proceedings made and reported by Charles E. Hearne, Jr., Hamilton P. Fox and Frederic E. Wierman be ratified and confirmed, unless cause to the contrary be shown on or before the second day of October, A.D., 1972, provided a copy of this Order be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 25th day of September, A.D., 1972.

The report states the amount of sale to be Six Thousand and 00/100 Dollars ($6,000.00.

s/ I THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I Theodore Phoebus, Clerk

20-3t

PRINCESS ANNE, MD., September 19 72

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Nisi

Dates Inserted: Sept 7 14 21, 1972

Clarence L. Byrd
Business Manager MARYLANDER and HERALD

Thomas E. Shores
vs.
Marion P. Todd, et al

LIBER 044 PAGE 001

THOMAS E. SHORES, Individually And As Personal Representative Of The Estate Of Elmer Shores, Et Al

VS.

MARION P. TODD, Et Al

* NO. 9162 CHANCERY

* IN THE CIRCUIT COURT FOR

* SOMERSET COUNTY

* STATE OF MARYLAND

* * * * * * *

FIRST AND FINAL AUDITOR'S REPORT

TO THE HONORABLE JUDGE OF SAID COURT:

Logan C. Widdowson, Auditor, duly appointed by this Court, reports to the Court that he made an examination of the proceedings in the above cause and from them and the list of expenses furnished him by the Trustees therein, has stated the following account.

He has charged the Trustees with the amount of sale reported by them, being the sum of six thousand dollars ($6,000.00), plus interest of $64.68 from the date of sale until the ratification thereof on October 10, 1972.

He has allowed the Attorneys their proper fees, costs and all other proper expenses amounting to $1,148.80.

The balance then remaining amounts to four thousand nine hundred fifteen dollars and eighty-eight cents ($4,915.88).

It is the opinion of the Auditor that this balance should be disbursed as follows:

One fourth or $1,228.97 to the estate of Elmer Shores

One fourth or $1,228.97 to be divided among the heirs of Eva Shores Todd as follows:

$136.57* to Franklin D. Todd, the only heir at law of Edwin Major Todd, son of Eva Shores Todd

$136.55 each to the following sons and daughters of Eva Shores Todd, deceased:

Dorothy T. Harris
Eva T. Jack
Creston B. Todd
Gene M. Todd
Marion P. Todd
Phillip M. Todd

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

$136.55 to be divided among the heirs of Elbert Todd, deceased son of Eva Shores Todd, as follows:

$19.55* to Janet Bobbit
$19.50 each to the following:
Helen T. Carsins
Suzanne Stearn
Elberta T. Stevens
Charles G. Todd
Lester Todd
Marion H. Todd

$136.55 to be divided among the heirs of Grace B. Grafton, daughter of Eva Shores Todd, as follows:

$34.16* to Beverly J. Grafton
$34.13 to each of the following:
Corbin L. Grafton
Warren Grafton
Betty G. Kheel

One fourth or $1,228.97 to be divided among the heirs of Margie Shores White as follows:

To the following sons and daughters of Margie Shores White as follows:

$153.63* to Shirley W. Farrell
$153.62 to each of the following:
Nellie W. Thielman
Howard E. White
James White
Norris White
Walton White
Alice W. Yeatman

To the heirs of Austin White, deceased son of Margie Shores White:

$76.81 each to:
Richard A. White
Thomas S. White

One fourth or $1,228.97 to be divided among the heirs of Sandy J. Shores, deceased son of Margie Shores White:

$245.79 each to:
Thomas E. Shores
Louise S. Wells
Elsie S. Thommen
Samuel W. Shores

And $245.81* to Harry Shores, Jr., the sole heir of Harry Shores, Sr., deceased son of Sandy J. Shores.

The interest of Helen T. Carsins, Charles G. Todd, Elberta T. Stevens, and Suzanne Stearn have been assigned to Louise S. Wells and should be paid to her.

LAW OFFICE
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11 N. SOMERSET AVE.
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651-3800

*Auditor's Note - Because of the impossibility of disbursing funds in fractions of one cent, the Auditor had to make adjustments in the various individuals' interests--the greatest decrease was less than one cent and the greatest increase was five cents.

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit, notice of the report to the following parties:

Thomas E. Shores
121 Fooks Street
Salisbury, Maryland

Louise S. Wells
437 Monticello Avenue
Salisbury, Maryland

Elsie S. Thommen
811 Alvin Avenue
Salisbury, Maryland

Marion P. Todd
R.F.D. 1
Perryville, Maryland

Eva T. Jack
Harford Street
Perryville, Maryland

Phillip M. Todd
Harford Street
Perryville, Maryland

Creston B. Todd
R.F.D. 1
Perryville, Maryland

Helen T. Carsins
Box 86
Perryville, Maryland

Charles G. Todd
c/o Helen Carsins
Box 86
Perryville, Maryland

Elberta T. Stevens
Perryville
Maryland

Dorothy T. Harris
205 Wilson Street
Havre De Grace, Maryland

Suzanne Stearn
R.F.D. 2
Havre De Grace, Maryland

Franklin D. Todd
288 Glasco Drive
Newark, Delaware

Marion H. Todd
6511 Hazelwood Avenue
Baltimore, Maryland

Lester Todd
24 Lincoln Avenue
Endicott, New York

Janet Bobbit
R.F.D. 1, Box 248
Conowingo, Maryland

Gene M. Todd
638 Colaine Drive
Aberdeen, Maryland

Corbin L. Grafton
36 Taff Street
Aberdeen, Maryland

Beverly J. Grafton
17 Market Street
Aberdeen
Maryland

Warren Grafton
Aberdeen
Maryland

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Betty G. Kheel
c/o Gene M. Todd
688 Colaine Drive
Aberdeen, Maryland

Howard E. White
716 New Road
Elsmere, Wilmington, Delaware

Alice W. Yeatman
2104 Englewood Road
Fairfax, Wilmington, Delaware

James White
205 Trinity Avenue
Keminski Gardens
Wilmington, Delaware

Norris White
2210 Seaton Drive
Falkland Heights
Wilmington, Delaware

Walton White
200 Townsend Avenue
Greenmount, Wilmington, Delaware

Shirley W. Farrall
503 Ohio Avenue
Brookland Terrace
Wilmington, Delaware

Richard A. White
9 Paynter Drive
Edgemoor Gardens
Wilmington, Delaware

Nellie W. Thielman
175 Edge Avenue
Swanwick Estates
New Castle, Delaware

Thomas S. White
Presidential Towers
733 Naamans Road
Claymont, Delaware

Samuel W. Shores
2500 East Lan Ohas Boulevard
Fort Lauderdale, Florida

Harry Shores, Jr.
Partridge Acres
R.D. No. 1, Box 214-24
West Monroe, New York

Thomas E. Shores, Personal
Representative of the Estate
of Elmer Shores
121 Fooks Street
Salisbury, Maryland

Respectfully submitted,

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 344 PAGE 345

LIBER 0[illegible] PAGE 3[illegible]

November 20, 1972

| | | DR | CR |
|---|---|---|---|
| To Amount of Sale | | $6,000.00 | |
| Interest | | 64.68 | |
| Cost & Expenses As Follows: | | | |
| I. Theodore Phoebus, Clerk | | | |
| Court Costs | | | $ 136.00 |
| Marylander & Herald | | | |
| Order of Publication | $340.00 | | |
| Order of Sale | 60.00 | | |
| Order Nisi | 20.00 | | 420.00 |
| Edwin Muir | | | |
| Auctioneer Fee | | | 25.00 |
| Fidelity & Deposit Co. of Maryland | | | |
| Bond Premium | | | 16.00 |
| Eunice Pilchard, Special Examiner | | | |
| Taking Testimony | | | 10.00 |
| Hearne, Fox & Bailey | | | |
| Postage Expenses | $10.47 | | |
| Toll Calls | 31.33 | | 41.80 |
| Logan C. Widdowson | | | |
| Auditor's Fee | | | 50.00 |
| Trustees Commissions | | | 450.00 |
| Amount to be Distributed | | | $4,915.88 |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-[illegible]

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
11 N. SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

| | | |
|---|---|---|
| RE: Thomas E. Shores, | * | No. 9162 Chancery |
| individually and as Personal | * | in the Circuit Court for |
| Representative of the Estate | * | Somerset County, |
| of Elmer Shores, et al | * | State of Maryland |
| Vs. | * | |
| Marion P. Todd, et al | * | |

To Whom It May Concern:

I hereby certify on this 20th day of November, 1972, I filed with the Clerk of Court for Somerset County my Auditor's Report in the above-captioned case, in accordance with Rule 595 G2 of the Maryland Rules of Procedure.

In accordance with this Rule, all exceptions to said Report must be filed within 15 days of the date of the filing of the Report.

Respectfully,

Logan C. Widdowson

Logan C. Widdowson
Auditor

Copy of Above to All Parties listed in Report

LIBER 142 PAGE 651

LIBER 044 PAGE 398

No. 9162 Chancery Case

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this* 21st *day of* November *19* 72 *that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the* 6th *day of* December *19* 72.

L. Theodore Phoebus, Clerk

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this* 18th *day of* December *19* 72 *that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

L. Theodore Phoebus

Ent'd.

FILED

NOV 21 2 03 PM '72

R# 38539

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9174 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Nyssa C. Richards and Donald E. Richards, | : | Somerset County, Maryland |
| her husband, to the Bank of Somerset, | : | |
| a body corporate | : | |

Mr. Clerk:

Please docket the above entitled suit and file the original mortgage among the papers therein.

Alexander G. Jones
Princess Anne, Maryland
Telephone: 651-2747

FOR ORIGINAL MORTGAGE SEE LIBER I. T. P. NO. 252, FOLIO 09

FOR BOND SEE BOND BOOK NO. 9, FOLIO 519

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9174 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Nyssa C. Richards and Donald E. Richards, | : | Somerset County, Maryland |
| her husband, to the Bank of Somerset, | : | |
| a body corporate | : | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 17th day of April, 1972, before me, the undersigned officer, personally appeared Edward J. Price, President of the Bank of Somerset, and made oath in due form of law as follows: The principal amount owing on the above mortgage is $8,000.00 with interest from December 30, 1971, and also made oath in due form of law that the defendants are not in the military as hereinafter set forth and that they have not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlisted reserve corps thereof.
2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;
3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

NOTARY PUBLIC

Patsy E. Oke
Notary Public

FILED

APR 10 2 29 PM '72

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES
ALEXANDER G. JONES

AREA CODE 301
TELEPHONE 651-2747

May 1, 1972

Mrs. Nyssa C. Richards
Salisbury Nursing Home
Salisbury, Maryland 21801

Mr. Donald E. Richards
Princess Anne, Maryland

Dear Mrs. Richards and Mr. Richards:

COPY

Pursuant to Rule W-74 a 2 (a) (ii) (b) this is to inform you that proceedings have been filed in No. 9174 Chancery, in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from Nyssa C. Richards and Donald E. Richards to the Bank of Somerset dated September 30, 1969 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 252, folio 09. The foreclosure sale is currently being advertised in the Marylander and Herald, a newspaper published in Princess Anne, Somerset County, Maryland. The property described in the mortgage will be offered for sale at 2:00 o'clock P.M., Tuesday, May 16, 1972 in front of the Court house door in Princess Anne, Maryland. Terms of Sale: Twenty-five per cent of the purchase price payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned payable in not less than thirty days with interest from date of sale. A copy of the advertisement is attached to this letter for your convenience.

Very truly yours,

Alexander G. Jones
Attorney for Foreclosure and Collection

AGJ:pea

No. 795099

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

| | |
|---|---|
| SENT TO<br>Mrs. Nyssa C. Richards | POSTMARK OR DATE<br>PRINCESS ANNE, MD<br>MAY 1 1972 |
| STREET AND NO.<br>Salisbury Nursing Home | |
| P.O., STATE AND ZIP CODE<br>Salisbury, Maryland 21801 | |
| OPTIONAL SERVICES FOR ADDITIONAL FEES<br>RETURN RECEIPT SERVICES<br>1. Shows to whom and date delivered ..... 15¢<br>With delivery to addressee only ..... 6[illegible]<br>2. Shows to whom, date and where delivered .. 35¢<br>With delivery to addressee only ..... 85¢ | |
| DELIVER TO ADDRESSEE ONLY ..... 50¢ | |
| SPECIAL DELIVERY (2 pounds or less) ..... 45¢ | |

POD Form 3800
July 1969

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 795099

INSURED NO.

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED 5-6-72

(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

LIBER 244 PAGE 105

LIBER 044 PAGE 402

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER
REASON CHECKED
Unclaimed ____ Refused ____
Addressee unknown ____
No such office ____
No such office in state ____
Do not remail in this envelope

PRINCESS ANNE, MD 1972

RETURN RECEIPT REQUESTED

CERTIFIED
No 795100
MAIL

Mr. Donald E. Richards

Princess Anne, Maryland 221853

5-20

No. 795100

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO
Mr. Donald E. Richards

STREET AND NO.

P.O., STATE AND ZIP CODE
Princess Anne, Maryland 21853

POSTMARK OR DATE
PRINCESS ANNE, MD
MAY 5 1972

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 85¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POD Form 3800
July 1969

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9174 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Nyssa C. Richards and Donald E. Richards, | : | Somerset County, Maryland |
| her husband, to the Bank of Somerset, | : | |
| a body corporate | : | |

ATTORNEY'S AFFIDAVIT AS TO NOTICE TO MORTGAGORS

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 15th day of May, in the year nineteen hundred and seventy-two, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, pursuant to the provisions of Rule W-74 a 2 (b) and made oath in due form of law that he was and is the attorney named in the mortgage in the above entitled proceeding filed for foreclosure and collection, that on May 5, 1972 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Nyssa C. Richards, Salisbury Nursing Home, Salisbury, Maryland (Post Office receipt No. 795099) and to Donald E. Richards, Princess Anne, Maryland (Post Office receipt No. 795100) by certified mail; that as indicated by post office receipt said letter was delivered to Mrs. Richards on May 6, 1972 and that the letter to Mr. Richards was returned to him by the Post Office Department marked "deceased".

The aforesaid post office receipts, returned letter and copy of letter are attached hereto to be filed in this proceeding.

AlexanderG. Jones

Patricia E. Oke
Notary Public

LIBER 044 PAGE 403

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9174 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Nyssa C. Richards and Donald E. Richards, | : | Somerset County, Maryland |
| her husband, to the Bank of Somerset, | : | |
| a body corporate | : | |

Purchaser's Affidavit

Stateof Maryland, Somerset County, to wit:

I hereby certify, that on this 16th day of May, 1972, before me, the subscriber, a Notary Public of the State of Maryland and County aforesaid, personally appeared Charles T. Richards and Shirley W. Richards, his wife, the purchasers of the real estate in the above entitled proceedings and they made oath in due form of law.

1. That in making said purchase they were not acting as agents for anyone.

2. That others interested in said purchase, as principals, are none.

3. That they did not directly or indirectly discourage anyone from bidding for the said property.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Oke
Notary Public

FILED
May 16 3 32 PM '72

PRINCESS ANNE, MD., MAY 19 72

This is to certify that the annexed Attorney's Sale

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: April 20 27 May 4 11, 1972

Business Manager MARYLANDER and HERALD

Jones & Jones, Attorneys

# ATTORNEY'S SALE

## OF VALUABLE RESIDENTIAL PROPERTY

Under and by virtue of the power of sale contained in a mortgage from Nyssa C. Richards and Donald E. Richards, her husband, dated September 30, 1969, recorded among the Land Records of Somerset County in Liber I.T.P. No. 252, folio 09, default having occurred in said mortgage, the undersigned as attorney in said mortgage, will offer at public sale in front of the Court House door in Princess Anne, Somerset County, Maryland, on

## TUESDAY MAY 16, 1972

at or about the hour of 2:00 o'clock P.M., all those lots or parcels of land situate, lying and being in West Princess Anne Election District, Somerset County, Maryland, in the Town of Princess Anne, described as an entirety as lying at the southwest intersection of the State Road known as U.S. Route 13A and also known as Somerset Avenue with a public road known as the Village Road or Roberts Street and fronting 68 feet on the west side of Somerset Avenue and extending back therefrom a distanc of 225 feet fronting on the said Village Road or Roberts Street and bounded on the west by the land owned or formerly owned by Harold A. McAllen (deed reference B.L.B. No. 141, folio 161) and bounded on the south by the land owned or formerly owned by Harold A. McAllen (deed reference G.W.L. No. 97, folio 22) and being the same and all the land which was conveyed unto the said Nyssa C. Richards by Charles T. Richards, unmarried, as two lots by deed dated June 19, 1951 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 154, folio 457.

This property is improved by a two-story frame dwelling with modern conveniences.

Terms of Sale: Twenty-five per cent of purchase price payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned payable in not less than thirty days with interest from date.

Title papers, revenue stamps and transfer tax at purchaser's expense.

ALEXANDER G. JONES
Attorney

52-4tc

LIBER 044 PAGE 406

# ORDER NISI

Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Nyssa C. Richards and Donald E. Richards, her husbanl, to the Bank of Somerset, a body corporate

No. 9174 Chancery

In the Circuit Court for Somerset County, Maryland

Nyssa vs Banl

Ordered by the Circuit Court for Somerset County this 16th day of May, in the year nineteen hundred and seventy-two, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 19th day of June, 1972, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 16th day of June, 1972.

The report states the amount of sales to be $9150.00.

s/ L. THEODORE PHOEBUS

Clerk of the Circuit Court for Somerset County, Maryland

TRUE COPY, TEST:

L. Theodore Phoebus, Clerk

4-4tc

PRINCESS ANNE, MD., May 19 72

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: May 18, 1972
May 25 June 1, 8

Business Manager MARYLANDER and HERALD

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9174 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Nyssa C. Richards and Donald E. Richards, | : | Somerset County, Maryland |
| her husband, to the Bank of Somerset, | : | |
| a body corporate | : | |

To the Honorable, the Judge of said Court:

The report of sales of Alexander G. Jones, Attorney named in a certain mortgage made and executed by Nyssa C. Richards and Donald E. Richards, her husband, to the Bank of Somerset, a body corporate, dated September 30, 1969, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 252, folio 09, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant and condition in said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to your Honor, that after giving bond with security approved by the Clerk of this Court, or by one of the Judges thereof, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper published in Somerset County, once a week for four successive weeks before the day of sale, he did pursuant to said notice attend at the Court House door, in Princess Anne, Maryland, on the 16th day of May, 1972, at two o'clock P.M., and then and there proceed to sell the property described in said mortgage, to wit:

All those two lots or parcels of land situate, lying and being in West Princess Anne Election District, Somerset County, Maryland, in the Town of Princess Anne, described as an entirety as lying at the southwest intersection of the State Road known as U.S. Route 13A and also known as Somerset Avenue with a public road known as the Village Road or Roberts Street and bounded on the west by the land owned or formerly owned by Harold A. McAllen (deed reference B.L.B. No. 141, folio 161) and bounded on the south by the land owned or formerly owned by Harold A. McAllen (deed reference G.W.L. No. 97, folio 22) and being the same and all the land which was

conveyed unto the said Nyssa C. Richards by Charles T. Richards, unmarried, as two lots by deed dated June 19, 1951 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 154, folio 457, and sold the same to Charles T. Richards and Shirley W. Richards, his wife, at and for the sum of ninety-one hundred fifty dollars ($9150.00), they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale to the satisfaction of your trustee and your trustee has distributed the proceeds, as follows:

| | | |
|---|---|---|
| Total Sales | | $9150.00 |
| To Clerk of the Circuit Court for costs | $45.00 | |
| To Marylander & Herald, advertising and nisi | 80.00 | |
| To Bond premium | 36.00 | |
| To Solicitor's fee | 75.00 | |
| To Auctioneer | 50.00 | |
| To Certified mail | .90 | |
| To water rent | 6.63 | |
| To Attorney as commission | 607.50 | |
| To Balance to be distributed | 8248.97 | |
| | $9150.00 | $9150.00 |
| Balance to be distributed | | $8248.97 |
| To Bank of Somerset, mortgage principal | $8000.00 | |
| To Bank of Somerset, interest | 241.77 | |
| To Nyssa C. Richards | 7.20 | |
| | $8248.97 | $8248.97 |

Respectfully submitted,

Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 16th day of May, in the year nineteen hundred and seventy-two, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Attorney named in the aforegoing report of sale, and made oath in due

form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

As witness my Hand and Notarial Seal the day and year above written.

Patsy E. Oke
Notary Public

NOTARY PUBLIC

LIBER 024 PAGE 403

LIBER 134 PAGE 410

Order Nisi

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9174 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Nyssa C. Richards and Donald E. Richards, | : | Somerset County, Maryland |
| her husband, to the Bank of Somerset, | : | |
| a body corporate | : | |

Ordered by the Circuit Court for Somerset County this 16th day of May, in the year nineteen hundred and seventy-two, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Alexander G. Jones, Attorney named in the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 19th day of June, 1972, provided a copy of this order be inserted in some newspaper published in said Somerset County once in each of four successive weeks before the 16th day of June, 1972.

The report states the amount of sales to be $9150.00.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 9174 Chancery |
| under power contained in Mortgage from | : | In the Circuit Court for |
| Nyssa C. Richards and Donald E. Richards, | : | Somerset County, Maryland |
| her husband, to the Bank of Somerset, | : | |
| a body corporate | : | |

Ordered by the Circuit Court for Somerset County, in Equity, this 21st day of June, in the year nineteen hundred and seventy-two, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney mentioned in said mortgage, and the distribution of the proceeds therein, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause.

E. McMaster Duer
Judge

Ex'd

F-4606

| | | |
|---|---|---|
| E. Margaret Winslow<br>Rt. 4, Box 289<br>Annapolis, Maryland<br>Plaintiff | : | In the Circuit Court |
| vs. | : | For Somerset County, |
| Genevieve Long Hart<br>3815 Cocoanut Terrace<br>San Remo Shores<br>Bradenton, Florida, 33507 | : | State of Maryland. |
| and | : | No. 9237 Chancery. |
| Betty Long Rice<br>8510 Caracas Avenue<br>Orlando, Florida, 32807<br>Defendants. | : | |

* * * *

## BILL FOR PARTITION

The Bill of Complaint of E. Margaret Winslow, by Harry T. Phoebus, Jr., her attorney, respectfully represents:

1. That the said E. Margaret Winslow, and the defendants, Genevieve Long Hart and Betty Long Rice, are seized and possessed of the hereinafter described real estate:

> "All of that lot or parcel of land situate in Brinkleys Election District, Somerset County, Maryland, on the West side of the county road leading from Marion to Kingston and beginning at the intersection of the county road with the private road leading to the dwelling house on the original tract known as "Cedar Grove", thence by and with the said county road the four following courses: North 48°15' East 24 perches, thence North 33°30' East 36 perches, thence North 36°15' East 34 perches, thence North 32°45' East 20 perches to a large marked red oak standing on the Northeast side of the aforesaid county road, thence by and with a line of marked trees North 31°30' West 80 perches to a post; thence by and with a line of marked trees the two following courses: South 38° 15' West 110 poles to a large marked red oak by the side of a road in the woods near a fence, thence South 3° East 17 perches to a large marked red oak by the side of the aforesaid private road, thence by and with the aforesaid private road to the place of beginning, containing fifty-five acres of land, more or less; being all and the same land which was conveyed by Edward L. C. Long and Ella Eva Long, his wife, unto Betty Long Rice, E. Genevieve Hart and E. Margaret Winslow, by deed dated October 12, 1957, and recorded among the Land Records of Somerset County in Liber G.J.B. No. 184, folio 144; the said E. Margaret Winslow, E. Genevieve Hart and Betty Long Rice, each owning an undivided one-third (1/3) interest."

2. That the above-described real estate is not susceptible to partition without material loss and injury to the parties entitled to interest therein.

3. That the parties to this proceeding are all adults over the age of 21 years; that the said E. Genevieve Hart is a non-resident of the State of Maryland,

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21617
PHONE: 968-0100

and whose last known address is 3815 Cocoanut Terrace, San Remo Shores, Bradenton, Florida, 33507; that the said Betty Long Rice is a non-resident of the State of Maryland, and whose last known address is 8510 Caracas Avenue, Orlando, Florida, 32807.

To the end, therefore:

a. That a decree may be passed by this Court for the sale of the real estate described in the above petition and a distribution of the proceeds thereof to the parties thereto.

b. That your Oratrix may have such other and further relief as her case may require.

May it please your Honors to grant unto your Oratrix, the order of publication, giving notice to the said Genevieve Long Hart, who is a non-resident of this State, whose last known address is 3815 Cocoanut Terrace, San Remo Shores, Bradenton, Florida, 32807, and to the said Betty Long Rice, who is a non-resident of the State, whose last known address is 8510 Caracas Avenue, Orlando, Florida, 32807, of the object and substance of this bill and warning them to appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any, why a decree ought not to be passed as prayed.

Harry T. Phoebus, Jr.
918 W. Main Street
Crisfield, Maryland 21817
Telephone: 968-0100

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21817
PHONE: 968-0100

| | | |
|---|---|---|
| E. Margaret Winslow<br>Rt. 4, Box 289<br>Annapolis, Maryland<br>Plaintiff | : | In the Circuit Court |
| | : | For Somerset County |
| vs. | : | |
| Genevieve Long Hart<br>3815 Cocoanut Terrace<br>San Remo Shores<br>Bradenton, Florida 33507 | : | State of Maryland. |
| and | : | No. 9237 Chancery. |
| Betty Long Rice<br>8510 Caracas Avenue<br>Orlando, Florida 32807<br>Defendants | : | |

* * * * *

ORDER FOR PUBLICATION

This is to give notice that on the 15th day of August, 1972, a bill of complaint is filed in the Circuit Court for Somerset County by the plaintiff against the defendant, Genevieve Long Hart, whose last known address was 3815 Cocoanut Terrace, San Remo Shores, Bradenton, Florida, 33507, and Betty Long Rice, whose last known address was 8510 Caracas Avenue, Orlando, Florida, 32807. The petition alleges in substance that the parties are joint owners of certain real estate situated in Brinkleys Election District, Somerset County, Maryland, which was conveyed to them by deed dated October 12, 1957 and recorded among the Land Records of Somerset County in G.J.B. No. 184, folio 144; that the said real estate is not susceptible to partition without material loss and injury to the parties. The relief prayed is that the said real estate be sold and the proceeds therefrom distributed among the parties.

WHEREFORE, it is ordered by the Circuit Court for Somerset County this 15th day of August, 1972, that the plaintiff cause a copy of this order to be inserted in a newspaper published in Somerset County, once a week in each of four successive weeks, before the 18 day of Sept, 1972, giving notice to the said non-resident defendants of the object and substance of the petition, and warning them to show cause, if any there may be, on or before the 26th day of Oct, 1972, why a decree should not be passed as prayed.

LIBER [illegible] PAGE [illegible]

I. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21817
PHONE: [illegible]

LIBER [illegible] PAGE [illegible]

| | | |
|---|---|---|
| E. MARGARET WINSLOW | : | No. 9237 CHANCERY |
| PLAINTIFF | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| GENEVIEVE LONG HART | : | STATE OF MARYLAND |
| AND | : | IN EQUITY |
| BETTY LONG RICE | : | |
| DEFENDANTS | : | |

ORDER FOR APPEARANCE

MR. CLERK:

PLEASE ENTER THE APPEARANCE OF THOMAS S. SIMPKINS, AS SOLICITOR FOR THE RESPONDENTS, GENEVIEVE LONG HART AND BETTY LONG RICE.

THOMAS S. SIMPKINS
51 N. MAIN STREET
PRINCESS ANNE, MD. 21853
TELEPHONE: 651-1400

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| E. MARGARET WINSLOW | : | No. 9237 CHANCERY |
| PLAINTIFF | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| GENEVIEVE LONG HART | : | STATE OF MARYLAND |
| AND | : | IN EQUITY |
| BETTY LONG RICE | : | |
| DEFENDANTS | : | |

ANSWER

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE RESPONDENTS, GENEVIEVE LONG HART AND BETTY LONG RICE, BY THOMAS S. SIMPKINS, THEIR SOLICITOR, FOR ANSWER TO THE BILL FOR PARTITION EXHIBITED IN THIS CAUSE SAY:

1. THAT THEY ADMIT THE MATTERS AND FACTS SET FORTH IN THE FIRST PARAGRAPH THEREOF.

2. THAT THEY ADMIT THE MATTERS AND FACTS SET FORTH IN THE SECOND PARAGRAPH THEREOF.

3. THAT THEY ADMIT THE MATTERS AND FACTS SET FORTH IN THE THIRD PARAGRAPH THEREOF.

4. AND FURTHER ANSWERING SAID BILL, THE RESPONDENTS AVER THAT THEY HAVE HERETOFORE PAID THE SUM OF $223.47 IN STATE AND COUNTY REAL ESTATE TAXES ON SAID LAND TO THE BENEFIT OF ALL THE OWNERS THEREOF AND THEY PRAY PROPER ALLOWANCE OF THE SAME IN THE FINAL ACCOUNTING.

HAVING FULLY ANSWERED THE SAID PETITION, THE RESPONDENTS PRAY THIS HONORABLE COURT TO PASS A DECREE FOR THE SALE OF SAID LAND AND TO APPOINT THE SOLICITORS OF THE PARTIES AS TRUSTEES TO HANDLE SAID SALE.

THOMAS S. SIMPKINS, SOLICITOR FOR THE RESPONDENTS

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER [illegible] PAGE [illegible]

LIBER 124 PAGE 116

I HEREBY CERTIFY, THAT ON THIS 13 DAY OF SEPTEMBER, 1972, I DID MAIL A COPY OF THE AFOREGOING ORDER TO ENTER APPEARANCE AND ANSWER BY REGULAR U.S. MAIL, POSTAGE PREPAID, TO HARRY T. PHOEBUS, JR., ESQUIRE, SOLICITOR FOR THE DEFENDANT, TO HIS OFFICES IN CRISFIELD, MARYLAND.

SOLICITOR FOR DEFENDANTS

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.

TELEPHONE 651-1400

| | | |
|---|---|---|
| E. Margaret Winslow | : | In the Circuit Court |
| vs. | : | For Somerset County, |
| Genevieve Long Hart | : | State of Maryland. |
| and | : | No. 9237 Chancery. |
| Betty Long Rice | : | |
| | : | |

* * * * *

AFFIDAVIT FOR PURPOSE OF ESTABLISHING BOND

Before me, Vicki L. Spires, a Notary Public of the State of Maryland, personally appeared E. Margaret Winslow, whose signature appears below, who made oath in due form of law as follows:

That she is the complainant in this proceedings and is familiar with the real estate that is the subject of the proceedings and described in the bill of complaint, and that in her opinion the said real estate has a fair market value of $10,000.

And the said Margaret Winslow further made oath that the above information is true and correct to the best of her knowledge and belief.

Dated this 5 day of October, 1972.

E. Margaret Winslow

E. Margaret Winslow

Vicki L. Spires

Notary Public

VICKI L. SPIRES NOTARY PUBLIC SOMERSET COUNTY, MD.

LIBER 044 PAGE 217

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21817
PHONE: 968-0100

| | | |
|---|---|---|
| E. Margaret Winslow | : | In the Circuit Court |
| vs. | : | For Somerset County, |
| Genevieve Long Hart | : | State of Maryland. |
| and | : | No. 9237 Chancery. |
| Betty Long Rice | : | |
| | : | |

* * * *

ORDER OF COURT

This cause standing ready for hearing and being submitted on the bill of complaint and answer, and the proceedings having been read and considered:

It is thereupon this 19th day of October, 1972, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED AND DECREED that the property mentioned in the proceedings be sold; that Harry T. Phoebus, Jr. and Thomas S. Simpkins be, and they are hereby, appointed Trustees to make said sale, and that the course and manner of their proceedings shall be as follows: They shall first file with the Clerk of this Court a bond to the State of Maryland, executed by themselves, and a surety or sureties, to be approved by this Court, in the penalty of Ten thousand Dollars ($10,000.00), conditioned for the faithful performance of the trust reposed in them by this decree, or to be reposed in them by any future decree or order in the premises; they shall then proceed to make the said sale, having given at least three weeks notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County, Maryland, as they shall think proper, of the time, place, manner and terms of sale, which terms shall be one-third cash, on day of sale, and balance to be paid upon the ratification of sale, or all cash, at the option of the purchaser or purchasers, the credit portions to bear interest and to be secured to the satisfaction of the trustees, and, as soon as may be convenient after such sale or sales, the said trustees shall return to this court a full and particular account of their proceedings relative to such sale, with an annexed affidavit of the truth thereof and of the fairness of said sale; and, on obtaining the court's ratification of the sale, and on the payment of the whole purchase money, the said trustees shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21617
PHONE: 968-0160

purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, plaintiff and defendants, and those claiming by, from or under them, or either of them; and the said trustees shall bring into this court the money arising from said sale, to be distributed under the direction of this court, after deducting the costs of this suit and such commission to the said trustees as this court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

E. McMaster Duer
Judge

FOR BOND SEE BOND BOOK NO. 9, FOLIO 546.

LIBER [illegible] PAGE [illegible]

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21617
PHONE: 968-0100

| | | |
|---|---|---|
| E. Margaret Winslow | : | No. 9237 Chancery |
| vs. | : | In the Circuit Court for |
| E. Genevieve Hart and Betty Long Rice | : | Somerset County, Maryland. |
| | : | |

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of Harry T. Pheebus, Jr. and Thomas S. Simpkins, trustees appointed by this Court by order dated October 11, 1972, respectfully represents unto your Honor that after giving bond with security approved by the Clerk of this Court for the faithful performance of the trust reposed in them by said order and having given notice by advertisement of the place, manner and terms of sale, by advertisement in the Crisfield Times, a weekly newspaper published in Somerset County, for three successive weeks before the date of sale, consistent with the order passed herein and the Maryland Rules of Procedure, they did, pursuant to said notice, attend at the Court House in Princess Anne, Maryland, on the 14th day of November, 1972, at 2:00 p.m., and then and there proceed to sell the property described in the Bill of Complaint, to wit:

> ALL of that tract or parcel of land situate in Brinkleys Election District, Somerset County, Maryland, which tract binds on the West side of the County Road leading from Marion to Kingston; beginning for the same at the intersection of the County Road with the private road leading to the dwelling house on the original tract known as "Cedar Grove", thence by and with the said County Road the four following courses: North 48 degrees 15' East 24 perches, thence North 33 degrees 30' East 36 perches, thence North 36 degrees 15' East 34 perches, thence North 32 degrees 45' East 20 perches to a large marked red oak standing on the Northeast side of the aforesaid County Road, thence by and with a line of marked trees North 31 degrees 30' West 80 perches to a post; thence by and with a line of marked trees the two following courses: South 38 degrees 15' West 110 poles to a large marked red oak by the side of a road in the woods near a fence, thence South 3 degrees East 17 perches to a large marked oak by the side of the aforesaid private road, thence by and with the aforesaid private road to the place of beginning, containing fifty-five acres of land, more or less; being all and the same land which was conveyed by Edward L.C. Long and Ella Eva Long, his wife, unto Betty Long Rice, E. Genevieve Hart and E. Margaret Winslow, by deed dated October 12, 1957, and recorded among the Land Records of Somerset County in Liber G.J.B. No. 184, folio 144.

And they did sell the same to Jean W. Scott.

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21817
PHONE: 968-0100

for the sum of FIFTEEN THOUSAND NINE HUNDRED DOLLARS ($15,900.00)

Respectfully submitted,

Harry T. Phoebus, Jr.

Thomas S. Simpkins
-Trustees-

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 14th day of November, in the year 1972, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Harry T. Phoebus, Jr. and Thomas S. Simpkins, Trustees named in the aforegoing Report of Sale and they made oath in due form of law that the matters and things therein stated are true and correct to the best of their knowledge and belief and that the sale therein mentioned and reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year first above written.

VICKI L. SPIRES NOTARY PUBLIC SOMERSET COUNTY, MD.

Vicki L. Spires
Notary Public

LIBER [illegible] PAGE [illegible]

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21817
PHONE: 968-0100

LIBER 122 PAGE 422

| | | |
|---|---|---|
| E. Margaret Winslow | : | No. 9237 Chancery |
| vs. | : | In the Circuit Court for |
| E. Genevieve Hart and Betty Long Rice | : | Somerset County, Maryland. |

* *:* *

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 14th day of November, 1972, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared William B. Daugherty the purchaser of the real estate in the above entitled proceedings and he made oath in due form of law.

1. That in making said purchase he was ~~not~~ acting as agent for Jean W. Scott.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for said property.

AS WITNESS my hand and Notarial Seal the day and year above written.

William B Daugherty — Purchaser

Vicki L. Spires — Notary Public

VICKI L. SPIRES NOTARY PUBLIC SOMERSET COUNTY, MD.

LAW OFFICES
HARRY T. PHOEBUS, JR.
CRISFIELD, MD. 21617
PHONE 968-0100

| | | |
|---|---|---|
| E. MARGARET WINSLOW | : | No. 9237 CHANCERY |
| VS. | : | IN THE CIRCUIT COURT FOR |
| GENEVIEVE LONG HART | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| BETTY LONG RICE | : | IN EQUITY |

ORDER NISI

ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, THIS 17th DAY OF NOVEMBER, 1972, THAT THE SALE OF THE PROPERTY MENTIONED IN THESE PROCEEDINGS, MADE AND REPORTED BY HARRY T. PHOEBUS, JR. AND THOMAS S. SIMPKINS, TRUSTEES, BE RATIFIED AND CONFIRMED UNLESS CAUSE TO THE CONTRARY THEREOF BE SHOWN ON OR BEFORE THE 18th DAY OF December, 1972; PROVIDED A COPY OF THIS ORDER BE INSERTED IN SOME NEWSPAPER PUBLISHED IN SAID SOMERSET COUNTY ONCE IN EACH OF THREE CONSECUTIVE WEEKS BEFORE THE 11th DAY OF December, 1972, NEXT.

THE REPORT OF SALE STATES THE AMOUNT OF SALE TO BE A TOTAL OF Fifteen Thousand Nine Hundred Dollars ($15,900.00).

I. Theodore Phoebus

I. THEODORE PHOEBUS, CLERK

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Harry T. Phoebus, Jr.
and
Thomas S. Simpkins,
Attorneys

# Trustees Sale of Valuable Land

By virtue of the power contained in a decree of the Circuit Court for Somerset County, Maryland, in No. 9237 Chancery, the undersigned Trustees will sell at public auction in front of the Court House door in Princess Anne, Maryland, on

**TUESDAY,**
**NOVEMBER 14, 1972**

at 2:00 o'clock P.M., all of that tract or parcel of land situate in Brinkleys Election District, Somerset County, Maryland, which tract lies on the West side of the County Road leading from Marion to Kingston; beginning for the same at the intersection of the County Road with the private road leading to the dwelling house on the original tract known as "Cedar Grove", thence by and with the said County Road the four following courses: North 48 degrees 15' East 24 perches, thence North 33 degrees 30' East 36 perches, thence North 38 degrees 15' East 34 perches, thence North 32 degrees 45' East 29 perches to a large marked red oak standing on the Northeast side of the aforesaid County Road, thence by and with a line of marked trees North 31 degrees 30' West 80 perches to a post; thence by and with a line of marked trees the two following courses: South 33 degrees 15' West 110 poles to a large marked red oak by the side of a road in the woods near a fence, thence South 3 degrees East 17 perches to a large marked red oak by the side of the aforesaid private road, thence by and with the aforesaid private road to the place of beginning, containing fifty-five acres of land, more or less; being all and the same land which was conveyed by Edward L.C. Long and Ella Eva Long, his wife, unto Betty Long Rice, E. Genevieve Hart and E. Margaret Winslow, by deed dated October 12, 1957, and recorded among the Land Records of Somerset County in Liber G.J.B. No. 184, folio 144.

Terms of Sale: One-third (1-3) cash on day of sale, and balance to be paid upon the ratification of sale, or all cash, at the option of the purchaser, the credit portions to bear interest and to be secured to the satisfaction of the trustees.

Title papers and revenue stamps at the expense of the purchaser.

Harry T. Phoebus, Jr.
Thomas S. Simpkins
Trustees

10-27-3t

---

Harry T. Phoebus, Jr.
Thomas S. Simpkins,
Atts.
Trustees
E. Margaret Winslow
vs
Genevieve Long Hart
and
Betty Long Rice

No. 9237 Chancery
In the Circuit Court for
Somerset County
State of Maryland
In Equity

## ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, in Equity, this 17th day of November, 1972, that the sale of the property mentioned in these proceedings, made and reported by Harry T. Phoebus, Jr., and Thomas S. Simpkins, Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 10th day of December, 1972; provided a copy of this ORDER be inserted in some newspaper published in said Somerset County once in each of three consecutive weeks before the 11th day of December, 1972, next.

The Report of Sale states the amount of sale to be a total of Fifteen Thousand Nine Hundred Dollars ($15,900.000).

I. Theodore Phoebus, Clerk

True Copy, Test: I. Theodore Phoebus, Clerk

11-24-3t

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THIS is to certify that the annexed TRUSTEE'S SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said TRUSTEE'S SALE for 3 weeks beginning with the issue of October 27 and ending November 10 19 72

CRISFIELD, MD. Dec. 21 19 72

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES

---

THIS is to certify that the annexed ORDER NISI has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI for 3 weeks beginning with the issue of November 24 and ending December 8 19 72

CRISFIELD, MD. Dec. 21 19 72

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES

| | | |
|---|---|---|
| E. MARGARET WINSLOW | : | No. 9237 CHANCERY |
| VS. | : | IN THE CIRCUIT COURT |
| GENEVIEVE LONG HART | : | FOR SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| BETTY LONG RICE | : | IN EQUITY |

## FINAL ORDER OF RATIFICATION

ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, ON THIS 18 DAY OF January, 1973, THAT THE SALE OF THE PROPERTY MADE AND REPORTED BY HARRY T. PHOEBUS AND THOMAS S. SIMPKINS, TRUSTEES, BE AND THE SAME IS RATIFIED AND CONFIRMED, NO CAUSE TO THE CONTRARY THEREOF HAVING BEEN SHOWN, ALTHOUGH DUE NOTICE APPEARS TO HAVE BEEN GIVEN, AS REQUIRED BY THE ORDER NISI PASSED IN THIS PROCEEDING; AND THE SAID TRUSTEES ARE ALLOWED THE SUM OF , WHICH IS THE USUAL COMMISSION, AS WELL AS THE PROPER EXPENSE AS THEY SHALL BE SHOWN BY VOUCHERS FROM THE AUDITOR.

E. Moore Dun
JUDGE

LIBER 224 PAGE 125

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| E. Margaret Winslow | * | No. 9237 Chancery |
| Vs. | * | In the Circuit Court |
| Genevieve Long Hart | * | For Somerset County |
| And | * | State of Maryland |
| Betty Long Rice | * | In Equity |

AUDIT

TO THE HONORABLE, THE JUDGE OF THE CIRCUIT COURT, IN EQUITY:

The report of the Auditor, stating the account in the within mentioned cause, respectfully represents:

That your Auditor has charged the Trustees with the whole amount of the sale of the real estate, as reported by the Trustees in their report of sale. The said Trustees have been allowed commissions on said sale as per the Rules of this Court and their costs and expenses not personal.

The balance of the funds in the hands of the Trustees has been distributed to the parties in the above-entitled action.

| | | |
|---|---|---|
| By the Whole Amount of Sale of the Real Estate As Reported by the Trustees: | | $15,900.00 |
| Interest on Unpaid Portion of the Purchase Price | | 82.40 |
| 1972 State & County Taxes (One-half Interest) | | 20.71 |
| | | $16,003.11 |
| To Trustees for Their Commissions: | $ 945.00 | |
| To Trustees for Their Costs & Expenses: (Not Personal) | | |
| Plaintiff's Solicitor | 10.00 | |
| Defendant's Solicitor | 10.00 | |
| Clerk of Court Costs | 47.00 | |
| Advertising Sale | 56.00 | |
| Order Nisi | 20.00 | |
| Bond Premium | 30.00 | |
| Auctioneer, Edwin B. Muir | 25.00 | |
| Auditor Stating This Account | 15.00 | |
| Defendant's Past Years' Taxes Paid | 223.47 | |
| Total | $1,381.47 | |
| Balance of the Funds in the Hands of the Trustees is Distributed As Follows: | | $14,621.64 |
| To E. Margaret Winslow, One-third: | $4,873.88 | |
| To Genevieve Long Hart, One-third: | 4,873.88 | |
| To Betty Long Rice, One-third: | 4,873.88 | |
| | | $14,621.64 |

Respectfully submitted,

Logan C. Widdowson

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

| | | |
|---|---|---|
| E. Margaret Winslow | * | No. 9237 Chancery |
| Vs. | * | In the Circuit Court for |
| Genevieve Long Hart | * | Somerset County |
| And | * | State of Maryland |
| Betty Long Rice | * | In Equity |

TAKE DUE NOTICE that the First and Final Auditor's Report was filed on the 25th day of January, 1973, with the Clerk of the Circuit Court for Somerset County.

All exceptions to this report must be filed within fifteen (15) days of said date; if no exceptions are filed with said Clerk, the account will be ratified.

Logan C. Widdowson
Auditor

I hereby certify that 595 G2 of the Maryland Rules of Procedure, 197 Replacement Volume, has been complied with by mailing on the date of the filing of this Audit notice of this report to the following parties:

E. Margaret Winslow
Route 4, Box 289
Annapolis, Maryland

Genevieve Long Hart
3815 Cocoanut Terrace
San Remo Shores
Bradenton, Florida 33507

Betty Long Rice
8510 Caracas Avenue
Orlando, Florida 32807

Harry T. Phoebus, Jr.
Attorney At Law
Crisfield, Maryland 21817

Thomas S. Simpkins
Attorney At Law
Princess Anne, Maryland

Logan C. Widdowson
Auditor
January 25, 1973

LIBER 044 PAGE 207

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 428

No. 9237 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 25th day of January, 1973 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 9th day of February, 1973.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 24th day of February, 1975 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR 5 1975
Rec'd

PA 38794

| | | |
|---|---|---|
| CLYDE W. BROWN | : | No. 9183 CHANCERY CASES |
| COMPLAINANT | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA<br>544 W. 118TH STREET<br>LOS ANGELES, CAL. 90044 | : | STATE OF MARYLAND<br>IN EQUITY |
| AND<br>SARAH BRITT<br>122 LINCOLN ROAD<br>WENONAH, NEW JERSEY | : | |
| AND<br>CATHERINE JUNIOR | : | |
| AND<br>DOROTHY MILLS<br>BOX 183, RFD # 1<br>SWEDESBORO, NEW JERSEY | : | |
| AND<br>MAMMIE SPENCE<br>305 GILLETTE STREET<br>PENNSGROVE, NEW JERSEY | : | |
| AND<br>FRANCIS TYLER<br>162 E. DEL-A-VUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND<br>FRANKIE MILLS<br>11303 SHERRINGTON COURT<br>LURGO, MARYLAND 20780 | : | |
| AND<br>ORLANDO MILLS<br>WESTMINISTER AVENUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND THE UNKNOWN HEIRS, PERSONAL REPRESENTATIVES, DEVISEES AND ASSIGNS OF SALLIE MILLS, LATE OF SOMERSET COUNTY, MARYLAND, DECEASED | : | |

RESPONDENTS

******

## BILL OF COMPLAINT FOR SALE IN LIEU OF PARTITION

THE COMPLAINANT, BY THOMAS S. SIMPKINS, HIS SOLICITOR, RESPECTFULLY REPRESENTS:

1. THAT HE IS THE OWNER OF AN UNDIVIDED INTEREST IN A PARCEL OF LAND SITUATE IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET

THOMAS S. SIMPKINS
ATTORNEY-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 644 PAGE 429

AND DESCRIBED AS FOLLOWS:

"ALL THAT TRACT OF LAND SITUATE IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTHERLY SIDE OF BUT NOT BINDING UPON FOOK'S COUNTY ROAD AND PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING FOR THE OUTLINES OF THE SAME AT A POINT SHOWN AND DESIGNATED ON A PLAT ATTACHED TO AND MADE A PART OF THE DEED HEREINAFTER REFERRED TO BY THE LETTER "J."; THENCE: (1) S 00° 30' E. 211 FT.; THENCE (2) S 89° 45' W. 81 FT.; THENCE (3) S. 23° 30' W. 20.5 FT.; THENCE (4) S 89° 45' W. 117 FT.; THENCE (5) S 23° 30' W. 186 FT.; THENCE (6) S 75° 30' E. 110 FT.; THENCE (7) S 23° 30' W. TO POINT "3" ON SAID PLAT; THENCE (8) N 74° 30' W. 290 FT.; THENCE (9) N 11° 00' E. 435 FT.; THENCE (10) N 87° 40' E. 416.6 FT. TO THE POINT OF BEGINNING".

2. THAT HE ACQUIRED HIS SAID INTEREST BY VIRTUE OF A DEED FROM THOMAS S. SIMPKINS, DATED MAY 8, 1972, AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 266 FOLIO 93; AND THAT THOMAS S. SIMPKINS ACQUIRED SAID INTEREST BY VIRTUE OF A DEED FROM THOMAS H. MILLS DATED MARCH 22, 1972 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 266, FOLIO 91.

3. THAT THOMAS H. MILLS IS ONE OF HEIRS OF SALLIE MILLS, LATE OF SOMERSET COUNTY, MARYLAND, DECEASED.

4. THAT SALLIE MILLS ACQUIRED SAID LAND FROM EARLE POLK, ADMINISTRATOR, BY DEED DATED AUGUST 26, 1903 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER NO. 37, FOLIO 445.

5. THAT SALLIE A. MILLS, BY HER LAST WILL AND TESTAMENT,

THOMAS S. SIMPKINS
ATTORNEY-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

RECORDED AMONG THE TESTAMENTARY RECORDS OF SOMERSET COUNTY, MARYLAND IN WILL BOOK NO. 32, FOLIO 335, DEVISED SAID LAND UNTO HER SON, DANIEL MILLS, FOR LIFE WITH REMAINDER UNTO ELIZABETH CARROLL (CHAPMAN), JOHN MILLS, ORLANDO MILLS, JENNIE SHAW, MAMIE BALLARD AND NEWTON MILLS, EQUALLY, SHARE AND SHARE ALIKE.

6. THAT THE COMPLAINANT'S SOLICITOR HAS MADE EVERY BONA FIDE EFFORT TO LOCATE THE SAID HEIRS OR THE HEIRS OF SAID HEIRS AND HAS BEEN ABLE ONLY TO ASCERTAIN THE NAMES AND ADDRESSES OF THE RESPONDENTS; THAT THE EXACT INTEREST OF THE RESPONDENTS IS UNKNOWN AS IS THE NAMES, ADDRESSES AND INTEREST OF ANY UNKNOWN HEIRS.

7. THAT THE PREMISE IS NOT SUSCEPTIBLE OF PARTITION.

TO THE END, THEREFOR, THAT YOUR HONOR:

(A) ISSUE AN ORDER OF PUBLICATION, GIVING NOTICE TO ALL KNOWN HEIRS AND UNKNOWN HEIRS OF THE NATURE AND SUBSTANCE OF THIS COMPLAINT AND REQUIRING THEM TO FILE AN ANSWER HEREIN ON OR BEFORE SOME DAY CERTAIN IN SAID PUBLICATION NAMED.

(B) PASS AN ORDER, APPOINTING A TRUSTEE TO MAKE PUBLIC SALE OF THE PREMISE IN THE CUSTOMARY MANNER AND DIVIDE THE PROCEEDS THEREOF AMONG THE PARTIES RIGHTFULLY ENTITLED THERETO AFTER PAYMENT OF ALL THE COST ATTENDING THE SALE AND COURT COST.

(C) AND FOR SUCH OTHER AND FURTHER RELIEF AS HIS CASE MAY REQUIRE.

AND, AS IN DUTY BOUND, ETC.

Clyde W Brown (SEAL)
CLYDE W. BROWN, COMPLAINANT

Thos. S. Simpkins
THOMAS S. SIMPKINS, SOLICITOR
FOR COMPLAINANT
51 N. MAIN STREET
PRINCESS ANNE, MARYLAND 21853
TELEPHONE: 651-1400

THOMAS S. SIMPKINS
ATTORNEY-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 044 PAGE 481

STATE OF MARYLAND, COUNTY OF SOMERSET, SS: LIBER C 14 PAGE 132

I HEREBY CERTIFY, THAT ON THIS 8th DAY OF MAY, 1972, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED CLYDE W. BROWN, THE COMPLAINANT IN THIS CAUSE, AND HE MADE OATH IN DUE FORM OF LAW THAT THE MATTERS AND FACTS SET FORTH IN THE AFOREGOING BILL OF COMPLAINT ARE TRUE AND CORRECT.

AS WINTESS MY HAND AND NOTARIAL SEAL.

Virginia B. Miles
NOTARY PUBLIC

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY

THOMAS S. SIMPKINS
ATTORNEY-AT-LAW
31 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FILED
MAY 8 4 25 PM '72

THOMAS S. SIMPKINS
SOLICITOR
PRINCESS ANNE, MARYLAND

| | | |
|---|---|---|
| CLYDE W. BROWN<br>RT. 1, BOX 357 A<br>SALISBURY, MARYLAND 21801 | : | No. 9183 CHANCERY CASES<br>IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA<br>544 W. 118TH STREET<br>LOS ANGELES, CAL. 90044 | : | STATE OF MARYLAND<br>IN EQUITY |
| AND<br>SARAH BRITT<br>122 LINCOLN ROAD<br>WENONAH, NEW JERSEY | : | |
| AND<br>CATHERINE JUNIOR | : | |
| AND<br>DOROTHY MILLS<br>BOX 183, RFD # 1<br>SWEEDESBORO, NEW JERSEY | : | |
| AND<br>MAMMIE SPENCE<br>305 GILLETTE STREET<br>PENNSGROVE, NEW JERSEY | : | |
| AND<br>FRANCIS TYLER<br>162 E. DEL-A-VUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND<br>FRANKIE MILLS<br>11303 SHERRINGTON COURT<br>LURGO, MARYLAND 20780 | : | |
| AND<br>ORLANDO MILLS<br>WESTMINISTER AVENUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND THE UNKNOWN HEIRS, PERSONAL REPRESENTATIVES, DEVISEES AND ASSIGNS OF SALLIE MILLS, LATE OF SOMERSET COUNTY, MARYLAND, DECEASED | : | |

*******

## ORDER OF PUBLICATION

THE OBJECT OF THIS SUIT IS TO PROCURE AN ORDER FOR SALE IN LIEU OF PARTITION OF THE REAL ESTATE DESCRIBED HEREIN AND FOR SUCH OTHER AND FURTHER RELIEF AS THE CASE MAY REQUIRE; THE BILL STATES THAT THE COMPLAINANT IS THE OWNER OF AN UNDIVIDED INTEREST IN A PARCEL OF LAND SITUATE IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, AND DESCRIBED AS FOLLOWS:

THOMAS S. SIMPKINS
ATTORNEY-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 324 PAGE 183

"ALL THAT TRACT OF LAND SITUATE IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTHERLY SIDE OF BUT NOT BINDING UPON FOOK'S COUNTY ROAD AND PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING FOR THE OUTLINES OF THE SAME AT A POINT SHOWN AND DESIGNATED ON A PLAT ATTACHED TO AND MADE A PART OF THE DEED HEREINAFTER REFERRED TO BY THE LETTER "J"; THENCE (1) S 00° 30' E. 211 FT.; THENCE (2) S 89° 45' W. 81 FT.; THENCE (3) S 23° 30' W. 20.5 FT.; THENCE (4) S 89° 45' W. 117 FT.; THENCE (5) S 23° 30' W. 186 FT.; THENCE (6) S 75° 30' E. 110 FT.; THENCE (7) S 23° 30' W. TO A POINT "3" ON SAID PLAT; THENCE (8) N. 74° 30' W. 290 FT.; THENCE (9) N. 11° 00' E. 435 FT.; THENCE (10) N 87° 40' E. 416.6 FT. TO THE POINT OF BEGINNING."

THAT HE ACQUIRED HIS SAID INTEREST BY VIRTUE OF A DEED FROM THOMAS S. SIMPKINS, DATED MAY 8, 1972, AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER No. 266, FOLIO 93; AND THAT THOMAS S. SIMPKINS ACQUIRED SAID INTEREST BY VIRTUE OF A DEED FROM THOMAS H. MILLS, DATED MAR. 22, 1972, AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 266, FOLIO 91; THAT THOMAS H. MILLS IS ONE OF THE HEIRS OF SALLIE MILLS, LATE OF SOMERSET COUNTY, MARYLAND; DECEASED; THAT SALLIE MILLS ACQUIRED SAID LAND FROM EARLE POLK, ADMINISTRATOR, BY DEED DATED AUGUST 26, 1903 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER No. 37, FOLIO 445; THAT SALLIE A. MILLS, BY HER LAST WILL AND TESTAMENT, RECORDED AMONG THE TESTAMENTARY RECORDS OF SOMERSET COUNTY, MARYLAND IN WILL BOOK No. 32, FOLIO 335, DEVISED SAID LAND UNTO HER SON, DANIEL MILLS, FOR LIFE WITH REMAINDER UNTO ELIZABETH CARROLL (CHAPMAN), JOHN MILLS, ORLANDO MILLS, JENNIE SHAW, MAMIE BALLARD AND NEWTON MILLS, EQUALLY, SHARE AND SHARE ALIKE. THAT THE COMPLAINANT'S SOLICITOR HAS MADE EVERY BONA FIDE EFFORT TO LOCATE THE SAID HEIRS OR THE HEIRS OF SAID HEIRS AND HAS BEEN ABLE ONLY TO ASCERTAIN THE NAMES AND ADDRESSES OF THE RESPONDENTS; THAT THE EXACT INTEREST OF THE RESPONDENTS IS UNKNOWN AS IS THE NAMES, ADDRESSES AND INTEREST OF ANY UNKNOWN HEIRS; THAT THE

THOMAS S. SIMPKINS
ATTORNEY-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

PREMISE IS NOT SUSCEPTIBLE OF PARTITION. IT IS, THEREUPON, THIS 8th DAY OF MAY, 1972, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ORDERED THAT NOTICE BE GIVEN BY PUBLICATION BY INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING GENERAL CIRCULATION IN SOMERSET COUNTY, ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS ON OR BEFORE THE 5th DAY OF June, 1972, GIVING NOTICE TO ALL KNOWN HEIRS AND UNKNOWN HEIRS OF THE NATURE AND SUBSTANCE OF THIS COMPLAINT AND REQUIRING THE RESPONDENTS, ON OR BEFOR THE 7th DAY OF August, 1972, TO FILE THEIR ANSWER OR SUCH OTHER DEFENSE AS THEY MAY HAVE TO SHOW WHY THE RELIEF PRAYED FOR SHOULD NOT BE GRANTED AND REQUIRING THEM TO PRESENT THE NATURE AND INTEREST THEY MAY HAVE IN THE PREMISES.

E. McMaster Duer

E. MCMASTER DUER, CHIEF JUDGE

THOMAS S. SIMPKINS
ATTORNEY-AT-LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FILED
MAY 8 4 25 PM '72

## RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 728712

SENT TO: Catherine Lunch
STREET AND NO.: Box 183 CR#1
P.O., STATE AND ZIP CODE: Swedesboro NJ

POSTMARK OR DATE: PRINCESS ANNE MD MAY 9 1972 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES:
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side) — GPO: 1970 O-397-488

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. — SIGNATURE OR TITLE OF ADDRESSEE (Must always be filled)
CERTIFIED NO. 728712 — SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: Catherine Lunch
INSURED NO.
DATE DELIVERED: 5-11-72 — SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

## RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 728705

SENT TO: DOROTHY MILLS
STREET AND NO.: RFD 1 Box 183
P.O., STATE AND ZIP CODE: SWEDESBRO NJ

POSTMARK OR DATE: PRINCESS ANNE MD MAY 9 1972 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES:
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side) — GPO: 1970 O-397-488

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. — SIGNATURE OR TITLE OF ADDRESSEE (Must always be filled)
CERTIFIED NO. 728705 — SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: Dorothy Mills
INSURED NO.
DATE DELIVERED: 5-11-72 — SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

## RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 728710

SENT TO: JEAN S. LEA
STREET AND NO.: 544 W. 118th St
P.O., STATE AND ZIP CODE: Los Angeles Calif

POSTMARK OR DATE: PRINCESS ANNE MD MAY 9 1972 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES:
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side) — GPO: 1970 O-397-488

Bill of Complaint - Order of Publication

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. — SIGNATURE OR TITLE OF ADDRESSEE (Must always be filled)
CERTIFIED NO. 728710 — SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: Jean S. Lea
INSURED NO.
DATE DELIVERED: 5-11-72 — SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

## RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 728706

SENT TO: SARAH BRITT
STREET AND NO.: 122 LINCOLN ROAD
P.O., STATE AND ZIP CODE: WENONAH NJ

POSTMARK OR DATE: PRINCESS ANNE MD MAY 9 1972 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES:
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side) — GPO: 1970 O-397-488

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. — SIGNATURE OR TITLE OF ADDRESSEE (Must always be filled)
CERTIFIED NO. 728706 — SIGNATURE OF ADDRESSEE'S AGENT, IF ANY: Sarah Britt
INSURED NO.
DATE DELIVERED: 5-15-72 — SHOW WHERE DELIVERED (Only if requested, and include ZIP Code): Phillips

No. 728707

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO ORLANDO MILLS
STREET AND NO. WESTMINISTER AVE
P.O., STATE AND ZIP CODE PENNSGROVE NJ

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢
DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POSTMARK OR DATE — PRINCESS ANNE MAY 9 1972 USPO

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side) • GPO: 1970 O-397-488

No. 728709

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO Franklin Mills
STREET AND NO. 1303 Washington Ave
P.O., STATE AND ZIP CODE Lanham Md 20706

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢
DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POSTMARK OR DATE — PRINCESS ANNE MAY 9 1972 USPO

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL

No. 728711

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO FRANCIS TYLER
STREET AND NO. 163 E. DERA AVE
P.O., STATE AND ZIP CODE PENNSGROVE NJ

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢
DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POSTMARK OR DATE — PRINCESS ANNE MAY 9 1972 USPO

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side) • GPO: 1970 O-397-488

SENDER: Do sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. CERTIFIED NO. 728707 INSURED NO.
SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 5-10-72
SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Do sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. CERTIFIED NO. 728709 INSURED NO.
SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED
SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Do sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. CERTIFIED NO. 728711 INSURED NO.
SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED MAY 10 1972
SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

LIBER [illegible] PAGE 137

SENDER: Do sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)
☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. CERTIFIED NO. 728707 INSURED NO.
SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 5-15-72
SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

CLEMENTON NJ 08021 MAY 1972 AM

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO MAMMIE SPENCE
STREET AND NO. 305 GILLETTE ST.
P.O., STATE AND ZIP CODE PENNSGROVE NJ

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢
DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (2 pounds or less) ..... 45¢

POSTMARK OR DATE — PRINCESS ANNE MAY 9 1972 USPO

POD Form 3800 July 1969 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side) • GPO: 1970 O-397-488

| | | |
|---|---|---|
| CLYDE W. BROWN<br>RT. 1, BOX 357 A<br>SALISBURY, MARYLAND 21801 | : | No. 9183 CHANCERY CASES |
| | : | IN THE CIRCUIT COURT FOR |
| VS. | : | |
| JEAN S. LEA<br>544 W. 118TH STREET<br>LOS ANGELES, CALIF. 90044 | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| SARAH BRITT<br>122 LINCOLN ROAD<br>WENONAH, NEW JERSEY | : | IN EQUITY |
| AND | | |
| CATHERINE JUNIOR | : | |
| AND | | |
| DOROTHY MILLS<br>BOX 183, RFD #1<br>SWEEDESBORO, NEW JERSEY | : | |
| AND | | |
| MAMMIE SPENCE<br>305 GILLETTE STREET<br>PENNSGROVE, NEW JERSEY | : | |
| AND | | |
| FRANCIS TYLER<br>162 E. DEL-A-VUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND | | |
| FRANKIE MILLS<br>11303 SHERRINGTON COURT<br>LURGO, MARYLAND 20780 | : | |
| AND | | |
| ORLANDO MILLS<br>WESTMINISTER AVENUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND THE UNKNOWN HEIRS, PERSONAL REPRESENTATIVES, DEVISEES AND ASSIGNS OF SALLIE MILLS, LATE OF SOMERSET COUNTY MARYLAND, DECEASED | : | |

## CERTIFICATION

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

I HEREBY CERTIFY, THAT ON THIS 16 DAY OF AUGUST 1972, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED THOMAS S. SIMPKINS AND

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

HE CERTIFIED (1) THAT HE IS THE SOLICITOR FOR THE COMPLAINANT IN THE ABOVE CAUSE; (2) THAT HE DID SEND AN EXACT COPY OF THE ORDER OF PUBLICATION TO THE RESPONDENTS IN THE ABOVE CAUSE BY CERTIFIED MAIL RETURN RECEIPT REQUESTED; (3) THAT ALL PARTIES HEREIN RECEIVED THE SAME; (4) THAT HE ATTACHES HERETO RETURN RECEIPTS FOR THE SAME.

AS WITNESS MY HAND AND NOTARIAL SEAL.

PEGGY B. FORD
NOTARY PUBLIC
SOMER. CO. MD.

Peggy B. Ford
NOTARY PUBLIC

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.

TELEPHONE 651-1400

THOMAS S. SIMPKINS
SOLICITOR
PRINCESS ANNE, MARYLAND

LIBER 0 PAGE 440

| | | |
|---|---|---|
| CLYDE W. BROWN<br>RT. 1, BOX 357 A<br>SALISBURY, MARYLAND 21801 | : | No. 9183 CHANCERY CASES<br>IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA<br>544 W. 118TH STREET<br>LOS ANGELES, CAL. 90044 | : | STATE OF MARYLAND<br>IN EQUITY |
| AND<br>SARAH BRITT<br>122 LINCOLN ROAD<br>WENONAH, NEW JERSEY | : | |
| AND<br>CATHERINE JUNIOR | : | |
| AND<br>DOROTHY MILLS<br>BOX 183, RFD # 1<br>SWEEDESBORO, NEW JERSEY | : | |
| AND<br>MAMMIE SPENCE<br>305 GILLETTE STREET<br>PENNSGROVE, NEW JERSEY | : | |
| AND<br>FRANCIS TYLER<br>162 E. DEL-A-VUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND<br>FRANKIE MILLS<br>11303 SHERRINGTON COURT<br>LURGO, MARYLAND 20780 | : | |
| AND<br>ORLANDO MILLS<br>WESTMINISTER AVENUE<br>PENNSGROVE, NEW JERSEY | : | |
| AND THE UNKNOWN HEIRS,<br>PERSONAL REPRESENTATIVES,<br>DEVISEES AND ASSIGNS OF<br>SALLIE MILLS, LATE OF<br>SOMERSET COUNTY, MARYLAND,<br>DECEASED | : | |

**********

## ORDER OF PUBLICATION

THE OBJECT OF THIS SUIT IS TO PROCURE AN ORDER FOR SALE IN LIEU OF PARTITION OF THE REAL ESTATE DESCRIBED HEREIN AND FOR SUCH OTHER AND FURTHER RELIEF AS THE CASE MAY REQUIRE. THE BILL STATES

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

THAT THE COMPLAINANT IS THE OWNER OF AN UNDIVIDED INTEREST IN A PARCEL OF LAND SITUATE IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, AND DESCRIBED AS FOLLOWS:

> "ALL THAT TRACT OF LAND SITUATE IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, ON THE SOUTHERLY SIDE OF BUT NOT BINDING UPON FOOK'S COUNTY ROAD AND PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING FOR THE OUTLINES OF THE SAME AT A POINT SHOWN AND DESIGNATED ON A PLAT ATTACHED HERETO AND MADE A PART OF THE DEED HEREINAFTER REFERRED TO BY THE LETTER "J"; THENCE (1) S 00° 30' E. 211 FT.; THENCE (2) S 89° 45' W. 81 FT.; THENCE (3) S 23° 30' W. 20.5 FT.; THENCE (4) S 89° 45' W. 117 FT.; THENCE (5) S 23° 30' W. 186 FT.; THENCE (6) S 75° 30' E. 110 FT.; THENCE (7) S 23° 30' W. TO A POINT "3" ON SAID PLAT; THENCE (8) N. 74° 30' W. 290 FT.; THENCE (9) N. 11° 00' E. 435 FT.; THENCE (10) N. 87° 40' E. 416.6 FT. TO THE POINT OF BEGINNING."

THAT HE ACQUIRED HIS SAID INTEREST BY VIRTUE OF A DEED FROM THOMAS S. SIMPKINS, DATED MAY 8, 1972, AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND, IN LIBER NO. 266, FOLIO 93 AND THAT THOMAS S. SIMPKINS ACQUIRED SAID INTEREST BY VIRTUE OF A DEED FROM THOMAS H. MILLS, DATED MARCH 22, 1972, AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 266, FOLIO 91; THAT THOMAS H. MILLS IS ONE OF THE HEIRS OF SALLIE MILLS, LATE OF SOMERSET COUNTY, MARYLAND, DECEASED; THAT SALLIE MILLS ACQUIRED SAID LAND FROM EARLE POLK, ADMINISTRATOR, BY DEED DATED AUGUST 26, 1903 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER NO. 37, FOLIO 445; THAT SALLIE A. MILLS, BY HER LAST WILL AND TESTAMENT, RECORDED AMONG THE TESTAMENTARY RECORDS OFSOMERSET COUNTY, MARYLAND IN WILL BOOK NO. 32, FOLIO 335, DEVISED SAID LAND UNTO HER SON, DANIEL MILLS, FOR LIFE WITH REMAINDER UNTO ELIZABETH CARROLL (CHAPMAN), JOHN MILLS, ORLANDO MILLS, JENNIE SHAW, MAMIE BALLARD AND NEWTON MILLS, EQUALLY, SHARE AND SHARE ALIKE. THAT THE COMPLAINANT'S SOLICITOR HAS MADE EVERY BONA FIDE EFFORT TO

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LOCATE THE SAID HEIRS OR THE HEIRS OF SAID HEIRS AND HAS BEEN ABLE ONLY TO ASCERTAIN THE NAMES AND ADDRESSES OF THE RESPONDENTS; THAT THE EXACT INTEREST OF THE RESPONDENTS IS UNKNOWN AS IS THE NAMES, ADDRESSES AND INTEREST OF ANY UNKNOWN HEIRS; THAT THE PREMISES IS NOT SUSCEPTIBLE OF PARTITION. IT IS, THEREUPON, THIS 23rd DAY OF August, 1972, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ORDERED THAT NOTICE BE GIVEN BY PUBLICATION BY INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING GENERAL CIRCULATION IN SOMERSET COUNTY, ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS ON OR BEFORE THE 25th DAY OF September, 1972, GIVING NOTICE TO ALL KNOWN HEIRS AND UNKNOWN HEIRS OF THE NATURE AND SUBSTANCE OF THIS COMPLAINT, AND REQUIRING THE RESPONDENTS, ON OR BEFORE THE 26th DAY OF October, 1972, TO FILE THEIR ANSWER OR SUCH OTHER DEFENSE AS THEY MAY HAVE TO SHOW WHY THE RELIEF PRAYED FOR SHOULD NOT BE GRANTED AND REQUIRING THEM TO PRESENT THE NATURE AND INTEREST THEY MAY HAVE IN THE PREMISES.

E. McMaster Duer

E. MCMASTER DUER, CHIEF JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

PRINCESS ANNE, MD., September 19 72

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Aug 31 Sept 7 14 21, 1972

Business Manager MARYLANDER and HERALD

Clyde W. Brown
vs
Jean S. Lea & others

THOMAS S. SIMPKINS
Solicitor
Princess Anne, Maryland

# ORDER OF PUBLICATION

Clyde W. Brown
Rt. 1, Box 357 A
Salisbury, Maryland 21801
vs.
Jean S. Lea
544 W. 118th Street
Los Angeles, Calif. 90044

AND

Sarah Britt
122 Lincoln Road
Wenonah, New Jersey

AND

Catherine Junior

AND

Dorothy Mills
Box 183, RFD No. 1
Sweedesboro, New Jersey

AND

Mammie Spence
305 Gillette Street
Pennsgrove, New Jersey

AND

Francis Tyler
162 E. Del-a-vue
Pennsgrove, New Jersey

AND

Frankie Mills
11303 Sherrington Court
Lurgo, Maryland 20780

AND

Orlando Mills
Westminister Avenue
Pennsgrove, New Jersey
and the unknown heirs, Personal representatives, devises and assigns of Sallie Mills, late of Somerset County, Maryland, deceased

No. 9183 Chancery Cases in the Circuit Court for Somerset County State of Maryland In Equity

ORDER OF PUBLICATION

The object of this suit is to procure an Order for Sale in Lieu of Partition of the real estate described herein and for such other and further relief as the case may require. The Bill states that the Complainant is the owner of an undivided interest in a parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, and described as follows:

"All that tract of land situate in East Priscess Anne Election District, Somerset County, Maryland, on the southerly side of but not binding upon Fook's County Road and particularly described as follows: Beginning for the outlines of the same at a point shown and designated on a plat attached hereto and made a part of the deed hereinafter referred to by the letter "J"; thence (1) S 00° 30' E. 211 ft.; thence (2) S 89° 45' W. 81 ft.; thence (3) S 23° 30' W. 20.5 ft.; thence (4) S 89° 45' W. 117 ft.; thence (5) S 23° 30' W. 186 ft.; thence (6) S 75° 30' E. 110 ft.; thence (7) S 23° 30' W. to a point "3" on said plat; thence (8) N. 74° 30' W. 290 ft.; thence (9) N. 11° 00' E. 435 ft.; thence (10) N. 87° 40' E. 416.6 ft. to the point of beginning."

That he acquired his said interest by virtue of a leed from Thomas S. Simpkins, dated May 8, 1972, and recorded among the Land Records of Somerset County, Maryland, in Liber No. 266, folio 93 and that Thomas S. Simpkins acquired said interest by virtue of a deed from Thomas H. Mills, dated March 22, 1972, and recorded among the aforesaid land records in Liber 266, folio 91; that Thomas H. Mills is one of the heirs of Sallie Mills, late of Somerset County, Maryland, deceased; that Sallie Mills acquired said land from Earle Polk, Administrator, by deed dated August 26, 1903 and recorded among the aforesaid land records in Liber No. 37, folio 445; that Sallie A. Mills, by her Last Will and Testament, recorded among the Testamentary Records of Somerset County, Maryland in Will Book No. 32, folio 335, devised said land unto her son, Daniel Mills, for life with remainder unto Elizabeth Carroll (Chapman), John Mills, Orlando Mills, Jennie Shaw, Mamie Ballard and Newton Mills, equally, share and share alike. That the Complainant's solicitor has made every bona fide effort to locate the said heirs or the heirs of said heirs and has been able only to ascertain the names and addresses of the respondents; that the exact interest of the respondents is unknown as is the names, addresses and interest of any unknown heirs; that the premises is not susceptible of partition. IT IS, THEREUPON, this 23rd day of August, 1972, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED that notice be given by publication by insertion of a copy of this Order in some newspaper having general circulation in Somerset County, once a week for four successive weeks on or before the 25th day of September, 1972, giving notice to all known heirs and unknown heirs of the nature and substance of this complaint, and requiring the respondents, on or before the 26th day of October, 1972, to file their answer or such other defense as they may have to show why the relief prayed for should not be granted and requiring them to present the nature and interest they may have in the premises.

S/ E. McMaster Duer
E. McMaster Duer, Chief Judge
TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
19-4tc

LIBER 134 PAGE 243

LIBER 124 PAGE 244

| | | |
|---|---|---|
| CLYDE W. BROWN | : | NO. 9183 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| JEAN S. LEA, ET AL | : | SOMERSET COUNTY, MARYLAND |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE PETITION OF CLYDE W. BROWN, COMPLAINANT, BY THOMAS S. SIMPKINS, HIS SOLICITOR, RESPECTFULLY REPRESENTS:

THAT ALTHOUGH ALL RESPONDENTS IN THIS CAUSE HAVE BEEN NOTIFIED OF THE PROCEEDINGS BY CERTIFIED MAIL AND BY ORDER OF PUBLICATION, ACCORDING TO LAW, SAID RESPONDENTS HAVE FAILED TO APPEAR, EITHER IN PERSON OR BY SOLICITOR, TO ANSWER THE BILL OF COMPLAINT FILED AGAINST THEM;

WHEREFORE YOUR PETITIONER PRAYS THAT THE BILL OF COMPLAINT FILED IN THIS CAUSE MAY BE TAKEN PRO CONFESSO AGAINST THE SAID RESPONDENTS AND LEAVE BE GRANTED TO SAID PETITIONER TO TAKE TESTIMONY IN SUPPORT OF THE ALLEGATIONS OF SAID BILL, BEFORE THE STANDING EXAMINER IN CHANCERY IN THIS COURT.

THOMAS S. SIMPKINS, SOLICITOR FOR THE COMPLAINANT

ORDER OF COURT

THE AFOREGOING PETITION HAVING BEEN READ AND CONSIDERED, IT IS, THIS 8 DAY OF November, 1972, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, ORDERED THAT THE BILL OF COMPLAINT IN THE ABOVE CAPTIONED CAUSE BE AND THE SAME IS HEREBY TAKEN PRO CONFESSO AGAINST THE NAMED RESPONDENTS, AND LEAVE BE AND IS HEREBY GRANTED UNTO THE COMPLAINANT TO TAKE TESTIMONY IN

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

SUPPORT OF THE ALLEGATIONS IN SAID BILL OF COMPLAINT BEFORE THE STANDING EXAMINER IN THIS COURT.

E. McMaster Duer

E. MCMASTER DUER, CHIEF JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 044 PAGE 255

| | | |
|---|---|---|
| CLYDE W. BROWN | : | No. 9183 CHANCERY CASES |
| vs. | : | IN THE CIRCUIT COURT FOR |
| JEAN S. LEA, ET AL | : | SOMERSET COUNTY, MARYLAND |

TESTIMONY

IN THIS CAUSE, TESTIMONY HAVING TO BE TAKEN TO SUPPORT THE ALLEGATIONS OF THE BILL OF COMPLAINT, I, LOGAN C. WIDDOWSON, OF PRINCESS ANNE, MARYLAND, EXAMINER IN CHANCERY IN THIS COURT, DO HEREBY CERTIFY, THAT ON THIS 16th DAY OF NOVEMBER, 1972, IN PRINCESS ANNE, SOMERSET COUNTY AFORESAID, I DID TAKE THE FOLLOWING TESTIMONY, TO WIT:

DEAN WELLS, A WITNESS OF LAWFUL AGE, A WITNESS TESTIFYING IN BEHALF OF THE COMPLAINANT, BEING DULY SWORN, DEPOSES AND SAYS:

Q. 1 - PLEASE STATE YOUR NAME, AGE, RESIDENCE AND OCCUPATION.

ANS. - DEAN WELLS, I AM 37, I RESIDE AT PINE KNOLL TERRACE, SALISBURY, MARYLAND AND I AM RIGHT OF WAY REPRESENTATIVE FOR THE DELMARVA POWER AND LIGHT COMPANY OF MARYLAND.

Q. 2 - MR. WELLS, ARE YOU FAMILIAR WITH THE PARCEL OF LAND THAT WE ARE CONCERNED WITH HERE, IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, THAT WAS OWNED BY SALLIE MILLS AT THE TIME OF HER DEATH?

ANS. - YES, IT IS A VACANT PARCEL OF LAND WHICH HAS BEEN ALLOWED TO GROW UP THROUGH ABANDONMENT.

Q. 3 - WHAT DO YOU KNOW CONCERNING THE OWNERSHIP OF THE LAND?
ANS. - I HAVE MADE AN EXHAUSTIVE INVESTIGATION TO DETERMINE THE RIGHTFUL OWNERS BECAUSE MY COMPANY IS INTERESTED IN OBTAINING A RIGHT OF WAY ACROSS IT FOR A TRANSMISSION LINE. THE PROPERTY WAS ACQUIRED BY SALLIE MILLS FROM EARL POLK BY A DEED DATED AUGUST 26, 1903 AND RECORDED AMONG THE LAND RECORDS OF SOMERSET COUNTY, MARYLAND IN LIBER NO. 37, FOLIO 445. SALLIE MILLS CONTINUED TO OWN IT UNTIL HER DEATH AND BY HER WILL, RECORDED IN WILL BOOK 32, FOLIO 335, IN THE TESTAMENTARY RECORDS OF SOMERSET COUNTY, MARYLAND, SHE DEVISED THE LAND TO HER SON, DANIEL MILLS, FOR HIS LIFE, WITH THE REMAINDER UNTO ELIZABETH CARROLL, WHO IS NOW ELIZABETH CHAPMAN; JOHN MILLS; ORLANDO MILLS; JENNIE SHAW; MAMMIE BALLARD; AND NEWTON MILLS; THEY ARE HER CHILDREN; EQUALLY.

Q. 4 - IS DANIEL MILLS LIVING OR DEAD?

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

ANS. - HE IS DEAD.

Q. 5 - ARE THE REMAINDERMEN LIVING?
ANS. - I HAVE BEEN UNABLE TO FIND OUT ABOUT FIVE OF THEM; IF THEY ARE OR NOT. IF THEY ARE, THEY ARE QUITE OLD AND DO NOT LIVE AROUND HERE. I KNOW THAT ORLANDO MILLS IS DECEASED AND I KNOW THE NAMES AND ADDRESSES OF HIS HEIRS.

Q. 6 - LET'S TAKE THE HEIRS OF SALLIE MILLS ONE BY ONE; WHERE IS NEWTON MILLS?
ANS. - HIS WHEREABOUTS OR EVEN IF HE IS LIVING IS UNKNOWN.

Q. 7 - WHAT ABOUT ELIZABETH CARROLL, JOHN MILLS, JENNIE SHAW AND MAMMIE BALLARD?
ANS. - THE SAME IS TRUE CONCERNING THEM, NO ONE KNOWS IF THEY ARE LIVING OR ANYTHING CONCERNING THEIR LOCATION, IF THEY ARE LIVING.

Q. 8 - WHAT ABOUT THE HEIRS OF ORLANDO MILLS?
ANS. - THEY ARE JEAN S. LEA; SARAH BRITT; CATHERINE JUNLOR; DOROTHY MILLS; MAMIE SPENCE' FRANCIS TYLER; FRANKIE MILLS; ORLANDO MILLS AND THOMAS H. MILLS, AS BEST AS I CAN DETERMINE.

Q. 9 - WHAT ARE THE RESPECTIVE INTERESTS OF THE PARTIES?
ANS. - EACH OF THE SIX REMAINDERMEN INHERITED AN ONE-SIXTH INTEREST AFTER THE DEATH OF DANIEL MILLS, THE LIFE TENANT, AND EACH OF ORLANDO MILLS, SRS.' NINE CHILDREN INHERITED A ONE-FIFTY-FOURTH INTEREST FROM HIM.

Q.10 - WHO ARE THE OWNERS NOW AND THEIR RESPECTIVE INTEREST?
ANS. - WELL, CLYDE BROWN, THE COMPLAINANT, ACQUIRED THOMAS H. MILLS' ONE-FIFTY-FOURTH INTEREST; THEREFORE, THE REMAINING FRACTIONAL SHARES ARE OWNED BY THE RESPONDENTS, AS I HAVE SAID, AND BY THE UNKNOWN HEIRS.

Q.11 - IS THE PROPERTY SUBJECT TO PARTITION?
ANS. - IT IS NOT FEASIBLE OR PRACTICAL.

Q.12 - DO YOU KNOW THE VALUE OF THE LAND?
ANS. - I WOULD APPROXIMATE IT AT ABOUT ONE THOUSAND DOLLARS.

LOGAN C. WIDDOWSON, EXAMINER

DEAN WELLS

THOMAS S. SIMPKINS, SOLICITOR FOR THE COMPLAINANT, AFTER BEING DULY SWORN, DEPOSES AND SAYS:

Q. 1 - PLEASE GIVE YOUR NAME, AGE, RESIDENCE AND OCCUPATION.
ANS. - THOMAS S. SIMPKINS, I AM 46, I RESIDE IN PRINCESS ANNE, MARYLAND AND I AM AN ATTORNEY.

Q. 2 - ARE YOU LICENSED TO PRACTICE LAW IN THE STATE OF MARYLAND?
ANS. - YES.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Q. 3 - ARE YOU FAMILIAR WITH THE PROPERTY IN QUESTION?
ANS. - YES.

Q. 4 - HAVE YOU EXAMINED THE LAND RECORDS AND THE TESTAMENTARY RECORDS OF SOMERSET COUNTY IN AN EFFORT TO ESTABLISH OWNERSHIP OF THE PROPERTY?

ANS. - YES, I WAS EMPLOYED TO EXAMINE THE TITLE BY THE DELMARVA POWER & LIGHT COMPANY AND I FOUND THAT THE PROPERTY WAS OWNED BY SALLIE MILLS AT HER DEATH; SHE ACQUIRED IT FROM EARL POLK BY DEED DATED AUGUST 26, 1903 AND IT IS RECORDED IN LIBER NO. 37, FOLIO 445; AND BY HER WILL, RECORDED IN WILL BOOK NO. 32, FOLIO 335, SHE DEVISED IT TO DANIEL MILLS FOR LIFE, WITH THE REMAINDER UNTO ELIZABETH CHAPMAN, JOHN MILLS, ORLANDO MILLS, JENNIE SHAW, MAMMIE BALLARD AND NEWTON MILLS, HER CHILDREN; NOTHING FURTHER APPEARS AMONG THE RECORDS.

Q. 5 - HAVE YOU MADE AN INVESTIGATION TO DETERMINE THE NAMES AND LOCATIONS OF THE PARTIES?
ANS. - YES, I HAVE TALKED WITH SOME OF THE GRANDCHILDREN AND THEY GAVE ME ALL THE INFORMATION THEY COULD. I GOT THE NAMES AND ADDRESSES OF THE CHILDREN OF ORLANDO MILLS, SR. BUT COULDN'T OBTAIN ANY INFORMATION CONCERNING THE REST.

Q. 6 - WHAT DID YOU DO TO NOTIFY THE INTERESTED PARTIES?
ANS. - I SENT COPIES OF THE NOTICE OF PUBLICATION TO ALL PARTIES THAT I HAD ADDRESSES OF AND PUBLISHED THE ORDER OF PUBLICATION IN THE MARYLANDER AND HERALD, AS REQUIRED.

Q. 7 - HAVE YOU RECEIVED ANY ACKNOWLEDGEMENT FROM THEM?
ANS. - YES, ALL THE MAIL SENT REGISTERED WAS RECEIVED AND THE RETURN RECEIPTS WERE FILED IN THIS CAUSE; A COUPLE OF THE KNOWN HEIRS CAME IN TO TALK TO ME AND I TOLD THEM ALL I COULD ABOUT THE PROCEEDINGS AND ADVISED THEM TO CONTACT AN ATTORNEY OF THEIR CHOICE IF THEY HAD ANY QUESTIONS.

Q. 8 - HAS ANY ANSWER OR FORMAL RESPONSE BEEN FILED IN THIS CAUSE?
ANS. - NO.

LOGAN C. WIDDOWSON, EXAMINER

THOMAS S. SIMPKINS

THERE BEING NO FURTHER WITNESSES TO BE EXAMINED AND AT THE SUGGESTION OF THE COMPLAINANT, THE PAPERS ARE HEREWITH RETURNED TO THE COURT, CLOSED UNDER MY HAND AND SEAL. I HEREBY CERTIFY THAT THIS ANNEXED BILL OF COSTS IS CORRECT AND PAID BY THE COMPLAINANT AND I FURTHER CERTIFY THAT THE EXAMINATION WAS CONDUCTED IN COMPLIANCE WITH GENERAL EQUITY RULE 580G. IN THE JUDGMENT OF THE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

EXAMINER, NO EXAMINATION OR CROSS-EXAMINATION WAS PROPER OR NECESSARY FOR A FULL PRESENTATION OF THE TRUE FACTS IN THE CASE. THERE WERE NO IRREGULARITIES OR UNUSUAL CIRCUMSTANCES IN THE TAKING OF THE TESTIMONY IN THIS CAUSE OR IN THE CONDUCT OF THE PROCEEDINGS.

AS WITNESS MY HAND AND SEAL.

Logan C. Widdowson (SEAL)
LOGAN C. WIDDOWSON, EXAMINER

BILL OF COSTS:

EXAMINER, $10.00, PAID

LIBER 044 PAGE 149

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 0 22 PAGE 130

| | | |
|---|---|---|
| CLYDE W. BROWN | : | No. 9183 CHANCERY CASES |
| COMPLAINANT | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA, ET AL | : | STATE OF MARYLAND |
| RESPONDENTS | : | IN EQUITY |

: : : :

## ORDER OF COURT

UPON THE TESTIMONY TAKEN AND FILED IN THIS CAUSE AND IT APPEARING THAT THE LAND INVOLVED IS NOT SUSCEPTIBLE OF PARTITION, IT IS THIS 13 DAY OF Dec 1972 BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN THE ABOVE CAPTIONED CAUSE ORDERED THAT THOMAS S. SIMPKINS BE AND HE HEREBY IS APPOINTED TRUSTEE TO CONDUCT A PUBLIC SALE OF THE LAND IN THE BILL OF COMPLAINT DESCRIBED IN THE USUAL MANNER AFTER HAVING GIVEN NOTICE THEREOF IN A NEWSPAPER PUBLISHED IN SOMERSET COUNTY AS REQUIRED BY THE RULES AND THAT THE CONDITIONS OF THE SALE SHALL BE 20% DOWN BALANCE UPON RATIFICATION OF SALE AND THE SAID TRUSTEE SHALL FILE HIS REPORT OF SALE IN THE USUAL MANNER FOLLOWING SAID SALE AND THE SAID TRUSTEE SHALL FILE HIS APPROVED FIDELITY AND IN THIS COURT IN THE AMOUNT OF $5,000.00 PRIOR TO MAKING SALE.

T. McMaster Duer
CHIEF JUDGE

FOR BOND SEE BOND BOOK NO. 9, FOLIO 560

THOMAS S. SIMPKINS
ATTORNEY AT LAW
91 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FILED
Dec 13 11 00 AM '72

*The Eastern Shore Publishing Company*

**MARYLANDER AND HERALD**

*Established In 1826*

*39 Main Street*
*Post Office Box 158*
*Princess Anne, Maryland 21853*
*Phone: 301-651-2000*

December 1972

Thomas Simpkins, Esq.
Princess Anne Md. 21853

LAND

| | | | |
|---|---|---|---|
| Dec 21 | to trustee sale 9½ in @ 2.00 | | $ 19.00 |
| 28 | to " " | 1.00 | 9.50 |
| Jan 4 | to " " | | 9.50 |
| " | " " | | 9.50 |
| | | | $ 47.50 |

J. BRYAN BYRD, PRODUCTION MANAGER

PRINCESS ANNE, MD., Dec 19 72

This is to certify that the annexed Trustees Sale

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: December 28 Jan 4 16

Business Manager MARYLANDER and HERALD

LAND

LIBER 044 PAGE 451

THOMAS S. SIMPKINS
SOLICITOR
51 N. Main Street
Princess Anne, Maryland

# TRUSTEE'S SALE OF LAND

Under and by virtue of an Order of the Circuit Court for Somerset County, Maryland in No. 9183 Chancery, I HEREBY give notice that I will on

## JAN. 16, 1973

At 2 P. M. at the Court House Door, Princess Anne, Md. sell the hereafter described land at public auction to the highest bidder on the terms hereinafter set forth

"All that tract of land situate in East Princess Anne Election District, Somerset County, Maryland, on the southerly side of but not binding upon Fook's County Road and particularly described as follows: Beginning for the outlines of the same at a point shown and designated on a plat attached to and made a part of the deed recorded in Liber 266, folio 93 by the letter "J"; thence (1) S 00° 30' E. 211 ft.; thence (2) S 89° 45' W. 81 ft.; thence (3) 23° 30' W 20.5 ft.; thence (4) S 89° 45' W. 117 ft.; hence (5) S 23° 30' W. 186 ft.; thence (6) S 75° 30' E. 110 ft.; thence (7) S 23° 30' W. to point "3" on said plat; thence (8) N 74° 30' W. 290 ft.; thence (9) N 11° 00' E. 435 ft.; thence (10) N 87° 40' E. 416.6 ft. to the point of beginning" and being the same land described in a deed from Earle Polk. Administrator to Sallie Mills by deed dated August 26. 1903 and recorded among the Land Records of Somerset County in Liber No. 37, Folio No. 445.

Terms of Sale.

20 per cent at day of sale and balance upon ratification or all cash at day of sale at the option of the purchaser. Title papers, documentary stamps, cost of recording at the expense of the purchaser.

THOMAS S. SIMPKINS

35-4to

LIBER 114 PAGE 452

| | | |
|---|---|---|
| CLYDE W. BROWN | : | No. 9183 CHANCERY CASES |
| COMPLAINANT | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA, ET AL | : | STATE OF MARYLAND |
| RESPONDENTS | : | IN EQUITY |

: : : : : : :

## BUYER'S AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY THAT ON THIS 11th DAY OF JANUARY, 1973, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, JOHN L. ENT, BEING PERSONALLY KNOWN TO ME, WHO FIRST BEING DULY SWORN, DEPOSES AND SAYS:

1. THAT HE WAS THE PURCHASER AT THE SALE OF THE LAND DESCRIBED IN THIS CAUSE AT PUBLIC AUCTION ON JANUARY 16, 1973.

2. THAT HE WAS ACTING FOR HIMSELF AS PURCHASER AND NOT AS AGENT FOR ANYONE.

3. THAT HE DID NOT DIRECTLY OR INDIRECTLY DISCOURAGE ANYONE FROM BIDDING FOR SAID PROPERTY.

IN WITNESS WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR ABOVE WRITTEN.

Virginia B. Miles
NOTARY PUBLIC

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET CO. MD.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| CLYDE W. BROWN | : | No. 9183 CHANCERY CASES |
| COMPLAINANT | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA, ET AL | : | STATE OF MARYLAND |
| RESPONDENTS | : | IN EQUITY |

: : : : : :

ORDER NISI

ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY, THIS 17th DAY OF January 1973, THAT THE SALE OF THE PROPERTY MENTIONED IN THESE PROCEEDINGS, MADE AND REPORTED BY THOMAS S. SIMPKINS, TRUSTEE, BE RATIFIED AND CONFIRMED UNLESS CAUSE TO THE CONTRARY THEREOF BE SHOWN ON OR BEFORE THE 20th DAY OF February 1973; PROVIDED A COPY OF THIS ORDER BE INSERTED IN SOME NEWSPAPER PUBLISHED IN SAID SOMERSET COUNTY ONCE IN EACH OF THREE CONSECUTIVE WEEKS BEFORE THE 12th DAY OF February 1973, NEXT.

THE REPORT STATES THE AMOUNT OF SALE TO BE A TOTAL OF ONE THOUSAND DOLLARS ($1,000.00).

I. Theodore Phoebus

I. THEODORE PHOEBUS, CLERK

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 004 PAGE 263

| | | |
|---|---|---|
| CLYDE W. BROWN | : | NO. 9183 CHANCERY CASES |
| COMPLAINANT | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA, ET AL | : | STATE OF MARYLAND |
| RESPONDENTS | : | IN EQUITY |

: : : : : : :

PETITION FOR COMMISSION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE PETITION OF THOMAS S. SIMPKINS, TRUSTEE IN THE ABOVE RESPECTFULLY REPRESENTS:

1. THAT HE WAS EMPLOYED TO PETITION THIS SOMERSET COUNTY COURT TO SELL THE LAND DESCRIBED IN THESE PROCEEDINGS.

2. THAT PRIOR TO FILING THE PETITION, IT WAS NECESSARY FOR YOUR PETITIONER TO FULLY EXAMINE THE LAND RECORDS, AND MAKE AN EXHAUSTIVE SEARCH BY PERSONAL INTERVIEWS AND OTHERWISE TO ATTEMPT TO ASCERTAIN THE OWNERS OF THE SAID LAND AND THEIR PRESENT ADDRESSES.

3. THAT HE WAS REQUIRED TO NOTIFY THE VARIOUS NUMEROUS HEIRS BY REGISTERED MAIL OF THE PENDING OF THE LITIGATION AND TO COMPUTE THEIR RESPECTIVE INTEREST.

4. THAT HE DID TAKE TESTIMONY, PUBLISH THE ORDER OF PUBLICATION, POST HIS BOND AND SELL THE SAME AS DIRECTED.

5. THAT THE PROPERTY SOLD FOR ONLY ONE THOUSAND DOLLARS ($1,000.00) AT PUBLIC SALE.

6. THAT UNDER LOCAL RULE BR1A, HIS COMMISSION AS TRUSTEE WOULD BE ONE HUNDRED DOLLARS ($100.00).

7. THAT RULE BR2 AUTHORIZED THE COURT TO INCREASE THE ALLOWABLE COMMISSION IN SUCH A CAUSE.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

WHEREFORE, YOUR PETITIONER PRAYS THIS HONORABLE COURT TO PASS AN ORDER, INCREASING THE ALLOWABLE COMMISSION TO YOUR TRUSTEE IN SUCH AMOUNT AS THIS COURT MAY DEEM RIGHT AND PROPER UNDER THE CIRCUMSTANCES.

(SEAL)
THOMAS S. SIMPKINS, PETITIONER

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS DAY OF JANUARY 1973, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED THOMAS S. SIMPKINS, THE PETITIONER HEREIN, AND HE MADE OATH IN DUE FORM OF LAW THAT THE MATTERS AND FACTS AS SET FORTH IN THE AFOREGOING PETITION ARE TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE, INFORMATION AND BELIEF.

AS WITNESS MY HAND AND NOTARIAL SEAL.

Virginia B. Miles
NOTARY PUBLIC

ORDER OF COURT

UPON THE AFOREGOING PETITION AND AFFIDAVIT, IT IS HEREBY ORDERED THIS 17th DAY OF JANUARY 1973, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN THE ABOVE CAUSE THAT THOMAS S. SIMPKINS, TRUSTEE BE AND HE HEREBY IS ALLOWED THE SUM OF #200.00 AS COMPENSATION AS TRUSTEE IN THIS MATTER.

E. McMaster Dryer
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| CLYDE W. BROWN | : | NO. 9183 CHANCERY CASES |
| COMPLAINANT | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY |
| JEAN S. LEA, ET AL | : | STATE OF MARYLAND |
| RESPONDENTS | : | IN EQUITY |

: : : : : :

REPORT OF SALE
AND
PROPOSED DISBURSEMENT AND DISTRIBUTION

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE REPORT OF THOMAS S. SIMPKINS, TRUSTEE, IN THE ABOVE MATTER RESPECTFULLY REPRESENTS:

1. THAT HE DID CONDUCT THE PUBLIC SALE OF THE PROPERTY IN THIS CAUSE DESCRIBED ON JANUARY 16, 1973 AT 2 P.M. AT THE COURTHOUSE IN PRINCESS ANNE, MARYLAND.

2. THAT PRIOR TO SAID SALE HE DID CAUSE THE SALE TO BE DULY ADVERTIZED AS REQUIRED.

3. THAT THE PROPERTY WAS SOLD UNTO JOHN L. ENT WHO WAS THE HIGHEST BIDDER THEREFOR FOR ONE THOUSAND DOLLARS ($1,000.00), WHICH SAID PURCHASE PRICE HAS BEEN FULLY PAID.

4. THAT YOUR TRUSTEE CHARGES HIMSELF WITH RECEIPT OF THE PURCHASE PRICE OF $1,000.00 AND PROPOSES TO DISTRIBUTE AND DISBURSE THE SAME AS FOLLOWS:

| | |
|---|---|
| TO AMOUNT RECEIVED | $ 1,000.00 |
| DISBURSEMENTS: | |
| TO CARLOS BOZMAN, TREASURER, 1972 TAXES | 17.45 |
| TO MARYLANDER AND HERALD, ORDER OF PUBLICATION | 112.50 |

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | | |
|---|---|---|---|
| To Marylander and Herald, Advertize sale | $ | 47.50 | |
| To Edwin B. Muir, Auctioneer | | 50.00 | |
| To Court Cost | | 61.00 | |
| To Henderson Ins. Agency, Bond | | 20.00 | |
| To Thos. S. Simpkins, cert. mail | | 12.00 | |
| To Thos. S. Simpkins, Trustee Commission | | 200.00 | |
| To Marylander and Herald, Order Nisi | | 20.00 | |
| | $ | 540.45 | |
| BALANCE FOR DISTRIBUTION TO OWNERS | | | $ 459.55 |
| To Clyde W. Brown 1/54 | | 8.51 | |
| To Jean S. Lea 1/54 | | 8.51 | |
| To Sarah Britt 1/54 | | 8.51 | |
| To Catherine Junior 1/54 | | 8.51 | |
| To Dorothy Mills 1/54 | | 8.51 | |
| To Mammie Spence 1/54 | | 8.51 | |
| To Francis Tyler 1/54 | | 8.51 | |
| To Frankie Mills 1/54 | | 8.51 | |
| To Orlando Mills 1/54 | | 8.51 | |
| To be retained for heirs of Elizabeth Carroll 1/6 | | 76.60 | |
| To be retained for heirs of John Mills 1/6 | | 76.59 | |
| To be retained for heirs of Jennie Shaw 1/6 | | 76.59 | |
| To be retained for heirs of Mammie Ballard 1/6 | | 76.59 | |
| To be retained for heirs of Newton Mills 1/6 | | 76.59 | |
| | $ | 459.55 | |
| BALANCE . . . . . | | | 00.00 |

Respectfully submitted,

(SEAL)
Thomas S. Simpkins, Trustee

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify, that on this day of January 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Thomas S. Simpkins, the Trustee named in the above Report of Sale, and he made oath in due form of law that the matters and facts stated in said Report of Sale are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Thomas S. Simpkins
Attorney at Law
51 N. Main Street
Princess Anne, Md.
Telephone 651-1400

IN WITNESS WHEREOF, I HEREUNTO SUBSCRIBE MY NAME AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR LAST ABOVE WRITTEN.

Virginia B. Miles
NOTARY PUBLIC

VIRGINIA B. MILES • NOTARY PUBLIC • SOMERSET COUNTY

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

*The Eastern Shore Publishing Company*

**MARYLANDER AND HERALD**

*Established In 1826*

*39 Main Street*
*Post Office Box 158*
*Princess Anne, Maryland 21853*
*Phone: 301-651-2000*

February 1973

Thomas Simpkins
Princess Anne, Md. 21853

Jan 25 Feb 1 8 to Order Nisi Clyde W. Brown vs. Jean S. Lea, et al $ 20.00

certificate enc.

THOMAS S. SIMPKINS
ATTORNEY
PRINCESS ANNE, MD.

# ORDER NISI

Clyde W. Brown
Complainant
vs.
Jean S. Lea, et al
Respondents

NO 9183 CHANCERY CASES
In the Circuit Court for Somerset County State of Maryland

IN EQUITY

ORDERED, by the Circuit Court for Somerset County, Maryland, in Equity, this 17th day of January 1973, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 20th day of February 1973; provided a copy of this ORDER be inserted in some newspaper published in said Somerset County once in each of three consecutive weeks before the 12th day of February 1973, next.

The report states the amount of sale to be a total of One Thousand Dollars ($1,000.00).

I. THEODORE PHOEBUS

TRUE COPY, TEST:
I THEODORE PHOEBUS,
CLERK

40-3te

LIBER 044 PAGE 439

PRINCESS ANNE, MD., January 19 73

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Jan 25 Feb 1 8

Business Manager MARYLANDER and HERALD

Clyde
vs.
Jean S.

LIBER 044 PAGE 480

| | | |
|---|---|---|
| CLYDE W. BROWN | : | NO. 9183 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| JEAN S. LEA, ET AL | : | SOMERSET COUNTY, MARYLAND |

## FINAL ORDER OF RATIFICATION

ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, ON THIS 21st DAY OF FEBRUARY, 1973, THAT THE SALE OF THE PROPERTY MADE AND REPORTED BY THOMAS S. SIMPKINS, TRUSTEE, BE AND THE SAME IS RATIFIED AND CONFIRMED, NO CAUSE TO THE CONTRARY THEREOF HAVING BEEN SHOWN, ALTHOUGH DUE NOTICE APPEARS TO HAVE BEEN GIVEN AS REQUIRED BY THE ORDER NISI PASSED IN THIS PROCEEDING; AND THE SAID TRUSTEE IS ALLOWED THE SUM OF TWO HUNDRED DOLLARS ($200.00) WHICH IS HIS COMMISSION AS DECREED; AS WELL AS THE PROPER EXPENSES THEREFOR.

E. McMaster Dize
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER PAGE

| | | |
|---|---|---|
| CHRISTEEN MILLER<br>P. O. Box 5<br>Eden, Maryland 21822<br>Complainant | : | No. 9170 Chancery. |
| -VS- | : | In the Circuit Court for |
| JOHN MILLER, JR.<br>Eden<br>Maryland 21822<br>Defendant | : | Somerset County, Maryland. |

**********

MR. CLERK:

Please enter the appearance of the undersigned as solicitors for the Complainant in the above entitled cause, our address being 130 East Main Street, Salisbury, Maryland, 21801, Telephone 749-3791.

ROBINS, ROBINS & JOHNSON

By: Stanley G. Robins
Stanley G. Robins
- Solicitors for Complainant -

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

| | | |
|---|---|---|
| CHRISTEEN MILLER<br>P. O. Box 5<br>Eden, Maryland 21822<br>Complainant | : | No. 9170 Chancery. |
| -VS- | : | In the Circuit Court for |
| JOHN MILLER, JR.<br>Eden<br>Maryland 21822<br>Defendant | : | Somerset County, Maryland. |

**********

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of Christeen Miller against the Defendant, John Miller, Jr., respectfully shows:

FIRST: That by deed from John Miller, Jr., et al, dated June 28, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 245, Folio 397, the Complainant and the Defendant, as tenants by the entireties, acquired title to all that lot or parcel of land situate, lying and being in West Princess Anne Election District, of Somerset County, Maryland, binding on the West side of a sixteen foot road leading West from the Eden Road to the Allen Road, and more particularly described as follows: Beginning for the same at the Northeast corner of the land of Alex Barclay; thence in a Southwesterly direction, by and with said Alex Barclay land, 155 feet to the land of Cora Murphy; thence in a Northwesterly direction, by and with said Cora Murphy land, 161 feet to a white iron stob; thence in an Easterly direction in a line parallel to the Alex Barclay land to the said Road; thence in a Southeasterly direction, by and with said Road, 250 feet to the place of beginning, said land being improved by a dwelling house.

SECOND: That said real estate is encumbered by a small balance on a mortgage from the parties hereto to the Bank of Fruitland, a Maryland corporation, originally in the amount of THIRTY-ONE HUNDRED DOLLARS ($3100.00), dated June 2, 1966, and recorded among the

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& JOHNSON
120 EAST MAIN STREET
SALISBURY, MD. 21801

Land Records of Somerset County, Maryland, in Liber I.T.P. No. 231, Folio 510.

THIRD: That by decree of the Circuit Court for Wicomico County, Maryland, passed in No. 15,265 Chancery, the Complainant was divorced A Vinculo Matrimonii from the Defendant.

FOURTH: That by virtue of said divorce, the Complainant and the Defendant became seized and possessed of said real estate as tenants in common.

FIFTH: That said real estate is not susceptible of partition between the Complainant and the Defendant without material loss and injury to each of them and that it is necessary that said real estate be sold and after the payment of the balance owing the Bank of Fruitland that the proceeds of such sale be divided between the Complainant and the Defendant.

SIXTH: That both the Complainant and the Defendant are adults residing in Somerset County, State of Maryland.

TO THE END, THEREFORE:

(a) That a decree may be passed appointing a Trustee to make public sale of said real estate.

(b) That the balance owing the Bank of Fruitland be paid out of the proceeds of such sale.

(c) That the balance then remaining, after payment of all costs related to such sale, be divided equally between the Complainant and the Defendant.

(d) That the Complainant may have such other and further relief as her case may require.

May it please Your Honors to grant unto your Complainant the Writ of Subpoena directed to the Sheriff of Somerset County, Maryland, for John Miller, Jr., Eden, Somerset County, Maryland, commanding him to be and appear in this Court, in person or by solicitor, at some certain day to be named therein, to show cause,

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ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

if any he has, why a decree should not be passed as prayed.

Respectfully submitted,

Christeen Miller

Christeen Miller
- Complainant -

ROBINS, ROBINS & JOHNSON

By: Stanley G. Robins

Stanley G. Robins
- Solicitors for Complainant -
- 130 East Main Street,
Salisbury, Maryland -
- Telephone 749-3791 -

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

No. 9170 Chancery Case

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO *John Miller, Jr.*
*Eden*
*Maryland 21822*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of ...*April*.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Christeen Miller*
*P.O. Box 5*
*Eden, Maryland 21822*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...*28th*...day of.....*March*....., 19....*72*..

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....*18th*....day of.....*April*....., 19..*72*.. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Stanley G. Robins*
Name *Robins, Robins & Johnson*
*130 East Main Street*
*Salisbury, Maryland*
Address

LIBER 044 PAGE 485

*I. Theodore Phoebus*
Clerk

SHERIFF'S RETURN

Summoned and a copy of *Subpoena, Filing Instructions, and Bill of Complaint*

left with *John Miller, Jr.*
this *28* day of *March*, 19*72*.

*Thomas H. Tolwelf*
Sheriff.

LIBER 044 PAGE 456

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 Chancery. |
| | : | |
| -VS- | | In the Circuit Court for |
| | : | |
| JOHN MILLER, JR. | : | Somerset County, Maryland. |

**********

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 19th. day of April, A.D., 1972, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Christeen Miller, Complainant in the above entitled cause, and made oath in due form of law that John Miller, Jr., the Defendant in the above entitled cause, is not in military service of the United States of America as hereinafter set forth and that he has not been in such military service within thirty days prior to the making of this affidavit, such military service referred to being as follows:

(1) The military service of the United States of America or of the enlisted reserve corps thereof.

(2) Ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

(3) The military service of any nation with which the United States of America may be allied in the prosecution of war.

AS WITNESS my hand and Notarial Seal.

Evelyn E. Dennis
Notary Public

EVELYN E. DENNIS
NOTARY PUBLIC
WICOMICO COUNTY, MD.

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

FILED

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 Chancery. |
| | : | |
| -VS- | | In the Circuit Court for |
| | : | |
| JOHN MILLER, JR. | : | Somerset County, Maryland. |

***************

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Christeen Miller, Complainant in the above entitled cause, respectfully represents:

That John Miller, Jr., adult Defendant, has been duly summoned to appear to the Bill of Complaint in the above entitled cause exhibited, but he has failed to appear and answer within the time prescribed by the rules of this Court.

Your Petitioner, therefore, prays Your Honors that the Bill of Complaint may be taken pro confesso against the said John Miller, Jr.

Respectfully submitted,
ROBINS, ROBINS & JOHNSON

By: Stanley G. Robins
Stanley G. Robins
- Solicitors for Complainant -

ORDER OF COURT:

It appearing that the matters and things set forth in the foregoing Petition are true and correct as therein set forth, it is, thereupon, this 20 day of April, A.D., 1972, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED, ADJUDGED and DECREED that the Bill of Complaint in said cause be taken pro confesso against the said John Miller, Jr., adult non-appearing and non-answering Defendant.

E McMaster Duer
JUDGE

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

LIBER 044 PAGE 437

LIBER 044 PAGE 108

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 Chancery. |
| | : | |
| -VS- | : | In the Circuit Court for |
| | : | |
| JOHN MILLER, JR. | : | Somerset County, Maryland. |

**********

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Christeen Miller, Complainant in the above entitled case, respectfully shows:

That she has been advised that it is necessary to have a Special Examiner in Chancery appointed to take testimony in the above entitled cause and your Petitioner suggests the appointment of Virginia B. Miles as such Special Examiner.

Your Petitioner, therefore, prays Your Honors for the passage of an Order appointing such Special Examiner.

Respectfully submitted,

ROBINS, ROBINS & JOHNSON

By: Stanley G. Robins
Stanley G. Robins
- Solicitors for Complainant -

ORDER OF COURT:

Upon the foregoing Petition, it is, this 1st day of May, A.D., 1972, ORDERED by the Circuit Court for Somerset County, Maryland, that Virginia B. Miles be and she is hereby appointed Special Examiner in Chancery to take testimony in support of the Bill of Complaint in the above entitled cause.

E. McMaster Duer
JUDGE

FILED

MAY 1 1972

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| JOHN MILLER, JR. | : | SOMERSET COUNTY, MARYLAND |

I, VIRGINIA B. MILES, SPECIAL EXAMINER IN CHANCERY, DULY APPOINTED BY THIS COURT, DO HEREBY CERTIFY THAT AT THE LAW OFFICE OF THOMAS S. SIMPKINS, IN PRINCESS ANNE, MARYLAND, AT THE HOUR OF NINE THIRTY A.M., ON FRIDAY, MAY 12, 1972, I DID EXAMINE THE WITNESSES IN THIS CAUSE AND DID READ TO THEM THE ATTACHED DEPOSITIONS.

THERE BEING NO FURTHER WITNESSES NAMED OR PRODUCED TO ME, I THEN AND THERE, AT THE REQUEST OF THE SOLICITOR FOR THE COMPLAINANT, CLOSED THE DEPOSITIONS; I DO FURTHER CERTIFY THAT I DID NOT DEEM IT NECESSARY TO CROSS-EXAMINE THE WITNESSES PRESENTED IN ORDER TO GIVE THE TRUE FACTS OF THE CASE AND THERE WERE NO IRREGULARITIES OR UNUSUAL CIRCUMSTANCES IN THE TAKING OF THE TESTIMONY OR IN THE MANNER IN WHICH THE PROCEEDINGS WERE CONDUCTED.

I HEREWITH AT THE REQUEST OF THE COMPLAINANT'S SOLICITOR RETURN THIS DEPOSITION TO COURT, CLOSED UNDER MY HAND AND SEAL AND I CERTIFY THAT THE WITNESSES WAIVED THE SIGNING OF THEIR TESTIMONY.

Virginia B. Miles (SEAL)
VIRGINIA B. MILES, SPECIAL EXAMINER

COST OF COMMISSION, $10.00
PAID

LIBER 044 PAGE 470

| | | |
|---|---|---|
| CHRISTEEN MILLER<br>P. O. Box 5<br>Eden, Maryland 21822<br>Complainant | : | No. 9170 Chancery |
| | : | |
| Vs. | : | In the Circuit Court for |
| | : | Somerset County, Maryland. |
| JOHN MILLER, JR.<br>Eden<br>Maryland 21822<br>Defendant | : | |

**********

Testimony taken 5/9/72 at 9:15 a. m. in the office of Robins, Robins & Johnson, 130 East Main Street, Salisbury, Maryland.

Decree Pro Confesso.

Elizabeth M. Sallac - Stenographer.

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

Then personally appeared Christeen Miller, Complainant in the above entitled cause, produced before me on her own behalf, who, being first duly sworn by me according to law, answereth, sweareth and deposeth in the manner following, that is to say:

Examination by Stanley G. Robins, one of solicitors for Complainant.

Q. 1. Please state your name, age, residence and occupation.

A. Christeen Miller; P. O. Box 5, Eden, Somerset County, Maryland; 44 years of age; Nurse's Aid at Pine Bluff Hospital near Salisbury, Maryland.

Q. 2. You are the Complainant in this case I believe, and John Miller, Jr., the Defendant, is your former husband. Is that correct?

A. Yes.

Q. 3. How old is he and where does he reside?

A. His age is 49. He resides in Eden, Somerset County, Maryland; and works for A. W. Perdue & Son in Salisbury, Maryland.

Q. 4. I believe that by deed from John Miller, Jr. and others, dated January 28, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 245, Folio 397, you and your former husband acquired title to a parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, on the West side of a 16-foot private road leading Westerly from the Eden Road to the Allen Road, which is presently improved by a dwelling house. Is that correct?

A. That is correct.

Q. 5. And this is the same property, is it not, that is described in the Bill of Complaint filed in this case?

A. Yes.

Q. 6. This property, I believe, is encumbered by mortgage from you and your former husband to the Bank of Fruitland, a Maryland corporation, which is described in the Bill of Complaint, and on which there is presently a small balance owing. Do you know approximately how much this balance is?

A. It is about $150.00 at this time and I have been keeping up the payments personally. The exact amount owing on this will be furnished by the Bank of Fruitland at the time the proceeds of any sale is ready for distribution.

Q. 7. You and your former husband, the Defendant in this case, were divorced A Vinculo Matrimonii, which means an absolute divorce, by Decree of the Circuit Court for Wicomico County, Maryland, passed in No. 15,265 Chancery. Is that correct?

A. Yes.

Q. 8. In your opinion, is this real estate susceptible of division between you and your husband without material loss or injury?

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& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

A. No. It can't be divided, and the only way we can make a division is to have the Court appoint a Trustee or Trustees to make a sale so that the money realized therefrom can be divided between us.

Q. 9. What, in your opinion, is the present fair market value for this property?

A. I would say that it is worth about $6,000.00.

Virginia B. Miles
Examiner

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SALISBURY, MD. 21801

Then personally appeared Virginia Burkes, a witness of lawful age, produced before me on behalf of the Complainant, who, being first duly sworn by me according to law, answereth, sweareth and deposeth in the manner following, that is to say:

Examination by Stanley G. Robins, one of the solicitors for Complainant.

Q. 1. Please state your name, age, residence and occupation.

A. Virginia Burkes; age 47; P. O. Box 8, Eden, Somerset County, Maryland; employed at Sunshine Laundry; Salisbury, Maryland.

Q. 2. Do you know Christeen Miller, the Complainant in this case, and John Miller, Jr., her former husband; and if so, are they adults or infants?

A. I know them. They are adults.

Q. 3. Are you acquainted with the property they own near Eden, Somerset County, Maryland, that is involved in this suit?

A. Yes.

Q. 4. In your opinion, is this property susceptible of division between them without a sale being made?

A. No. It would be impossible to divide the house and lot between them; and in my opinion, the only way they could make any kind of division would be through a sale.

Q. 5. Can you express an opinion as to the approximate value of this property?

A. It is a very nice place, and as near as I can estimate, it should be worth about $6,000.00.

Virginia B. Miles
Examiner

LIBER 042 PAGE 143

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& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 Chancery. |
| | : | |
| -VS- | | In the Circuit Court for |
| | : | |
| JOHN MILLER, JR. | : | Somerset County, Maryland. |

**********

DECREE OF COURT

This cause standing ready for hearing and the Court being satisfied with the proof of title and ownership as alleged in the Bill of Complaint, it is, thereupon, this 22 day of ~~May~~ June, A.D., 1972, ORDERED, ADJUDGED and DECREED that the property in the proceedings mentioned be sold and that Stanley G. Robins and Thomas F. Johnson, Jr. be and they are hereby appointed Trustees to make said sale, and that the course and manner of their proceedings shall be as follows:

They shall first file with the Clerk of this Court a bond of the State of Maryland, executed by themselves and by a corporate surety to be approved by the Clerk of this Court, in the penalty of SIX THOUSAND DOLLARS ($6,000.00) conditioned for the faithful performance of the trust reposed in them by this decree, or to be reposed in them by any future decree or order in the premises. They shall then proceed to make said sale after having given notice by advertisement of the time, place, manner and terms of sale at least once in each of three (3) successive weeks, the first such publication to be not less than twenty (20) days prior to sale and the last such publication to be not more than one (1) week prior to said sale, in a daily or weekly newspaper published in Somerset County, Maryland, and such other notice being given as in the sound discretion of the Trustees may be deemed advisable. The terms of said sale shall be Five Hundred Dollars ($500.00) cash on the day of sale and the balance upon final ratification of said sale and to bear interest at the rate of six per centum (6%) per annum, or all cash, at the option of the purchaser

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or purchasers, the credit portion to be secured to the satisfaction of said Trustees, and as soon as may be convenient after said sale, said Trustees shall return to this Court a full and particular account of their proceedings relative to such sale, with an affidavit of the truth thereof and of the fairness of said sale; and on obtaining the Court's ratification of said sale and on payment of the whole purchase price, said Trustees shall, by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her, their or its heirs, successors or assigns, the property and estate to him, her, them or it sold, free, clear and discharged of all claims of said parties to this proceeding and of those claiming by, from or under them or any of them, and the said Trustees shall bring unto this Court the money arising from said sale to be distributed under the direction of the Court after deducting the costs of this suit and such commissions to said Trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

E. McMaster Duer
JUDGE

FOR BOND SEE BOND BOOK NO. 9, FOLIO 531.



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& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

LIBER 044 PAGE 476

Robins, Robins & Johnson
Attorneys at Law
130 Ear ain Street
Salisbu., Maryland
Telephone No. 749-3791

# TRUSTEES' SALE
## OF
## DWELLING HOUSE AND LOT

WEST PRINCESS ANNE
ELECTION DISTRICT
SOMERSET COUNTY, MD.
NEAR ALLEN

Under and by virtue of a decree of the Circuit Court for Somerset County, State of Maryland, passed in the case of Christeen Miller vs. John Miller Jr., in No. 9170 Chancery, the undersigned Trustees will offer for sale at public auction at the front door of the Courthouse in Princess Anne, Maryland, on

**TUESDAY**
**AUG. 29TH, 1972**
AT OR ABOUT THE HOUR
OF 2:00 O'CLOCK P.M.

all that lot or parcel of land improved by a dwelling house of bungalow type, situate in West Princess Anne Eelection District, Somerset County, Md., binding on the West side of a 16-foot road leading West from the Eden Road to the Allen Road, and more particularly described as follows: Beginning for the same at the Northeast corner of the land of Alex Barclay; thence in a Southwesterly direction by and with said Alex Barclay land, 155 feet to the land of Cora Murphy; thence in a Northwesterly direction by and with said Cora Murphy land, 161 feet to a white iron stob; thence in an Easterly direction in a line parallel to the Alex Barclay land to the said road; thence in a Southeasterly direction by and with said road, 250 feet to the place of beginning; being the same land that was conveyed unto John Miller, Jr. and Christeen Miller, his wife, by John Miller, Jr., et al, by deed dated June 28, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber L.T.F. No. 245, Folio 397.

Improvements: The hereinbefore described real estate is improved by a bungalow type frame, shingle side, dwelling, containing a dining room, living room, three bedrooms and bath, and havig a porch enclosed with storm windows. This property may be inspected by any interested parties by contacting Christeen Miller at the above described location.

Terms of Sale: A down payment of at least $500.00 in cash will be required at the time and place of sale, and the balance bearing interest at the rate of 6% per annum from day of sale shall be due and payable upon final ratification of said sale, or all cash, at the option of the purchaser or purchasers, the credit portion to be secured to the satisfaction of the Trustees. The expense of title papers, title examination, if any desired, State Recording Stamps, State Transfer Tax, and cost of recording the Deed, to be at the expense of the purchaser or purchasers.

Possession: Possession will be delivered upon final ratification of the sale and the payment of the purchase price in full.

Stanley G. Robins
Thomas F. Johnson, Jr.
Trustees

16-3t

PRINCESS ANNE, MD., August 1972

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Aug 10 17 '72

Business Manager MARYLANDER and HERALD

Dwelling House & Lot
Christeen Miller vs.
John Miller

CHRISTEEN MILLER : No. 9170 Chancery.

-VS- : In the Circuit Court for

JOHN MILLER, JR. : Somerset County, Maryland.

**********

STATE OF MARYLAND, SOMERSET COUNTY, to-wit:

I HEREBY CERTIFY, That on this 29th day of August, A.D., 1972, before me, the undersigned officer, personally appeared Thomas L. Simplis, Purchaser herein, who made oath in due form of law that in making the purchase of the real estate referred to in these proceedings that he was not acting as agent for anyone and that no one other than himself was interested in the purchase thereof as principal and that he has not, directly or indirectly, discouraged anyone from bidding for said property, either at or prior to such sale.

SUBSCRIBED AND SWORN TO before me by said Affiant.

Thos L. Simplis
Affiant

Pr Anne Md
Address

AS WITNESS my hand and Notarial Seal.

Virginia B. Miles
Notary Public - Somerset County - Maryland

VIRGINIA B. MILES NOTARY PUBLIC SOMERSET COUNTY, MARYLAND

FILED

LIBER 044 PAGE 247

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

ROBINS, ROBINS & JOHNSON
Attorneys at Law
130 East Main Street
Salisbury, Maryland
Telephone No. 749-3791

# TRUSTEES' SALE

OF

# DWELLING HOUSE AND LOT

WEST PRINCESS ANNE ELECTION DISTRICT,
SOMERSET COUNTY, MARYLAND, NEAR ALLEN

Under and by virtue of a decree of the Circuit Court for Somerset County, State of Maryland, passed in the case of Christeen Miller vs. John Miller, Jr., in No. 9170 Chancery, the undersigned Trustees will offer for sale at public auction at the front door of the Courthouse in Princess Anne, Maryland, on

## TUESDAY, AUGUST 29TH, 1972

at or about the hour of 2:00 o'clock, P.M.,

all that lot or parcel of land improved by a dwelling house of bungalow type, situate in West Princess Anne Election District, Somerset County, Maryland, binding on the West side of a 16-foot road leading West from the Eden Road to the Allen Road, and more particularly described as follows: Beginning for the same at the Northeast corner of the land of Alex Barclay; thence in a Southwesterly direction by and with said Alex Barclay land, 155 feet to the land of Cora Murphy; thence in a Northwesterly direction by and with said Cora Murphy land, 161 feet to a white iron stob; thence in an Easterly direction in a line parallel to the Alex Barclay land to the said road; thence in a Southeasterly direction by and with said road, 250 feet to the place of beginning; being the same land that was conveyed unto John Miller, Jr. and Christeen Miller, his wife, by John Miller, Jr., et al, by deed dated June 28, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 245, Folio 397.

IMPROVEMENTS: The hereinbefore described real estate is improved by a bungalow type frame, shingle side, dwelling, containing a dining room, living room, three bedrooms and bath, and having a porch enclosed with storm windows. This property may be inspected by any interested parties by contacting Christeen Miller at the above described location.

TERMS OF SALE: A down payment of at least $500.00 in cash will be required at the time and place of sale, and the balance bearing interest at the rate of 6% per annum from day of sale shall be due and payable upon final ratification of said sale, or all cash, at the option of the purchaser or purchasers, the credit portion to be secured to the satisfaction of the Trustees. The expense of title papers, title examination, if any desired, State Recording Stamps, State Transfer Tax, and cost of recording the Deed, to be at the expense of the purchaser or purchasers.

POSSESSION: Possession will be delivered upon final ratification of the sale and the payment of the purchase price in full.

Stanley G. Robins,
Thomas F. Johnson, Jr.,
Trustees.

8-14, 8-21, 8-28.

LIBER 044 PAGE 478

# Certificate of Publication

Salisbury, Md. August 28 1972

WE HEREBY certify that the annexed Trustees' Sale was published in THE DAILY TIMES on 8/14,21,28/72

THOMSON NEWSPAPERS, INC.
Publishers of The Daily Times

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 Chancery. |
| | : | |
| -VS- | | In the Circuit Court for |
| | : | |
| JOHN MILLER, JR. | : | Somerset County, Maryland. |

****************

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Stanley G. Robins and Thomas F. Johnson, Jr., Trustees appointed by a decree of this Court passed in the above entitled cause to make sale of certain real estate therein described, respectfully shows:

That after giving bond with security for the faithful performance of their trust, and after having complied with all the prerequisites as required by law and the said decree, and after giving notice of the time, place, manner and terms of sale by advertisement inserted in The Daily Times, a daily newspaper published in Wicomico County, Maryland, for at least three consecutive weeks prior to day of sale, and by advertisement inserted in the Marylander and Herald, a weekly newspaper published in Somerset County, Maryland, for at least three consecutive weeks prior to day of sale, as will appear by reference to the hereto annexed Certificates of Publication of said notices of sale, they did, pursuant to said notices, attend at the front door of the Courthouse in Princess Anne, Maryland, on the 29th. day of August, A.D., 1972, at the hour of 2:00 o'clock, P.M., and then and there proceeded to sell said property in the manner following, that is to say:

All that lot or parcel of land, improved by a dwelling house of bungalow type, situate in West Princess Anne Election District, of Somerset County, Maryland, binding on the West side of a 16 foot road leading West from the Eden Road to the Allen Road, and more particularly described as follows: Beginning for the same at the Northeast

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130 EAST MAIN STREET
SALISBURY, MD. 21801

ORIGINAL
TO TO RECORD COURT
RETURNED

corner of the land of Alex Barclay; thence in a Southwesterly direction, by and with said Alex Barclay land, 155 feet to the land of Cora Murphy; thence in a Northwesterly direction, by and with said Cora Murphy land, 161 feet to a white iron stob; thence in an Easterly direction, in a line parallel to the Alex Barclay land, to the said road; thence in a Southeasterly direction, by and with said road, 250 feet to the place of beginning; being the same land that was conveyed unto John Miller, Jr. and Christeen Miller, his wife, by John Miller, Jr., et al, by deed dated June 28, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 245, Folio 397; and your Trustees sold the same to Thomas S. Simpkins, of Somerset County, Maryland, at and for the sum of FIVE THOUSAND AND TEN DOLLARS ($5,010.00), and the purchaser has complied with the terms of sale by paying FIVE HUNDRED DOLLARS ($500.00) in cash and will pay the balance thereof, bearing interest at the rate of 6% per annum from day of sale, upon final ratification of the sale.

Respectfully submitted,

Stanley G. Robins

Stanley G. Robins

Thomas F. Johnson, Jr.

Thomas F. Johnson, Jr.
- Trustees -

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 19th. day of September, A.D., 1972, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Stanley G. Robins and Thomas F. Johnson, Jr., Trustees named in the above Report of Sale, and made oath in due form of law that the matters and things stated in the foregoing Report of Sale are true to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Evelyn E. Dennis

Notary Public

EVELYN E. DENNIS NOTARY PUBLIC WICOMICO COUNTY, MD.

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ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, State of Maryland, in Equity, this 22nd day of September, A.D., 1972, that the sale of the property mentioned in these proceedings, made and reported by Stanley G. Robins and Thomas F. Johnson, Jr., Trustees to make sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this Order be inserted in some weekly newspaper printed and published in Somerset County, Maryland, once in each of three successive weeks before the 16th day of October, 1972.

The Report states the amount of the sale to be FIVE THOUSAND AND TEN DOLLARS ($5,010.00).

L. Theodore Phoebus
Clerk

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

LIBER 224 PAGE 252

LIBER 124 PAGE 202

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, Maryland, in Equity, this 3 day of November, A.D., 1972, that the sale of the property mentioned in these proceedings made and reported by the Trustees aforesaid be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause, and the Trustees are allowed the usual commission and proper expense as they shall produce vouchers for to the Court Auditor to whom these proceedings are hereby referred for the stating of an audit.

E McMaster Duer
JUDGE

PRINCESS ANNE, MD., October 19 72

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Sept 28 Oct 7 14

Clarence L Byrd
Business Manager MARYLANDER and HERALD

Chris
vs
John

Robins, Robins & Johns
Salisbury, Maryland

**ORDER NISI**

Christeen Miller
vs
John Miller, Jr.

No. 9170 Chancery Case In the Circuit Court for Somerset County, Maryland

ORDERED, by the Circuit Court for Somerset County, State of Maryland, in Equity, this 22nd day of September, A.D., 1972, that the sale of the property mentioned in these proceedings, made and reported by Stanley G. Robins and Thomas F. Johnson, Jr., Trustees to make sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this Order be inserted in some weekly newspaper printed and published in Somerset County, Maryland, once in each of three successive weeks before the 16th day of October, 1972.

The Report states the amount of the sale to be Five Thousand and Ten Dollars ($5,010.00).

I, THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
23-3te

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 Chancery. |
| -VS- | : | In the Circuit Court for |
| JOHN MILLER, JR. | : | Somerset County, Maryland. |

**********

RECEIPT AND RELEASE

I, Christeen Miller, Complainant in the above entitled cause, hereby acknowledge the receipt from Stanley G. Robins and Thomas F. Johnson, Jr., Trustees in said cause, of my full distributive share of the proceeds of the sale of said real estate described therein; and in consideration thereof, I do hereby release, acquit, exonerate and discharge the said Stanley G. Robins and Thomas F. Johnson, Jr., Trustees, from all further liability to me, my heirs, personal representatives and assigns, for or on account of the payment of same.

AS WITNESS my hand and seal this 17th day of November, A.D., 1972.

TEST:

Evelyn E. Dennis

Christeen Miller (SEAL)
Christeen Miller

LIBER 624 PAGE 203

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

LIBER 344 PAGE 434

| | | |
|---|---|---|
| CHRISTEEN MILLER | : | No. 9170 Chancery |
| Vs. | : | In the Circuit Court for |
| JOHN MILLER, JR. | : | Somerset County, Maryland. |

********************

RECEIPT AND RELEASE

I, John Miller, Jr., Defendant in the above entitled cause, hereby acknowledge the receipt from Stanley G. Robins and Thomas F. Johnson, Jr., Trustees in said cause, of my full distributive share of the proceeds of the sale of said real estate described therein; and in consideration thereof, I do hereby release, acquit, exonerate and discharge the said Stanley G. Robins and Thomas F. Johnson, Jr., Trustees, from all further liability to me, my heirs, personal representatives, and assigns, for or on account of the payment of same.

AS WITNESS my hand and seal this 10th day of November, 1972.

TEST:

_____ _____ (SEAL)

MAR. 5 1975

LAW OFFICES
ROBINS, ROBINS
& JOHNSON
130 EAST MAIN STREET
SALISBURY, MD. 21801

Bank of Somerset
Crisfield, Maryland,

Plaintiff

vs

James Edward Sterling and
Ada Marie Sterling
Route 1, Box 134
Stedman, North Carolina,

Defendants

In Equity No. 9240

In the Circuit Court for

Somerset County, Maryland

ORDER TO DOCKET SUIT

The Clerk of the Circuit Court for Somerset County will please docket the above entitled case, file therein the original mortgage made by James Edward Sterling and Ada Marie Sterling, his wife, to the Bank of Somerset, dated May 22, 1970, in the sum of $9,600.00, recorded on June 10, 1970, in Liber 254 page 388.

Lionel Bennett

Lionel Bennett, Attorney named in
the above mortgage
940 Main Street
Crisfield, Maryland 21817
Phone: 968-1166

FOR ORIGINAL MORTGAGE SEE LIBER I. T. P. NO. 254, FOLIO 388

FOR BOND SEE BOND BOOK NO. 5, FOLIO 534

Bank of Somerset,

Plaintiff

vs

James Edward Sterling and
Ada Marie Sterling,

Defendants

In Equity No. 9240

In the Circuit Court for

Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 16th day of August, 1972, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President of the Bank of Somerset, Crisfield, Maryland, who made oath in due form of law that the amount due on the mortgage dated May 22, 1970, made by James Edward Sterling and Ada Marie Sterling, his wife, to the Bank of Somerset, is $3,610.01, with interest from March 22, 1972, at the rate of 8%.per annum.

As witness my hand and Notarial Seal.

Charles B. Pinto
Charles B. Pinto
Vice President
Bank of Somerset

Lula Mae Dize
Notary Public

Bank of Somerset,

Plaintiff

vs

James Edward Sterling and
Ada Marie Sterling,

Defendants

In Equity No. 9240

In the Circuit Court for

Somerset County, Maryland

CERTIFICATE OF MAILING

I certify that on September 1, 1972, I mailed a copy of the notice of Mortgagee's sale of valuable real estate to James Edward Sterling and Ada Marie Sterling, defendants, at Route 1, Box 134, Stedman, North Carolina 28391, by Registered Mail.

Lionel Bennett

Lionel Bennett, Attorney named
in mortgage

LIBER 0 [illegible] PAGE 138

9240

MORTGAGEE'S

SALE OF

VALUABLE

REAL ESTATE

By virtue of the power and authority contained in a mortgage from James Edward Sterling and Ada Marie Sterling, his wife, to the Bank of Somerset, a body corporate organized and existing under the laws of the State of Maryland, dated May 22, 1970, recorded among the land records of Somerset County in Liber 254 page [illegible] Circuit [illegible] [illegible] the [illegible] [illegible] will sell at public auction in front of the Post Office at Crisfield, Maryland, on Saturday, September 16, 1972, at 2:10 P.M.,

ALL that lot of land in the City of Crisfield, Somerset County, Maryland, on the north side of Main Street, fronting 40' thereon; bounded on the east by lands now or formerly of J. Millard Tawes; and on the west by the lands now or formerly of Myrtle E. Thawley; being the same premises conveyed to James Edward Sterling and Ada Marie Sterling by deed dated September 5, 1969, recorded in Liber 250 page 213.

This property is improved by a [illegible]

Terms of Sale: Cash, as prescribed by said mortgage. Title papers at the expense of the purchaser.

Lionel Bennett
Attorney named in the above Mortgage
9-25-4

CRISFIELD, MD. Sept. 15 19 72

THIS is to certify that the annexed MORTGAGEE'S SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said MORTGAGEE'S SALE for 4 weeks beginning with the issue of August 25 19 72 and ending September 15 19 72.

The Crisfield Times Inc
Publisher, THE CRISFIELD TIMES
by Jackie M Bozman

Bank of Somerset,

Plaintiff

vs

James Edward Sterling and
Ada Marie Sterling,

Defendants

In Equity No. 9240

In the Circuit Court for

Somerset County, Maryland

REPORT OF SALE

The report of Lionel Bennett, attorney named in a certain mortgage made and executed by James Edward Sterling and Ada Marie Sterling, his wife, to the Bank of Somerset, dated May 22, 1970, and recorded among the land records of Somerset County in Liber 254 page 388, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant or condition in said mortgage, whereas said mortgage debt has become due and demandable, respectfully represents that after giving bond with security, approved by the Clerk of the Circuit Court, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage and as required by law, and giving more than thirty days notice of the time, manner, terms, and place of sale by advertisement in The Crisfield Times, a weekly newspaper published in said Somerset County, once in a week for four successive weeks before the day of the sale, he did, pursuant to said notice, attend the Post Office in Crisfield, Maryland, on September 16, 1972, at 2:10 p.m., and then and there proceeded to sell the property described in said mortgage, to wit:

ALL that lot of land in the City of Crisfield, Somerset County, Maryland, on the north side of Main Street, fronting 40' thereon; bounded on the east by the lands now or formerly of J. Millard Tawes; and on the west by the lands now or formerly of Myrtle E. Thawley;

being the same premises conveyed to James Edward Sterling and Ada Marie Sterling by deed dated September 5, 1969, recorded in Liber 253 page 206.

And sold the same to Computer Procedures Company, a Maryland Corporation, P. O. Box 1376, Wheaton, Maryland 20902, it being then and there the highest bidder therefor, at and for the sum of $4,800.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett
Lionel Bennett
Attorney

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 19th day of September, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett, attorney named in the foregoing report of sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

Lula Mae Dize
Lula Mae Dize
Notary Public

Bank of Somerset,

Plaintiff

vs

James Edward Sterling and
Ada Marie Sterling,

Defendants

In Equity No. 9240

In the Circuit Court for

Somerset County, Maryland

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 19th day of September, 1972, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Irving Saltz, President of Computer Procedures Company, a Maryland Corporation, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, the purchaser was not acting as agent for anyone.

2. That no other person is interested as principal.

3. That the purchaser has not directly or indirectly discouraged anyone from bidding for the said property.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY

LIBER 044 PAGE 431

LIBER 044 PAGE 492

Bank of Somerset,

Plaintiff

vs

James Edward Sterling and
Ada Marie Sterling,

Defendants

In Equity No. 9240

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 16th day of October, 1972.

The report states the amount of sale to be $4,800.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 8 day of Dec., 1972, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer

Judge

Bennett & Hayman, Esq.
Crisfield, Md.

Bank of Somerset, Plaintiff
vs
James Edward Sterling and
Ada Marie Sterling,
Defendants
In Equity No: 9240
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

It is ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 16th day of October, 1972.

The report states the amount of sale to be $4,000.00.

J. Theodore Fi[illegible] Clerk
9-29-3t

CRISFIELD, MD. Nov. 15 19 72

THIS is to certify that the annexed ORDER NISI # 9240 has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI # 9240 for 3 weeks beginning with the issue of September 29 19 72 and ending October 13 19 72.

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES
By Jackie M B[illegible]

LIBER 044 PAGE 493

| | | |
|---|---|---|
| BANK OF SOMERSET<br>Plaintiff | * | IN EQUITY NO. 9240 |
| | * | LIBER 124 PAGE 404 |
| VS. | * | IN THE CIRCUIT COURT FOR |
| JAMES EDWARD STERLING<br>& ADA MARIE STERLING<br>Defendants | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Attorney therein, states the following account:

He charges the Attorney with the amount of sale as reported by him, being the sum of Four thousand eight hundred dollars ($4,800.00).

He has allowed the Attorney his proper fee, costs, and all other proper expenses amounting to Eight hundred eighty-four dollars and eighty cents ($884.80).

The balance then remaining amounts to Three thousand nine hundred fifteen dollars and twenty cents ($3,915.20) to be distributed as follows:

Three thousand seven hundred fifty dollars and sixty-three cents ($3,750.63) to the Bank of Somerset.

One hundred sixty-four dollars and fifty-seven cents ($164.57) to James Edward Sterling and Ada Marie Sterling.

| | | |
|---|---|---|
| Amount of Sale | | $4,800.00 |
| Costs & Expenses: | | |
| Attorney's Commissions | | |
| 10% on $3,000.00 -- | $300.00 | |
| 5% on $1,800.00 -- | 90.00 | |
| | | 390.00 |
| Solicitor's Fee | | 10.00 |
| Clerk of Circuit Court | | 35.00 |
| Auditor's Fee | | 15.00 |
| Crisfield Times | | |
| Advertising Sale -- | $ 40.00 | |
| Order Nisi -- | 20.00 | |
| | | 60.00 |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

| | | | |
|---|---|---|---|
| Premium on Solicitor's Bond | | | $ 16.00 |
| Postage | | | 2.06 |
| Auctioneer | | | 25.00 |
| Crisfield City Taxes | | | |
| 1970-71 | -- | $43.74 | |
| 1971-72 | -- | 43.21 | |
| 1972-73 | -- | 45.09 | |
| | | | 132.04 |
| Crisfield Water & Sewer | | | 20.25 |
| State & County Taxes | | | |
| 1970-71 | -- | $59.36 | |
| 1971-72 | -- | 57.59 | |
| 1972-73 | -- | 62.50 | |
| | | | 179.45 |
| Total Costs & Expenses | | | $884.80 |
| Balance of Funds to be Distributed | | | $3,915.20 |

Statement of Mortgage Debt:

| | |
|---|---|
| Balance as of March 22, 1972 | $3,610.01 |
| Interest from March 22, 1972 to September 16, 1972 at 8% | + 140.62 |
| | $3,750.63 |
| Excess from Sale | 164.57 |

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit notice of this report to the following parties:

Bank of Somerset
Crisfield
Maryland 21817

Lionel Bennett, Esquire
Bennett & Hayman
940 Main Street
Crisfield, Maryland 21817

James Edward Sterling
Route 1, Box 134
Stedman, North Carolina 28391

Ada Marie Sterling
Route 1, Box 134
Stedman, North Carolina 28391

Logan C. Widdowson
Auditor
December 11, 1972

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 122 PAGE 130

| | | |
|---|---|---|
| BANK OF SOMERSET<br>Plaintiff | * | IN EQUITY NO. 9240 |
| | * | |
| VS. | | IN THE CIRCUIT COURT FOR |
| | * | |
| JAMES EDWARD STERLING<br>& ADA MARIE STERLING<br>Defendants | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

TO WHOM IT MAY CONCERN:

Take Due Notice that the First and Final Auditor's Report was filed on December 11, 1972, with the Clerk of the Circuit Court for Somerset County.

All exceptions to said report must be filed within fifteen (15) days of said date; and if no exceptions are filed with said Clerk, the account may be ratified.

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3900

Ref. 4/6/09

| | | |
|---|---|---|
| ROBERT J. SCHULTZE and<br>MARSHALL W. MOORE,<br>SUBSTITUTE TRUSTEES<br>c/o Loyola Federal Savings and<br>Loan Association<br>Charles and Preston Streets<br>Baltimore, Maryland 21201<br>PLAINTIFFS | . | NO. 9243 CHANCERY<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY |
| Vs. | . | STATE OF MARYLAND |
| THOMAS WORTHY and<br>BERTHA WORTHY, his wife,<br>White's Road<br>Somerset County, Maryland<br>DEFENDANTS | . | |

. . . . . .

Mr. Clerk:

Please docket the above entitled case and file the attached Deed of Trust made by Thomas Worthy and Bertha Worthy, his wife, to Rogers H. Israel and Horatio W. Turner, III, Trustees, dated August 19, 1968 and recorded among the Land Records of Somerset County and State of Maryland in Liber I.T.P. No. 244, Folio 553, and mark same as "Plaintiffs' Exhibit No. 1"; the said Robert J. Schultze and Marshall W. Moore having been designated Successor Trustees by Loyola Federal Savings and Loan Association by Declaration dated the 11th day of August , 1972, which has been recorded among the Land Records of Somerset County and State of Maryland immediately prior hereto.

The aforesaid Deed of Trust encumbering a house and lot located on the West side of White's Road, in Lawson's Election District of Somerset County and State of Maryland.

Robert J. Schultze, Trustee

Marshall W. Moore, Trustee

FOR ORIGINAL DEED OF TRUST SEE LIBER I. T. P. 244, FOLIO 553

FOR BOND SEE BOND BOOK NO. 9, FOLIO 540

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
184 EAST MAIN STREET
SALISBURY, MARYLAND 21801

| | | |
|---|---|---|
| ROBERT J. SCHU ZE and<br>MARSHALL W. MOORE,<br>SUBSTITUTE TRUSTEES<br>c/o Loyola Federal Savings<br>and Loan Association<br>Charles and Preston Streets<br>Baltimore, Maryland 21201<br>Plaintiffs | :<br>:<br>:<br>:<br>:<br>: | No. 8,13 CHANCERY<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| v. | : | LIBER 044 PAGE 498 |
| THOMAS WORTHY and<br>BERTHA WORTHY, his wife,<br>White's Road<br>Somerset County, Maryland<br>Defendants | :<br>:<br>: | |

STATEMENT OF MORTGAGE DEBT
AND MILITARY AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 28th day of July, A.D., 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Robert J. Schultze, agent for the Mortgagee in the above-captioned mortgage, and made oath in due form of law that the following account represents the amount due and owing upon the mortgage filed for foreclosure in the above-entitled cause:

| | |
|---|---|
| Principal balance due | $ 9597.23 |
| Interest due through 8-15-72 | 331.40 |
| Late charges due | |
| Real estate taxes paid | |
| Fire insurance premiums paid | |
| Total Balance due | $ 9928.63 |
| Less escrow credit | 14.02 |
| | $ 9914.61 |

AND, at the same time, the said Robert J. Schultze, Agent as aforesaid, did further make oath in due form of law that to the best of his knowledge, information and belief:

(1) The said Respondents are not in the military service of the United States;

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

(2) The said Respondents are not in any military service of any nation allied with the United States;

(3) The said Respondents have not been ordered to report for induction under the Selective Services Act of 1940, as amended;

(4) The said Respondents are not members of the Enlisted Reserve Corps who have been ordered to report for military service.

IN WITNESS WHEREOF, I hereunto set my hand and affix my seal the day and year last above written.

My commission expires: July 1, 1973

Regina Graham
Notary Public

REGINA GRAHAM
NOTARY PUBLIC
BALTIMORE CITY, MD.

LIBER 044 PAGE 489



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HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 560

| | | |
|---|---|---|
| ROBERT J. SCHULTZE and MARSHALL W. MOORE, SUBSTITUTE TRUSTEES c/o Loyola Federal Savings and Loan Association Charles and Preston Streets Baltimore, Maryland 21201 | : | NO. 9,243 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND |
| Plaintiffs | : | |
| v. | : | |
| THOMAS WORTHY and BERTHA WORTHY, his wife White's Road Somerset County, Maryland | : | |
| Defendants | : | |

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of Robert J. Schultze and Marshall W. Moore, Substitute Trustees, for Rogers H. Israel and Horatio W. Turner, III, who were appointed under a Deed of Trust dated August 19, 1968, and duly recorded among the Land Records of Somerset County and State of Maryland in Liber I.D.T. No. 244, Folio 553, to make sale of the fee simple property described as being a house and lot 112 feet by 200 feet on White's Road in Lawson's Election District of Somerset County and State of Maryland, and being more fully described in the aforesaid Deed of Trust, respectfully shows that after giving bond with security for the faithful discharge of their trust as proscribed in said Deed of Trust, which was duly approved, and having given notice of the time, place, manner and terms of sale by advertisements inserted in The Marylander and Herald, a newspaper published in Princess Anne, Somerset County, and State of Maryland, for more than twenty (20) days preceding the day of sale, the

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

Substitute Trustees did pursuant to said notice on Thursday, October 12, 1972, at two o'clock p.m. attend at the Court House door in Princess Anne, Somerset County, Maryland, and then and there offer the aforesaid property for sale and then and there sold the same to Lifetime Homes, Inc., a body corporate of the State of Maryland, whose Post Office address is South Salisbury Boulevard, Salisbury, Maryland, at and for the price of Ten Thousand Six Hundred Sixty Dollars ($10,660.00); it being the highest and best bidder therefor.

Robert J. Schultze
Robert J. Schultze

Marshall W. Moore
Marshall W. Moore
Substitute Trustees

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I HEREBY CERTIFY that on this 24th day of October in the year 1972, before me, the subscriber, a notary public of the State of Maryland, in and for the County aforesaid, personally appeared Robert J. Schultze and Marshall W. Moore, and made oath in due form of law that the facts stated in the aforegoing Report of Sale are true as therein set forth and that the sale thereby reported was fairly made.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My commission expires:
July 1, 1974

Ann M. Taylor
Notary Public

ANN M. TAYLOR NOTARY PUBLIC QUEEN ANNE'S CO. MD.

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 644 PAGE 351

LIBER 684 PAGE 502

| | | |
|---|---|---|
| ROBERT J. SCHULTZE and MARSHALL W. MOORE | : | NO. 9,243 CHANCERY |
| SUBSTITUTE TRUSTEES | : | IN THE CIRCUIT COURT |
| c/o Loyola Federal Savings and Loan Association | : | FOR SOMERSET COUNTY |
| Charles and Preston Streets Baltimore, Maryland 21201 | : | STATE OF MARYLAND |
| Plaintiffs | : | |
| v. | : | |
| THOMAS WORTHY and BERTHA WORTHY, his wife | : | |
| White's Road Somerset County, Maryland | : | |
| Defendants | : | |

* * * * *

ORDER NISI

It is hereby ORDERED by the Circuit Court for Somerset County and State of Maryland this 27th day of October, 1972, that the sale of the property mentioned in these proceedings made and reported by Robert J. Schultze and Marshall W. Moore, Substitute Trustees, as ratified and confirmed, unless cause to the contrary be shown on or before the 28th day of November, 1972, provided a copy of this Order be inserted in some newspaper published in Somerset County and State of Maryland once in each of three (3) successive weeks before the 20th day of November, 1972. The Report states the amount of sale to be Ten Thousand Six Hundred Sixty Dollars ($10,660.00).

S. Theodore Phoebus
Clerk of Court

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

PRINCESS ANNE, MD., October 19 72

This is to certify that the annexed Trustee's Sale

has been published in the *MARYLANDER und HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Sept 21 28 Oct 5 12, 1972

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

Long, Laws, Hughes & Bahen
124 East Main Street
Salisbury, Maryland
Attorneys at Law

# TRUSTEES' SALE

## OF

## RESIDENTIAL PROPERTY

### ON WHITE'S ROAD IN SOMERSET COUNTY, MARYLAND

Under and by virtue of the Power of Sale contained in a certain Deed of Trust from Thomas Worthy and Bertha Worthy, his wife, to Rogers H. Israel and Horatio W. Turner, III, Trustees, dated August 19, 1968, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 244, Folio 553, default having occurred in the payment of the indebtedness thereby secured and the covenants thereof and at the request of the parties secured thereby, the undersigned Substitute Trustees named in the said Deed of Trust will offer for sale at public auction, at the Court House in Princess Anne, Somerset County, Maryland, on

**THURSDAY**

**OCTOBER 12, 1972**

**at 2:00 o'clock P. M.**

ALL that lot of land lying in Lawson's Election District, Somerset County, State of Maryland, and more particularly described as follows:

ALL that lot or parcel of land situate as aforesaid, and being located on the West side of the County Road known as White's Road leading from Marion Station to St. Paul's Church, beginning at the County Road and the land of Smith Byrd, thence running in a Southeasterly direction by and with the said County Road a distance of one hundred twelve (112) feet, more or less, to a small trench and the reserved land of Sadie Hodges, widow, et al.; thence by and with the said trench in a Westerly direction a distance of two hundred (200) feet, more or less, to a point; thence running in a Northerly direction by and with the reserved land of Sadie Hodges, widow, et al. a distance of one hundred twelve (112) feet, more or less, to the lands of Smith Byrd; thence running in an Easterly direction by and with the lands of said Smith Byrd, a distance of two hundred (200) feet, more or less to the place of beginning.

This property is improved by a two bedroom one family unit, with crawl space, one bath, utility room, vinyl roof and heating system oil-warm air.

TERMS OF SALE: A deposit of $1,000.00 in cash or certified check to be paid at the time and place of sale, the balance of the purchase money to bear interest from the date of sale to the date of settlement and to be paid in cash upon ratification of the sale by the Circuit Court for Somerset County, Maryland.

Taxes and other municipal or County liens and charges to be adjusted to the date of sale.

All costs of transfer, survey, preparation of papers, title search and documentary stamps to be affixed to the deed to be paid by the purchaser.

The terms of sale are to be complied with within fifteen (15) days after ratification thereof by the Court; otherwise, the property will be resold at the risk and cost of the defaulting purchaser or purchasers.

Robert J. Schultze and
Marshall W. Moore
Substitute Trustees

For further information contact: Hobart B. Hughes, Telephone: 742-2152.

22-4t

LIBER 0142 PAGE 303

LIBER 644 PAGE 304

| | | |
|---|---|---|
| ROBERT J. SCHULTZE and<br>MARSHALL W. MOORE<br>SUBSTITUTE TRUSTEES<br>c/o Loyola Federal Savings and<br>Loan Association<br>Charles and Preston Streets<br>Baltimore, Maryland 21201 | *<br>*<br>*<br>* | No. 9,243 Chancery<br><br>In the Circuit Court<br><br>For Somerset County<br><br>State of Maryland |
| Plaintiffs | * | |
| v | * | |
| THOMAS WORTHY and<br>BERTHA WORTHY, his wife<br>White's Road<br>Somerset County, Maryland | *<br><br>*<br><br>* | |
| Defendants | | |

**********

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 24th day of October, 1972, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared John L. Landon, Jr., President of Lifetime Homes, Inc., and made oath in due form of law that he was the purchaser at the sale of the property described in this cause, and that:

(a) He was not acting as agent for any other person, firm, partnership or corporation other than stated above;

(b) There are no other interested principals; and

(c) No one was either directly or indirectly discouraged from bidding at said sale.

LIFETIME HOMES, INC.

BY [signature]
John L. Landon, Jr.,
President

SUBSCRIBED and SWORN to before me this 24th day of October, 1972.

[signature]
NOTARY PUBLIC

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

| | | |
|---|---|---|
| ROBERT J. SCHULTZE and<br>MARSHALL W. MOORE<br>SUBSTITUTE TRUSTEES<br>c/o Loyola Federal Savings and<br>Loan Association<br>Charles and Preston Streets<br>Baltimore, Maryland 21201 | *<br>*<br>*<br>*<br>* | No. 9,243 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |
| Plaintiffs | * | |
| vs | * | |
| THOMAS WORTHY and<br>BERTHA WORTHY, his wife<br>White's Road<br>Somerset County, Maryland | *<br>*<br>* | |
| Defendants | * | |

**********

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 24th day of October, 1972, before me, the subscriber, a Notary Public of the State of Maryland and County of Queen Anne's ~~aforesaid~~, personally appeared Robert J. Schultze and Marshall W. Moore, Substitute Trustees, and made oath in due form of law and pursuant to Rule W74(b) of the Maryland Rules of Procecure, that we mailed by Registered Mail, Return Receipt Requested, to the Mortgagors, Thomas Worthy and Bertha Worthy, his wife, at their last known address, which is Route #1, Box 307, Marion Station, Maryland, 21838, a notice of the time, place and terms of sale and the said notice was mailed on the 2nd day of October, 1972, which was not earlier than twenty (20) days and not later than five (5) days before the date of sale, the return receipt for said mailing and letter enclosed therein being attached hereto.

AS WITNESS my hand and Notarial Seal the day and year first above written.

Anne M. Taylor
NOTARY PUBLIC

ANN M. TAYLOR NOTARY PUBLIC QUEEN ANNE'S CO. MD.

My Commission expires: 7/3/74

Robert J. Schultze
ROBERT W. SCHULTZE

Marshall W. Moore
MARSHALL W. MOORE

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 506

October 2, 1972

CERTIFIED MAIL

Mr. and Mrs. Thomas Worthy
Route 1, Box 307
Marion Station, Maryland 21838

Re: Loyola Federal Savings and Loan Association
Account No. 802149

Dear Mr. and Mrs. Worthy:

This is to advise you that your deed of trust to Loyola Federal Savings and Loan Association dated August 19, 1968, and recorded among the Land Records of Somerset County and State of Maryland in Liber I.T.P. No. 244, Folio 553, and encumbering that property shown and designated as that lot or parcel of land located on the West sode of the County Road known as White's Road leading from Marion Station to St. Paul's Church, Somerset County, Maryland, has been assigned to the undersigned for the purpose of foreclosure and collection. Said deed of trust has been filed in the Circuit Court for Somerset County and State of Maryland. The sale of subject property is scheduled for October 12,1972, at 2 o'clock p.m. at the front door of the Court House in Princess Anne, Maryland.

If, and in the event you have any questions in regard to same, please do not hesitate to call me.

Yours very truly,

HBH:evc

| | | |
|---|---|---|
| ROBERT J. SCHULTZE and<br>MARSHALL W. MOORE<br>SUBSTITUTE TRUSTEES<br>c/o Loyola Federal Savings and<br>Loan Association<br>Charles and Preston Streets<br>Baltimore, Maryland 21201 | *<br>*<br>*<br>*<br>* | No. 9,243 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |
| Plaintiffs | * | |
| vs | * | |
| THOMAS WORTHY and<br>BERTHA WORTHY, his wife<br>White's Road<br>Somerset County, Maryland | *<br>*<br>* | |
| Defendants | * | |

**********

FINAL ORDER OF RATIFICATION

It is, this 13 day of ~~October~~ Dec., 1972, ORDERED and DECREED by the Circuit Court for Somerset County and State of Maryland, in Equity, that the sale made and reported by the Trustees named herein be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause, and the Trustees are hereby allowed such proper expenses as they shall produce vouchers for to the Court Auditor.

E. McMaster Dyer
JUDGE

LIBER 144 PAGE 307

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 508

PRINCESS ANNE, MD., November 19

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according the terms and requirements contained in said Order

Dates Inserted: Nov 2 9 16, 1972

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

**ORDER NISI**

Robert J. Schultze and
Marshall W. Moore
Substitute Trustees
c/o Loyola Federal Savings and
Loan Association
Charles and Preston Streets
Baltimore, Maryland 21201
Plaintiffs

No. 9243 Chancery In The Circuit Court for Somerset County State of Maryland

V.

Thomas Worthy and
Bertha Worthy, his wife
White's Road
Somerset County, Maryland
Defendants

ORDER NISI

It is hereby ORDERED by the Circuit Court for Somerset County and State of Maryland this 27th day of October, 1972, that the sale of the property mentioned in these proceedings made and reported by Robert J. Schultze and Marshall W. Moore, Substitute Trustees, as ratified and confirmed, unless cause to the contrary be shown on or before the 28th day of November, 1972, provided a copy of this Order be inserted in some newspaper published in Somerset County and State of Maryland once in each of three (3) successive weeks before the 20th day of November, 1972. The Report states the amount of sale to be Ten Thousand Six Hundred Sixty Dollars ($10,660.00).

s/I. THEODORE PHOEBUS
Clerk of Court

True Copy, Test:
I. Theodore Phoebus, Clerk

29-3tc

| | | |
|---|---|---|
| ROBERT J. SCHULTZE & MARSHALL W. MOORE, SUBSTITUTE TRUSTEES | * | NO. 9243 CHANCERY |
| Plaintiffs | * | |
| VS. | * | IN THE CIRCUIT COURT FOR |
| THOMAS WORTHY & BERTHA WORTHY | * | |
| Defendants | * | SOMERSET COUNTY, MARYLAND |

* * * * * * * * *

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on January 19, 1973, with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit, notice of this Report to the following parties:

Robert J. Schultze &
Marshall W. Moore
c/o Loyola Federal Savings &
Loan Association
Charles & Preston Streets
Baltimore, Maryland 21201

Thomas Worthy
Route 1, Box 307
Marion Station, Maryland 21838

Bertha Worthy
Route 1, Box 307
Marion Station, Maryland 21838

Hobart Hughes, Esquire
Long, Laws, Hughes & Bahen
124 East Main Street
Salisbury, Maryland 21801

Logan C. Widdowson, Auditor

January 19, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 303

LIBER 044 PAGE 310

| | | |
|---|---|---|
| ROBERT J. SCHULTZE & MARSHALL W. MOORE, SUBSTITUTE TRUSTEES | * | NO. 9243 CHANCERY |
| Plaintiffs | * | |
| VS. | * | IN THE CIRCUIT COURT FOR |
| THOMAS WORTHY & BERTHA WORTHY | * | |
| Defendants | * | SOMERSET COUNTY, MARYLAND |

* * * * * * * * *

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of Ten thousand six hundred sixty dollars ($10,660.00).

He has allowed the proper fees, costs and all other proper expenses amounting to Six hundred thirty-seven dollars and twenty-seven cents ($637.27).

The balance then remaining amounts to Ten thousand twenty-two dollars and seventy-three cents ($10,022.73) to be distributed as follows:

Ten thousand twenty-two dollars and seventy-three cents ($10,022.73) to Robert J. Schultze and Marshall W. Moore, Substitute Trustees.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

| | | | |
|---|---|---|---|
| Amount of Sale | | | $10,660.00 |
| I. Theodore Phoebus<br>Clerk of Court Cost | | $ 53.00 | |
| Joseph W. T. Smith<br>Clerk Copy | | 1.00 | |
| Avery W. Hall Insurance Agency<br>Bond Premium | | 44.00 | |
| Marylander & Herald<br>Advertising<br>Order Nisi | $82.50<br>20.00 | 102.50 | |
| Carlos Bozman, Treasurer<br>1972-73 State & County Taxes | | 149.82 | |
| Margaret H. Fields<br>Notary Public Fees | | 1.95 | |
| Logan C. Widdowson<br>Auditor's Fee | | 35.00 | |
| Long, Laws, Hughes & Bahen<br>Fee in Lieu of Commissions | | 250.00 | |
| Total Costs & Expenses | | $637.27 | |
| Balance of Funds to Be Distributed | | | $10,022.73 |

| | |
|---|---|
| Statement of Mortgage Debt | |
| Balance Due As of 8/15/72 | $ 9,914.01 |
| Interest from 8/15/72 to 10/12/72 at 7 1/2% ($1.97/Day) | 114.26 |
| Due Mortgagee | $10,028.87 |
| Deficiency | $ 6.14 |

Logan C. Widdowson

Logan C. Widdowson, Auditor

January 19, 1973

LIBER 046 PAGE 511

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

LIBER 044 PAGE 512

No. 9243 Chancery Case

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this ....19th.... day of January ...1973. that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the...5th.....day of February.....19 73...*

*...J. Theodore Phoebus...Clerk*

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this 24th.... day of February...1975... that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

*...J. Theodore Phoebus...*

Cert'd.
MAR. 5 1975

Bank of Somerset
Crisfield, Maryland,

Plaintiff

vs

Peggy Frances Jackson
Club Colony Apartments
Atlantic Beach, North Carolina

Defendant

In Equity No. 9241

In the Circuit Court for

Somerset County, Maryland

ORDER TO DOCKET SUIT

The Clerk of the Circuit Court for Somerset County will please docket the above entitled case, file therein the original mortgage made by Peggy Frances Jackson to the Bank of Somerset, dated July 21, 1971, in the sum of $5,500.00, recorded on July 30, 1971, in Liber 261 page 660.

Lionel Bennett

Lionel Bennett, Attorney named
in the above mortgage
940 Main Street
Crisfield, Maryland 21817
Phone: 968-1166

FOR ORIGINAL MORTGAGE SEE LIBER I. T. P. NO. 261, FOLIO 660

FOR BOND SEE BOND BOOK NO. 9, FOLIO 535

LIBER 844 PAGE 513

Bank of Somerset,
Plaintiff
vs
Peggy Frances Jackson,
Defendant

In Equity No.
In the Circuit Court for
Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 16th day of August, 1972, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Charles B. Pinto, Vice President of the Bank of Somerset, Crisfield, Maryland, who made oath in due form of law that the amount due on the mortgage dated July 21, 1971, made by Peggy Frances Jackson to the Bank of Somerset, is $5,309.69, with interest from June 21, 1972, at the rate of 8% per annum.

As witness my hand and Notarial Seal.

Charles B. Pinto
Charles B. Pinto
Vice President
Bank of Somerset

Lula Mae Dize
Notary Public

Bank of Somerset,

Plaintiff

vs

Peggy Frances Jackson,

Defendant

In Equity No. 9241

In the Circuit Court for

Somerset County, Maryland

CERTIFICATE OF MAILING

I certify that on September 1, 1972, I mailed a copy of the notice of Mortgagee's sale of valuable real estate to Peggy Frances Jackson, defendant, at Club Colony Apartments, Atlantic Beach, North Carolina 28512, by Registered Mail.

Lionel Bennett

Lionel Bennett, Attorney named in Mortgage

LIBER 044 PAGE 015

LIBER 044 PAGE 516

924

**MORTGAGEE'S SALE OF VALUABLE REAL ESTATE**

By virtue of the power and authority contained in a mortgage from Percy Frances Jackson to The Bank of Somerset, a body corporate organized and existing under the laws of the State of Maryland, dated July 21, 1971, recorded among the land records of Somerset County in Liber 221 page 103, default having occurred under the conditions of said mortgage, I will sell at public auction in front of the Post Office at Crisfield, Maryland, on Saturday, September 16, 1972, at 2:00 p.m.,

ALL that lot of land in the City of Crisfield, Somerset County, Maryland, on the east side of Richardson Avenue; being designated as Parcels 1 and 2 in a deed made by the Bank of Crisfield to Wesley Richardson and wife, dated October 21, 1962, recorded in Liber 123 page 570, being the same premises conveyed to Percy Frances Jackson by deed dated July 21, 1971, recorded in Liber 222 page 104.

This property is improved by a comfortable dwelling.

Terms of Sale: Cash, as prescribed by said mortgage. Title papers at the expense of the purchaser.

Lionel Bennett
Attorney named in the above mortgage

8-24

CRISFIELD, MD. Sept. 15 19 72

THIS is to certify that the annexed MORTGAGEE'S SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said MORTGAGEE'S SALE for 4 weeks beginning with the issue of August 25 19 72 and ending September 15 19 72

The Crisfield Times Inc.
Publisher, THE CRISFIELD TIMES
by Jackie M Bozman

Bank of Somerset,

Plaintiff

vs

Peggy Frances Jackson,

Defendant

In Equity No. 9241

In the Circuit Court for

Somerset County, Maryland

REPORT OF SALE

The report of Lionel Bennett, attorney named in a certain mortgage made and executed by Peggy Frances Jackson, to the Bank of Somerset, dated July 21, 1971, and recorded among the land records of Somerset County in Liber 261 page 660, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant or condition in said mortgage, whereas said mortgage debt has become due and demandable, respectfully represents that after giving bond with security, approved by the Clerk of the Circuit Court, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage and as required by law, and giving more than thirty days notice of the time, manner, terms, and place of sale by advertisement in The Crisfield Times, a weekly newspaper published in said Somerset County, once in a week for four successive weeks before the day of the sale, he did, pursuant to said notice, attend the Post Office in Crisfield, Maryland, on September 16, 1972, at 2:00 p.m., and then and there proceeded to sell the property described in said mortgage, to wit:

All that lot of land in the City of Crisfield, Somerset County, Maryland, on the east side of Richardson Avenue; being designated as Parcels 1 and 2 in a deed made by the Bank of Crisfield to Wesley Riggin and wife, dated October 20, 1942, recorded in Liber 123 page 360; being the same premises conveyed to Peggy Frances Jackson by deed dated July 21, 1971, recorded in Liber 262 page 104.

And sold the same to the Bank of Somerset, Princess Anne, Maryland, it being then and there the highest bidder therefor, at and for the sum of $5,000.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett
Lionel Bennett
Attorney

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 19th day of September, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett, attorney named in the foregoing report of sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

Lula Mae Dize
Lula Mae Dize
Notary Public

| | |
|---|---|
| Bank of Somerset, | In Equity No. 9241 |
| Plaintiff | In the Circuit Court for |
| vs | Somerset County, Maryland |
| Peggy Frances Jackson, | |
| Defendant | |

## AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 19th day of September, 1972, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Edward J. Price, President of the Bank of Somerset, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, the purchaser was not acting as agent for anyone.

2. That no other person is interested as principal.

3. That the purchaser has not directly or indirectly discouraged anyone from bidding for the said property.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

LIBER 044 PAGE 519

LIBER 144 PAGE 531

Bank of Somerset,

Plaintiff

vs

Peggy Frances Jackson,

Defendant

In Equity No. 9241

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 16th day of October, 1972.

The report states the amount of sale to be $5,000.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 8 day of Dec., 1972, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer

Judge

Bennett & Hyman, Esq.
Crisfield, Md.

Bank of Somerset, Plaintiff
vs
Peggy Frances Jackson,
Defendant
In Equity No. 9241
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 16th day of October, 1972.

The report states the amount of sale to be $3,000.00.

I. Theodore Pinsbus, Clerk
9-29-3t

CRISFIELD, MD. Nov. 15 1972

THIS is to certify that the annexed ORDER NISI # 9241 has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI # 9241 for 3 weeks beginning with the issue of September 29 19 72 and ending October 13 19 72.

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES
by Jackie M Bozman

| | | |
|---|---|---|
| BANK OF SOMERSET<br>Plaintiff | * | IN EQUITY NO. 9241 |
| | * | |
| VS. | | IN THE CIRCUIT COURT FOR |
| | * | |
| PEGGY FRANCES JACKSON<br>Defendant | * | SOMERSET COUNTY, MARYLAND |

* * * * * * * LIBER 044 PAGE 022

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Attorney therein, states the following account:

He charges the Attorney with the amount of sale as reported by him, being the sum of Five thousand dollars ($5,000.00).

He has allowed the Attorney his proper fees, costs, and all other proper expenses amounting to Seven hundred eighty-seven dollars and sixty-four cents ($787.64).

The balance then remaining amounts to Four thousand two hundred twelve dollars and thirty-six cents ($4,212.36) to be paid to the Bank of Somerset.

| | | | |
|---|---|---|---|
| Amount of Sale | | | $5,000.00 |
| Costs & Expenses: | | | |
| Attorney's Commissions | | | |
| 10% on $3,000.00 -- | $300.00 | | |
| 5% on $2,000.00 -- | $100.00 | | |
| | | 400.00 | |
| Solicitor's Fee | | 10.00 | |
| Auditor's Fee | | 15.00 | |
| Clerk of Circuit Court | | 35.00 | |
| Crisfield Times | | | |
| Advertising Sale -- | $40.00 | | |
| Order Nisi -- | $20.00 | | |
| | | 60.00 | |
| Premium - Attorney's Bond | | 24.00 | |
| Postage | | 1.03 | |
| City of Crisfield Taxes, 1972-73 | | 71.72 | |
| Crisfield Water & Sewer | | 47.75 | |
| State & County Taxes, 1972-73 | | 98.14 | |
| Auctioneer | | 25.00 | |
| Total Costs & Expenses | | | $787.64 |
| Balance to be Distributed | | | $4,212.36 |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

**Statement of Mortgage Debt:**

| | |
|---|---|
| Balance as of August 16, 1972 | $5,309.69 |
| Interest from August 16, 1972 to September 16, 1972 at 8% | 35.40 |
| Total Due Bank of Somerset | $5,345.09 |
| Amount Paid to Bank | 4,212.36 |
| Total Deficiency | $1,132.73 |

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit notice of this report to the following parties:

Bank of Somerset
Crisfield
Maryland 21817

Peggy Frances Jackson
Club Colony Apartments
Atlantic Beach, North Carolina

Lionel Bennett, Esquire
Bennett & Hayman
940 Main Street
Crisfield, Maryland 21817

Logan C. Widdowson
Auditor
December 11, 1972



LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 328 PAGE 324

| | | |
|---|---|---|
| BANK OF SOMERSET<br>Plaintiff | * | IN EQUITY NO. 9241 |
| | * | |
| VS. | | IN THE CIRCUIT COURT FOR |
| | * | |
| PEGGY FRANCES JACKSON<br>Defendant | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

TO WHOM IT MAY CONCERN:

Take Due Notice that the First and Final Auditor's Report was filed on December 11, 1972, with the Clerk of the Circuit Court for Somerset County.

All exceptions to said report must be filed within fifteen (15) days of said date; and if no exceptions are filed with said Clerk, the account may be ratified.

Logan C. Widdowson
Auditor

FILED
MAR 5 1975

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

Cane's Rentals, Inc.
Marion Station, Maryland,

Plaintiff

vs

Samuel R. Turpin
Rt. 1, Box 93
Crisfield, Maryland,

Defendant

In Equity No. 9244

In the Circuit Court for

Somerset County, Maryland

ORDER TO DOCKET SUIT

The Clerk of the Circuit Court for Somerset County will please docket the above entitled case, file therein the original mortgage made by Samuel R. Turpin to Cane's Rentals, Inc., dated April 14, 1970, in the sum of $600.00, recorded on April 15, 1970, in Liber 254 page 01.

Lionel Bennett, Attorney named
in the above mortgage
940 Main Street
Crisfield, Maryland 21817
Phone: 968-1166

FOR ORIGINAL DEED OF TRUST SEE LIBER I. T. P. NO. 254, FOLIO 03

FOR BOND SEE BOND BOOK NO. 9, FOLIO 536

LIBER 044 PAGE 526

Re 40117

Cane's Rentals, Inc.
Marion Station, Maryland,

Plaintiff

vs

Samuel R. Turpin
Rt. 1, Box 93
Crisfield, Maryland,

Defendant

In Equity No. 9244

In the Circuit Court for

Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 17th day of August, 1972, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared ~~Hudson W.~~ Webster Cane, Vice President of Cane's Rentals, Inc., who made oath in due form of law that the amount due on the mortgage dated April 14, 1970, made by Samuel R. Turpin to Cane's Rentals, Inc., is $605.95, with interest from August 14, 1972, at the rate of 8% per annum.

As witness my hand and Notarial Seal.

CANE'S RENTALS, INC.

By: Webster Cane
Webster Cane
Vice-President

Lionel Bennett
Notary Public

NOTARY PUBLIC

Cane's Rentals, Inc.,
Plaintiff

vs

Samuel R. Turpin,
Defendant

In Equity No. 9244
In the Circuit Court for
Somerset County, Maryland

AFFIDAVIT OF SERVICE

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 1st day of September, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lula Mae Dize, who made oath in due form of law as follows:

That on September 1, 1972, at the office of Lionel Bennett, Crisfield, Maryland, she served the annexed notice of Mortgagee's sale of valuable real estate personally on Samuel R. Turpin, the defendant herein. That she knows the person so served as aforesaid to be Samuel R. Turpin.

As witness my hand and Notarial Seal.

Lula Mae Dize
Lula Mae Dize

Robert Patrick Hayman
Notary Public

ROBERT PATRICK HAYMAN
NOTARY PUBLIC
SOMERSET CO. MD.

LIBER U44 PAGE 528

1244

Lionel Bennett,
Solicitor

**MORTGAGEE'S SALE OF VALUABLE REAL ESTATE**

By virtue of the power of sale contained in a certain mortgage from Samuel R. Turpin to Cane's Realty, a body corporate and politic, of the laws of the State of Maryland, recorded among the Land Records of Somerset County in Liber [illegible] at folio [illegible], I will sell at public auction on Saturday, September 16, 1972, at [illegible] o'clock P.M. at the Courthouse door in Princess Anne, Somerset County, Maryland, all that lot of land situate in Tyler District, Somerset County, Maryland, being the same land and premises conveyed to Samuel R. Turpin, by deed dated July 17, 1933, recorded in Liber [illegible] page 223, and since deceased by operation of law to Samuel R. Turpin, his sole heir.

This property is improved by a comfortable dwelling.

Terms of Sale: Cash, as prescribed by said mortgage. Title papers at the expense of the purchaser.

Lionel Bennett
Attorney named in the above Mortgage

8-25-4t

CRISFIELD, MD. Sept. 15 1972

THIS is to certify that the annexed MORTGAGEE'S SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said MORTGAGEE'S SALE for 4 weeks beginning with the issue of August 25 19 72 and ending September 15, 1972

The Crisfield Times Inc.
Publisher, THE CRISFIELD TIMES
by Jackie M Bozman

Cane's Rentals, Inc.,

Plaintiff

vs

Samuel R. Turpin,

Defendant

In Equity No. 9244

In the Circuit Court for

Somerset County, Maryland

REPORT OF SALE

The report of Lionel Bennett, attorney named in a certain mortgage made and executed by Samuel R. Turpin to Cane's Rentals, Inc., dated April 14, 1970, and recorded among the land records of Somerset County in Liber 254 page 01, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant or condition in said mortgage, whereas said mortgage debt has become due and demandable, respectfully represents that after giving bond with security, approved by the Clerk of the Circuit Court, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage and as required by law, and giving more than thirty days notice of the time, manner, terms, and place of sale by advertisement in The Crisfield Times, a weekly newspaper published in said Somerset County, once in a week for four successive weeks before the day of the sale, he did, pursuant to said notice, attend the Post Office in Crisfield, Maryland, on September 16, 1972, at 2:20 p.m., and then and there proceeded to sell the property described in said mortgage, to wit:

ALL that lot of land on the north side of Tyler Street, in the City of Crisfield, Somerset County, Maryland, being known as 308 Tyler Street; being the same premises conveyed to the late Ralph O. Turpin, single, by deed dated February 17, 1965, recorded in Liber 226 page 236, and said premises descended by operation of law to Samuel R. Turpin, his sole heir.

And sold the same to Cane's Rentals, Inc., Crisfield, Maryland, it being then and there the highest bidder therefor, at and for the sum of $500.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett
Attorney

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 19th day of September, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett, attorney named in the foregoing report of sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

Cane's Rentals, Inc.,
Plaintiff

vs

Samuel R. Turpin,
Defendant

In Equity No. 9244
In the Circuit Court for
Somerset County, Maryland

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 19th day of September, 1972, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Honiss W. Cane, President of Cane's Rentals, Inc., a Maryland Corporation, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, the purchaser was not acting as agent for anyone.

2. That no other person is interested as principal.

3. That the purchaser has not directly or indirectly discouraged anyone from bidding for the said property.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

Cane's Rentals, Inc.,

Plaintiff

vs

Samuel R. Turpin,

Defendant

In Equity No. 9244

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 16th day of October, 1972.

The report states the amount of sale to be $500.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 5 day of Dec, 1972, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Duer

Judge

Woods & Hoyt, Esq.
Crisfield, Md.

Cane's Rentals, Inc.,
Plaintiff
vs
Samuel R. Turpin, Defendant,
In Equity No. 9244
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of October, 1972, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 16th day of October, 1972.

The report states the amount of sale to be $20.00.

I. Theodore Fleschner, Clerk

9-29-3t

CRISFIELD, MD. Nov. 15 19 72

THIS is to certify that the annexed ORDER NISI # 9244 has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI # 9244 for 3 weeks beginning with the issue of September 29 19 72 and ending October 13 19 72.

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES
By Jackie M. Bozman

LIBER 044 PAGE 333

| | | |
|---|---|---|
| CANE'S RENTALS, INC.<br>Plaintiff | * | IN EQUITY NO. 9244 |
| | * | |
| VS. | | IN THE CIRCUIT COURT FOR |
| | * | |
| SAMUEL R. TURPIN<br>Defendant | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

LIBER 004 PAGE 504

## FIRST AND FINAL AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustee therein, states the following account:

He charges the Trustee with the amount of sale as reported by him, being the sum of Five Hundred Dollars ($500.00).

He has allowed the Trustee his proper fee, costs, and all other expenses amounting to Three Hundred Eighty-seven Dollars and Seventy-three Cents ($387.73).

The balance then remaining amounts to One Hundred Twelve Dollars and Twenty-seven Cents ($112.27) and should be paid to Cane's Rentals, Inc.

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit notice of this report to the following parties:

Cane's Rentals, Inc.
Marion Station
Maryland 21838

Samuel R. Turpin
Route 1, Box 93
Crisfield, Maryland 21817

Lionel Bennett, Esquire
Bennett & Hayman
940 Main Street
Crisfield, Maryland 21817

Logan C. Widdowson
Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

December 7, 1972

| | | DR. | CR. |
|---|---|---|---|
| To Amount of Sale | | $500.00 | |
| Total Amount to be Accounted for - $500.00 | | | |
| Costs and Expenses As Follows: | | | |
| Trustee's Commission | | 50.00 | |
| Solicitor's Fee | | 10.00 | |
| Auditor's Fee | | 15.00 | |
| Clerk of Circuit Court | | 35.00 | |
| Crisfield Times: | | | |
| Advertising Sale | $40.00 | | |
| Order Nisis | 20.00 | | |
| | $ | 60.00 | |
| Premium on Trustee's Bond | | 10.00 | |
| Auctioneer | | 25.00 | |
| Crisfield City Taxes: | | | |
| 1970-71 | $24.98 | | |
| 1971-72 | 24.98 | | |
| 1972-73 | 22.69 | | |
| | $ | 72.65 | |
| Water and Sewer | | 20.25 | |
| State and County Taxes: | | | |
| 1970-71 | $31.18 | | |
| 1971-72 | 30.28 | | |
| 1972-73 | 28.37 | | |
| | $ | 89.83 | |
| Balance to Cane's Rental's, Inc. | | | $112.27 |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3900

LIBER 642 PAGE 365

| | | |
|---|---|---|
| CANE'S RENTALS, INC.<br>Plaintiff | * | IN EQUITY NO. 9244 |
| VS. | * | IN THE CIRCUIT COURT FOR |
| SAMUEL R. TURPIN<br>Defendant | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

LIBER 324 PAGE 336

TO WHOM IT MAY CONCERN:

Take Due Notice that the First and Final Auditor's Report was filed on December 7, 1972, with the Clerk of the Circuit Court for Somerset County.

All exceptions to said report must be filed within fifteen (15) days of said date; and if no exceptions are filed with said Clerk, the account may be ratified.

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

No. 9244 Chancery

*Ordered by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this* ....8th.... *day of* December..*19* 72.. *that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the*.....26th.....*day of*.....December.....*19* 72.....

L. Theodore Phoebus.....Clerk.

*No exceptions having been filed, and no cause to the contrary having been shown, It is ordered by the Circuit Court for Somerset County, in Equity, this* ....23rd.... *day of* January.*19* 73.... *that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.*

L. Theodore Phoebus

LIBER 142 PAGE 637

LIBER 044 PAGE 038

| | | |
|---|---|---|
| WALTER D. WEBSTER, Attorney and Agent named in Mortgage | : | NO. 9253 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| SYLVESTER A. BEVINS & GLADYS I. BEVINS, his wife Box 23 Marion Station, Maryland | : | SOMERSET COUNTY, MARYLAND |

:::::::

MR. CLERK:

Please docket suit as above and file the attached Mortgage for foreclosure, along with Affidavit and Statement of Debt.

Walter D. Webster, Attorney
and Agent named in Mortgage
104A N. Division Street
Salisbury, Maryland
Phone: 749-0333

FOR ORIGINAL DEED OF TRUST SEE LIBER I. T. P. NO. 244, FOLIO, 452.

FOR BOND SEE BOND BOOK NO. 9, FOLIO 538.

Pl 40360

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

WALTER D. WEBSTER, Attorney and Agent Named in Mortgage

vs.

SYLVESTER A. BEVINS & GLADYS I. BEVINS, his wife

: NO. CHANCERY

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

::::::::::

AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY that on this 6th day of September, A.D., 1972, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Walter D. Webster, Attorney and Agent named in a Mortgage from Sylvester A. Bevins and Gladys I. Bevins, his wife, to R & B Trailer Sales, Inc., and made oath in due form of law, that there is due and owing on the Mortgage filed for foreclosure in the above entitled action, the sum of $1070.45 principal, together with interest thereon at the rate of 7% per annum from July 15, 1968; and the said Walter D. Webster further makes oath in due form of law that he has personal knowledge that the said Sylvester A. Bevins and Gladys I. Bevins, his wife, are not in the Military Service of the United States of America, and that they have not been in the Military Service of the United States of America during the 30 day period immediately preceding the making of this affidavit.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: 7/1/74

LIBER 044 PAGE 330

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 8-7100

LIBER 044 PAGE 340

| | | |
|---|---|---|
| WALTER D. WEBSTER, Attorney and Agent named in Mortgage | : | NO. CHANCERY |
| | : | IN THE CIRCUIT COURT FOR |
| vs. | : | SOMERSET COUNTY, MARYLAND |
| SYLVESTER A. BEVENS & GLADYS I. BEVINS, his wife | : | |

:::::::

STATEMENT OF DEBT

| | |
|---|---|
| Principal amount of mortgage dated July 15, 1968 | $1070.45 |
| Interest to September 1, 1972 at 7% | 308.96 |
| Total due. | $1379.41 |

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

FILED

WALTER D. WEBSTER, Attorney and Agent named in Mortgage : NO. 9253 CHANCERY

vs :

: IN THE CIRCUIT COURT FOR

SYLVESTER A. BEVINS & GLADYS I. BEVINS, his wife, Box 23 Marion Station, Maryland : SOMERSET COUNTY, MARYLAND

CERTIFICATE OF PUBLICATION

PRINCESS ANNE, MD., Sept 19 72

This is to certify that the annexed Attorney and Agent Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Sept 14 21 28

Business Manager MARYLANDER and HERALD

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

LIBER 244 PAGE 452

WALTER D. WEBSTER

# ATTORNEY AND AGENT'S SALE

OF VALUABLE

## LOT OF LAND

In Lawsons Election District
Somerset County, Maryland

Under and by virtue of the power of sale contained in a Mortgage from Sylvester A. Bevins and Gladys I. Bevins, his wife, to R & B Trailer Sales, Inc., dated July 15, 1968, and recorded among the Land Records for Somerset County, Maryland, in Liber ITP No. 244, Folio 452, default having been made in the terms, covenants and conditions thereof, the undersigned, as Attorney and Agent named therein, will offer for sale at public auction at the front door of the Court House in Princess Anne, Maryland, on

**FRIDAY, SEPT. 29, 1972**

at or about the hour of

2:00 o'clock P. M.

ALL that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, Maryland, located on the West side of the County Road known as Bevins Lane and beginning at said Bevins Lane at the Southeast corner of the land owned by George H. Scarborough and Victoria Scarborough, his wife; thence running in a Southerly direction by and with Bevins Lane a distance of 100 feet; thence running in a Westerly direction by and with the land of Henrietta Johnson, et al, to a ditch and the property of the Somerset County School Board; thence running in a Northerly direction by and with said ditch, a distance of 100 feet to the lands owned by George H. Scarborough, et ux; thence running in an Easterly direction by and with said Scarborough property to the place of beginning; BEING the same land conveyed unto the said Sylvester A. Bevins and Gladys I. Bevins, his wife, by Deed from Henrietta Johnson, et al, dated August 7, 1967, and recorded among the Land Records for Somerset County, Maryland, in Liber ITP No. 241, Folio 137.

WALTER D. WEBSTER
Attorney and Agent

21-3te

| | | |
|---|---|---|
| WALTER D. WEBSTER, Attorney and Agent named in Mortgage | ; | NO. 9253 CHANCERY |
| | : | |
| vs | : | IN THE CIRCUIT COURT FOR |
| SYLVESTER .. BEVINS & GLADYS I. BEVINS, his wife, Box 23 | : | |
| Marion Station, Maryland | : | SOMERSET COUNTY, MARYLAND |

:::::::

CERTIFICATE OF MAILING

September 6, 1972

Mr. & Mrs. Sylvester Bivens
Box 23
Marion Station, Maryland

Dear Mr. & Mrs. Bivens:

Please be advised that the Mortgage you gave to R & B Trailer Sales, Inc., dated July 15, 1968, in the principal amount of $1070.45, is being filed for foreclosure due to your failure to make payment.

The property will be sold at the front door of the Court House, Princess Anne, Maryland, on Friday, September 29, 1972, at 2 o'clock P.M. The terms of sale will be twenty percent (20%) down at time of sale, balance to be paid upon ratification of the sale by the Circuit Court for Somerset County, Maryland, with interest on the unpaid balance at eight percent (8%) per annum.

Very truly yours,

Walter D. Webster

| | | |
|---|---|---|
| WALTER D. WEBSTER, Attorney and Agent named in Mortgage | : | NO. 9253 CHANCERY |
| vs. | : | IN THE CIRCUIT COURT FOR |
| SYLVESTER A. BEVINS & GLADYS I. BEVINS, his wife | : | SOMERSET COUNTY, MARYLAND |

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Walter D. Webster, Attomey and Agent named in Mortgage from Sylvester A. Bevins and Gladys I. Bevins, his wife, to R & B Trailer Sales, Inc., dated July 15, 1968, and recorded among the Land Records for Somerset County, Maryland in Liber I.T.P. No. 244, Folio 452, respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the prerequisites as required by law and after giving notice of the time, place and manner of sale by advertisment inserted in the Marylander & Herald, a weekly newspaper published in Somerset County,Maryland, for at least three successive weeks before the date of sale as will appear by reference to the hereto annexed Certificate of Publication of said Notice of Sale, he did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, on Friday, September 29, 1972, at or about the hour of 2 o'clock P.M., and then and there proceeded to sell said property at public sale in the following manner, that is to say:

Your Attorney and Agent offered at public sale to the highest bidder the property mentioned in said Decree,together with the improvements thereon, if any, and being a lot of land situate in Lawson Election District, Somerset County, Maryland,

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A.N. DIVISION ST.
SALISBURY, MD.
PI 8-7100

and described as follows:

ALL that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, Maryland, located on the West side of the County Road known as Bevins Lane and beginning at said Bevins Lane at the Southeast corner of the land owned by George H. Scarborough and Victoria Scarborough, his wife; thence running in a Southerly direction by and with Bevins Lane a distance of 100 feet; thence running in a Westerly direction by and with the land of Henrietta Johnson, et al, to a ditch and the property of the Somerset County School Board; thence running in a Northerly direction by and with said ditch, a distance of 100 feet to the lands owned by George H. Scarborough, et ux; thence running in an Easterly direction by and with said Scarborough property to the place of beginning; being the same land conveyed unto the said Sylvester A. Bevins and Gladys I. Bevins, his wife, by Deed from Henrietta Johnson, et al, dated August 7, 1967, and recorded among the Land Records for Somerset County, Maryland, in Liber I.T.P. No. 241, Folio 139.

AND your Attorney and Agent sold the above described parcel of land unto Robert F. Adkins for the sum of $700.00, it being at that sum the highest bidder therefor, the terms of sale being; Twenty (20%) per cent cash on day of sale, balance upon final ratification of sale, the unpaid portion of the purchase price to be secured to the satisfaction of the attorney and agent, and to bear interest at the rate of 8% per annum, or all cash, at the option of the purchaster, title papers, revenue stamps at the expense of the purchaser.

The terms of sale were inadvertedly omitted from the legal advertisment in this matter but same were announced at the time

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

and place of sale as stated above and were also set forth in the letter to the Mortgagors as required under the Maryland Rules.

AND your Attorney and Agent states that the purchaser has complied with the terms of sale and bets leave to report that he will make distribution and pray ratification of the proceeds thus arising from said sale as follows:

TO AMOUNT RECEIVED FROM PURCHASER.....$700.00

DISBURSEMENTS

| | | | |
|---|---|---|---|
| I. Theodore Phoebus, Clerk, costs | | 35.00 | |
| Marylander & Herald- | | | |
| Notice of Sale | 44.00 | | |
| Order Nisi | 20.00 | 64.00 | |
| Edwin Muir-Auctioneer | | 25.00 | |
| Henderson Insurance, bond | | 10.00 | |
| Commissions on Sale | | 70.00 | |
| Walter Webster-Postage & Notary fees | | 3.03 | |
| State & County Taxes: | | | |
| 7/1/71 to 6/30/72 | 86.81 | | |
| 7/1/72 to 6/30/73 | 81.69 | 168.50 | 375.53 |
| Net proceeds from sale | | | $ 324.47 |
| Less: Principal on Mortgage | | 1070.45 | |
| Interest 7/15/68 to 9/29/72 | | 315.35 | 1385.80 |
| Deficiency | | | $1061.33 |

Respectfully submitted,

Walter D. Webster,
Attorney & Agent

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY that on this 12th day of June, 1973, before me, the subscriber, a Notary Public in and for the State and County, aforesaid, personally appeared Walter D. Webster, Attorney

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

and Agent, and made oath in due form of law that the matters and facts stated by him in the aforegoing Report of Sale and distribution of the proceedings arising therefrom are true and correct to the best of his knowledge, information and belief, and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: 7/1/74

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY that on this 12th day of June, A.D.,1973, beforeme, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Robert F. Adkins, the purchaser of the property sold in these proceedings, and made oath in due form of law that in making the purchase of the said real estate he was not acting as an agent for anyone other than himself and that no one other than himself is interested in the purchase thereof, as principal, and that he did not directly or indirectly discourage anyone from bidding for the said property.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: 7/1/74

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 8-7100

## ORDER NISI

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 13 day of June, in the year Nineteen Hundred and Seventy-three, that the sale of the property and distribution of the proceeds mentioned in these proceedings, same being No. 9253 Chancery, made and reported by Walter D. Webster, Attorney and Agent, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 16 day of July, 1973, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three (3) successive weeks before the 9 day of July, 1973.

The report states the amount of sale to be Seven Hundred Dollars ($700.00).

S. Theodore Phoebus
Clerk

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A.N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

LIBER 044 PAGE 348

WALTER D. WEBSTER, Attorney and Agent named in Mortgage

vs

SYLVESTER A. BEVINS & GLADYS I. BEVINS, his wife

: NO. 9253 CHANCERY

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

::::::

CERTIFICATE OF PUBLICATION

OF ORDER NISI

PRINCESS ANNE, MD., July 19

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a w newspaper published in Somerset County, Maryland, accordi the terms and requirements contained in said Nisi

Dates Inserted: June 21 28 July 5

Clarence L. Byrd

Business Manager MARYLANDER and HE

ORDER NISI

Walter D. Webster, Attorney and Agent named in Mortgage

vs

Slyvester Bevins and Gladys I. Bevins, his wife, Box 23 Marion Station, Maryland

No. 9253 Chancery In The Circuit Court for Somerset County, Maryland

ORDERED by the Circiut Court for Somerset County, State of Maryland, in Equity, this 13th day of June, in the year Nineteen Hundred and Seventy-three, that the sale of the property and distribution of the proceeds mentioned in these proceedings, same being No. 9253 Chancery, made and reported by Walter D. Webster, Attorney and Agent, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 16th day of July, 1973, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three (3) successive weeks before the 9th day of July, 1973.

The report states the amount of sale to be Seven Hundred Dollars ($700.00).

s/I. THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
6-8t

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 5-7100

FILED

JUL 25 9 33 AM '73

RECORDED IN
LIBER NO. FOLIO
I. THEODORE PHOEBUS, CLERK
BY

## FINAL ORDER OF RATIFICATION

ORDERED, By the Circuit Court for Somerset County, Maryland, In Equity, this 25 day of July, 1973, that the sale of the property mentioned in these proceedings and the distribution of the proceeds arising therefrom, as shown therein, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice thereof appears to have been given as required by the terms of the Order Nisi passed and published in this cause, and the Attorney and Agent is allowed the usual commissions and such proper expenses as he shall produce vouchers for, and the said Attorney and Agent is hereby authorized and directed to convey the property sold in said proceedings to the purchaser by good and sufficient deed.

Ex Martin Dorsey
Judge

WALTER D. WEBSTER
ATTORNEY AND COUNSELLOR
AT LAW
104-A-N. DIVISION ST.
SALISBURY, MD.
PI 9-7100

REC. 5 10 PM
Cert'd

LIBER 044 PAGE 550

| | | |
|---|---|---|
| HARRY M. ABBOTT<br>DEAL ISLAND, MARYLAND | : | NO. 9257 CHANCERY CASES |
| | : | IN THE CIRCUIT COURT FOR |
| VS. | | |
| | : | SOMERSET COUNTY, MARYLAND |
| EDWARD S. BOZMAN<br>RFD, PRINCESS ANNE, MD. | : | IN EQUITY |
| AND | : | |
| EDNA C. WHITE<br>RFD, PRINCESS ANNE, MD. | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

ALL THAT LOT OF LAND SITUATE IN DEAL ISLAND ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, WITH IMPROVEMENTS THEREON, BEING 40 FT. BY 60 FT. IN SIZE, ON THE EAST SIDE OF MARYLAND RT. NO. 363, IN DEAL ISLAND, MARYLAND; BEARING COUNTY TAX MAP NO. 112, FOLIO 302; HERETOFORE ASSESSED IN THE NAMES OF EDWARD S. BOZMAN AND EDNA C. WHITE FOR THE YEARS 1961 THROUGH 1970.

## BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE COMPLAINANT, HARRY M. ABBOTT, BY THOMAS S. SIMPKINS, HIS SOLICITOR, RESPECTFULLY REPRESENTS:

1. THAT THE COMPLAINANT IS A RESIDENT OF SOMERSET COUNTY, MARYLAND.

2. THAT ON DECEMBER 22, 1970, THERE WAS ISSUED TO THE COMPLAINANT BY CARLOS BOZMAN, COLLECTOR OF TAXES FOR SOMERSET COUNTY, MARYLAND, AND TREASURER FOR SOMERSET COUNTY, MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREFOR, THE FOLLOWING CERTIFICATE OF SALE:

A CERTIFICATE OF SALE SHOWING PAYMENT MADE BY THE COMPLAINANT TO SAID TREASURER AND COLLECTOR OF THE SUM OF $352.90 AND THE SALE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Rt 46394

TO THE COMPLAINANT ON SAID DATE OF "ALL THAT LOT OF LAND 40 FT. BY 60 FT. WITH IMPROVEMENTS, ON THE EAST SIDE OF RT. NO. 363, IN DEAL ISLAND, MARYLAND; BEARING TAX MAP NO. 112, FOLIO 302; ASSESSED IN THE NAMED OF EDWARD S. BOZMAN AND EDNA C. WHITE, FOR TAXES." THE SAME BEING IN DEAL ISLAND ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, AND ASSESSED TO EDWARD S. BOZMAN AND EDNA C. WHITE FOR THE YEARS 1961 THROUGH 1970, INCLUSIVE.

3. THAT THE ABOVE PROPERTY HAS NOT BEEN REDEEMED BY ANY OF THE PARTIES OF INTEREST, ALTHOUGH MORE THAN ONE YEAR FROM THE DATE OF THE SALE HAS EXPIRED.

4. THAT YOUR COMPLAINANT HAS CAUSED THE LAND AND TESTAMENTARY RECORDS OF SOMERSET COUNTY, TO BE EXAMINED BY THOMAS S. SIMPKINS, A MEMBER OF THE BAR OF THE STATE OF MARYLAND, WHOSE AFFIDAVIT IS ATTACHED HERETO, AND IN RELIANCE UPON WHICH, YOUR COMPLAINANT AVERS AND ALLEGES THAT THE SAID EDWARD S. BOZMAN AND EDNA C. WHITE HAVE NEVER CONVEYED, ACCORDING TO THE RECORDS, ANY OF THE REAL ESTATE STANDING IN THE RESPECTIVE NAMES OF EDWARD S. BOZMAN AND EDNA C. WHITE; AND THAT THERE ARE NO LIENS OR ENCUMBRANCES OF RECORD AGAINS T THE SAME.

5. THAT THE AMOUNTS NECESSARY TO REDEEM THE RESPECTIVE PROPERTY ARE THE AMOUNTS SHOWN ON THE CERTIFICATE AFORESAID AND COURT COST AND A REASONABLE ATTORNEY'S FEE TO THE SOLICITOR FOR THE COMPLAINANT.

WHEREFORE, YOUR COMPLAINANT PRAYS:

A. THAT A SUBPOENA BE ISSUED FOR THE NAMED RESPONDENTS: EDWARD S. BOZMAN, WHOSE LAST KNOWN ADDRESS IS RFD, PRINCESS ANNE, MARYLAND; AND EDNA C. WHITE, WHOSE LAST KNOWN ADDRESS IS RFD, PRINCESS ANNE, MARYLAND;

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

B. THAT YOUR HONOR MAY GRANT UNTO THE COMPLAINANT THE ORDER OF PUBLICATION DIRECTED TO THE SAID NAMED RESPONDENTS, AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN THE AFORESAID PROPERTY.

C. THAT THIS HONORABLE COURT PASS A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION OF THE RESPONDENTS AND ANY OF THEM OR ANY OTHER PERSONS HAVING OR CLAIMING AN INTEREST IN THE SAID PROPERTY.

D. THAT YOUR COMPLAINANT MAY HAVE SUCH OTHER AND FURTHER RELIEF AS HIS CASE MAY REQUIRE.

AND, AS IN DUTY BOUND, ETC.

Harry M. Abbott
HARRY M. ABBOTT, COMPLAINANT

Thos S. Simpkins
THOMAS S. SIMPKINS, SOLICITOR
FOR THE COMPLAINANT

AFFIDAVIT OF SOLICITOR

STATE OF MARYLAND,
COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 11th DAY OF September, 1972, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED THOMAS S. SIMPKINS, OF PRINCESS ANNE, SOMERSET COUNTY, MARYLAND, PERSONALLY KNOWN TO ME AND BEING DULY SWORN TO DEPOSE AND SAY:

1. THAT HE IS A MEMBER OF THE BAR OF THE STATE OF MARYLAND AND HAS BEEN PRACTICING HIS PROFESSION IN SOMERSET COUNTY, MARYLAND, FOR MORE THAN FIFTEEN YEARS PRIOR TO THIS DATE, AND THAT HE HAS MADE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE FOLLOWING PROPERTY:

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

ALL THAT LOT OF LAND SITUATE IN DEAL ISLAND ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, WITH IMPROVEMENTS THEREON, BEING 40 FT. BY 60 FT. IN SIZE, ON THE EAST SIDE OF MARYLAND RT. NO. 363, IN DEAL ISLAND, MARYLAND; BEARING COUNTY TAX MAP NO. 112, FOLIO 302; HERETOFORE ASSESSED IN THE NAMES OF EDWARD S. BOZMAN AND EDNA C. BOZMAN FOR THE YEARS 1961 THROUGH 1970, INCLUSIVE.

AND FOUND NO COVEYANCES OR LIENS AGAINST THE PARTIES MENTIONED, AND THAT HE HAS MADE AN EXAMINATION OF THE CHANCERY RECORDS OF SOMERSET COUNTY AND HAS FOUND NO CHANCERY PROCEEDINGS INVOLVING THE LANDS DESCRIBED IN THESE PROCEEDINGS; AND HE HAS EXAMINED THE TESTAMENTARY RECORDS OF SOMERSET COUNTY WITH REGARD TO EACH OF THE SAID PARTIES AND HAS FOUND NO PROCEEDINGS RELATIVE TO EDWARD S. BOZMAN OR EDNA C. WHITE.

(SEAL)
THOMAS S. SIMPKINS, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 11th DAY OF Sept. 1972.

NOTARY PUBLIC

VIRGINIA B. MILES · NOTARY PUBLIC · SOMERSET COUNTY

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 242 PAGE 554

| | | |
|---|---|---|
| HARRY M. ABBOTT | : | No. 9257 CHANCERY CASES |
| VS. | : | |
| EDWARD S. BOZMAN<br>RFD, PRINCESS ANNE, MD. | : | IN THE CIRCUIT COURT FOR |
| | : | |
| AND | | |
| | : | SOMERSET COUNTY, MARYLAND |
| EDNA C. WHITE<br>RFD, PRINCESS ANNE, MD. | : | |
| | | IN EQUITY |
| | : | |

AND ALL PERSONS HAVING OR CLAIMING ANY INTEREST IN CERTAIN REAL PROPERTY DESCRIBED AS FOLLOWS:

ALL THAT LOT OF LAND SITUATE IN DEAL ISLAND ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND WITH IMPROVEMENTS THEREON, BEING 40 FT. BY 60 FT. IN SIZE, ON THE EAST SIDE OF MARYLAND RT. NO. 363, IN DEAL ISLAND, MARYLAND; BEARING COUNTY TAX MAP NO. 112, FOLIO 302; HERETOFORE ASSESSED IN THE NAMES OF EDWARD S. BOZMAN AND EDNA C. WHITE FOR THE YEARS 1961 THROUGH 1970.

## ORDER OF PUBLICATION

THE OBJECT OF THESE PROCEEDINGS IS TO SECURE THE FORECLOSURE OF ALL RIGHTS OF REDEMPTION IN AND TO THE PROPERTY ABOVE DESCRIBED, ALL LYING AND BEING IN SOMERSET COUNTY, MARYLAND AND SOLD BY CARLOS BOZMAN, TREASURER OF SOMERSET COUNTY, MARYLAND, AND COLLECTOR OF STATE AND COUNTY TAXES THEREIN.

THE BILL STATES, AMONG OTHER THINGS, THAT THE AMOUNT NECESSARY FOR THE REDEMPTION OF THE AFORESAID PROPERTY HAS NOT BEEN PAID, ALTHOUGH MORE THAN A YEAR AND A DAY FROM DATE OF SALE, THE SAME BEING DECEMBER 22, 1970, HAS EXPIRED; IT IS, THEREUPON, THIS 11th DAY OF September, 1972, BY THE CIRCUIT COURT FOR

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

SOMERSET COUNTY, MARYLAND, ORDERED THAT NOTICE BE GIVEN BY PUBLICATION BY INSERTION OF A COPY OF THIS ORDER IN SOME NEWSPAPER HAVING GENERAL CIRCULATION IN SOMERSET COUNTY, ONCE A WEEK FOR FOUR SUCCESSIVE WEEKS, WARNING ALL PERSONS INTERESTED IN SAID PROPERTY, OR EITHER OF THEM, TO BE AND APPEAR IN THIS COURT BY THE 13th DAY OF November, 1972, AND REDEEM THE PROPERTY AND ANSWER THE BILL OF COMPLAINT, OR THEREAFTER A FINAL DECREE WILL BE RENDERED FORECLOSING THE RIGHT OF REDEMPTION IN SAID PROPERTIES, OR EITHER OF THEM, AND VESTING IN THE COMPLAINANT A TITLE TO SAID PROPERTY, FREE AND CLEAR OF ALL CLAIMS OR ENCUMBRANCES.

E. Momaster Dize
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

500-6/65

LIBER 0[illegible]2 PAGE 556

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on December 22, 1970 I sold to Harry (Sonny) Abbott at public auction for the sum of $ 355.00 , of which $ 352.90 has been paid, the property in Somerset County, described as follows:

All that lot of land 40 ft. by 60 ft. with improvements, on the East side of Rt. No.363, in Deal Island, Maryland; bearing tax map No. 112, folio 302; assessed in the names of Edward S. Bozman and Edna C. White, for taxes.

~~and assessed to~~

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this . day of

Carlos Bozman

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on December 22 1970, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Janet L. Crook

Notary Public

**WRIT OF SUBPOENA:** *No. 9257 Chancery Case*

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO *Edward S. Bozman*
*RFD*
*Princess Anne, Md.*
*and*
*Edna C. White*
*RFD*
*Princess Anne, Md.*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of ..*October*..... next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Harry M. Abbott*
*Deal Island, Maryland*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..*11th*..day of.....*September*....., 19.72.....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....*17th*....day of.....*October*....., 19...72.. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Thomas S. Simpkins*
Name *51 N. Main Street*
*Princess Anne, Md.*
Address

SHERIFF'S RETURN

Mortuus Est as too
Edward S. Bozman
and
Edna C. White
9/13/72

Thomas H. Tokwell
Sheriff

*S. Theodore Phoebus*
Clerk

LIBER 004 PAGE 557

LIBER 0 PAGE 0

THOMAS S. SIMPKINS
ATTORNEY AT LAW
PRINCESS ANNE, MARYLAND 21853

RETURNED TO SENDER
REASON CHECKED
Unclaimed
Refused
Addressee unknown
Insufficient Address
No such street number
No such office in state
Do not remail in this envelope

PRINCESS ANNE MD 21853
SEP 19 AM

EISENHOWER·USA 8¢

CERTIFIED
No. 943000
MAIL

MRS. EDNA C. WHITE
RFD
PRINCESS ANNE, MARYLAND 21853

103
80
23

Return Receipt Requested

10-4

Deceased

THOMAS S. SIMPKINS
ATTORNEY AT LAW
PRINCESS ANNE, MARYLAND 21853

RETURNED TO SENDER
REASON CHECKED
Unclaimed
Refused
Addressee unknown
Insufficient Address
No such street number
No such office in state
Do not remail in this envelope

PRINCESS ANNE MD 21853

EISENHOWER·USA 8¢

19
1/4
3

CERTIFIED
No. 943001
MAIL

MR. EDWARD S. BOZMAN
RFD
PRINCESS ANNE, MARYLAND 21853

103
80
23

RETURN RECEIPT REQUESTED

10-4

Deceased

| | | |
|---|---|---|
| HARRY M. ABBOTT | : | No. 9257 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| EDWARD S. BOZMAN | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| EDNA C. WHITE | : | |

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE PETITION OF HARRY M. ABBOTT, BY THOMAS S. SIMPKINS, HIS SOLICITOR, RESPECTFULLY REPRESENTS THAT THE ORDER OF PUBLICATION HERETOFORE PASSED IN THIS CAUSE HAS BEEN DULY PUBLISHED ACCORDING TO LAW AND THE TERMS THEREOF AND THAT THE RESPONDENTS HAVE BEEN DULY NOTIFIED BY CERTIFIED MAIL BUT THAT THE SAID RESPONDENTS HAVE NEITHER APPEARED TO NOR ANSWERED THE SAID BILL.

WHEREFORE, YOUR PETITIONER PRAYS THIS COURT TO PASS A DECREE PRO-CONFESSO AGAINST THE ADULT NON-ANSWERING RESPONDENTS NAMED IN THESE PROCEEDINGS AND ALSO REQUESTS AN ORDER TO TAKE TESTIMONY IN SAID CAUSE.

THOMAS S. SIMPKINS, SOLICITOR FOR
PETITIONER AND COMPLAINANT

ORDER OF COURT

IT APPEARING FROM THE PROCEEDINGS IN THE ABOVE CAUSE THAT THE ADULT RESPONDENTS NAMED THEREIN HAVE BEEN DULY NOTIFIED BY PUBLICATION AND CERTIFIED MAIL TO APPEAR TO THE BILL OF COMPLAINT FILED AGAINST THEM AND HAVE FAILED TO APPEAR OR FILE AN ANSWER THERETO; IT IS, THEREUPON, THIS 13 DAY OF DECEMBER, 1972, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, IN EQUITY,

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 644 PAGE 389

LIBER 044 PAGE 300

*ADJUDGED, ORDERED AND DECREED THAT THE BILL OF COMPLAINT IN THIS CAUSE BE AND THE SAME IS HEREBY TAKEN PRO-CONFESSO AGAINST THE NON-ANSWERING RESPONDENTS; AND IT IS FURTHER ORDERED THAT TESTIMONY BE TAKEN BEFORE THE EXAMINER OF THIS COURT.*

E. McMaster Duer
JUDGE

PRINCESS ANNE, MD., October 19 72

Order of Publication

This is to certify that the annexed Order has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted Sept 21 28 Oct 5 12, 1972

Business Manager MARYLANDER and HERALD

Harry M Abbott
vs
Edward S Bozman
Edno C. White

ORDER OF PUBLICATION

Harry M. Abbott
vs.
Edward S. Bozman
RFD, Princess Anne, Md.

and

Edno C. White
RFD, Princess Anne, Md.

No. 9257 Chancery Cases

In the Circuit Court for Somerset County, Maryland In Equity

and all persons having or claiming any interest in certain real property described as follows:

All that lot of land situate in Deal Island Election District, Somerset County, Maryland with improvements thereon, being 40 ft. by 60 ft. in size, on the East side of Maryland Rt. No. 363, in Deal Island, Maryland; bearing County Tax Map No. 112, folio 302; heretofore assessed in the names of Edward S. Bozman and Edna C. White for the years 1961 through 1970.

ORDER OF PUBLICATION

The object of these proceedings is to secure the foreclosure of all rights of redemption in and to the property above described, all lying and being in Somerset County, Maryland and sold by Carlos Bozman, Treasurer of Somerset County, Maryland, and Collector of State and County taxes therein.

The Bill states, among other things, that the amount necessary for the redemption of the aforesaid property has not been paid, although more than a year and a day from date of sale, the same being December 22, 1970, has expired; IT IS, thereupon, this 11th day of September, 1972, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by publication by insertion of a copy of this Order in some newspaper having general circulations in Somerset County, once a week for four successive weeks, warning all persons interested in said property, or either of them, to be and appear in this Court by the 13th day of November, 1972, and redeem the property and answer the Bill of Complaint, or thereafter a final decree will be rendered foreclosing the right of redemption in said properties, or either of them, and vesting in the complainant a title to said property, free and clear of all claims or encumbrances.

s/E. McMaster Duer, Judge
TRUE COPY, TEST:
J. Theodore Phoebus, Clerk
9-14-to 9-22-4to

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| HARRY M. ABBOTT | : | NO. 9257 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| EDWARD S. BOZMAN | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| EDNA C. WHITE | : | IN EQUITY |

TESTIMONY

IN THIS CAUSE, TESTIMONY HAVING TO BE TAKEN TO SUPPORT THE ALLEGATIONS OF THE BILL OF COMPLAINT, I, LOGAN C. WIDDOWSON, OF PRINCESS ANNE, MARYLAND, EXAMINER IN CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, DO HEREBY CERTIFY, THAT ON THIS 29 DAY OF December, 1972, IN SOMERSET COUNTY AFORESAID, I DID TAKE THE FOLLOWING TESTIMONY, TO WIT:

HARRY M. ABBOTT, A WITNESS OF LAWFUL AGE, ONE OF THE COMPLAINANTS HEREIN, BEING DULY SWORN, DEPOSES AND SAYS:

1. PLEASE STATEYOUR NAME, RESIDENCE AND OCCUPATION.
A. HARRY M. ABBOTT, I LIVE IN DEAL ISLAND, MARYLAND AND I AM IN THE SEAFOOD BUSINESS.

2. ARE YOU FAMILIAR WITH THE PROPERTY MENTIONED IN THIS ACTION?
A. YES, I AM. ON DECEMBER 22, 1970, I PURCHASED THE PROPERTY MENTIONED IN THIS PROCEEDING AT A TAX SALE CONDUCTED IN PRINCESS ANNE, MARYLAND, BY MR. CARLOS BOZMAN, THE COLLECTOR OF TAXES AND HE ISSUED TO ME THE CERTIFICATE OF SALE ON THAT DATE. I PAID THE SUM OF $352.90 FOR THE SAID PROPERTY.

3. IS THIS THE SAME CERTIFICATE AND FILED AS EXHIBIT A.?
A. YES, IT IS.

4. HAVE YOU RECEIVED FROM ANYONE ANY NOTICE OF REDEMPTION OF THESE PROPERTIES OR HAS ANYONE ATTEMPTED TO REDEEM THEM OR HAS ANYONE PAID ANY MONEY OR REFUND TO YOU FOR THE CERTIFICATE WHICH YOU HAVE DESCRIBED?
A. NO, NO ONE HAS CONTACTED ME CONCERNING IT.

5. WHAT, IF ANYTHING HAVE YOU DONE TO ASCERTAIN WHETHER THIS PROPERTY WAS PROPERLY ASSESSED OR WHETHER IT HAD BEEN CONVEYED AWAY OR WHETHER ANY OTHER DISPOSITION OF THE PROPERTY MIGHT HAVE BEEN MADE?
A. MY ATTORNEY, THOMAS S. SIMPKINS, HAS MADE AN EXAMINATION OF

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

THE PUBLIC RECORDS TO ASCERTAIN THESE MATTERS AND TO TAKE SUCH STEPS REQUIRED BY LAW TO FORECLOSE THE RIGHTS OF REDEMPTION.

COURT'S QUESTION: NOTHING

Harry M Abbott
HARRY M. ABBOTT, PLAINTIFF

Logan C. Widdowson
LOGAN C. WIDDOWSON, EXAMINER

I AM THOMAS S. SIMPKINS AND I RESIDE IN PRINCESS ANNE, MARYLAND. I AM AN ATTORNEY AT LAW AND HAVE MY OFFICE IN PRINCESS ANNE. I AM THE PLAINTIFF IN THIS ACTION AND I MADE AN EXAMINATION OF THE PUBLIC RECORDS OF SOMERSET COUNTY IN REGARD TO THE OWNERSHIP AND EXISTENCE OF LIENS ON THE PROPERTY IN QUESTION AND TOOK SUCH STEPS AS WERE NECESSARY BY LAW TO NOTIFY THE FORMER OWNERS OF RECORD OR ANY PERSONS WHO MIGHT BE INTERESTED IN SAID PROPERTY OF THEIR RIGHT TO REDEEM THE SAME. I PERSONALLY EXAMINED THE SAID RECORDS AND HAVE PREVIOUSLY FILED AN AFFIDAVIT IN THESE PROCEEDINGS AND I NOW RE-AFFIRM THE CONTENTS OF THAT AFFIDAVIT AS MY TESTIMONY IN THESE PROCEEDINGS. I ALSO CAUSED TO BE PUBLISHED THE ORDER OF PUBLICATION HEREIN AS WILL MORE FULLY APPEAR BY THE PRINTER'S CERTIFICATE WHICH HAS BEEN FILED HEREIN. NO PERSONA HAS MADE ANY OFFER TO ME OR TO MY OFFICE TO REDEEM THE PROPERTY DESCRIBED IN THIS ACTION; NOR HAS ANYONE DISCLOSED TO ME ANY INTENTION TO REDEEM THE SAME.

COURT'S QUESTION:
NOTHING.

Thomas S. Simpkins
THOMAS S. SIMPKINS, ATTORNEY

Logan C. Widdowson
LOGAN C. WIDDOWSON, EXAMINER

CARLOS BOZMAN, A WITNESS PRODUCED ON BEHALF OF THE PLAINTIFF, BEING DULY SWORN, DEPOSES AND SAYS:

1. PLEASE STATE YOUR NAME, RESIDENCE AND OCCUPATION.
A. CARLOS BOZMAN, I RESIDE IN SOMERSET COUNTY, MARYLAND, AND I AM THE DULY ELECTED AND QUALIFIED TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES FOR SOMERSET COUNTY.

2. THE CERTIFICATE OF SALE FILED IN THIS PROCEEDING WAS ISSUED BY YOU, IS THAT CORRECT?
A. YES, I ISSUED IT ON DECEMBER 22, 1970 TO HARRY M. ABBOTT AS THE PURCHASER OF THE PROPERTY AT THE TAX SALE HELD BY ME IN MY OFFICIAL CAPACITY ON THAT DATE.

3. PRIOR TO THAT OFFERING OF THE PROPERTY FOR TAX SALE, DID YOU OR YOUR OFFICE RECEIVE DUE NOTICE OF ASSESSMENT OF THIS PROPERTY?
A. YES.

4. DID YOU OR YOUR OFFICE ISSUE TAX BILLS FOR THE PROPERTY FOR

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

THE YEARS FOR WHICH IT WAS SOLD?
A. YES.

5. AND DID YOU OR YOUR OFFICE COMPLY WITH ALL THE REQUIREMENTS OF THE LAW CONCERNING THE TAX SALE OF THIS PROPERTY?
A. YES, THE PROPERTY WAS DULY ASSESSED, BILLS WERE FORWARDED AND I COMPLIED WITH ALL THE PRE-REQUISITES OF LAW IN REGARD TO THE TAX SALE.

6. HAVE YOU RECEIVED ANY NOTICE FROM ANYONE OF AN INTENTION TO REDEEM THE SAME OR ANY OFFER FOR PAYMENT ON ACCOUNT OF SUCH REDEMPTION FROM ANY PERSON?
A. NO, I HAVE NOT.

COURT'S QUESTION.
A. NOTHING.

CARLOS BOZMAN, TREASURER

LOGAN C. WIDDOWSON, EXAMINER

THERE BEING NO FURTHER WITNESSES TO BE EXAMINED AND AT THE SUGGESTION OF THE PLAINTIFF, THE PAPERS ARE HEREWITH RETURNED TO THE COURT, CLOSED UNDER MY HAND AND SEAL. I HEREBY CERTIFY THAT THIS ANNEXED BILL OF COST IS CORRECT AND PAID BY THE PLAINTIFF AND I FURTHER CERTIFY THAT THIS EXAMINATION WAS CONDUCTED IN COMPLIANCE WITH GENERAL EQUITY RULE 580G. IN THE JUDGMENT OF THE EXAMINER, NO EXAMINATION OR CROSS-EXAMINATION WAS PROPER OR NECESSARY FOR A FULL PRESENTATION OF THE TRUE FACTS IN THE CASE. THERE WERE NO IRREGULARITIES OR UNUSUAL CIRCUMSTANCES IN THE TAKING OF THE TESTIMONY IN THIS CAUSE OR IN THE CONDUCT OF THE PROCEEDINGS.

AS WITNESS MY HAND AND SEAL.

LOGAN C. WIDDOWSON, EXAMINER (SEAL)

BILL OF COST:
EXAMINER: $10.00, PAID

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| HARRY M. ABBOTT | : | NO. 9257 CHANCERY CASES |
| VS. | : | IN THE CIRCUIT COURT FOR |
| EDWARD S. BOZMAN | : | SOMERSET COUNTY |
| AND | : | STATE OF MARYLAND |
| EDNA C. WHITE | : | IN EQUITY |

DECREE

THE ABOVE ENTITLED CASE COMING ON FOR HEARING, THE PROCEEDINGS WERE READ AND CONSIDERED, AND IT IS THEREUPON, THIS 25 DAY OF January, 1973, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, SITTING IN EQUITY, ADJUDGED, ORDERED AND DECREED THAT THE PROPERTY MENTIONED AND DESCRIBED IN THESE PROCEEDINGS AS HAVING BEEN SOLD TO HARRY M. ABBOTT BY CARLOS BOZMAN, TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES IN SAID SOMERSET COUNTY, ON DECEMBER 22, 1970, I S THE PROPERTY OF HARRY M. ABBOTT, IT APPEARING FROM THE TESTIMONY THAT THE PROPERTY WAS SOLD AT SAID TAX SALE UNTO SAID HARRY M. ABBOTT, AND THAT ALL OF THE RIGHT, TITLE AND INTEREST OF EDWARD S. BOZMAN AND EDNA C. WHITE AND ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST IN AND TO THE SAID REAL ESTATE MENTIONED AND DESCRIBED IN THESE PROCEEDINGS, BE AND THE SAME ARE HEREBY FORECLOSED TO THE END THAT THE SAID HARRY M. ABBOTT MAY AND HE IS HEREAFTER TO HAVE AND TO HOLD THE SAID PROPERTY BY GOOD AND MERCHANTABLE FEE SIMPLE TITLE, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT LOT OF LAND SITUATE IN DEAL ISLAND ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND, WITH IMPROVEMENTS THEREON, BEING 40 FT. BY 60 FT. IN SIZE, ON THE EAST SIDE OF MARYLAND RT. NO. 363 IN DEAL ISLAND, MARYLAND; BEARING COUNTY TAX MAP NO. 19-23-36 AND HERETOFORE ASSESSED IN THE NAMED OF EDWARD S. BOZMAN AND

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

EDNA C. WHITE.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED THAT THE SAID CARLOS BOZMAN, TREASURER AND COLLECTOR OF STATE AND COUNTY TAXES HEREIN, EXECUTE AND DELIVER UNTO THE SAID HARRY M. ABBOTT A GOOD AND SUFFICIENT DEED UNDER THE LAWS OF THE STATE OF MARYLAND TO CONVEY UNTO THEM, THEIR SUCCESSORS AND ASSIGNS, FOREVER IN FEE SIMPLE, THE ABOVE DESCRIBED PROPERTY UPON THE PAYMENT OF ANY BALANCE OF TAXES DUE ON SAID PROPERTY, IN ANY, FROM AND AFTER THE LAST OF THE YEARS TO COLLECT THE TAXES DUE FOR WHICH SAID TAX SALE WAS MADE, TOGETHER WITH ALL INTEREST AND PENALTIES ACCRUED THEREON.

E. McMaster Duer
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

DEC 5 1978

LIBER 644 PAGE 308

| | | |
|---|---|---|
| Bernice M. Waters<br>1309 Bayside Avenue, Apt. 11<br>Woodbridge, Virginia 22191 | : | No. 9277 Chancery<br><br>In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Dow Waters<br>5021 Seminary Road, Apt. 728<br>Alexandria, Virginia 22311 | : | |
| and | : | |
| Bank of Crisfield, a body corporate<br>Main Street<br>Crisfield, Maryland 21817<br>Mortgagee | : | |

To the Clerk of the Circuit Court for Somerset County.

Dear Mr. Clerk:

Please file the within bill of complaint and issue a writ of subpoena for the resident defendant named therein and order of publication directed to the non-resident defendant named therein.

JONES & JONES

By _____
Solicitors for Complainant
Princess Anne, Maryland
Telephone 651-2747

| | | |
|---|---|---|
| Bernice M. Waters<br>1309 Bayside Avenue, Apt. 11<br>Woodbridge, Virginia 22191 | : | No. 9277 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Dow Waters<br>5021 Seminary Road, Apt. 728<br>Alexandria, Virginia 22311 | : | |
| and | : | |
| Bank of Crisfield, a body corporate<br>Main Street<br>Crisfield, Maryland 21817<br>Mortgagee | : | |

BILL OF COMPLAINT FOR PARTITION

To the Honorable, the Judge of said Court:

Your oratrix, complaining, says:

1. That this bill of complaint in partition is filed pursuant to the provisions of Article 16, Section 154 of the Annotated Code of Maryland and pursuant to the Maryland Rules of Procedure.

2. That the said Bernice M. Waters, complainant, and Dow Waters, respondent, are seized and possessed, as tenants in common, of the hereinafter described real estate in the shares hereinafter set forth: All that tract or parcel of land situate, lying and being in Lawsons Election District, Somerset County, Maryland, lying and binding on the north side of the Jacksonville Road leading from Maryland Route 413 to the Crisfield Municipal Airport, bounded on the west in part by the land assessed to William Harlan Dize and Mary Frances Dize (deed reference B.L.B. No. 154, folio 503, and B.L.B. No. 154, folio 388), in part by the land assessed to Earl C. Coons (deed reference I.T.P. No. 260, folio 143) and in part by the land assessed to Edgar Nelson and Lorraine Baldwin Nelson, bounded on the north by the land assessed to Benjamin Freely Nelson (deed reference B.L.B. No. 132, folio 298), and bounded on the east by the land assessed to J. Benson Nelson (deed reference J.M.T. No. 110, folio 1); the land herein described being indicated on the 1972 Tax Assessment Maps of Somerset County on Map 64, Block 11 as Parcel 432, containing 6 acres, more or less, and being the same and all the land which was conveyed unto Dow Waters and Bernice M. Waters, as tenants by the entireties, by Alfred J. Lawson, Jr.

and Ruth Lawson, his wife, by deed dated March 31, 1955 and recorded April 19, 1955 among the Land Records of Somerset County in Liber B.L.B. No. 170, folio 499.

3. The complainant herein, Bernice M. Waters, was awarded against the respondent, Dow Waters, a final decree of divorce a vinculo matrimonii by the Judge of the Circuit Court of Prince William County, Virginia, on May 25, 1972 in proceedings recorded in said Court in Chancery No. 5910.

4. That as a result of said decree of divorce a vinculo matrimonii the relationship of tenants by the entireties between the complainant and the respondent was destroyed and terminated to the end that the parties now hold the above described property as tenants in common in equal shares.

5. The land and improvements thereon above described are encumbered by a mortgage from the said Dow Waters and Bernice M. Waters to the Bank of Crisfield, a body corporate, of Crisfield, Maryland, dated March 31, 1955 and recorded April 19, 1955 among the aforesaid Land Records in Liber B.L.B. No. 171, folio 81, in the original amount of $6,000.00 and the complainant herein is informed and, therefore, believes that there is now due and outstanding on said mortgage the sum of $1,068.43 principal together with interest in the amount of $4.94 through November 6, 1972 and that the per diem charge on said mortgage is .13355.

6. That the above described property is not susceptible to partition without material loss and injury to the parties entitled to interest therein.

7. That the said Bernice M. Waters and the said Dow Waters are both adults over the age of twenty-one years and both are non-residents of the State of Maryland.

To the end, therefore,

a. That a decree may be passed by this Court for the sale of the real estate described in the above petition and a division of the money arising from said sale may be made among the parties according to their respective rights.

b. That your oratrix may have such other and further relief as her case may require.

May it please your Honor to grant unto your oratrix the writ of subpoena directed to the said Bank of Crisfield, Crisfield, Maryland, resident defendant herein, and an order of publication directed to the said Dow Waters, non-resident defendant herein, commanding them and each of them to be and appear in this Court

at some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound,

JONES & JONES

By _____

Attorneys for Complainant

LIBER 044 PAGE 569

Jones & Jones, Attorneys
Princess Anne, Maryland

LIBER 044 PAGE 570

| | | |
|---|---|---|
| Bernice M. Waters<br>1309 Bayside Avenue, Apt. 11<br>Woodbridge, Virginia 22191 | : | No. 9277 Chancery |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Dow Waters<br>5021 Seminary Road, Apt. 728<br>Alexandria, Virginia 22311 | :<br>: | |
| and | : | |
| Bank of Crisfield, a body corporate<br>Main Street<br>Crisfield, Maryland 21817<br>Mortgagee | :<br>: | |

ORDER OF PUBLICATION

The object of this suit, filed pursuant to Article 16, Section 154 of the Annotated Code of Maryland and the Maryland Rules of Procedure, is to obtain a decree for the sale of the land and improvements described in the bill of complaint and the division of the proceeds of sale distributed among the parties entitled thereto.

The bill recites that the complainant, Bernice M. Waters, and the defendant, Dow Waters, are owners as tenants in common of a tract or parcel of land and the improvements thereon located on the north side of the Jacksonville Road leading from Maryland Route 413 to the Crisfield Municipal Airport, containing 6 acres, more or less, and described on the 1972 Tax Assessment Maps of Somerset County on Map 64, Block 11 as Parcel 432; that the said Bernice M. Waters was divorced from the said Dow Waters by a decree from the Circuit Court of Prince William County, Virginia, dated May 25, 1972 in No. 5910 Chancer; that the Bank of Crisfield holds a mortgage encumbering said property dated March 31, 1955 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 171, folio 81, and that said property is not susceptible to partition without material loss and injury to the parties entitled to interest therein and, therefore, a sale of the real estate and division of the proceeds is sought.

It is thereupon this 16th day of November, 1972, ORDERED by the Circuit Court for Somerset County, Maryland, sitting in Equity, that the complainant by causing a copy of this order to be inserted in some newspaper published in said Somerset County, Maryland, once in each of four successive weeks before the 12th day of December,

1972, give notice to the said defendant, Dow Waters, of the object and substance of this bill, and warning him to appear in this Court, either in person or by solicitor on or before the 18th day of January, 1973 to show cause, if any he has, why a decree ought not to be passed as prayed.

Clerk of Court

No. 9277 Chancery Case

LIBER 044 PAGE 572

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO *Bank of Crisfield, a body corporate*
*Main Street*
*Crisfield, Maryland 21817*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of *December* next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Bernice M. Waters*
*1309 Bayside Avenue, Apt. 11*
*Woodbridge, Virginia 22191*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the *16* day of *November*, 19*72*.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the *19th* day of *December*, 19*72*. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)
*Alexander G. Jones*
*Jones & Jones*
Name
*Princess Anne, Maryland*
Address

*L. Theodore Phoebus*
Clerk

SHERIFF'S RETURN

Bill of Complaint, Subpoena, Instructions and Lis Pendens for Partition

Laid in hands of Doyle Tyler, Pres. Bank of Crisfield for 17

Thomas H. Tolliver
SHERIFF

E.P.M. 11/17/72 Doyle Tyler

Bernice M. Waters
1309 Bayside Avenue, Apt. 11
Woodbridge, Virginia 22191

vs.

Dow Waters
5021 Seminary Road, Apt. 728
Alexandria, Virginia 22311

and

Bank of Crisfield,
a body corporate
Main St.
Crisfield, Md. 21817

No. 9277 Chancery

In the Circuit Court for

Somerset County

State of Maryland

ANSWER

The defendant, Dow Waters, by his attorney, Wade D. Ward, answers to the Bill of Complaint filed in the proceedings, as follows:

1. That he admits the allegations set forth in Paragraph 1.
2. That he admits the allegations set forth in Paragraph 2.
3. That he admits the allegations set forth in Paragraph 3.
4. That he admits the allegations set forth in Paragraph 4.
5. That he admits the allegations set forth in Paragraph 5.
6. That he admits the allegations set forth in Paragraph 6.
7. That he admits the allegations set forth in Paragraph 7.

And in further answering said Bill of Complaint the defendant consents to a passage of such decree as may be right and proper under the circumstances, and the said defendant further requests his attorney, Wade D. Ward, be appointed Co-Trustee in these proceedings for the protection of the interest of said defendant.

And as in duty bound, etc.

Wade D. Ward, Attorney for Defendants

I HEREBY CERTIFY that I mailed a copy of the aforegoing Answer to the Bill of Complaint to Alexander Jones, Attorney for the plaintiff, Princess Anne, Maryland, this 12 day of December, 1972, by regular U. S. mail, postage prepaid.

Wade D. Ward

Bernice M. Waters
1309 Bayside Avenue, Apt. 11
Woodbridge, Virginia 22191

vs.

Dow Waters
5021 Seminary Road, Apt. 728
Alexandria, Virginia 22311

and

Bank of Crisfield, a body
corporate
Main St.
Crisfield, Md. 21817
Mortgagee

No. 9277 Chancery

In the Circuit Court for

Somerset County

State of Maryland

To the Clerk of the Circuit Court for Somerset County.
Dear Mr. Clerk:

Please enter the appearance of Wade D. Ward, Attorney for the defendants, Dow Waters and Bank of Crisfield.

Wade D. Ward

LIBER 042 PAGE 576

Bernice M. Waters
1309 Bayside Avenue, Apt. 11
Woodbridge, Virginia 22191

vs.

Dow Waters
5021 Seminary Road, Apt. 728
Alexandria, Virginia 22311

and

Bank of Crisfield, a
body corporate
Main St.
Crisfield, Maryland 21817

No. 9277 Chancery

In the Circuit Court for

Somerset County

State of Maryland

ANSWER

The Defendant, Bank of Crisfield, by its attorney, Wade D. Ward, answers to the Bill of Complaint filed in the proceedings, as follows:

1. That it has no knowledge of the allegations set forth in Paragraph #1.

2. That it has no knowledge of the allegations set forth in Paragraph #2.

3. That it has no knowledge of the allegations set forth in Paragraph #3.

4. That it has no knowledge of the allegations set forth in Paragraph #4.

5. That it admits the allegations set forth in Paragraph #5.

6. That it has no knowledge of the allegations set forth in Paragraph #6.

7. That it has no knowledge of the allegations set forth in Paragraph #7.

And as in duty bound, etc.

Wade D. Ward
Attorney for Bank of
Crisfield

I HEREBY CERTIFY that I mailed a copy of the aforegoing Answer to the Bill of Complaint to Alexander Jones, Attorney for the Plaintiff, Princess Anne, Maryland, this 17th day of January, 1973, by regular U. S. mail, postage prepaid.

Wade D. Ward

LIBER 044 PAGE 578

| | |
|---|---|
| Bernice M. Waters<br>1309 Bayside Avenue, Apt. 11<br>Woodbridge, Virginia 22191 | No. 9277 Chancery |
| vs. | In the Circuit Court for |
| Dow Waters<br>5021 Seminary Road, Apt. 728<br>Alexandria, Virginia 22311 | Somerset County |
| and | |
| Bank of Crisfield,<br>a body corporate<br>Main St.,<br>Crisfield, Maryland 21817 | State of Maryland |

**ANSWER**

The Defendants, Dow Waters and Bank of Crisfield, by their attorney, Wade D. Ward, waive the notice of the taking of deposition in the above named case.

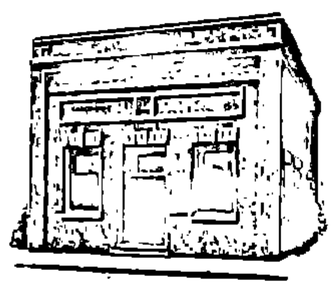
Wade D. Ward
Attorney for Defendants

I HEREBY CERTIFY that I mailed a copy of the aforegoing Answer to Alexander G. Jones, Attorney for the Plaintiff, this 24th day of January, 1973, by regular U.S. mail, postage prepaid.

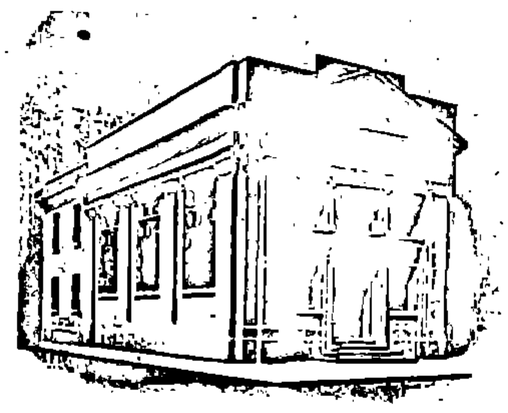
Wade D. Ward

Complainant's Exhibit No. 2

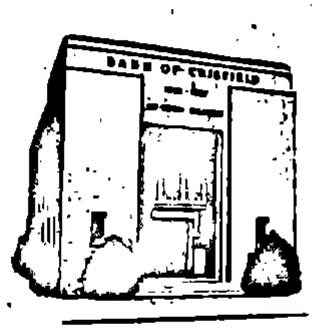
F. DOYLE TYLER
PRESIDENT



MARION BRANCH, MARION STATION, MD.



10TH & MAIN STS.




DEB W. MAIN ST.

ALLISON H. HALL
VICE PRESIDENT AND CASHIER
MERRILL O. BYRD
VICE PRESIDENT
ROBERT L. TAWES, JR.
VICE PRESIDENT & SECRETARY

# BANK *of* CRISFIELD

**CRISFIELD · MARYLAND**

November 6, 1972

Mr. Alexander G. Jones, Attorney
Princess Anne, Maryland 21853

Dear Sandy:

We reply to your letter regarding the status of the Dow Waters, et ux, mortgage.

| | |
|---|---|
| Balance due on mortgage | $1,068.43 |
| 37 days interest @ 4 1/2% thru 11/6/72 | 4.94 |

The per diam charge is .13355.

The October 30, payment has not been received.

Sincerely yours,

F. D. Tyler
President

LIBER 024 PAGE 5

N IT'S EXHIBIT NO. 1

LIBER 144 PAGE 580

O R I G I N A L

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

BERNICE M. WATERS )
Complainant )
)
vs. ) IN CHANCERY NO. 5910
)
DOW WATERS )
Defendant )

FINAL DECREE OF DIVORCE A VINCULO MATRIMONII

This cause came to be heard upon papers and proceedings heretofore had herein as well as the report of Leonard L. Lonas, Jr., Commissioner in Chancery, to whom this cause was referred by a Decree of Reference entered on February 14, 1972, together with the notice of the filing of said report as well as a copy of the depositions of the witnesses testifying before the said Commissioner, all of which was duly filed in this cause on May 12, 1972. No exceptions have been filed to said report.

Upon consideration whereof, and it appearing to the Court independently of the admissions of either party in the pleadings or otherwise, that the parties were married on the 26th day of November 1953 in Mardela Springs, Maryland, and both parties are of the white race; that no children were born of this marriage; that the parties have been domiciled in and have been actual bona fide residents of this State for more than one year next preceeding the commencement of this suit; and that the defendant willfully deserted and abandoned the complainant on the 12th day of June 1969, from which time the separation of the parties has continued without interruption.

IT IS, THEREFORE, ADJUDGED, ORDERED AND DECREED, that Bernice M. Waters be, and she is, hereby awarded a divorce a vinculo matrimonii from Dow Waters, thus terminating the marriage entered into between the parties on November 26, 1953.

Chancery Bk 39
P. 234

And this cause is removed from the docket.

Entered this 25th day of May, 1977

Percy Thornton Jr.
JUDGE

I ask for the entry
of this Decree:

C. Lacey Houghton p.q.

Seen:

Fred W. Bender p.d.

A COPY-TESTE:
L. E. ATHEY, Clerk
By: Doris M. Swartz
Deputy Clerk

| | | |
|---|---|---|
| Bernice M. Waters | : | No. 9277 Chancery |
| vs | : | In the Circuit Court for |
| Dow Waters | : | Somerset County, Maryland |
| and | : | |
| Bank of Crisfield | : | LIBER 244 PAGE 382 |

On behalf of the complainant in the above entitled cause, the defendant having been duly summonsed and having filed an answer to the bill of complaint heretofore filed in this proceeding, the following testimony was taken in the above entitled proceeding by me, Logan C. Widdowson, a Standing Examiner of the Circuit Court for Somerset County, Maryland. I do hereby certify that on this 24th day of January, 1973, in the law offices of Jones & Jones, Princess Anne, Maryland, I did take the following testimony, to wit:

Bernice M. Waters, a witness of lawful age produced on the part of the plaintiff, being first duly sworn, deposes and says:

Int. 1 - Please state your name, age, residence and occupation.

Ans. My name is Bernice M. Waters, I am 52 years of age, and I reside at Apt. 11, 1309 Bayside Avenue, Woodbridge, Virginia 22191, and I am employed as a bank teller.

Int. 2 - Are you the complainant in this proceeding?

Ans. Yes

Int. 3 - What is your relationship to the defendant, Dow Waters?

Ans. He is my former husband. We were married on November 26, 1953 and were divorced in the Circuit Court of Prine William County, Virginia, on May 25, 1972.

Int. 4 - I hand you a document and ask you if you can identify it.

Ans. Yes. This is a document which I requested and which was mailed to me by L. E. Athey, Clerk of the Circuit Court of Prince William County, Virginia. It is called "A Copy-Teste" signed by Doris M. Swartz, Deputy Clerk, and is imprinted with the seal "Circuit Court of Prince William County , Virginia" and is a copy of a "Final Decree of Divorce A Vinculo Matrimonii" recorded in

Book No. 69, folio 234 in the case of Bernice M. Waters, Complainant, vs. Dow Waters, Defendant, in Chancery No. 5910. The decree is dated May 25, 1972 and awarded me a divorce a vinculo matrimonii from Dow Waters. (This document was handed to the Court Examiner to be attached to the testimony of the witness as Complainant's Exhibit No. 1.)

Int. 5 - Did you and your former husband, Dow Waters, at any time own any real estate in Somerset County, Maryland.

Ans. Yes. I have been shown the bill of complaint filed in this proceeding. Paragraph 2 describes the property in Lawsons Election District, on the north side of the Jacksonville Road leading from Maryland Route 413 to the Crisfield Municipal Airport, containing 6 acres, more or less, which is the land which was conveyed to Dow Waters and Bernice M. Waters while we were married, as tenants by the entireties, by Alfred J. Lawson, Jr. and Ruth Lawson, his wife, by deed dated March 31, 1955 and recorded on April 19, 1955 among the Land Records of Somerset County in Liber B.L.B. No. 170, folio 499.

Int. 6 - Do you still own this property?

Ans. I am informed by my attorney that as a result of our Virginia divorce my former husband and I still own the property but in a different legal relationship. We have never sold any part of the property so I assume we still own it in equal shares.

Int. 7 - Is there a mortgage against the property?

Ans. Yes. My former husband and I signed a mortgage on this property to the Bank of Crisfield dated March 31, 1955, recorded April 19, 1955 among the Land Records of Somerset County in Liber B.L.B. No. 171, folio 81 in the original amount of $6,000.00. It is my understanding that there was outstanding on the mortgage the principal sum of $1068.43 with interest in the amount of $4.94 through November 6, 1972 and that the per diem charge on the mortgage is .13355. This mortgage is still outstanding as far as I know.

Int. 8 - Was the Bank of Crisfield made a party to this suit because of this mortgage?

Ans. Yes.

LIBER 044 PAGE 003

Int. 9 - What is your estimate of the value of this property?

Ans. I am probably not a good judge of the value of property in this area. The property contains about 6 acres and a house in rather poor condition. The property is assessed at $4200.00 but I doubt if it is worth that much. I would estimate $3,000.00 but this is only a guess.

Int. 10 - Are you or your former husband in military service of the United States.

Ans. No.

Int. 11 - Are you both adults?

Ans. Yes.

Int. 12 - What relief do you seek from the Court?

Ans. I wish to have the property sold according to the law of this state and after payment of all the costs, mortgage, taxes, and any other expenses to have the money divided between my former husband and myself. I was advised by my attorney that this was the proper procedure in Maryland for this purpose.

COURT QUESTION.

Ans. Nothing further.

Bernice M. Waters
Bernice M. Waters

H. Parker Tull, Jr., a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says:

Int. 1 - Please state your name, age, residence and occupation.

Ans. My name is H. Parker Tull, Jr., I am 67 years of age, my address is 325 West Main Street and I am associated with Tull and Price, Inc. in insurance and real estate.

Int. 2 - Mr. Tull, are you familiar with the property described in paragraph 2 of the bill of complaint filed in this proceeding?

Ans. Yes, I am.

Int. 3 - What is your connection with this property?

Ans. On April 15, 1971 I made an appraisal of the property for Mrs. Bernice M. Waters. At that time I appraised the land at 6 acres at $350.00 per acre or $2100.00, the house at $3,000.00, a small garage at $75.00, and an outbuilding of

no value for a total appraisal of $5175.00. The land was then assessed at $900.00 and improvements at $2275.00 or a total tax assessment of $3175.00. On November 14, 1972 at the request of Attorney Alexander G. Jones I again made an appraisal of this property and found that the improvements had greatly depreciated. I considered the land to be worth $350.00 per acre or $2100.00 and the residence to be worth $1500.00 and the other outbuildings of no value or a total appraisal of $3600.00. The property was assessed for tax purposes at $4200.00 and is described on Tax Map 64, Block 11, as Parcel 432 assessed to Dow Waters and Bernice M. Waters.

Int. 4 - Can you describe the location of the property?

Ans. The property is on the Jacksonville Road leading from Maryland Route 413 to Crisfield Airport in Lawsons Election District. The road is hard surfaced. The property was conveyed to Dow Waters and Bernice M. Waters by Alfred J. Lawson, Jr. and Ruth Lawson, his wife, by deed dated March 31, 1955 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 170, folio 499.

COURT QUESTION

Ans. Nothing further.

H. Parker Tull, Jr.

Alexander G. Jones, a witness of lawful age, produced on the part of the plaintiff, being first duly sworn, deposes and says;

Int. 1 - Mr. Jones you are the attorney who represents the complainant, Bernice M. Waters, in this proceeding.

Ans. That is correct.

Int. 2 - Have you heard the testimony of Bernice M. Waters and H. Parker Tull, Jr.?

Ans. Yes.

Int. 3 - To the best of your knowledge, information and belief is the testimony of these witnesses accurate?

Ans. Yes.

LIBER 044 PAGE 58

Int. 4 - Do you have any information from the Bank of Crisfield concerning the mortgage to which Mrs. Waters testified.?

Ans. Yes. I have a letter addressed to me from F. Doyle Tyler, President

of the Bank of Crisfield, dated November 6, 1972 in response to my earlier letter to Mr. Tyler requesting information concerning the mortgage. Mr. Tyler's letter, which speaks for itself stated that the balance due on the mortgage was $1068.43 together with interest in the amount of $4.94 as of November 6, 1972 and that the per diem charge thereafter would be .13355. (Letter tendered as Exhibit No. 2)

Int. 5 - Has this mortgage since been satisfied?

Ans. To the best of my knowledge it has not. It is my understanding that it will be satisfied from the proceeds of the sale of the property in this proceeding under the supervision of the court.

COURT QUESTION.

Ans. Nothing further.

Alexander G. Jones

There being no further witnesses produced for examination by me, and at the request of attorneys for the complainant I hereby return the above testimony to court under my hand and seal and do hereby certify that I read over the testimony verbatim to the witnesses and thereupon they signed the same in my presence and that all requirements of the Maryland Rules of Procedure relating to such testimony have been complied with.

Given under my hand and seal this 24th day of January, 1973.

Logan C. Widdowson (SEAL)
Logan C. Widdowson, Examiner

USED
OF MICR. CSMD

James A. [illegible]
Princess Anne, Maryland

Bernice M. Waters
1309 Bayside Avenue,
Apt. 11
Woodbridge, Virginia 22191
vs
Dow Waters
5021 Seminary Road,
Apt. 723
Alexandria, Virginia 22311
and
Bank of Crisfield, a body corporate
Main Street
Crisfield, Maryland 21017
Mortgagee

No. 9277 Chancery
In the Circuit Court for
Somerset County, Maryland

## ORDER OF PUBLICATION

The object of this suit, filed pursuant to Article 16, Section 154 of the Annotated Code of Maryland and the Maryland Rules of Procedure, is to obtain a decree for the sale of the land and improvements described in the bill of complaint and the division of the proceeds of sale distributed among the parties entitled thereto.

The bill recites that the complainant, Bernice M. Waters, and the defendant, Dow Waters, are owners as tenants in common of that tract or parcel of land and the improvements thereon located on the north side of the Jacksonville Road leading from Maryland Route 413 to the Crisfield Municipal Airport, containing 6 acres, more or less, and described on the 1972 Tax Assessment Maps of Somerset County on Map 64, Block 11 as Parcel 452; that the said Bernice M. Waters was divorced from the said Dow Waters by a decree from the Circuit Court of Prince William County, Virginia, dated May 25, 1972 in No. 5910 Chancery; that the Bank of Crisfield holds a mortgage encumbering said property dated March 31, 1955 and recorded among the Land Records of Somerset County in Liber B. L. B. No. 171, folio 81, and that said property is not susceptible to partition without material loss and injury to the parties entitled to interest therein and, therefore, a sale of the real estate and division of the proceeds is sought.

It is thereupon this 16th day of November, 1972, ORDERED by the Circuit Court for Somerset County, Maryland, sitting in Equity, that the complainant by causing a copy of this order to be inserted in some newspaper published in said Somerset County, Maryland, once in each of four successive weeks before the 18th day of December, 1972, give notice to the said defendant, Dow Waters, of the object and substance of this bill, and warning him to appear in this Court, either in person or by solicitor on or before the 18th day of January, 1973 to show cause, if any he has, why a decree ought not to be passed as prayed.

I. Theodore Phoebus
Clerk of Court
True Copy, Test:
I. Theodore Phoebus, Clerk
11-24-4t

CRISFIELD, MD. Jan. 24 19 73

THIS is to certify that the annexed ORDER OF PUBLICATION has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER OF PUBLICATION for 4 weeks beginning with the issue of November 24 19 72 and ending December 15 19 72.

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES

LIBER 044 PAGE 001

| | | |
|---|---|---|
| Bernice M. Waters | : | No. 9277 Chancery |
| vs | : | In the Circuit Court for |
| Dow Waters | : | Somerset County, Maryland |
| and | : | |
| Bank of Crisfield | : | LIBER 014 PAGE 388 |

This cause standing ready for hearing and being submitted on the bill of complaint and the answers of the respondents, and testimony having been heretofore filed in this proceeding, the proceedings were read and considered:

It is thereupon, this 5 day of ~~January,~~ February in the year nineteen hundred and seventy-three, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED and DECREED that the property mentioned in the proceedings to be sold; that Alexander G. Jones and Wade D. Ward, be and they are hereby appointed trustees to make said sale, and that the course and manner of their proceeding shall be as follows: They shall first file with the Clerk of this Court a bond to the State of Maryland, executed by them, and a surety or sureties, to be approved by this Court, in the penalty of $4000.00, conditioned for the faithful performance of the trust reposed in them by this decree, or to be reposed in them by any future decree or order in the premises; they shall then proceed to make the said sale, having given at least three weeks notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County, Maryland, as they shall think proper, of the time, place, manner and terms of sale, which terms shall be one-third cash, on day of sale, and balance to be paid upon the ratification of sale, or all cash, at the option of the purchaser or purchasers, the credit portions to bear interest at the rate of six per cent (6%) and to be secured to the satisfaction of the trustees, and, as soon as may be convenient after such sale or sales, the said trustees shall return to this Court a full and particular account of their proceeding relative to such sale, with an annexed affidavit of the trust thereof and of the fairness of said sale; and, on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, the said trustees 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, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, plaintiff and defendants, and those claiming by, from or under them or either of them; and the said trustees shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court, after deducting the costs of this suit and such commission to the said trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

E McMaster Duer
Judge

FOR BOND SEE BOND BOOK NO. 9, FOLIO 572

CRISFIELD, MD. March 1973

THIS is to certify that the annexed TRUSTEE SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said TRUSTEE SALE for 4 weeks beginning with the issue of February 23 19 73 and ending March 16 19 73

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES

Alexander G. Jones
Wade D. Ward

# TRUSTEE SALE OF VALUABLE REAL ESTATE

By virtue of the power contained in a decree of the Circuit Court for Somerset County, Maryland, in Equity, passed in a cause in which Bernice M. Waters is complainant and Dow Waters, et al, are the defendants, the same being No. 9277 Chancery on the Chancery Docket of said Court, the undersigned Trustees named in said decree will sell at public auction on the steps of the United States Post Office Building, Main Street, in Crisfield, Maryland, on

FRIDAY,
MARCH 16, 1973
at 2:00 o'clock P.M.

all that tract or parcel of land situate, lying and being in Lawsons Election District, Somerset County, Maryland, lying and binding on the north side of the Jacktownville Road leading from Maryland Route 413 to the Crisfield Municipal Airport, bounded on the west in part by the land assessed to William Horton Dize and Mary Frances Dize (deed reference B.L.B. No. 154, folio 503, and B.L.B. No. 154, folio 503), in part by the land assessed to Earl C. Coons (deed reference I.T.P. No. 230, folio 103) and in part by the land assessed to Edgar Nelson and Lorraine Baldwin Nelson, bounded on the north by the land assessed to Benjamin Freely Nelson (deed reference B.L.B. No. 132, folio 223), and bounded on the east by the land assessed to J. Benson Nelson (deed reference J.M.T. No. 110, folio 1); the land herein described being indicated on the 1972 Tax Assessment Maps of Somerset County on Map 64, Block 11 as Parcel 432, containing 6 acres, more or less, and being the same and all the land which was conveyed unto Dow Waters and Bernice M. Waters, as tenants by the entireties, by Alfred J. Lawson, Jr. and Ruth Lawson, his wife, by deed dated March 31, 1955 and recorded April 19, 1955 among the Land Records of Somerset County in Liber B.L.B. No. 170, folio 429.

This property fronts on a paved public road and is improved by a frame dwelling, a small garage and another outbuilding in a poor state of repair.

Terms of Sale: One-third of bid price at time of sale, balance payable within thirty days with interest at six per cent to be secured to satisfaction of Trustees. Taxes to be prorated to date of ratification of sale by Circuit Court, purchaser responsible for payment of title papers, transfer tax, documentary stamps and notary fees.

Alexander G. Jones and
Wade D. Ward,
Trustees

2-23-4t

Bernice M. Waters
1309 Bayside Avenue, Apt. 11
Woodbridge, Virginia 22191

vs.

Dow Waters
5021 Seminary Road, Apt. 728
Alexandria, Virginia 22311

and

Bank of Crisfield
a body corporate
Main St.
Crisfield, Md. 21817

No. 9277 Chancery

In the Circuit Court for

Somerset County,

State of Maryland

PURCHASERS' AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 19th day of March, 1973, before me, the subscriber a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Harold H. Pember and Dorothy Pember, his wife, purchasers of the real estate in the above entitled proceedings and they made oath in due form of law:

1. That in making said purchase they were not acting as agent for anyone.

2. That other interest in said purchase as principal is none.

3. That they did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and seal this day and year first above written.

LIBER 044 PAGE 591 James Wharton
Notary Public

JUNE EXPIRATION
NOTARY PUBLIC
SOMERSET CO.

Bernice M. Waters
1309 Bayside Avenue, Apt. 11
Woodbridge, Virginia 22191

vs.

Dow Waters
5021 Seminary Road, Apt. 728
Alexandria, Virginia 22311

and

Bank of Crisfield,
a body corporate
Main St.
Crisfield, Md. 21817

No. 9277 Chancery

In the Circuit Court for

Somerset County, Maryland

REPORT OF SALE

To the Honorable, the Judges of said Court:

The report of Alexander G. Jones and Wade D. Ward, Trustees appointed by this Court by Order dated February 5, 1973, respectfully represents to your Honors that after giving bond with security approved by the Clerk of this Court for the faithful performance of the trust so reposed in them by said Order and having given at least three weeks notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in the City of Crisfield, Somerset County, Maryland, for three weeks before the date of sale, they did pursuant to said notice attend at the steps of the U. S. Post Office Building on Main Street, Crisfield, Maryland, on the 16th day of March, 1973, at 2:00 P.M. in the afternoon of said day, and then and there proceeded to sell the property described in the Bill of Complaint, to wit:

All that lot or parcel of land situate, lying and being in Lawson's Election District, Somerset County, Maryland, lying and binding on the north side of the Jacksonville Road leading from Maryland Route #413 to the Crisffeld Municipal Airport, bounded on the west in part by the land assessed to William Harlan Dize and

Mary Frances Dize (deed reference B.L.B. No. 154, folio 503, and B.L.B. No. 154, folio 388) in part by the land assessed to Edgar Nelson and Lorraine Baldwin Nelson, bounded on the north by the land assessed to Benjamin Freely Nelson (deed reference B.L.B. No. 132, folio 298), and bounded on the east by the land assessed to J. Benson Nelson (deed reference J.M.T. No. 110, folio 1); the land herein described being indicated on the 1972 Tax Assessment Maps of Somerset County, on May 64, Block 11, as Parcel 432, containing 6 acres, more or less, and being the same and all that land which was conveyed unto Dow Waters and Bernice M. Waters, as tenants by the entireties, by Alfred J. Lawson, Jr. and Ruth Lawson, his wife, by deed dated March 31, 1955, and recorded April 19, 1955, among the Land Records of Somerset County, in Liber B.L.B. No. 170, folio 499.

And sold the same to Harold H. Pember and Dorothy Pember, his wife, for Forty Eight Hundred Dollars ($4,800.00); they being then and there the highest bidders therefor and the purchasers have complied with the terms of sale.

Respectfully submitted,

Alexander G. Jones

Wade D. Ward, Trustees

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 19th day of March, 1973, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Alexander G. Jones and Wade D. WArd, Trustees named in the foregoing report of sale and made oath in due form of law that the matters and facts therein stated are true and

correct to the best of their knowledge and belief and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal the day and year first above written.

NOTARY PUBLIC

Patsy E. Ake
Notary Public

CRISFIELD, MD. May 30 1973

THIS is to certify that the annexed TRUSTEE SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said TRUSTEE SALE for 4 weeks beginning with the issue of February 23 1973 and ending March 16 1973

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES

LIBER 044 PAGE 595

Alexander G. Jones
and
Wade D. Ward

## TRUSTEE SALE OF VALUABLE REAL ESTATE

By virtue of the power contained in a decree of the Circuit Court for Somerset County, Maryland, in Equity, passed in a cause in which Bernice M. Waters is complainant and Dow Waters, et al, are the defendants, the same being No. 9277 Chancery on the Chancery Docket of said Court, the undersigned Trustees named in said decree will sell at public auction on the steps of the United States Post Office Building, Main Street, in Crisfield, Maryland, on

FRIDAY,
MARCH 16, 1973
at 2:00 o'clock P.M.

all that tract or parcel of land situate, lying and being in Lawsons Election District, Somerset County, Maryland, lying and binding on the north side of the Jacksonville Road leading from Maryland Route 413 to the Crisfield Municipal Airport, bounded on the west in part by the land assessed to William Harlan Dize and Mary Frances Dize (deed reference B.L.B. No. 154, folio 503, and B.L.B. No. 154, folio 388), in part by the land assessed to Earl C. Coons (deed reference I.T.P. No. 260, folio 143) and in part by the land assessed to Edgar Nelson and Lorraine Baldwin Nelson, bounded on the north by the land assessed to Benjamin Freely Nelson (deed reference B.L.B. No. 132, folio 298), and bounded on the east by the land assessed to J. Benson Nelson (deed reference J.M.T. No. 110, folio 1); the land herein described being indicated on the 1972 Tax Assessment Maps of Somerset County on Map 64, Block 11 as Parcel 432, containing 6 acres, more or less, and being the same and all the land which was conveyed unto Dow Waters and Bernice M. Waters, as tenants by the entireties, by Alfred J. Lawson, Jr. and Ruth Lawson, his wife, by deed dated March 31, 1955 and recorded April 19, 1955 among the Land Records of Somerset County in Libe B.L.B. No. 170, folio 499.

This property fronts on a paved public road and is improved by a frame dwelling, a small garage and another outbuilding in a poor state of repair.

Terms of Sale: One-third of bid price at time of sale, balance payable within thirty days with interest at six per cent to be secured to satisfaction of Trustees. Taxes to be prorated to date of ratification of sale by Circuit Court, purchaser responsible for payment of title papers, transfer tax, documentary stamps and notary fees.

Alexander G. Jones and
Wade D. Ward,
Trustees

2-23-4t

| | |
|---|---|
| Bernice M. Waters<br>1309 Bayside Avenue, Apt. 11<br>Woodbridge, Virginia 22191 | No. 9277 Chancery |
| vs. | In the Circuit Court for |
| Dow Waters<br>5021 Seminary Road, Apt. 728<br>Alexandria, Virginia 22311 | Somerset County |
| and | |
| Bank of Crisfield<br>a body corporate<br>Main St.<br>Crisfield, Md. 21817 | State of Maryland |

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to contrary thereof be shown on or before the 19th day of April, 1973, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three consecutive weeks before the 9th day of April, 1973.

That the report states the amount of sale to be Forty Eight Hundred Dollars ($4,800.00).

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

Wade D. Ward, Adm.
Crisfield, Md. 21817
Bernice M. Waters
1500 Bayside Avenue, Apt. 11
Woodbridge, Virginia 22191
vs
Dow Waters
5021 Seminary Road, Apt. 728
Alexandria, Virginia 22311
and
Bank of Crisfield
a body corporate
Main Street
Crisfield, Maryland 21817

* * *

No. 9277 Chancery
In the Circuit Court for
Somerset County
State of Maryland

* * *

**ORDER NISI**

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to contrary thereof be shown on or before the 16th day of April, 1973, provided a Copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three consecutive weeks before the 9th day of April, 1973.

That the report states the amount of sale to be Forty Eight Hundred Dollars ($4,800.00).

I. Theodore Phoebus, Clerk.
True Copy. Test:
I. Theodore Phoebus, Clerk.
3-23-3t

LIBER 122 PAGE 597

CRISFIELD, MD. May 30 1973

THIS is to certify that the annexed ORDER NISI has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI for 3 weeks beginning with the issue of March 23 1973 and ending April 6 1973.

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES
by Julia M. Bozman

| | |
|---|---|
| Bernice M. Waters<br>1309 Bayside Avenue, Apt. 11<br>Woodbridge, Virginia 22191 | No. 9277 Chancery |
| vs. | In the Circuit Court for |
| Dow Waters<br>5021 Seminary Road, Apt. 728<br>Alexandria, Virginia 22311 | Somerset County, |
| and | |
| Bank of Crisfield,<br>a body corporate<br>Main Street<br>Crisfield, Maryland 21817 | State of Maryland |

## FINAL ORDER

ORDERED by this Court this 30 day of May 1973, that the sale made and reported by the attorneys be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Dize
Judge

| | | |
|---|---|---|
| Bernice M. W. ers<br>1309 Bayside Avenue<br>Apt. 11<br>Woodbridge, Virginia 22191 | * | No. 7 Chancery |
| Vs. | * | |
| Dow Waters<br>5021 Seminary Ridge Road<br>Apt. 728<br>Alexandria, Virginia 22311 | * | In the Circuit Court for |
| & | * | Somerset County |
| The Bank of Crisfield<br>A Body Corporate<br>Main Street<br>Crisfield, Maryland 21817<br>(Mortgagee) | * | State of Maryland |

* * * * * * *

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of Four Thousand Eight Hundred Dollars ($4,800.00).

He has allowed the proper fees, costs and all other proper expenses amounting to Two Thousand Twenty-Nine Dollars and Ninety-Six Cents ($2,029.96).

The balance then remaining amounts to Two Thousand Seven Hundred Seventy Dollars and Four Cents ($2,770.04) to be distributed as follows: One Thousand Three Hundred Eighty-Five Dollars and Two Cents ($1,385.02) to Bernice M. Waters and One Thousand Three Hundred Eighty-Five Dollars and Two Cents ($1,385.02) to Dow Waters.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

LIBER 022 PAGE 033

| | | |
|---|---|---|
| Amount of Sale | | $4,800.00 |
| Expenses, Costs & Fees: | | |
| Bank of Crisfield Mortgage (Principal & Interest) | $1,053.15 | |
| 1971 & 1972 State & County Taxes | 177.63 | |
| Clerk of Circuit Court | 77.00 | |
| Bond Premium | 16.00 | |
| Crisfield Times Order of Publication | 75.00 | |
| Testimony | 10.00 | |
| Plaintiff's Solicitor | 10.00 | |
| Defendants' Solicitor | 10.00 | |
| Auditor | 10.00 | |
| Edwin B. Muir, Auctioneer | 50.00 | |
| Crisfield Times Advertising & Nisi | 92.50 | |
| Registered Mail | 3.68 | |
| Trustees Commissions | 390.00 | |
| H. Parker Tull, Professional Appraiser & Expert Witness | 50.00 | |
| To Release Mortgage | 5.00 | |
| Total | $2,029.96 | |
| Balance of Funds to be Distributed | | $2,770.04 |

LIBER 024 PAGE 000

Logan C. Widdowson, Auditor

June 8, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3900

| | | |
|---|---|---|
| Bernice M. Waters<br>1309 Bayside Avenue<br>Apt. 11<br>Woodbridge, Virginia 22191 | * | No. 9277 Chancery |
| | * | |
| Vs. | * | |
| | * | In the Circuit Court for |
| Dow Waters<br>5021 Seminary Ridge Road<br>Apt. 728<br>Alexandria, Virginia 22311 | * | |
| & | * | Somerset County |
| The Bank of Crisfield<br>A Body Corporate<br>Main Street<br>Crisfield, Maryland 21817<br>(Mortgagee) | * | State of Maryland |

* * * * * * *

Take Due Notice that the First and Final Auditor's Report in the above-entitled cause was filed on June 8, 1973 with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing, on the date of the filing of this audit, notice of this Report to the following parties:

Bernice M. Waters
1309 Bayside Avenue
Apt. 11
Woodbridge, Virginia 22191

Dow Waters
5021 Seminary Ridge Road
Apt. 728
Alexandria, Virginia 22311

Bank of Crisfield
Main Street
Crisfield, Maryland 21817

Wade D. Ward, Esquire
Crisfield
Maryland 21817

Alexander G. Jones, Esquire
S. Somerset Avenue
Princess Anne, Maryland 21853

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 0[illegible] PAGE 0[illegible]

LIBER 044 PAGE 502

No. 9277 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 8th day of June, 19 73 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 25th day of June, 19 73.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 26th day of June, 19 73 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR 5 1976

JUL 26-74 B 524182 *****25.00

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees. | * | No. 9594 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CORIANE MULLEN<br>576 Hampton Avenue<br>Princess Anne, Maryland | *<br>*<br>* | State of Maryland |

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated March 22, 1973 from Coriane Mullen

and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 272, Folio 777; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

FOR ORIGINAL DEED OF TRUST SEE LIBER I. T. P. 272, Folio 777.

FOR BOND SEE BOND BOOK 10, FOLIO 1

LIBER 044 PAGE 803

File No. 18546

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

-vs-

CORIANE MULLEN
576 Hampton Avenue
Princess Anne, Maryland

*
*
*
*
*
*

No. _____ Chancery

In the Circuit Court

For Somerset County

State of Maryland

LIBER 044 PAGE 604

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 25th day of July, 1974, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Homes, Inc., in accordance with the provisions of a Deed of Trust from Coriane Mullen, dated March 22, 1973 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 272, Folio 777; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 8,833.10 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendant 576 Hampton Avenue, Princess Anne, Maryland.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Notary Public

JOHN CHARLES NASON NOTARY PUBLIC Wicomico Co., Md.

My Commission Expires: July 1, 1978

FILED

File No. 18540

LAW OFFICES, PERDUE, OWMUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | * | No. 9594 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| CORIANE MULLEN<br>576 Hampton Avenue<br>Princess Anne, Maryland | * | State of Maryland |

*********

AFFIDAVIT OF COMPLIANCE - RULE W. 74 a 2b

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, CORIANE MULLEN at the Mortgagors last known address at 576 Hampton Avenue, Princess Anne, Maryland by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on August 16, 1974. ~~XXXX

LIBER 044 PAGE 036

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | *<br>* | No. 9594 Chancery<br>In the Circuit Court |
| -vs- | * | For Somerset County |
| CORIANE MULLEN<br>576 Hampton Avenue<br>Princess Anne, Maryland | *<br>* | State of Maryland |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of August, 1974, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared DONALD C. DAVIS, the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

1. That in making said purchase, he was acting as agent for MID-STATE HOMES, INC. a body corporate of the State of Florida.

2. That there are no other parties than MID-STATE HOMES, INC. interested in the purchase of the said real estate as principals.

3. That he, as agent for MID-STATE HOMES, INC. did not directly or indirectly discourage anyone from bidding for said property.

Donald C. Davis
Affiant

AS WITNESS my hand and Notarial Seal the day and year first above written.

RUTHIE L. TODD NOTARY PUBLIC WORCESTER COUNTY, MD.

Ruthie L. Todd
NOTARY PUBLIC

My Commission Expires: July 1, 1978

LAW OFFICES, PENDUC, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LLOYD O. WHITEHEAD and *
DONALD C. DAVIS,
Substitute Trustees *

-vs- *

CORIANE MULLEN *
576 Hampton Avenue
Princess Anne, Maryland *

*

No. 9594 Chancery

In the Circuit Court

For Somerset County

State of Maryland

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated March 22, 1973 from CORIANE MULLEN and recorded among the Land Records of Somerset County, State of Maryland, in Liber 272 Folio 777 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald a newspaper published in Princess Anne, Maryland, prior to August 23, 1974, and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, August 23, 1974 at 10:30, A.M. attend at the front door of the Court House in Princess Anne Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said CORIANE MULLEN said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL those lots or parcels of land, with improvements, situate, lying and being in East Princess Anne Election District, Somerset County, Maryland, and in the Town of Princess Anne, lying and binding on the south side of Hampden Avenue Extension, Bounded on the east by the lands of the trustees of Mt. Carmel Baptist Church, and bounded on the west by the lands of Samuel Doane and wife; The lots hereby conveyed have a total frontage on the south side of Hampden Avenue of 100 feet, and extend back therefrom a depth of 172.5 feet. And being the same and all the land which was conveyed unto James I. Boomer by Andrew Miles, et al, by deed dated September 5, 1945, and recorded among the Land Records of Somerset County at Liber B.L.B. No. 132, folio 502; and to James I. Boomer and Nenie Doane Boomer by Dora A. Spencer, widow, by deed dated July 14, 1965 and recorded among the aforesaid Land Records in Liber I.T.P. No. 228, folio 212. And Being all that same property conveyed to Coriane Mullen, by deed dated November 3, 1966 and recorded at Liber 235, folio 264, by James I. Boomer and Nenie Doane Boomer.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to Mid-State Homes, Inc.

at and for the sum of $ 6000.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd. day of August, 1974, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

RUTHIE L. TODD NOTARY PUBLIC WORCESTER COUNTY, MD.

Ruthie L. Todd

NOTARY PUBLIC

My Commission Expires: July 1, 1978

LIBER 044 PAGE 009

LAW OFFICES, PERDUE, OWNUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 510

## ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 23rd day of August, 19 74, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Corlane Mullen and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 23rd day of September, 19 74; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 16th day of September, 19 74.

The report states the amount of the sale to be $ 6000.00.

L. Theodore Hoskins
Clerk

## FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 24th day of September, 19 74, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

Lloyd P. Simpkins
JUDGE

LAW OFFICES, PERDUE, OWRUTCKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
AUG 23 11 1 01 '74

9574

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801

749-2211

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS

EASTON OFFICE
18 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1398

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8408

August 16, 1974

Coriane Mullen
675 Hampton Ave.
Princess Anne, Maryland

This letter will advise you that the Deed of Trust executed by you to Jim Walter Homes, Inc. of March 22, 1973 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 272, folio 777, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Marylander & Herald beginning August 1, 1974. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, August 23, 1974 at or about 10:30 o'clock A.M. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Homes, Inc. and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 18540

LIBER 044 PAGE 011

9594
Chancery

LIBER 044 PAGE 612

PRINCESS ANNE, MD., Aug. 23 1974

This is to certify that the annexed Trustees' Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Aug. 1 8 15 22, 1974

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

Coriane Mullen

Perdue, Grantsky & Whitehead
Professional Association
[illegible] Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE HOME AND LOT

### AT OR NEAR PRINCESS ANNE, MD.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Coriane Mullen, dated March 22, 1973 and recorded among the Land Records of Somerset County, Maryland at Liber I.T.P. 272, Folio 777, default having occurred in same, the undersigned will sell at Public Auction

At the front door of the Courthouse at Princess Anne, Maryland on

## FRIDAY, AUGUST 23, 1974

at or about 10:30 A.M., all the following described real estate:

situate in the County of Somerset, State of Maryland, more particularly ALL those lots or parcels of land, with improvements, situate, lying and being in East Princess Anne Election District, Somerset County, Maryland, and in the Town of Princess Anne, lying and binding on the south side of Hampden Avenue Extension, Bounded on the east by the lands of the trustees of Mt. Carmel Baptist Church and bounded on the west by the lands of Samuel Boone and wife. The lots hereby conveyed have a total frontange on the south side of Hampden Avenue of 100 feet, and extend back therefrom a depth of 172.5 feet. And being the same and all thhe land which was conveyed unto Jesus I. Boomer by Andrew Miles, et al, by deed dated September 5, 1945, and recorded among the land records of Somerset County at Liber B.L.B. No. 132 folio 502; and to James I. Boomer and Nenie Doane Boomer by Dorn A. Spencer, widow, by deed dated July 14, 1965 and recorded among the aforesaid Land Records in Liber I.T.P. No. 228 folio 212. And Being all that same property conveyed to Coriane Mullen, the Grantor herein, by deed dated November 3, 1966 and recorded at Liber 235 folio 264, by James I. Boomer and Nenie Doane Boomer.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination if desired, title papers, revenue stamps, transfer tax and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead and
Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone 749-2211

15-3tc

PRINCESS ANNE, MD., Sept. 13 1974

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Aug. 29 Sept. 5 12, 1974

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

Perdue, Owensby & Whitehead
Professional Association
Attorneys-at-Law
214 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

LLOYD WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

- vs -

CORIANE MULLEN
576 Hampton Avenue
Princess Anne, Maryland

No. 9504 Chancery In the Circuit Court for Somerset County State of Maryland

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 23rd day of August, 1974, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Coriane Mullen and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 23rd day of September, 1974; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 16th day of September, 1974.

The Report states the amount of the sale to be $6000.00.

s/L. THEODORE PHOEBUS
Clerk

TRUE COPY, TEST:
L. THEODORE PHOEBUS
Clerk

10-3t

LIBER 144 PAGE 343

FILED

SEP 18 9 05 AM '74

RECORDED IN .....
LIBER NO.____ FOLIO____
L. THEODORE PHOEBUS, CLK. CT. CT.
BY _____DEPUTY

| | | |
|---|---|---|
| Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees | * | No. 9594 Chancery |
| | * | In the Circuit Court |
| vs. | * | For Somerset County |
| Corraine Mullen 576 Hampton Avenue Princess Anne, Maryland | * | State of Maryland |

LIBER PAGE

* * * * * * *

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of six thousand dollars ($6,000.00).

He has allowed the proper fees, costs and all other proper expenses amounting to seven hundred three dollars and sixteen cents ($703.16).

The balance then remaining amounts to five thousand two hundred ninty-six dollars and eighty-four cents ($5,296.84) to be distributed to Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees.

| | | |
|---|---|---|
| Statement of Debt | | $8,833.10 |
| Amount of Sale. | | $6,000.00 |
| Expenses, Costs and Fees | | |
| Clerk of Court | $ 90.50 | |
| Marylander & Herald | 90.00 | |
| Advertising $70.00 | | |
| Order Nisi $20.00 | | |
| Wilbur Wimbrow - Auctioneer | 25.00 | |
| Carlos Bozman - Trea. State & County Taxes | 112.41 | |
| Town of Princess Anne Taxes | 32.80 | |
| Somerset County Sanitary Department Front Foot Assessments | 46.79 | |
| Water Bill | 24.66 | |
| Gray Insurance Agency Bond Premium | 36.00 | |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

| | | | |
|---|---|---|---|
| Notary Fees - R. Todd | $ 3.00 | | |
| Mileage | 4.50 | | |
| Registered Mail | 2.50 | | |
| Trustees' Commission | 200.00 | | |
| Auditor's Fee | 35.00 | | |
| Total Expenses | | $ 703.16 | |
| Balance of funds to be distributed | | | $5,296.84 |
| Deficency | | | $3,536.26 |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER [illegible] PAGE [illegible]

| | | |
|---|---|---|
| Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees | * | No. 9594 Chancery |
| | * | In the Circuit Court for |
| vs. | | Somerset County |
| Corraine Mullen<br>576 Hampton Avenue<br>Princess Anne, Maryland | * | State of Maryland |

LIBER 034 PAGE 015

* * * * * * *

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on September 26th, 1974, with the Clerk of Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this Audit, notice of this Report to the following parties:

Lloyd O. Whitehead, Esq.
Donald C. Davis, Esq.
212 East Main Street
Salisbury, Maryland

Corraine Mullen
675 Hampton Avenue
Princess Anne, Maryland

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

No. 9594 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 26th day of September, 1974 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 11th day of October, 1974.

I. Theodore Phillips
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 21st day of October, 1974 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phillips
CLERK

MAR 5 1975
Ex'd

LIBER 044 PAGE 517

May 2 1991 B LC 25.00

LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

LIBER 044 PAGE 618

No. 9562 Chancery

In the Circuit Court

-vs-

For Somerset County

State of Maryland

MELTON W. JAMES
5229 Haverford Avenue
Philadelphia, Pa.
and
RACHEL JAMES
5229 Haverford Avenue
Philadelphia, Pa.

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated August 15, 1967 from Melton W. James and Rachel James, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber No. 240, Folio 122; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

FOR ORIGINAL DEED OF TRUST SEE LIBER I. T. P. NO. 240, FOLIO 122

FOR BOND SEE BOND BOOK 9, FOLIO 634

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | *<br>* | No. _____ Chancery<br>In the Circuit Court |
| -vs- | * | For Somerset County |
| MELTON W. JAMES and<br>RACHEL JAMES, his wife<br>5229 Haverford Avenue<br>Philadelphia, Pa. | *<br>*<br>*<br>* | State of Maryland |

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 2nd day of May, 1974, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Melton W. James and Rachel James, his wife, dated August 15, 1967 and recorded among the Land Records of Somerset County, State of Maryland, in Liber No. 240, Folio 122; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 3,886.16 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendant 5229 Haverford Avenue, Philadelphia, Pa.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Notary Public

LINDA L. ELLIOTT NOTARY PUBLIC WICOMICO CO., MD.

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

PRINCESS ANNE, MD., May 31 1974

This is to certify that the annexed Trustees Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: May 9 16 23 30

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

Mel

Perdue, Owrutsky & Whitehead
Professional Association
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE HOME AND LOT

AT OR NEAR

PRINCESS ANNE, MD.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Melton W. James and Rachel James, his wife, dated August 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber 240 Folio 122, the undersigned will sell at Public Auction

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD. ON

## FRIDAY, MAY 31, 1974

at or about 12:00 Noon, all the following described real estate:

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, south of but not adjacent to Antioch Avenue, being the southernmost part of Lot No. 19 of what is known as the George W. Beahler land, accurately laid down and described in Plat Book No. 1, folio 43, the lot hereby conveyed beginning at a point on the westernmost line of said lot No. 19 South 23° 20' East 147.25 feet from a thirty-foot street laid down on said plat; thence running South 23° 20' East 147.25 feet to the extreme southern end of said lot; thence running South 71°22' East 49.01 feet to the southeasternmost corner of Lot No. 19; thence by and with the easterly line of said lot North 23° 20' West 123.50 feet to a stake; thence in a northwesterly direction a distance of approximately 50 feet to the place of beginning, being the same and all the land conveyed unto the said Allen Foster Matthews by George Harris and Ida Mae Harris by deed dated January 28, 1957 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 181, folio 5. For a source of title see Deed Book 182 Page 278.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6 percent per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, transfer tax and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead
and Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone: 749-2211

5-4ts

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | * | No. 9562 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MELTON W. JAMES and<br>RACHEL JAMES, his wife<br>5229 Haverford Avenue<br>Philadelphia, Pennsylvania | * | State of Maryland |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated August 15, 1967 from Melton W. James and Rachel James, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber 240 Folio 122 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald a newspaper published in Princess Anne, Maryland, prior to Friday, May 31, 1974, and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, May 31, 1974 at 12:00 o'clock noon attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Melton W. Janes and Rachel James, his wife said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, south of but not adjacent to Antioch Avenue, being the southernmost part of Lot No. 19 of what is known as the George W. Beahler land, accurately laid down and described in Plat Book No. 1, Folio 43, the lot hereby conveyed beginning at a point on the westernmost line of said lot No. 19, South 23° 20' East 147.25 feet from a thirty-foot street laid down on said plat; thence running South 23° 20' East 147.25 feet to the extreme southern end of said lot; thence running South 71° 22' East 49.01 feet to the southeasternmost corner of Lot No. 19; thence by and with the easterly line of said lot North 23° 20' West 123.50 feet to a stake; thence in a northwesterly direction a distance of approximately 50 feet to the place of beginning, being the same and all the land conveyed unto the said Allen Foster Matthews by George Harris and Ida Mae Harris by deed dated January 28, 1957 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 181, folio 5. For a source of title see Deed Book 182, Page 278.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to MID-STATE HOMES, INC., a body corporate of Florida,

at and for the sum of $ 3000.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 31st day of May, 1931, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

LINDA L. ELLIOTT NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 624

## ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 31st day of ~~June~~ May, 1974, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Melton W. James and Rachel James, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 3rd day of ~~July~~ July, 1974; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 24th day of ~~July~~ June, 1974.

The report states the amount of the sale to be $ 3000.00.

I. Theodore Phoebus
Clerk

## FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 18th day of July, 1974, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

E. McMaster Dryer
JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | *<br>* | No. 9562 Chancery<br>In the Circuit Court |
| -vs- | * | For Somerset County |
| MELTON W. JAMES and<br>RACHEL JAMES, his wife<br>5229 Haverford Avenue<br>Philadelphia, Pennsylvania | *<br>*<br>* | State of Maryland |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 31st day of May, 1974, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD, the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

1. That in making said purchase, he was acting as agent for MID-STATE HOMES, INC. a body corporate of the State of Florida.

2. That there are no other parties than MID-STATE HOMES, INC interested in the purchase of the said real estate as principals.

3. That he, as agent for MID-STATE HOMES, INC. did not directly or indirectly discourage anyone from bidding for said property.

Affiant

AS WITNESS my hand and Notarial Seal the day and year first above written.

LINDA L. ELLIOTT NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

LAW OFFICES, PENDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 626

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9562 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MELTON W. JAMES and RACHEL JAMES, his wife 5229 Haverford Avenue Philadelphia, Pennsylvania | * | State of Maryland |

*********

AFFIDAVIT OF COMPLIANCE - RULE W. 74 a 2b

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, Melton W. James and Rachel James, his wife _____ at the Mortgagors last known address at 5229 Haverford Avenue, Philadelphia, Pennsylvania _____ by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on April 23, 1974. XXXX

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801
749-2211

EASTON OFFICE
18 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1388

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8408

May 21, 1974

Mr. Melton W. James & Rachel James
5229 Haverford Avenue
Philadelphia, Pennsylvania

Dear Mr. James:
Mrs. James:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Corporation of August 15, 1967 and recorded among the Land Records of Somerset County, Maryland in Liber No. 240, folio 122, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Marylander & Herald beginning May 9, 1974. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, May 31, 1974 at or about 12:00 o'clock noon. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Corporation and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 18313

LIBER 044 PAGE 627

Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

vs

MELTON W. JAMES and
RACHEL JAMES, his wife
5229 Haverford Avenue
Philadelphia, Pennsylvania

No. 9562 Chancery

In the Circuit Court for Somerset County State of Maryland

# ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 31st day of May, 1974, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Melton W. James and Rachel James, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratifed and confirmed, unless cause to the contrary be shown on or before the 3rd day of July, 1974; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 24th day of June, 1974.

The Report states the amount of the sale to be $3,000.00.

No
Me

I. THEODORE PHOEBUS
CLERK

True Copy, Test:
I. THEODORE PHOEBUS
CLERK

7-3tc

PRINCESS ANNE, MD., July 1 1974

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: June 6 13 20

J Bryan Byrd
Business Manager MARYLANDER and HERALD

PRINCESS ANNE, MD., July 1 1974

This is to certify that the annexed Trustees' Sale

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: May 9 16 23 30

J. Bryan Byrd

Business Manager MARYLANDER and HERALD

Perdue, Owrutsky & Whitehead
Professional Association
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE HOME AND LOT

AT OR NEAR

PRINCESS ANNE, MD.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Melton W. James and Rachel James, his wife, dated August 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber 240 Folio 122, the undersigned will sell at Public Auction

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD. ON

## FRIDAY, MAY 31, 1974

at or about 12:00 Noon, all the following described real estate:

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, south of but not adjacent to Antioch Avenue, being the southernmost part of Lot No. 19 of what is known as the George W. Beahler land, accurately laid down and described in Plat Book No. 1, folio 43, the lot hereby conveyed beginning at a point on the westernmost line of said lot No. 19 South 23° 20' East 147.25 feet from a thirty-foot street laid down on said plat; thence running South 23° 20' East 147.25 feet to the extreme southern end of said lot; thence running South 71°22' East 49.01 feet to the southeasternmost corner of Lot No. 19; thence by and with the easterly line of said lot North 23° 20' West 123.50 feet to a stake; thence in a northwesterly direction a distance of approximately 50 feet to the place of beginning, being the same and all the land conveyed unto the said Allen Foster Matthews by George Harris and Ida Mae Harris by deed dated January 28, 1957 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 181, folio 5. For a source of title see Deed Book 182 Page 278.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6 percent per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, transfer tax and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead
and Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone: 749-2211

3-4tc

LIBER 044 PAGE 629

Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees

vs.

Melton W. James and Rachel James, his wife
5229 Haverford Avenue
Philadelphia, Pennsylvania

LIBER 044 PAGE 630

No. 9562 Chancery

In the Circuit Court

For Somerset County

State of Maryland

* * * * *

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of three thousand dollars ($3,000.00).

He has allowed the proper fees, costs and all other proper expenses amounting to four hundred fifty dollars and thirty-two cents ($450.32).

The balance then remaining amounts to two thousand five hundred forty-nine dollars and sixty-eight cents ($2,549.68) to be distributed to Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees.

| | | | |
|---|---|---|---|
| Amount of Sale | | | $3,000.00 |
| Expenses, Costs and Fees | | | |
| Clerk of Court | $ 32.50 | | |
| Maryland & Herald Advertising $20 Order Nisi $70 | 90.00 | | |
| Postage | 2.50 | | |
| O. J. Brittingham, Auctioneer | 25.00 | | |
| Gray Insurance Agency, Bond | 16.00 | | |
| Mileage Allowance | 4.50 | | |
| Carlos Bozman - Taxes | 42.32 | | |
| Notary - L. L. Elliott | 2.50 | | |
| Trustees' Commission | 200.00 | | |
| Logan C. Widdowson, Auditor | 35.00 | | |
| TOTAL | | | 450.32 |
| Balance of Funds to be distributed | | | $2,549.68 |
| Statement of Debt | | $3,886.16 | |
| | | 2,549.68 | |
| Deficency | | $1,336.48 | |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

| | | |
|---|---|---|
| Lloyd O. Whitehead and<br>Donald C. Davis,<br>Substitute Trustees | * | No. 9562 Chancery |
| | * | In the Circuit Court |
| vs. | * | For Somerset County |
| Melton W. James and<br>Rachel James, his wife<br>5229 Haverford Avenue<br>Philadelphia, Pennsylvania | *<br><br>* | State of Maryland |

* * * * *

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on August 21st, 1974, with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit, notice of this Report to the following parties:

Lloyd O. Whitehead, Esq.
Donald C. Davis, Esq.
212 East Main Street
Salisbury, Maryland 21801

Melton W. James
Rachel James
5229 Haverford Avenue
Philadelphia, Pennsylvania

Logan C. Widdowson, Auditor

LIBER 044 PAGE 631

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

LIBER 044 PAGE 632

No. 9562 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 21st day of August, 19 74. that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 5th day of September, 19 74.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 24th day of February, 19 75 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR 5 1978

| | | |
|---|---|---|
| Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and Collection of Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single | * | No. 9384 Chancery |
| | * | In the Circuit Court |
| | * | For Somerset County |
| | * | State of Maryland |
| Ex Parte | * | |

* * * * * * * * * * *

ORDER TO DOCKET MORTGAGE FOR FORECLOSURE

Mr. Clerk:

Please docket suit as above and file for foreclosure the attached mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single, to Pocomoke Realty Incorporated, dated April 14, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 238, Folio 98, which said mortgage was assigned unto Richard M. Laws on November 14, 1967.

Victor H. Laws

Victor H. Laws
124 East Main Street
Salisbury, Maryland 21801
Phone: 301-749-2356

FOR ORIGINAL MORTGAGE SEE LIBER I. T. P. 238, FOLIO 98

FOR BOND SEE BOND BOOK 9, FOLIO 589

FOR ASSIGNMENT OF MORTGAGE SEE LIBER I. T. P. 238, FOLIO 100



LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 634

| | | |
|---|---|---|
| Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and Collection of Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single | * | No. 9384 Chancery |
| | * | In the Circuit Court |
| | * | For Somerset County |
| | * | State of Maryland |
| Ex Parte | * | |

* * * * * * * *

STATEMENT OF MORTGAGE DEBT
AND MILITARY AFFIDAVIT

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I HEREBY CERTIFY, that on this day of June A.D., 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Victor H. Laws, agent for the Mortgagee in the above-captioned mortgage, and made oath in due form of law that the following account represents the amount due and owing upon the mortgage filed for foreclosure in the above-entitled cause:

| | |
|---|---|
| Principal balance due | $ 3,039.97 |
| Interest due from | March, 1972 |
| Late charges due | |
| Real estate taxes paid | |
| Fire insurance premiums paid | |
| Total Balance due | $ |

AND, at the same time, the said Victor H. Laws, as aforesaid, did further make oath in due form of law that to the best of his knowledge, information and belief:

(1) The said Respondents are not in the military service of the United States;

(2) The said Respondents are not in any military service of any nation allied with the United States;

LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

(3) The said Respondents have not been ordered to report for induction under the Selective Services Act of 1940, as amended;

(4) The said Respondents are not members of the Enlisted Reserve Corps who have been ordered to report for military service.

IN WITNESS WHEREOF, I hereunto set my hand and affix my seal the day and year last above written.

My commission expires:

July 1, 1974.

Notary Public



LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 636

| | | |
|---|---|---|
| Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and Collection of Mortgage from Thomas Weldon Easham, Elva M. Esham, his wife, and Larry Weldon Esham, single | : | No. 9384 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |

: : : : : : : : :

AFFIDAVIT OF NOTICE TO MORTGAGORS
AND FILING OF RECEIPTS

Mr. Clerk:

I hereby certify pursuant to Rule W74 a. 2. (b) that the provisions of that rule have been complied with, and do hereby file herewith in these proceedings the return receipts.

Victor H. Laws

Victor H. Laws
124 East Main Street
Salisbury, Maryland 21801
Phone: 749-2356

REGISTERED NO. 9346

| | |
|---|---|
| Value $ NV | Special Delivery $ |
| Reg. Fee $ 95 | Return Receipt $ .15 |
| Handling Charge $ | Restricted Delivery $ |
| Postage $ .08 | ☐ AIRMAIL |
| POSTMASTER (By) EPC | |

POSTMARK OF MAILING OFFICE — SALISBURY, MD MAIN STREET STA. JUL 13 1973

FROM Long, Laws, Hughes, Baker
Sal. Md. 21801

TO Mr. Larry Weldon Esham
504 Dorsey St.
City 21801

REGISTERED NO. 9345

| | |
|---|---|
| $ NV | Special Delivery $ |
| $ 95 | Return Receipt $ .15 |
| $ | Restricted Delivery $ |
| $ .08 | ☐ AIRMAIL |
| POSTMASTER (By) EPC | |

POSTMARK OF MAILING OFFICE — SALISBURY, MD MAIN STREET STA. JUL 13 1973

FROM Long, Laws, Hughes, Baker
Sal. Md. 21801

TO Mrs. Larry Weldon Esham
465 Bright St.
City 21801

| | | |
|---|---|---|
| Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and collection of Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single | * * * * | No. 9384 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |

**********

REPORT OF SALE AND
DISTRIBUTION OF PROCEEDS

The report of Victor H. Laws, Attorney and Agent for the purpose of foreclosure and collection, under Power of Sale contained in a Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single, to Pocomoke Realty, Incorporated, dated April 14, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 238, Folio 98, said mortgage having been assigned unto Richard M. Laws on November 14, 1967, respectfully shows:

That after default had been made in the terms, covenants and conditions of said mortgage, and after having given at least twenty days' notice by advertisement published once in each of four successive weeks, the first publication being more than fifteen days prior to sale and the last such publication being less than one week prior to sale, in the Marylander & Herald, a newspaper published in Somerset County, Maryland, and after having given bond with surety approved by the Clerk of this Court, the Attorney and Agent did, on Friday, July 27, 1973, at or about the hour of two o'clock P.M., attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement as will more fully appear by reference to the attached copy thereof with a certificate of its publication, and did then and there offer for sale by public auction all the right, title, and interest of the said Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single, and all the right, title and interest of all those claiming by, from or under them, in and to all that lot or tract of land

LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

situate and lying in Westover Election District, Somerset County, Maryland, southwest of but not binding upon the Salisbury-Pocomoke State Highway (U.S. Route 13), bounded on the north by the land of William Rolley, bounded on the east by the land of Goldey Saltz, bounded on the south by the land of Long Brothers and bounded on the west by the land of Fred Haislip, containing 20.9 acres of land, more or less, being shown and designated on plat entitled "Plat of Property Surveyed for C. Foster Matthews Est.", dated December, 1965, made by G. O. Morrell and recorded among the Land Records of Somerset County, in plat book I.T.P. No. 7, Folio 12; being all and the same land which was conveyed by Pocomoke Realty, Incorporated, to Thomas Weldon Esham and Larry Weldon Esham, as tenants in common, by deed dated April 14, 1967 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237, Folio 529; and being in all respects the same land described in said mortgage, and sold the same unto Long Brothers, Incorporated, its successors and assigns, at and for the sum of THREE THOUSAND SEVEN HUNDRED DOLLARS ($3,700.00), they being the highest and best bidders therefor, and the said purchasers complied with the terms of sale by paying the full purchase price of $3,700.00.

AND the Attorney and Agent further begs leave to report that he has made distribution and prays ratification of the proceeds thus arising from this sale as follows:

| | | |
|---|---|---|
| Purchase price of property | | $3,700.00 |
| **DISBURSEMENTS** | | |
| I. Theodore Phoebus, Clerk<br>Court costs | 35.00 | |
| Marylander & Herald<br>Notice of Sale | 65.00 | |
| Marylander & Herald<br>Order Nisi | 20.00 | |

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LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

| | | |
|---|---|---|
| Edward Muir, Auctioneer | | 35.00 |
| Avery W. Hall Insurance, Inc. Bond premium | | 16.00 |
| Somerset County, Maryland, 1972 State & County taxes | | 22.50 |
| Somerset County, Maryland, 1973 State & County taxes pro-rata | | 3.36 |
| Victor H. Laws, Attorney's fee | | 50.00 |
| Victor H. Laws, Commissions | | 335.00 |
| Richard M. Laws, balance applied on mortgage principal and interest | 3,118.14 | $3,700.00 |
| Richard M. Laws | | |
| Principal of mortgage | 3,039.97 | |
| Interest to August 31, 1973 | 263.90 | |
| | 3,303.87 | |
| Less Credit as above | 3,118.14 | |
| Balance owing on Mortgage .....$ | 185.73 | |

Respectfully submitted,

Victor H. Laws

VICTOR H. LAWS, Attorney and Agent

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

On this the 1st day of August, 1973, before me, the undersigned officer, personally appeared Victor H. Laws, Attorney and Agent, and made oath in due form of law that the matters and things stated by him in the aforegoing report of sale and distribution of the proceeds arising therefrom are true and correct to the best of his knowledge, information, and belief, and the sale therein reported was fairly made.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Margaret H. Lowe

NOTARY PUBLIC

My commission expires July 1, 1974

LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 640

PRINCESS ANNE, MD., July 30, 19 73

This is to certify that the annexed Attorney's Sale

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: July 5 12 19 26

Clarence L. Byrd

Business Manager MARYLANDER and HERALD

Long, Law Hughes & Bahen
Att ys at Law
124 East Main Street
Salisbury, Maryland

# ATTORNEYS' SALE

## OF VALUABLE

## REAL ESTATE

Under and by virtue of the power of sale contained in a mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single, dated April 14, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 238, Folio 98, default having been made in the terms, covenants and conditions thereof, the undersigned at Attorney and Agent for the purpose of foreclosure and collection, will offer for sale at public auction at the front door of the Court House, in Princess Anne, Somerset County, Maryland, on

## FRIDAY

## JULY 27, 1973

at or about the hour of two o'clock P. M.
the following valuable real estate:

All that lot or tract of land situate and lying in Westover Election District, Somerset County, Maryland, southwest of but not binding upon the Salisbury-Pocomoke State Highway (U.S. Route 13), bounded on the north by the land of William Rolley, bounded on the east by the land of Goldey Saltz, bounded on the south by the land of Long Brothers and bounded on the west by the land of Fred Haislip, containing 20.9 acres of land, more or less, being shown and designated on plat entitled "Plat of Property Surveyed for C. Foster Matthews Est.", dated December, 1965, made by G. O. Morrell and recorded among the Land Records of Somerset County, in plat book I.T.P. No. 7. Folio 12; being all and the same land which was conveyed by Pocomoke Realty, Incorporated, to Thomas Weldon Esham and Larry Weldon Esham, as tenants in common, by deed dated April 14, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237, Folio 529.

TERMS OF SALE: 20 per cent cash on day of sale, balance upon final ratification of sale, the unpaid portion of the purchase price to be secured to the satisfaction of the undersigned Attorney, and to bear interest at the rate of six per cent per annum, or all cash, at the option of the purchaser. Title papers, state stamps and transfer taxes at the expense of the purchaser. Taxes will be pro-rated as of the date of final ratification of the sale.

Victor H. Laws
Attorney and Agent
124 East Main Street
Salisbury, Maryland 21801
Phone: 301-749-2356

11-4tc

| | | |
|---|---|---|
| Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and Collection of Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single | * | No. 9384 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |

**********

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

On this 31ST day of JULY, 1973, before me, the undersigned officer, personally appeared ROBERT C. LONG, who acknowledged himself to be the PRESIDENT of Long Brothers, Incorporated, the purchaser of the property sold in this proceeding, and made oath in due form of law that in making the purchase of the said real estate, it was not acting as agent for anyone and that no one other than itself is interested in the purchase thereof, as principal, and that it has not directly or indirectly discouraged anyone from bidding for the said property.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Virginia B. Miles
NOTARY PUBLIC

My commission expires: July 1, 1974

VIRGINIA B. MILES · NOTARY PUBLIC · SOMERSET COUNTY · MARYLAND

LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 044 PAGE 641

LIBER 044 PAGE 642

| | | |
|---|---|---|
| Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and Collection of Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single | * * * * | No. 9384 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |

**********

ORDER NISI

ORDERED, this 2nd day of August, 1973, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing sale of the property mentioned in these proceedings, made and reported by Victor H. Laws, Attorney and Agent, under power of sale contained in a mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of September, 1973; provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 27th day of August, 1973.

The report states the amount of sale to be $3,700.00.

L. Theodore Phoebus
CLERK

LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

## ORDER NISI

Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and Collection of Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single

No. 9384 Chancery

In the Circuit Court Somerset County State of Maryland

ORDERED, this 2nd day of August, 1973, by the Circuit Court for Somerset County, Maryland, in Equity, that the aforegoing sale of the property mentioned in these proceedings, made and reported by Victor H. Laws, Attorney and Agent, under power of sale contained in a mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of September, 1973; provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three (3) successive weeks before the 27th day of August, 1973.

The report states the amount of sale to be $3,700.00.

I. THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
16-3tc

PRINCESS ANNE, MD., August 1973

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Nisi

Dates Inserted: Aug 9 16 23

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

LIBER 044 PAGE 643

LIBER 044 PAGE 644

| | | |
|---|---|---|
| Victor H. Laws, Attorney and Agent Named in Mortgage for the Purpose of Foreclosure and Collection of Mortgage from Thomas Weldon Esham, Elva M. Esham, his wife, and Larry Weldon Esham, single | * * * * | No. 9384 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |

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FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, Maryland, in Equity, this 6th day of Sept., 1973, that the sale of the property mentioned in these proceedings and the distribution of the proceeds arising therefrom, as shown therein, be and the same are hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice thereof appears to have been given as required by the terms of the Order Nisi passed and published in this cause.

E. M. Moester Duer
JUDGE

Note 5 1978
Cat'd

LAW OFFICES
LONG, LAWS
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

-vs-

MORRIS TURNER and ROSIE TURNER

No. 9302 Chancery

In the Circuit Court

For Somerset County

State of Maryland

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated December 2, 1966 from Morris Turner and Rosie Turner, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber No. 236, Folio 71; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

FOR ORIGINAL DEED OF TRUST SEE LIBER I. T. P. NO. 236, FOLIO 71.

FOR BOND SEE BOND BOOK NO. 9, FOLIO 570.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

-vs-

MORRIS TURNER and
ROSIE TURNER, his wife

*
*
*
*
*
*
*
*

No. 9302 Chancery

In the Circuit Court

For Somerset County

State of Maryland

LIBER 044 PAGE 646

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 11th day of January, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Morris Turner and Rosie Turner, his wife , dated December 2, 1966 and recorded among the Land Records of Somerset County, State of Maryland, in Liber No. 236 , Folio 71 ; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 3,667.24 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendant, Rt. 1, Box 105, Pocomoke , Maryland 21851.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Vernadett M. Hudson
Notary Public

My Commission Expires: July 1, 1974

VERNADETT M. HUDSON
NOTARY PUBLIC
WICOMICO CO. MD.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

-vs-

MORRIS TURNER and
ROSIE TURNER, his wife

No. 9302 Chancery

In the Circuit Court

For Somerset County

State of Maryland

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated December 2, 1966 from MORRIS TURNER and ROSIE TURNER, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 236 Folio 71 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald a newspaper published in Princess Anne, Maryland, prior to February 15, 1973, and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Thursday, February 15, 1973 at 10:45 A.M. attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Morris Turner & Rosie Turner, his wife said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that lot or parcel of land situate in Dublin Election District, Somerset County, Maryland, lying and binding on the north side of the county road known as the "Sadie Dryden Road" or the Overholt Road which leads in a westerly direction from Maryland Route 406 to the county road known as the Harriet Dryden Road, bounded on the west and east by the reserved land of the said Allen T. Long and wife and bounded on the north by the lands owned or formerly owned by Stanley McCready and which were conveyed unto Linwood Duncan and Mitchell Bonneville by certain deeds recorded among the Land Records of Somerset County, in Liber I.T.P. No. 235, Folio 148, and Liber I.T.P. No. 235, Folio 164, and more particularly described as follows: BEGINNING for the same at a three-quarter inch pipe placed in the ground on the north side of the aforesaid Sadie Dryden Road at a point approximately 400 feet west from a point which marks the intersection of the lands of Allen T. Long, the lands of Ducan-Bonneville as aforesaid and said Sadie Dryden Road; thence (1) from said point of beginning by and with the north side of said Sadie Dryden Road a westerly direction a distance of 150 feet to a three-quarters inch pipe; thence (2) in a northeasterly direction and perpendicular to said county road to intersect the aforesaid Duncan-Bonneville lands at a point indicated by a three-quarters inch pipe; thence (3) in a southeasterly course by and with said Duncan-Bonneville land approximately 150 feet to the reserved land of the said Allen T. Long and Mary Long, his wife at a point indicated by a three-quarters inch pipe; thence (4) in a southerly direction and parallel with the second course herein by and with the reserved land of the said Allen T. Long and Mary Long, his wife to the place of beginning, containing one (1) acre, more or less.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to MID-STATE HOMES, INC., a body corporate of Florida,

at and for the sum of $ 4000.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 15th day of February, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 650

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9302 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MORRIS TURNER and ROSIE TURNER, his wife | * | State of Maryland |
| | * | |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Wicomico [redacted] COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 15th day of February, 1973 before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Lloyd O. Whitehead the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

1. That in making said purchase, he was acting as agent for Mid-State Homes, Inc. a body corporate of the State of Florida.

2. That there are no other parties than Mid-State Homes, Inc. interested in the purchase of the said real estate as principals.

3. That he, as agent for Mid-State Homes, Inc. did not directly or indirectly discourage anyone from bidding for said property.

Lloyd O. Whitehead
Affiant

AS WITNESS my hand and Notarial Seal the day and year first above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

Vernadett M. Hudson
NOTARY PUBLIC

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9302 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MORRIS TURNER and ROSIE TURNER, his wife | * | State of Maryland |

*********

AFFIDAVIT OF COMPLIANCE - RULE W.2(b)

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, MORRIS TURNER and ROSIE TURNER _____ at the Mortgagors last known address at Route #1, Box 105, Pocomoke, Maryland 21851 _____ by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on February 6, 1973. Also attached is Return Receipt showing the said Mortgagor duly received the same.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 15th day of February, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, and made oath in due form of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974



LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801

749-2211

EASTON OFFICE
16 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1988

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8406

February 6, 1973

Mr. Morris Turner
Mrs. Rosie Turner
Route #1, Box 105
Pocomoke, Maryland 21851

LIBER 044 PAGE 652

Dear Mr. & Mrs. Turner:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Corporation of December 2, 1966 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 236, folio 71, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Marylander & Herald beginning January 24, 1973. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Thursday, February 15, 1973 at or about 10:00 o'clock A.M. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Corporation and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 16191

SENDER: Be sure to follow instructions on other side.

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address where delivered

☐ Deliver ONLY to addressee

Return receipt for certified mail, registered mail, insured mail

(Write above to filled in)

Morris A. Turner

(Address to receive delivery, if any)

(Write above to filled in)

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 15th day of February, 1973, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from MORRIS TURNER and ROSIE TURNER, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 19th day of March, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 12th day of March, 1973.

The report states the amount of the sale to be $ 4000.00.

L. Theodore Gherkins
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 23 day of April, 1973, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

E. Merrill Dashiell
JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

-vs-

MORRIS TURNER and ROSIE TURNER, his wife

* No. 9302 Chancery

* In the Circuit Court

* For Somerset County

* State of Maryland

*

***************

LIBER 044 PAGE 654

PRINCESS ANNE, MD., January 19 73

This is to certify that the annexed Tustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: ~~Jan 25 Feb 1 8~~ 15

Clarence L Byrd

Business Manager MARYLANDER and HERALD

Perdue, Owrutsky & Whitehead
Professional Association
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE HOME AND LOT

in Dublin Election District, Somerset County, Maryland known as the Morris Turner and Rosie Turner property.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Morris Turner and Rosie Turner, his wife, dated December 2, 1966 and recorded among the Land Records of Somerset County, Maryland in Liber 236, folio 71: default having occured thereunder, the undersigned Substitute Trustees will sell at public auction.

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD. ON

**FEB. 15, 1973**

at 10:00 a.m. all of the following described land:

All that lot or parcel of land situate in Dublin Election District, Somerset County, Maryland, lying and binding on the north side of the county road known as the "Sadie Dryden Road" or the Overholt Road which leads in a westerly direction from Maryland Route 406 to the county road known as the Harriet Dryden Road, bounded on the west and east by the reserved land of the said Allen T. Long and wife and bounded on the north by the lands owned or formerly owned by Stanley McCready and which were conveyed unto Linwood Duncan and Mitchell Bonneville by certain deeds recorded among the Land Records of Somerset County, in Liber No. 235, Folio 148, and Liber I.T.P. No. 235, Folio 164, and more particularly described as follows: Beginning for the same at a three-quarter inch pipe placed in the ground on the north side of the aforesaid Sadie Dryden Road at a point approximately 400 feet west from a point which marks the intersection of the lands of Allen T. Long, the lands of Duncan-Bonneville as aforesaid and said Sadie Dryden Road; thence (1) from said point of beginning by and with the north side of said Sadie Dryden Road a westerly direction a distance of 150 feet to a three-quarters inch pipe; thence (2) in a northeasterly direction and perpendicular to said county road to intersect the aforesaid Duncan-Bonneville lands at a point indicated by a three-quarters inch pipe; thence (3) in a southeasterly course by and with said Duncan-Bonneville land approximately 130 feet to the reserved land of the said Allen T. Long and Mary Long, his wife at a point indicated by a three-quarters inch pipe; thence (4) in a southerly direction and parallel with the second course herein by and with the reserved land of the said Allen T. Long and Mary Long, his wife to the place of beginning, containing one (1) acre, more or less.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead and
Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone: 749-2211

40-4tc

LIBER ___ FOLIO ___
I, THEODORE DENNIS, CLK. CT. CT.
BY ___ DEPUTY

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

PERDUE, OWRUTSKY & WHITEHEAD
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9302 chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MORRIS TURNER and ROSIE TURNER, his wife | * | State of Maryland |
| | * | |

**********

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 20th day of March, 1973, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from MORRIS TURNER and ROSIE TURNER, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 20th day of April, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 16th day of April, 1973.

The Report states the amount of the sale to be $ 4,000.00

S. Theodore Phillips
CLERK

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 656

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9302 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MORRIS TURNER and ROSIE TURNER, his wife | * | State of Maryland |
| | * | |

**********

PRINCESS ANNE, MD., April 19 73

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Nisi

Dates Inserted: ~~Mar 22 29 Apr 5~~

Business Manager MARYLANDER and HERALD

Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

vs

MORRIS TURNER and
ROSIE TURNER, his wife

NO. 9302 CHANCERY

In the Circuit Court for Somerset County State of Maryland

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 20th day of March, 1973, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis Substitute Trustees, under the power of sale contained in the Deed of Trust from Morris Turner and Rosie Turner, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 20th day of April, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 16th day of April, 1973.

The Report states the amount of the sale to be $4,000.00.

s/I THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:

I THEODORE PHOEBUS
CLERK

48-3tc

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD & DONALD C. DAVIS SUBSTITUTE TRUSTEES | * | NO. 9302 CHANCERY |
| | * | |
| VS. | * | IN THE CIRCUIT COURT FOR |
| MORRIS TURNER & ROSE TURNER, HIS WIFE | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on April 23, 1973 with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit, notice of this Report to the following parties:

Lloyd O. Whitehead & Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801

Morris Turner
Route 1, Box 105
Pocomoke City, Maryland 21851

Rose Turner
Route 1, Box 105
Pocomoke City, Maryland 21851

Logan C. Widdowson

Logan C. Widdowson, Auditor

April 23, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11. N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 658

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD & DONALD C. DAVIS SUBSTITUTE TRUSTEES | * | NO. 9302 CHANCERY |
| | * | |
| VS. | * | IN THE CIRCUIT COURT FOR |
| MORRIS TURNER & ROSE TURNER, HIS WIFE | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of Four thousand dollars ($4,000.00).

He has allowed the proper fees, costs and all other proper expenses amounting to Four hundred sixty-two dollars and eighty cents ($462.80).

The balance then remaining amounts to Three thousand five hundred thirty-seven dollars and twenty cents ($3,537.20) to be distributed as follows:

Three thousand five hundred thirty-seven dollars and twenty cents ($3,537.20) to Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

| | | | |
|---|---|---|---|
| Amount of Sale | | | $4,000.00 |
| Expenses, Costs & Fees: | | | |
| I. Theodore Phoebus, Clerk | | $ 43.50 | |
| Marylander & Herald | | | |
| Advertising | $85.00 | | |
| Order Nisi | 20.00 | | |
| | | 105.00 | |
| O. J. Brittingham, Auctioneer | | 25.00 | |
| Carlos Bozman, Treasurer 1972-73 Taxes (230 days at .16) | | 36.80 | |
| Bond Premium - Gray Agency | | 12.00 | |
| Notary Public - V. M. Hudson | | 3.50 | |
| Trustees' Fees in Lieu of Commissions Lloyd O. Whitehead & Donald C. Davis | | 200.00 | |
| Postage | | 2.00 | |
| Auditor | | 35.00 | |
| Total | | $462.80 | |
| Balance of Funds to Be Distributed | | | $3,537.20 |
| Statement of Debt | $3,667.24 | | |
| Deficiency | $ 130.64 plus interest from January 11, 1973 to February 15, 1973 | | |

Logan C. Widdowson, Auditor

April 23, 1973

LIBER 044 PAGE 659

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 044 PAGE 660

No. 9302 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 23rd day of April, 19 73 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 7th day of May, 19 73.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 24th day of February, 19 75 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR 5 1975

Ex'd.

RA 42232

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | * | No. 9313 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| L. C. BROUGHTON and<br>ANNIE BELL BROUGHTON, his wife | * | State of Maryland |
| | * | |
| | * | |

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated September 18, 1968 from L. C. Broughton and Annie Bell Broughton, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 250, Folio 166; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

For Original Deed of Trust See Liber I. T. P. No. 250, Folio 168.

For Bond See Bond Book No. 9, Folio 574.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9313 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| L. C. Broughton and Annie Bell Broughton, his wife | * | State of Maryland |
| | * | |
| | * | LIBER 044 PAGE 662 |

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AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 6th day of February, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from L. C. Broughton and his wife Annie Bell Broughton, dated September 18, 1968 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 250, Folio 166; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 5,117.24 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendant is Route #1, Marion Station, Maryland.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Vernadett M. Hudson
Notary Public

My Commission Expires: July 1, 1974

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9313 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| L. C. BROUGHTON and ANNIE BELL BROUGHTOn, his wife | * | State of Maryland |

*********

AFFIDAVIT OF COMPLIANCE - RULE W.2(b)

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, L. C. Broughton and Annie Bell Broughton, his wife _____ at the Mortgagors last known address at Route #1, Marion Station, Maryland

by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on February 26, 1973. Also attached is Return Receipt showing the said Mortgagor duly received the same.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 8th day of March, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, and made oath in due form of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974



LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LAW OFFICES
PE[illegible]UE, OWRUTSKY & WHITEH[illegible]D
PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801
749-2211

EASTON OFFICE
18 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1988

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8408

February 26, 1973

Mr. L. C. Broughton
Mrs. Annie Bell Broughton
Route #1
Marion Station, Maryland

LIBER 044 PAGE 664

Dear Mr. & Mrs. Broughton:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Corporation of September 18, 1968 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 250, folio 166, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Marylander & Herald beginning February 15, 1973. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Thursday, March 8, 1973 at or about 10:00 o'clock A.M. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Corporation and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

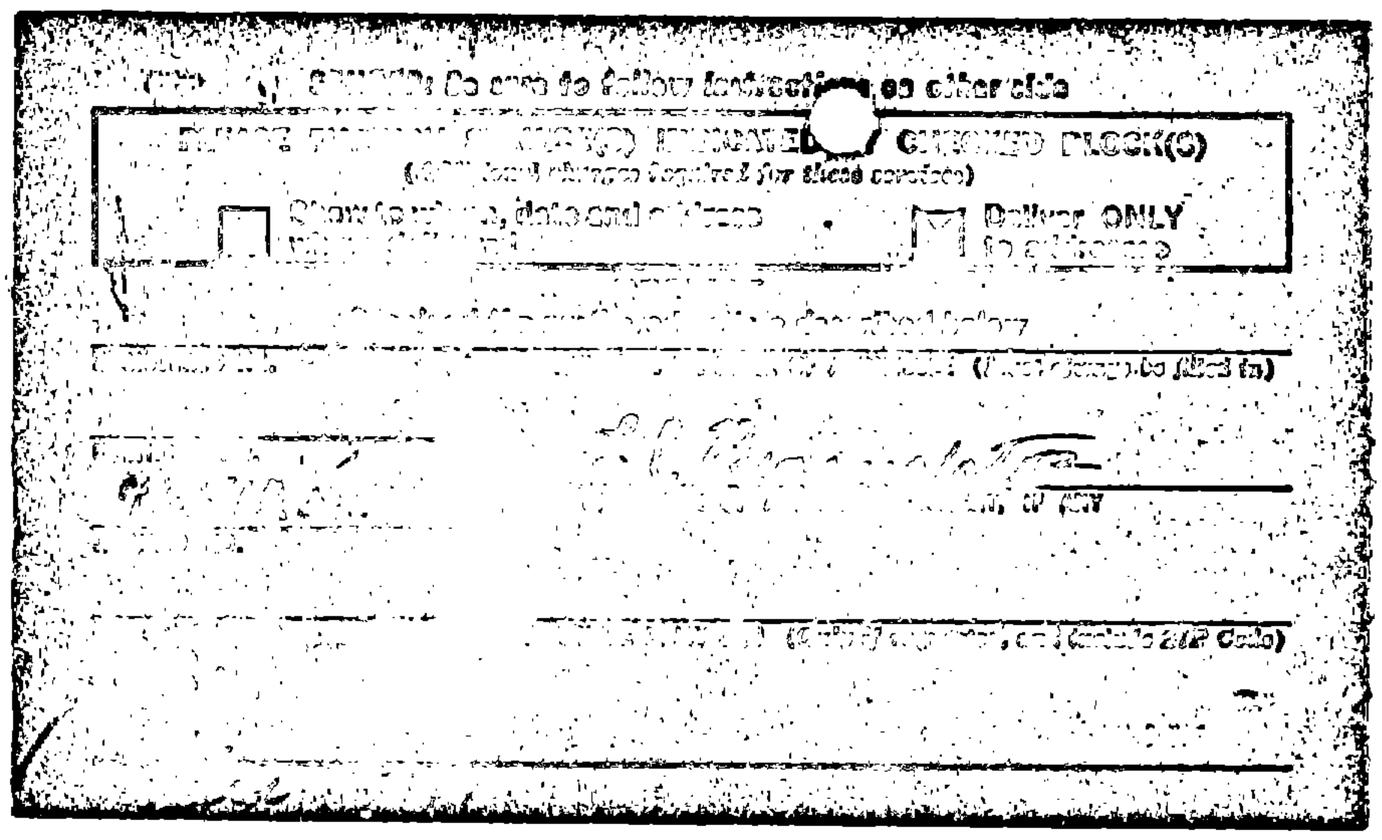
You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 16357



LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees

-vs-

L. G. BROUGHTON and
ANNIE BELL BROUGHTON, his wife

*
*
*
*
*
*

No. 9313 Chancery

In the Circuit Court

For Somerset County

State of Maryland

***************

PRINCESS ANNE, MD., February 1973

This is to certify that the annexed Turstee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Feb 15 22 Mar 1 8

Clarence L Byrd
Business Manager MARYLANDER and HERALD

Perdue, Owrutsky & Whitehead
Professional Association
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE

## HOME AND LOT

In the Dublin Election District of Somerset County, Maryland, known as the L. C. and Annie Bell Broughton property.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by L. C. Broughton and Annie Bell Broughton, his wife, dated September 18, 1968 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 250, Folio 166, default having occurred thereunder, the undersigned Substitute Trustees will sell at Public Auction —

L.C. B
Bell B

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD.

ON

## THURSDAY

## MARCH 8, 1973

at 10:00 o'clock A.M. all the following land:

ALL that lot, piece or parcel of land situate, lying and being in the Dublin Election District of Somerset County, Maryland, on the Northerly side of the road commonly called "Billy Overholt Road" which is more particularly described as follows: Beginning for the same on the North side of the aforesaid road at the Southeast corner of the Horace A. Teagle property recorded in Liber 241, Page 368, thence with the East line of the Teagle property to the land of Mitchell W. Bonneville and Lynwood W. Duncan; thence in a Southerly direction, by and with the said Bonneville and Duncan property to a marker settled in the ground at the reserved land of the grantors herein; thence in a Southeasterly direction, by and with the reserved land of the grantors have herein to the North side of the aforesaid road at a point thereon which is distant one hundred (100) feet in an Easterly direction from the place of beginning, thence by and with the North side of the aforesaid road in a Westerly direction, one hundred (100) feet to the place of beginning, containing the quantity that it may, and being a part only of the land which was conveyed unto Allen T. Long by J. Edgar Harvey and Henry P. Walters by deed dated December 22, 1953, as recorded among the aforesaid Land Records of Somerset County in Liber B.L.B. No. 166, Folio 108.

Possession of said property will be given upon ratification of sale.

Terms of Sale: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead and
Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone 749-2211

43-4tc

LIBER 044 PAGE 665

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9313 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| L. C. BROUGHTON and ANNIE BELL BROUGHTON, his wife | * | State of Maryland |
| | * | LIBER 044 PAGE 666 |
| | * | |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated September 18, 1968 from L. C. Broughton and Annie Bell Broughton, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber 250 Folio 166 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald a newspaper published in Princess Anne, Maryland, prior to Thursday, March 8, 1973, and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Thursday, March 8, 1973 at 10:00 o'clock A.M. attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said L. C. Broughton & Annie Bell Broughton, his wife said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that lot, piece or parcel of land situate, lying and being in the Dublin Election District of Somerset County, Maryland, on the Northerly side of the road commonly called "Billy Overholt Road" which is more particularly described as follows: BEGINNING for the same on the North side of the aforesaid road at the Southeast corner of the Horace A. Teagle property recorded in Liber 241, Page 368, thence with the East line of the Teagle property to the land of Mitchell W. Bonneville and Lynwood W. Duncan; thence in a Southerly direction, by and with the said Bonneville and Duncan property to a marker settled in the ground at the reserved land of the grantors herein; thence in a Southeasterly direction, by and with the reserved land of the grantors have herein to the North side of the aforesaid road at a point thereon which is distant one hundred (100) feet in an Easterly direction from the place of beginning, thence by and with the North side of the aforesaid road in a Westerly direction, one hundred (100) feet to the place of beginning, containing the quantity that it may, and being a part only of the land which was conveyed unto Allen T. Long by J. Edgar Harvey and Henry P. Walters by deed dated December 22, 1953, as recorded among the aforesaid Land Records of Somerset County in Liber B.L.B. No. 166, Folio 108.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to Jim Walter Corporation

at and for the sum of $ 4800.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 8th day of March, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 8th day of March, 19 73, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from L. C. Broughton and Annie Bell Broughton, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 9th day of April, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 2nd day of April, 19 73.

The report states the amount of the sale to be $ 4800.00.

L. Theodore Pollitt
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 30 day of April, 19 73, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

Emmett Dale
JUDGE



LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 044 PAGE 670

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9313 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| L. C. Broughton & Annie Belle Broughton, h/w. | * | State of Maryland |
| | * | |

**********

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 8th day of March, 19 74 before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Harold C. Davis the purchaser of the real estate described in the above proceedings, and he did make oath in due form of law:

1. That in making said purchase, he was acting as agent for Jim Walter Corporation, a body corporate of the State of Florida.

2. That there are no other parties than Jim Walter Corporation interested in the purchase of the said real estate as principals.

3. That he, as agent for Jim Walter Corporation, did not directly or indirectly discourage anyone from bidding for said property.

Harold C. Davis
Affiant

AS WITNESS my hand and Notarial Seal the day and year first above written.

Vernadett M. Hudson
NOTARY PUBLIC

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWNUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and<br>DONALD C. DAVIS,<br>Substitute Trustees | *<br>* | No. 9313 Chancery<br>In the Circuit Court |
| -vs- | * | For Somerset County |
| L.C. BROUGHTON and<br>ANNIE BELL BROUGHTON, his wife, | *<br>* | State of Maryland |

**********

Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

LLOYD O. WHITEHEAD and
DONALD C. DAVIS,
Substitute Trustees
-vs-
L. C. BROUGHTON and
ANNIE BELL BROUGHTON,
his wife
No. 9313 chancery In the Circuit Court for Somerset County State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 8th day of March, 1973, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis Substitute Trustees, under the power of sale contained in the Deed of Trust from L. C. Broughton and Annie Bell Broughton, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 9th day of April, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 2nd day of April, 1973.

The Report states the amount of the sale to be $4800.00.

s|I. Theodore Phoebus, Clerk
True Copy, Test:
I Theodore Phoebus, Clerk
47-3te

PRINCESS ANNE, MD., March 19 73

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Notice

Dates Inserted: Mar 15 22 29, 1973

Business Manager MARYLANDER and HERALD

L.C. Broughton &
Annie Bell Broughton

LIBER 044 PAGE 671

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| Lloyd O. Whitehead & Donald C. Davis Substitute Trustees | * | No. 9313 Chancery |
| | * | In the Circuit Court for |
| Vs. | * | Somerset County |
| L. C. Broughton & Annie Bell Broughton, His Wife | * | Maryland |

LIBER 044 PAGE 672

* * * * * * *

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of Forty-eight hundred dollars ($4,800.00).

He has allowed the proper fees, costs and all other proper expenses amounting to Four hundred eighty-two dollars and sixty-seven cents ($482.67).

The balance then remaining amounts to Four thousand three hundred seventeen dollars and thirty-three cents ($4,317.33) to be distributed as follows: Four thousand three hundred seventeen dollars and thirty-three cents ($4,317.33) to Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees.

| | | | |
|---|---|---|---|
| Amount of Sale | | | $4,800.00 |
| Expenses, Costs & Fees: | | | |
| I. Theodore Phoebus, Clerk | | $ 43.50 | |
| Marylander & Herald | | | |
| Advertising | $75.00 | | |
| Order Nisi | 20.00 | 95.00 | |
| O. J. Brittingham, Auctioneer | | 25.00 | |
| Carlos Bozman, Treasurer | | | |
| 1972-73 Taxes (251 days at .17) | | 42.67 | |
| Bond Premium - Gray Agency | | 21.00 | |
| Notary Public - V. M. Hudson | | 3.50 | |
| Trustees' Fees in Lieu of Commissions (Lloyd O. Whitehead & Donald Davis) | | 200.00 | |
| Postage | | 2.00 | |
| Auditor | | 50.00 | |
| Total | | $482.67 | |
| Balance of Funds to Be Distributed | | | $4,317.33 |
| Statement of Debt | $5,117.24 | | |
| Deficiency | 799.91 | | |

Logan C. Widdowson, Auditor
May 8, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

| | | |
|---|---|---|
| Lloyd O. Whitehead & Donald C. Davis Substitute Trustees | * | No. 9313 Chancery |
| | * | In the Circuit Court for |
| Vs. | * | Somerset County |
| L. C. Broughton & Annie Bell Broughton, His Wife | * | Maryland |

* * * * * * *

Take Due Notice that the First and Final Auditor's Report in the above-entitled cause was filed on May 8, 1973, with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing, on the date of the filing of this audit, notice of this Report to the following parties:

Lloyd O. Whitehead & Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801

L. C. Broughton
Route 1
Marion Station, Maryland 21838

Annie Bell Broughton
Route 1
Marion Station, Maryland 21838

Logan C. Widdowson, Auditor

May 8, 1973

LIBER 044 PAGE 673

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 674

No. 9313 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 8th day of May, 19 73 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 23rd day of May, 19 73.

L Theodore Gaskins
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 24th day of February, 19 75 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L Theodore Gaskins
CLERK

LR 5195

PK 42529

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9327 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MARVIN D. HANNA and KATHERINE HANNA, his wife | * | State of Maryland |
| | * | |
| | * | |

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated May 24, 1968 from Marvin D. Hanna and Katherine Hanna, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 244, Folio 307; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

FOR ORIGINAL DEED OF TRUST, SEE LIBER I.T.P. NO. 244, FOLIO 307.

FOR BOND SEE BOND BOOK NO. 9, FOLIO 579

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9327 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MARVIN D. HANNA and KATHERINE HANNA, his wife | * | State of Maryland |
| | * | |
| | * | LIBER 044 PAGE 676 |

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AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 26th day of February, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Marvin D. Hanna and Katherine Hanna, his wife, dated May 24, 1968 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 244, Folio 307; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 10,080.00 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendant is Route #1, Princess Anne, Maryland.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: July 1, 1974

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9327 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MARVIN D. HANNA and KATHERINE HANNA, his wife | * | State of Maryland |

*********

AFFIDAVIT OF COMPLIANCE - RULE W.2(b)

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, Marvin D. Hanna and Katharine Hanna at the Mortgagors last known address at Route #1, Princess Anne, Maryland by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on March 14, 1973. ~~Also attached Return Receipts showing the said Mortgagor duly received the same~~

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of March, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, and made oath in due form of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON
NOTARY PUBLIC
WICOMICO CO. MD.

Vernadett M. Hudson
NOTARY PUBLIC

My Commission Expires: July 1, 1974

LIBER 044 PAGE 677

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801

749-2211

EASTON OFFICE
10 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1988

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8408

March 14, 1973

Mr. Marvin D. Hanna
Mrs. Katharine Hanna
Route #1
Princess Anne, Maryland

LIBER 044 PAGE 678

Dear Mr. & Mrs. Hanna:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Corporation of May 24, 1968 and recorded among the Land Records of Somerset County, Maryland in Liber No. 244, folio 307, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Marylander & Herald beginning February 28, 1973. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, March 23, 1973 at or about 10:00 o'clock A.M. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Corporation and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 16044

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9327 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| MARVIN D. HANNA and KATHERINE HANNA, his wife | * | State of Maryland |
| | * | |
| | * | |

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REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated May 24, 1968 from Marvin D. Hanna and Katherine Hanna, his wife and recorded among the Land Records of Somerset County, State of Maryland, in Liber 244 Folio 307 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander and Herald a newspaper published in Princess Anne , Maryland, prior to March 23, 1973 , and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, March 23, 1973 at 10:05 o'clock A.M. attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Marvin D. Hanna & Katherine Hanna, his wife said property being more particularly described as follows:

LAW OFFICES, PERDUE, CWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that lot or parcel of land situate in the County of Somerset, State of Maryland, and being located on the west side of the county road leading from Quindocqua to Marumsce and on the south side of the county road leading from the aforesaid highway to Marion Station, beginning for the same at the intersection of said roads running thence westerly by and with the southerly side of said county road leading to Marion, eighty-seven (87) yards to a boundary; thence in a southerly direction by a line parallel with the aforesaid county road leading from Marumsco to Quindocqua, twenty-one (21) yards to a bounder; thence in an easterly direction in a straight line, eighty-seven (87) yards to an end of tile located on the west side of said road leading to Quindocqua; thence by and with the west side of said last named road thrity-five (35) yards to the place of beginning; and being the same and all that land conveyed unto Edward S. Williams by John T. Handy, Sr. and Sue D. Handy by the second item of a deed dated September 30, 1948, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 145, folio 447; upon the death of said Edward S. Williams, intestate, the above described land descended unto his widow, Gertrude Williams, as his only heir at law; and being the same and all the property conveyed to John C. Wilson and Mary B. Wilson, his wife, from Gertrude Williams, widow, by deed dated September 26, 1960, and recorded among the Land Records of Somerset County, Maryland, in Liber G.J.B. No. 201, Folio 51.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to Mid-State Homes, Inc., a body corporate of Florida,

at and for the sum of $ 6000.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of March, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON
NOTARY PUBLIC
WICOMICO CO., MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 23rd day of March, 19 73, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Marvin D. Hanna and Katherine Hanna, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 24th day of April, 19 73; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 16th day of April, 1973.

The report states the amount of the sale to be $6000.00.

S. Theodore Phoebus
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 30 day of April, 19 73, that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

E. McMaster Duer
JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

Perdue, Owrutsky & Whitehead
Professional Association
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE

## HOME AND LOT

AT OR NEAR SHELLTOWN, MARYLAND known as the Marvin D. Hanna and Katharine Hanna property.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Marvin D. Hanna and Katherine Hanna, his wife, dated May 24, 1968 and recorded among the Land Records of Somerset County, Maryland in Liber 244, Folio 307, default having occurred thereunder, the undersigned Substitute Trustees will sell at public auction

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MD.

ON

## FRIDAY
## MARCH 23, 1973

at 10:00 A. M. all the following described land:

All that lot or parcel of land situate in Somerset County, State of Maryland, and being located on the west side of the county road leading from Quindocqua to Marumsco and on the south side of the county road leading from the aforesaid highway to Marion Station, beginning for the same at the intersection of said roads running thence westerly by and with the southerly side of said county road leading to Marion, eighty-seven (87) yards to a boundary; thence in a southerly direction by a line parallel with the aforesaid county road leading from Marumsco to Quindocqua, twenty-one (21) yards to a bounder; thence in an easterly direction in a straight line, eighty-seven (87) yards to an end of tile located on the west side of said road leading to Quindocqua, thence by and with the west side of said last named road thirty-five (35) yards to the place of beginning; and being the same and all that land conveyed unto Edward S. Williams by John T. Handy, Sr. and Sue D. Handy by the second item of a deed dated September 30, 1948, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 145, folio 447; upon the death of said Edward S. Williams, intestate, the above described land descended unto his widow, Gertrude Williams, as his only heir at law; and being the same and all that property conveyed to John C. Wilson and Mary B. Wilson his wife, from Gertrude Williams, widow, by deed dated September 26, 1960, and recorded among the Land Records of Somerset County, Maryland, in Liber G.J.B. No. 201, folio 51.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and costs of recording at the expense of the purchaser, or purchasers.

Lloyd O. Whitehead
and
Donald C. Davis
Substitute Trustees

212 East Main Street
Salisbury, Maryland 21801
Telephone: 749-2211

45-4tc

PRINCESS ANNE, MD., March 19 73

This is to certify that the annexed Turstee's Sale

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: March 1 8 15 22

Business Manager MARYLANDER and HERALD

Marvin D. Hanna

LIBER 044 PAGE 683

LIBER 044 PAGE 684

PRINCESS ANNE, MD., April 19 73

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Nisi

Dates Inserted: Mar 28 Apr 5, 12

Business Manager MARYLANDER and HERALD

Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

ORDER NISI

LLOYD O. WHITEHEAD and DONALD C. DAVIS,
Substitute Trustees
vs
MARVIN D. HANNA and KATHERINE HANNA, his wife

No. 9327 chancery
In the Circuit Court for Somerset County State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 23rd day of March, 1973, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis Substitute Trustees, under the power of sale contained in the Deed of Trust from Marvin D. Hanna and Katherine Hanna, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 24th day of April, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 16th day of April, 1973.

The Report states the amount of the sale to be $6000.00.

s/I. THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

49-3tc

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

-vs-

MARVIN D. HANNA and KATHERINE HANNA, his wife,

*
*
*
*
*
*

No. 9327 Chancery

In the Circuit Court

For Somerset County

State of Maryland

**********

LLOYD O. WHITEHEAD and
Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

DONALD C. DAVIS,
Substitute Trustees
vs
MARVIN D. HANNA and
KATHERINE HANNA, his wife

No. 9327 chancery
In the Circuit Court for Somerset County State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 23rd day of March, 1973, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis Substitute Trustees, under the power of sale contained in the Deed of Trust from Marvin D. Hanna and Katherine Hanna, his wife and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 24th day of Aprli, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 16th day of April, 1973.

The Report states the amount of the sale to be $6000.00.

s/I. THEODORE PHOEBUS
CLERK
TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
49-3te

PRINCESS ANNE, MD., April 19 73

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Mar 28 Apr 5 12

Business Manager MARYLANDER and HERALD

Marvin D. Hanna

LIBER 044 PAGE 685

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

Lloyd O. Whitehead & * No. 9327 Chancery
Donald C. Davis
Substitute Trustees *

In the Circuit Court for

Vs. LIBER 044 PAGE 686

Marvin D. Hanna & * Somerset County, Maryland
Katherine Hanna, His Wife

* * * * * * *

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of Six Thousand Dollars ($6,000.00).

He has allowed the proper fees, costs and all other proper expenses amounting to Four Hundred Sixty-seven Dollars and Fifty Cents ($467.50).

The balance then remaining amounts to Five Thousand Five Hundred Thirty-two Dollars and Fifty Cents ($5,532.50) to be distributed as follows: Five Thousand Five Hundred Thirty-two Dollars and Fifty Cents ($5,532.50) to Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees.

| | | | |
|---|---|---|---|
| Amount of Sale | | | $6,000.00 |
| Expenses, Costs & Fees: | | | |
| I. Theodore Phoebus, Clerk | | $ 43.50 | |
| Marylander & Herald | | | |
| Advertising | $82.50 | | |
| Order Nisi | 20.00 | 102.50 | |
| O. J. Brittingham, Auctioneer | | 25.00 | |
| Bond Premium - Gray Agency | | 41.00 | |
| Notary Public - V. M. Hudson | | 3.50 | |
| Trustees' Fees in Lieu of Commissions | | 200.00 | |
| Lloyd O. Whitehead & Donald Davis | | | |
| Postage | | 2.00 | |
| Auditor | | 50.00 | |
| Total | | $467.50 | |
| Balance of Funds to be Distributed | | | $5,532.50 |
| Statement of Debt | $10,080.00 | | |
| Deficiency | 4,547.50 | | |

Logan C. Widdowson, Auditor

May 11, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

| | | |
|---|---|---|
| Lloyd O. Whitehead & Donald C. Davis Substitute Trustees | * | No. 9327 Chancery |
| | * | |
| Vs. | * | In the Circuit Court for |
| Marvin D. Hanna & Katherine Hanna, His Wife | * | Somerset County, Maryland |

* * * * * * *

Take Due Notice that the First and Final Auditor's Report in the above-entitled cause was filed on May 11, 1973, with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing, on the date of the filing of this audit, notice of this Report to the following parties:

Lloyd O. Whitehead & Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801

Marvin D. Hanna
Route 1
Princess Anne, Maryland 21853

Katherine Hanna
Route 1
Princess Anne, Maryland 21853

Logan C. Widdowson, Auditor

May 11, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 044 PAGE 688

No. 9327 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 11th day of May, 1973 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 29th day of May, 1973.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 24th day of February, 1975 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

Mailed 5-12-75

Rd 42912

Lionel Bennett
945 Main Street
Crisfield, Maryland,

Plaintiff

vs

James M. Doggett and
Florence Doggett
Crisfield, Maryland,

Defendants

In Equity No. 9348

In the Circuit Court for

Somerset County, Maryland

ORDER TO DOCKET SUIT

Mr. Clerk:

Please docket the above entitled case, file therein the original mortgage made by James M. Doggett and Florence Doggett, to Bank of Crisfield, Crisfield, Maryland, dated October 23, 1970, in the sum of $4,900.00, recorded on November 6, 1970, in Liber 257 page 452 and assigned to the plaintiff herein.

Lionel Bennett
Mortgagee
945 Main Street
Crisfield, Maryland 21817
(301) 968-1166

FOR ORIGINAL MORTGAGE SEE LIBER NO. 257, FOLIO 452.
FOR ASSIGNMENT SEE LIBER I.T.P. NO. 270, FOLIO 352.
FOR BOND SEE BOND BOOK NO. 9, FOLIO 581

Lionel Bennett

Plaintiff

vs

James M. Doggett and
Florence Doggett

Defendants

In Equity No. 9348

In the Circuit Court for

Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 26th day of March, 1973, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett who made oath in due form of Law that the amount due on the mortgage dated October 23, 1970, made by James M. Doggett and Florence Doggett, his wife, to the Bank of Crisfield, is $5,169.50, with interest from March 23, 1973, at the rate of 8% per annum.

As witness my hand and Notarial Seal.

Lionel Bennett

Lionel Bennett

June B. Bell

June B. Bell
Notary Public

JUNE B. BELL
Notary Public
Somerset County
Marion Station, Md.

Lionel Bennett

Plaintiff

vs

James M. Doggett and
Florence Doggett

Defendants

In Equity No. 9348

In the Circuit Court for

Somerset County, Maryland

## AFFIDAVIT OF MAILING NOTICES OF SALE

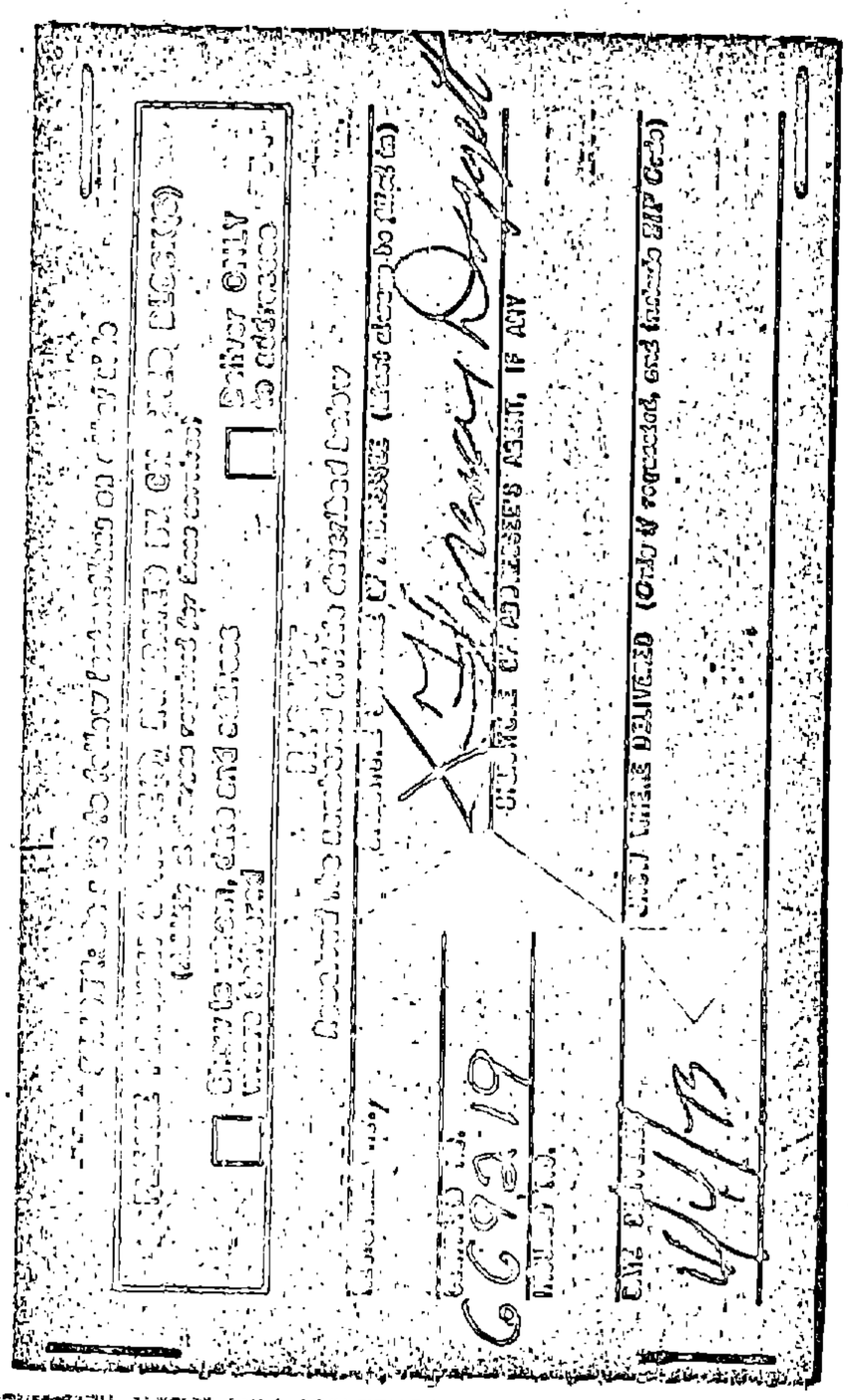
STATE OF MARYLAND, Somerset County:

I hereby certify that on April 5, 1973, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett who made oath that on April 3, 1973, he sent the Notice of Sale, copy of which is annexed hereto, to James M. Doggett and Florence Doggett, the mortgagors herein, by certified mail at their last known address as shown on the receipts for certified mail which are hereto annexed.

As witness my hand and Notarial Seal.

JUNE B. BELL
Notary Public
Somerset County
Marion Station, Md

June B. Bell
Notary Public



No. 669218
RETURN RECEIPT REQUESTED

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO Mr. James M. Doggett
STREET AND NO. P.O. Box 5018
P.O., STATE AND ZIP CODE North Charleston S.C. 29406

POSTMARK OR DATE: CRISFIELD MD APR 3 1973 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (extra fee required) .....

PS Form Nov. 1971 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

No. 669219
RETURN RECEIPT REQUESTED

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO Mrs. Florence Doggett
STREET AND NO. Rt. 1 Box 348
P.O., STATE AND ZIP CODE Crisfield, Md. 21817

POSTMARK OR DATE: CRISFIELD MD APR 3 1973 USPO

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢
SPECIAL DELIVERY (extra fee required) .....

PS Form Nov. 1971 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

044 691

Lionel Bennett, Solicitor



MORTGAGEE'S SALE OF VALUABLE REAL ESTATE

By virtue of the power and authority contained in a mortgage from James M. Doggett and Florence Doggett, his wife, to The Bank of Crisfield, a body corporate existing under the laws of the State of Maryland, dated October 23, 1970, recorded among the land records of Somerset County in Liber 257 page 452, default having occurred under the conditions of said mortgage, I will sell at public auction in front of the Post Office at Crisfield, Maryland, on Saturday, April 21, 1973, at 2:00 p.m.,

All that lot of land in Asbury Election District, Somerset County, Maryland, on the east side of the county road leading from Asbury Methodist Church to George L. Lawson's store fronting 55' thereon and having a depth of 187' bounded by the lands now or formerly of Noah C. Sterling and Ernest Maddrix; being the same premises conveyed to the mortgagors by deed dated May 24, 1965, recorded in Liber 228 page 71.

This property is improved by a comfortable dwelling.

Terms of Sale Ten per cent on date of sale, balance on ratification of sale.

Lionel Bennett
Assignee

March 30, April 6, 13, 20

Lionel Bennett

Plaintiff

vs

James M. Doggett and
Florence Doggett

Defendants

In Equity No. 9348

In the Circuit Court for

Somerset County, Maryland

SENDER: Please follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.
669218

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Richard Butler

DATE DELIVERED
APR 10 1973

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

LIBER 044 PAGE 693

Lionel Bennett
Plaintiff
vs
James M. Doggett and
Florence Doggett
Defendants

In Equity No. 9348
In the Circuit Court for
Somerset County, Maryland

REPORT OF SALE

The report of Lionel Bennett, assignee of a certain mortgage made and executed by James M. Doggett and Florence Doggett, his wife, to The Bank of Crisfield, dated October 23, 1970, and recorded among the land records of Somerset County in Liber 257 page 452, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant or condition in said mortgage, whereas said mortgage debt has become due and demandable, respectfully represents that after giving bond with security, approved by the Clerk of the Circuit Court, for the faithful performance of the trust so as aforesaid reposed in him by said mortgage and as required by law, and giving more than thirty days notice of the time, manner, terms, and place of sale by advertisement in The Crisfield Times, a weekly newspaper published in said Somerset County, once in a week for four successive weeks before the day of the sale, he did, pursuant to said notice, attend the Post Office in Crisfield, Maryland, on April 21, 1973, at 2:00 p.m., and then and there proceeded to sell the property described in said mortgage, to wit:

All that lot of land in Asbury Election District, Somerset County, Maryland, on the east side of the county road leading from Asbury Methodist Church to George L. Lawson's store fronting 55' thereon and having a depth of 187' bounded by the lands now or formerly of Noah C. Sterling and Ernest Maddrix; being the same premises conveyed to the mortgagors by deed dated May 24, 1965, recorded in Liber 228 page 71.

And sold the same to John Nelson Sterling and Yvonne B. Sterling, his wife, District Heights, Maryland, theybeing then and there the highest bidderstherefor, at and for the sum of $6,000.00, and the purchasers have complied with the terms of sale.

Respectfully submitted,

Lionel Bennett
Lionel Bennett
Attorney

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 23rd day of April, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Lionel Bennett, attorney named in the foregoing report of sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Kathryn L. Webb
Notary Public

LIBER 044 PAGE 695

Lionel Bennett

Plaintiff

vs

James M. Doggett and
Florence Doggett

Defendants

In Equity No. 9348

In the Circuit Court for

Somerset County, Maryland

## AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 23rd day of April, 1973, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared John N. Sterling, who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, the purchaser was not acting as agent for anyone.

2. That no other person is interested as principal.

3. That the purchaser has not directly or indirectly discouraged anyone from bidding for the said property.

Witness my hand and Notarial Seal.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Kathryn L. Webb
Notary Public

Lionel Bennett,

Plaintiff

vs

James M. Doggett and
Florence Doggett,

Defendants

In Equity No. 9348

In the Circuit Court for

Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of May, 1973, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 21st day of May, 1973.

The report states the amount of sale to be $6,000.00.

I. Theodore Phoebus, Clerk

FINAL ORDER

Ordered by this Court this 25 day of May, 1973, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

Judge

Leonard Dorsett,
Plaintiff
vs
James M. Dorsett and
Florence Dorsett,
Defendants

In Equity No. 813
In the Circuit Court
Somerset County, Md.

ORDER NISI

Ordered that the
the property mentioned
therein, described
ratified and confirmed
unless cause to the contrary
thereof be shown
before the 8th day of
1973, provided a copy of
order be inserted in
weekly newspaper
in Somerset County
each of three suc
weeks before the 21st day of
May, 1973.
The report states the
amount of sale to be
$3,000.00.

I. Theodore Phoebus,
Clerk

5-4-3t

CRISFIELD, MD. May 19 1973

THIS is to certify that the annexed ORDER NISI has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said ORDER NISI for 3 weeks beginning with the issue of May 4 1973 and ending May 18 1973.

The Crisfield Times
Publisher, THE CRISFIELD TIMES

by Jackie M Bozman

| | | |
|---|---|---|
| LIONEL BENNETT<br>PLAINTIFF | * | NO. 9348 CHANCERY |
| | * | |
| VS. | | IN THE CIRCUIT COURT FOR |
| | * | |
| JAMES M. DOGGETT &<br>FLORENCE DOGGETT<br>DEFENDANTS | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished him by the Trustee therein, states the following account:

He charges the Trustee with the amount of sale as reported by him, being the sum of Six Thousand Dollars ($6,000.00).

He has allowed the proper fees, costs and all other proper expenses amounting to Seven Hundred Sixty-four Dollars and Eight Cents ($764.08).

The balance then remaining amounts to Five Thousand Two Hundred Thirty-five Dollars and Ninety-two Cents ($5,235.92) to be distributed as follows:

Five Thousand One Hundred Sixty-nine Dollars and Fifty Cents ($5,169.50) to Lionel Bennett, Trustee, (balance due on mortgage) and Sixty-six Dollars and Forty-two Cents ($66.42) to James M. and Florence Doggett.

| | | | |
|---|---|---|---|
| Amount of Sale | | | $6,000.00 |
| Expenses, Costs & Fees: | | | |
| I. Theodore Phoebus, Clerk | | $ 39.00 | |
| The Crisfield Times | | | |
| Advertising | $35.00 | | |
| Order Nisi | 20.00 | 55.00 | |
| Auctioneer | | 25.00 | |
| Philip W. Tawes - Bond Premium | | 24.00 | |
| Fire Insurance Premium | | 41.00 | |
| Trustee's Commission | | 450.00 | |
| Attorney's Fee Allowed in Mortgage | | 25.00 | |
| Mortgage Interest from 3/23/73 to 5/25/73 | | 70.08 | |
| Auditor | | 35.00 | |
| TOTAL | | $764.08 | |
| Balance of Funds To Be Distributed | | | $5,235.92 |
| Statement of Debt | $5,169.50 | | |
| Excess | $ 66.42 | | |

Logan C. Widdowson, Auditor

June 18, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

| | | |
|---|---|---|
| LIONEL BENNETT<br>PLAINTIFF | * | NO. 9348 CHANCERY |
| | * | |
| VS. | | IN THE CIRCUIT COURT FOR |
| | * | |
| JAMES M. DOGGETT &<br>FLORENCE DOGGETT<br>DEFENDANTS | * | SOMERSET COUNTY, MARYLAND |

* * * * * * *

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on June 18, 1973, with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit, notice of this Report to the following parties:

Lionel Bennett, Esquire
945 Main Street
Crisfield, Maryland 21817

Mr. James M. Doggett
P. O. Box 5018
North Charleston, South Carolina 29406

Mrs. Florence Doggett
Route 1, Box 348
Crisfield, Maryland 21817

Logan C. Widdowson, Auditor

June 18, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

No. 9348 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 18th day of June, 1973 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 3rd day of July, 1973.

L. Theodore Shockley
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 8th day of August, 1973 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Shockley
CLERK

MAR 5 1975
Ex'd.

Rec'd 43253

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9352 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| LORENZO W. BAILEY | * | State of Maryland |
| | * | |
| | * | |

**********

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

Mr. Clerk:

Please docket the above entitled case and file herewith the Deed of Trust and Affidavit of Indebtedness, said Deed of Trust being dated January 24, 1969 from LORENZO W. BAILEY and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 248, Folio 478; Lloyd O. Whitehead and Donald C. Davis having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

FOR ORIGINAL DEED OF TRUST SEE LIBER I.T.P. NO. 248, FOLIO 478.
FOR BOND SEE BOND BOOK NO. 9, FOLIO 586.

LAW OFFICES, PERDUE, OWBUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

RA 43253

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9352 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| LORENZO W. BAILEY | * | State of Maryland |
| | * | |
| | * | LIBER 044 PAGE 703 |

**********

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of April, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, who made oath in due form of law as follows:

1. That they have been appointed Substitute Trustees for Jim Walter Corporation, in accordance with the provisions of a Deed of Trust from Lorenzo W. Bailey, dated January 24, 1969 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 248, Folio 478; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $ 3,256.96 is now due and owing.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendant is 2924 Brighton St. Baltimore, Maryland.

Lloyd O. Whitehead, Substitute Trustee, Affiant

Donald C. Davis, Substitute Trustee, Affiant

AS WITNESS my hand and Notarial Seal.

Vernadett M. Hudson
Notary Public

My Commission Expires: July 1, 1974

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9352 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| LORENZO W. BAILEY | * | State of Maryland |

*********

AFFIDAVIT OF COMPLIANCE - RULE W.2(b)

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

WE, Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, make oath that we mailed to the Mortgagor, LORENZO W. BAILEY at the Mortgagors last known address at 2924 Brighton Street, Baltimore, Maryland by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on May 8, 1973. ~~Also attached is Return Receipt showing the said Mortgagor duly received the same~~

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of May, 1973 before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, and made oath in due form of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year above written.

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

NOTARY PUBLIC

My Commission Expires: July 1, 1974

LIBER 044 PAGE 704

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LAW OFFICES
P RDUE, OWRUTSKY & WHITE AD
PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801

749-2211

EASTON OFFICE
16 SOUTH WASHINGTON STREET
EASTON, MARYLAND 21601
(301) 822-1988

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8408

May 8, 1973

LIBER 044 PAGE 705

Mr. Lorenzie W. Bailey
2924 Brighton Street
Baltimore, Maryland

Dear Mr. Bailey:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Corporation of January 24, 1969 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 248, folio 478, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Princess Anne, Maryland. The advertisement for the sale will appear in the Marylander & Herald beginning April 26, 1973. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, May 18, 1973 at or about 10:00 o'clock A.M. The Terms of Sale will be $ 1,000.00 cash at the time and place of the sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustees appointed by Jim Walter Corporation and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Princess Anne, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust, and any other costs justly chargable under the Deed of Trust. Payment must be in full for all of the said delinquencies and costs and must be in cash, certified check, cashiers check or money order paid at my office anytime up until the time of sale. The total amount necessary to redeem the property can be obtained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

LLOYD O. WHITEHEAD

LOW:vmh
File No.: 16542

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees | * | No. 9352 Chancery |
| | * | In the Circuit Court |
| -vs- | * | For Somerset County |
| LORENZO W. BAILEY | * | State of Maryland |
| | * | |
| | * | |

**********

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, pursuant to the power of sale contained in the Deed of Trust dated January 24, 1969 from LORENZO W. BAILEY and recorded among the Land Records of Somerset County, State of Maryland, in Liber 248 Folio 478 : respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald a newspaper published in Princess Anne , Maryland, prior to Friday, May 18, 1973 , and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, May 18, 1973 at ~~10:00~~ 10:10 A.M. attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustees did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said LORENZO W. BAILEY said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that lot or parcel of land situate, lying and being in Mt. Vernon Election District, Somerset County, Maryland, lying and binding on the north side of the county road leading from White Haven to Salisbury and beginning at a stone on said county road and on a private lane from said county road to the residence of Frehauff, being the southwest corner of the land of the same hereby conveyed; thence, running in a northerly direction, in a straight line, 25 rods to a stone; thence in a south-easterly direction 16 rods to a pine tree; thence, in a straight line in a southerly direction 11 rods to a stone on the aforesaid county road; thence by and with said county road, west 10 rods, 6 feet to the place of beginning, and containing one and one-half acres of land, more or less; being the same land conveyed unto Lorenzie W. Bailey by Jim Walter Corporation by deed dated February 20, 1969 and recorded in I.T.P. 251, folio 95.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustees sold the aforedescribed property to William Game

at and for the sum of $ 3550.00 at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead, Substitute Trustee

Donald C. Davis, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of May, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of their knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC

VERNADETT M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

My Commission Expires: July 1, 1974



LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 18th day of May, 19 73, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from LORENZO W. BAILEY

and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 19th day of June, 19 73 ; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 11th day of June, 19 73 .

The report states the amount of the sale to be $ 3550.00.

L. Theodore Phoebus
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 17 day of July, 19 73 , that the sale made and reported by the Substitute Trustees, aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustees are allowed a fee of $200.00 in lieu of commission.

E. McMaster Duer
JUDGE

LAW OFFICES, PERDUE, GWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

# AFFIDAVIT

STATE OF MARYLAND, ~~WICOMICO~~ Somerset COUNTY, to-wit:

I HEREBY CERTIFY, That on this 18th day of May, A.D., 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for ~~WICOMICO~~ Somerset County aforesaid, personally appeared William Game

the purchaser _ named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, ~~William Game~~, attended the sale the property described in the mortgage filed in these proceedings held in ~~Princess Anne~~, Maryland, on May 18,1973, and purchased the same for $3550.00

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That ~~I, William Game, did not~~ directly or indirectly discouraged anyone from bidding on said property.

William Carlton Game
Affiant

LIBER 044 PAGE 710

SUBSCRIBED AND SWORN TO, before me, this 18th day of May, A.D., 1973.

Louise T. Horner Notary Public

LIBER 044 PAGE 711

PRINCESS ANNE, MD., May 19 73

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Apr 26 May 3 10 17

Clarence L Byrd

Business Manager MARYLANDER and HERALD

Lorenzo Bailey

Perdue, Owrutsky & Whitehead
Professional Association
212 East Main Street
Salisbury, Maryland 21801

# TRUSTEES' SALE

## OF VALUABLE

## HOME AND LOT

IN MT. VERNON ELECTION DISTRICT OF SOMERSET COUNTY, MARYLAND

known as the LORENZO W. BAILEY property.

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Lorenzo W. Bailey, dated January 24, 1969 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 248, Folio 478. default having occurred thereunder, the undersigned Substitute Trustees will sell at public auction

AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MARYLAND on

## FRIDAY,

## MAY 18, 1973

at 10:00 A. M. all the following described land:

ALL that lot or parcel of land situate, lying and being in Mt. Vernon Election District, Somerset County, Maryland, lying and binding on the north side of the county road leading from White Haven to Salisbury and beginning at a stone on said county road and on a private lane from said county road to the residence of Frehauff, being the southwest corner of the land of the same hereby conveyed; thence, running in a northerly direction, in a straight line, 25 rods to a stone; thence in a southeasterly direction 16 rods to a pine tree; thence, in a straight line in a southerly direction 11 rods to a stone on the aforesaid county road; thence by and with said county road, west 10 rods, 6 feet to the place of beginning, and containing one and one-half acres of land, more or less.

Possession of said property will be given upon ratification of sale.

Terms of Sale: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

Lloyd O. Whitehead and
Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone 749-2211

1-4tc

PRINCESS ANNE, MD., June 19 73

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: May 24, 31, June 7

Business Manager MARYLANDER and HERALD

Whitehead, Davis
vs.
Bailey

Perdue, Owrutsky & Whitehead
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

# ORDER NISI

Lloyd O. Whitehead and
Donald C. Davis,
Substitute Trustees

vs

Lorenzo W. Bailey
No. 9352 Chancery In The Circuit Court for Somerset County State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 18th day of May, 1973, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Lorenzo W. Bailey and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 19th day of June, 1973; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 11th day of June, 1973.

The Report states the amount of the sale to be $3550.00.

s/ I. THEODORE PHOEBUS
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
5-3t

LIBER 044 PAGE 712

LLOYD O. WHITEHEAD & DONALD C. DAVIS SUBSTITUTE TRUSTEES * NO. 9352 CHANCERY

* IN THE CIRCUIT COURT FOR

VS. *

LORENZO W. BAILEY * SOMERSET COUNTY, MARYLAND

* * * * * * * * * * *

LIBER 044 PAGE 713

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-mentioned cause and from them and the list of expenses furnished him by the Trustees therein, states the following account:

He charges the Trustees with the amount of sale as reported by them, being the sum of Three thousand five hundred and fifty dollars ($3,550.00) plus Interest of Thirty-five dollars and fifty cents ($35.50).

He has allowed the proper fees, costs and all other proper expenses amounting to Four hundred fifty-nine dollars and thirty cents ($459.30).

The balance then remaining amounts to Three thousand one hundred twenty-six dollars and twenty cents ($3,126.20) to be distributed as follows:

Three thousand one hundred twenty-six dollars and twenty cents ($3,126.20) to Lloyd O. Whitehead and Donald C. Davis, substitute Trustees.

| | | | |
|---|---|---|---|
| Amount of Sale | | | $3,550.00 |
| + interest from 5/18 to 7/18/73 | | | 35.50 |
| | | total | $3,585.50 |
| Expenses, Costs & Fees: | | | |
| I. Theodore Phoebus, Clerk | | $42.50 | |
| Marylander & Herald | | | |
| Advertising | $60.00 | | |
| Order Nisi | 20.00 | | |
| | | 80.00 | |
| O. J. Brittingham, Auctioneer | | 25.00 | |
| Carlos Bozman, Treasurer 1972-73 Taxes | | 55.30 | |
| Bond Premium - Gray Agency | | 13.00 | |
| Notary Public - V. M. Hudson | | 3.00 | |
| Trustees' Fees in Lieu of Commissions Lloyd O. Whitehead & Donald C. Davis | | 200.00 | |
| Postage | | 2.50 | |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

LIBER 044 PAGE 714

| | | |
|---|---|---|
| Mileage | $ 3.00 | |
| Auditor | 35.00 | |
| Total | $459.30 | |
| Balance of Funds to Be Distributed | | $3,126.20 |
| Statement of Debt | $3,256.96 | |
| Deficiency | $ 130.76 | |

Logan C. Widdowson, Auditor

August 21, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2800

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD & DONALD C. DAVIS SUBSTITUTE TRUSTEES. | * | NO. 9352 CHANCERY |
| | * | |
| VS. | * | IN THE CIRCUIT COURT FOR |
| LORENZO W. BAILEY | * | SOMERSET COUNTY, MARYLAND |

* * * * * * * * * * *

TAKE DUE NOTICE that the First and Final Auditor's report in the above-entitled cause was filed on August 21, 1973, with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson, Auditor

Your Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this audit, notice of this Report to the following parties:

Lloyd O. Whitehead & Donald C. Davis
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801

Lorenzo W. Bailey
2924 Brighton Street
Baltimore, Maryland

Logan C. Widdowson, Auditor

August 21, 1973

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3900

LIBER 044 PAGE 716

No. 9352 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 21 day of August, 1973 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 5 day of September, 1973.

L. Theodore Gherkins
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 24th day of February, 1975 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Gherkins
CLERK

Rec'd

Q#43338

| | | |
|---|---|---|
| Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection. | : | No. 9356 Chancery Case<br>In the Circuit Court for<br>Somerset County, Maryland |

Mr. Clerk:

Please file the within mortgage in your Chancery Records for the purpose of foreclosure and collection.

Wade D. Ward, Assignee

FOR ORIGINAL MORTGAGE SEE LIBER I.T.P. NO. 263, FOLIO 371.
FOR BOND SEE BOND BOOK NO. 9, FOLIO 588.

| | |
|---|---|
| Wade D. Ward, Assignee for the purpose of foreclosure and collection in a mortgage to the Bank of Crisfield, a body corporate, and by assignment to Wade D. Ward for foreclosure and collection. | Chancery Docket No.<br>In the Circuit Court for<br>Somerset County,<br>State of Maryland |

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 7th day of May, 1973, before me, the subscriber, a Notary Publid of the State of Maryland, in and for Somerset County, aforesaid, personally appeared F. Doyle Tyler, President of the Bank of Crisfield, a body corporate, and made oath in due form of law that the total amount due on the principal of the mortgage in the above entitled case is $14,558.64, and the amount due in interest is $989.99, making a total of $15,548.63.

Witness my hand and seal this 7th day of May, 1973.

Notary Public

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES

AREA CODE 301
TELEPHONE 651-2747

May 31, 1973

Wade D. Ward, Esq.
Attorney at Law
Crisfield, Maryland 21817

Re: Mortgage Foreclosure vs.
Barbara Ellingsen
No. 9356 Chancery

Dear Wade:

COPY

It is my understanding that you have instituted foreclosure proceedings in the above entitled matter in the Circuit Court for Somerset County, Maryland. I am enclosing a statement from Somerset County Sanitary District, Inc. indicating delinquent front foot assessments against this property for the years 1971-1973 inclusive with interest through June 1973 in the total amount of $350.51. Also enclosed is a statement from the Town of Princess Anne showing water and sewer service charges against this property for the quarters ending June 30, 1972, September 30, 1972, December 30, 1972 and March 31, 1973 in the total amount of $30.60.

I refer you to the provisions of Article 43, Section 657 (d) and (e) which provides that "the annual benefit assessment or other charges as above specified shall be a first lien upon the property against which they are assessed until paid, any statute of limitations to the contrary notwithstanding, subject only to prior State and/or municipal taxes. . ."

I will request the Clerk of the Circuit Court to file a copy of this letter and of the enclosed statements in the Chancery proceeding and would appreciate an acknowledgement from you that you intend to honor these statements from the proceeds of the sale according to their statutory priority.

Very truly yours,

Alexander G. Jones

AGJ/kgj

Enclosures

cc: Clerk of the Circuit Court for Somerset County
Richard M. Cooley, Chairman of Sanitary District
George Volenik, Town Manager

LIBER 044 PAGE 719

SOMERSET COUNTY SANITARY DISTRICT, INC.
Town Office
PRINCESS ANNE, MARYLAND

LIBER 044 PAGE 720

Barbara Ellingsen
c/o Robert P. Hayman, Esq.
Princess Anne, Md. 21853

Property No. 316

| | | |
|---|---|---|
| 1970 Front Foot Assessment | 15.60 | |
| Interest - June | 2.18 | |
| | | $17.78 |
| 1972 Front Foot Assessment | 15.60 | |
| Interest - June | 1.25 | |
| | | $16.85 |
| 1973 Front Foot Assessment | 15.60 | |
| Interest - June | .31 | |
| | | $15.91 |
| | | $50.54 |

SOMERSET COUNTY SANITARY DISTRICT, INC.
Town Office
PRINCESS ANNE, MARYLAND

Barbara Ellingsen
c/o Robert P. Hayman, Esq.
Princess Anne, Md. 21853

Property No. 315

| | | |
|---|---|---|
| 1972 Front Foot Assessment | 16.12 | |
| Interest - June | 1.29 | |
| | | $17.41 |
| 1973 Front Foot Assessment | 16.12 | |
| Interest - June | .32 | |
| | | $16.44 |
| | | $33.85 |

SOMERSET COUNTY SANITARY DISTRICT, INC.

Town Office

PRINCESS ANNE, MARYLAND

LIBER 044 PAGE 722

Barbara Ellingsen
c/o Robert P. Hayman
Princess Anne, Md. 21853

Property No. 329

| | | |
|---|---|---|
| 1972 Front Foot Assessment | 53.76 | |
| Interest - June | 4.30 | |
| | | $58.06 |
| 1973 Front Foot Assessment | 53.76 | |
| Interest - June | 1.08 | |
| | | $54.84 |
| | | $112.90 |

SOMERSET COUNTY SANITARY DISTRICT, INC.
Town Office
PRINCESS ANNE, MARYLAND

Barbara Ellingsen
c/o Robert P. Hayman
Princess Anne, Md. 21853

Property No. 330

| | | |
|---|---|---|
| 1972 Front Foot Assessment | 72.96 | |
| Interest - June | 5.84 | |
| | | $78.80 |
| 1973 Front Foot Assessment | 72.96 | |
| Interest - June | 1.46 | |
| | | $74.42 |
| | | $153.22 |

TOWN OF

# Princess Anne
## Maryland

LIBER 044 PAGE 724

OFFICE OF
TOWN MANAGER

TELEPHONE 651-1818
June 1,1973

Edward & Barbara Ellingsen

Town Taxes 1972
plus 6% Interest

| | | | |
|---|---|---|---|
| 44.90 | + | 8.69 | = 47.59 |
| 3.57 | + | .21 | = 3.78 |
| 3.89 | + | .23 | = 4.12 |
| 2.10 | + | .13 | = 2.23 |
| 2.10 | + | .13 | = 2.23 |

$ 59.95

Water & Sewer Acc't.

Quarter ending:

| | |
|---|---|
| 6/30/72 | 7.65 |
| 9/30/72 | 7.65 |
| 12/30/72 | 7.65 |
| 3/31/73 | 7.65 |
| | $ 30.60 |

Wade D. Ward, Assignee
Ex Parte, for the purpose
of foreclosure and collection
under power contained in a
mortgage to the Bank of
Crisfield, a body corporate
from Edward Ellingsen and
Barbara Ellingsen, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9356 Chancery

In the Circuit Court for

Somerset County,

State of Maryland

## REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Wade D. Ward, Assignee of a mortgage made and executed by Edward Ellingsen and Barbara Ellingsen, his wife, to the Bank of Crisfield, a body corporate, existing under the laws of the State of Maryland, dated September 30, 1971, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 263, folio 71, duly assigned to the undersigned for the purpose of foreclosure and collection, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage, or in the payment of the interest thereon, or in some other covenant of said mortgage whereby the said mortgage debt has become due and demandable, respectfully represents unto Your Honors:

That after giving bond with security approved by the Clerk of this Court for the faithful performance of the assignee, as aforesaid, reposed in him by and pursuant to said mortgage and as required by law, and after giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in Somerset County, Maryland, once in each of three successive weeks before the day of sale: he did, pursuant to said notice, attend on the Court House steps in Princess Anne, Maryland, on Tuesday, June 12, 1973, at 2:00 P.M., then and there proceed to sell the property described in

said mortgage, to wit:

PARCEL I: All that lot or parcel of land situate, lying and being in East Princess Anne Election District, and fronting 108 feet on said Main Street or Somerset Avenue, and fronting 120 feet on said Water Street; said lot of land comprising of those two lots or parcels of land which are laid down and described as Lots No. 3 and 4 on a plat filed with and as a part of the Report of Sales of Joshua W. Miles, and H. Filmore Lankford, Trustees, in No. 3770 Chancery in the Circuit Court for Somerset County, being all and the same land conveyed to Harry T. Phoebus and Mary C. Johnson, Leland J. Johnson and Lillian Johnson, his wife, and Olive C. Johnson by deed dated May 6, 1926, and recorded among the Land Records of Somerset County, Maryland, in Liber W.J.S. No. 93, folio 67.

PARCEL II: All that lot or parcel of land situate, lying and being in East Princess Anne Election District. and binding on the north side of said Water Street (erronously described in the hereinafter mentioned deed as binding on the south side of said Street) being laid down and described as Lots No. 5 and 6 on the plat filed in No. 3770 Chancery as set forth in the first parcel herein: being all and the same land which was conveyed unto said Harry T. Phoebus by William H. Dryden, Sheriff, by deed dated September 30, 1935, and recorded as aforesaid, in Liber J.M.T. No. 115, folio 418.

The above two parcels being the same and all that property conveyed to the Mortgagors herein from Vera B. Phoebus, et al. by deed dated March 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237, folio 364.

PARCEL III: All that lot or parcel of land situate, lying and being in East Princess Anne Election District. and being adjacent to the above described property and being bound on the south side of Water Street and containing 1779 square feet and being the same and all that property conveyed to the mortgagors herein from Winton Gouge and wife, by deed dated March 16, 1968, and recorded among the aforesaid

Land Records in Liber I.T.P. No. 243, folio 418.

PARCEL IV: All that lot or parcel of land situate,lying and being in East Princess Anne Election District, being located on the south side of Water Street and being adjacent to the above described property and containing 2072 square feet and being the same and all that property conveyed to the Mortgagors herein from Winton Gouge and wife, by deed dated March 3, 1970, and recorded as aforesaid, in Liber I.T.P. No. 256, folio 394.

And the said property was sold to Earl Warwidk and Ruth Warwick his wife, they being then and there the highest bidders therefor, at and for the sum of Ten Thousand Seven Hundred Dollars ($10,700.00), and the purchasers have complied with the terms of sale.

PARCEL V: All that lot or parcel of land situate, lying and being in St. Peters Election District, Somerset County, Maryland, and being a part of a tract of land called, "Almodington" described in 1874 (see Liber L.W. No. 15, folio 15) and being located on the east side of St. Peters Creek and containing 2 1/4 acres, more or less, and being the same and all that property conveyed to the mortgagors herein from Lena M. Bedsworth by deed dated April 12, 1967, and recorded as aforesaid, in Liber I.T.P. No. 237, folio 504.

And the said property was sold to Walter A. Bloodsworth and Elaine O. Bloodsworth, his wife, they being then and there the highest bidders therefor, at and for the sum of Seventy Five Hundred Dollars ($7,500.00) and the purchasers have complied with the terms of sale.

Respectfully submitted,

Wade D. Ward, Attorney

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Edward Ellingsen
and Barbara Ellingsen, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9356 Chancery

In the Circuit Court for

Somerset County, Maryland

O R D E R N I S I

ORDERED that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 16th day of July 1973, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 9th day of July, 1973.

The report states the amount of sale of Eighteen Thousand Two Hundred Dollars ($18,200.00).

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Edward Ellingsen
and Barbara Ellingsen, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9356 Chancery

In the Circuit Court for

Somerset County,

State of Maryland

PURCHASERS' AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 16th day of July, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Walter A. Bloodsworth and Elaine O. Bloodsworth, his wife, and Earl Warwick and Ruth Warwick, his wife, purchasers of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase they were not acting as agent for anyone.

2. That other interest in said purchase as principal is none.

3. That they did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and seal the day and year first above written.

June Wheatley
Notary Public

JUNE WHEATLEY NOTARY PUBLIC SOMERSET CO.

Wade D. Ward, Solicitor

# PUBLIC NOTICE OF VALUABLE PROPERTY

By virtue of the power and authority contained in a mortgage from Edward Ellingsen and Barbara Ellnigsen, his wife, to the Bank of Crisfield, a body corporate, dated September 30, 1971, recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 263, folio 371, which said mortgage has been duly assigned to the undersigned by the Bank of Crisfield, a body corporate as aforesaid, by assignment dated April 19, 1973 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 263, folio 375, for the purpose of foreclosure and collection, default having occurred under the conditions of said mortgage, I will sell at public auction at the front door of the Court House in Princess Anne, Maryland. on

**TUESDAY**

**JUNE 12, 1973**

at or about the hour of 2:00 P.M., all those lots or parcels of land situate, lying and being in East Princess Anne Election District, and St. Peters Election District, Somerset County, State of Maryland, and more particularly described as follows:

Parcel I: All that lot or parcel of land situate, lying and being in East Princess Anne Election District, and fronting 108 feet on said Main Street or Somerset Avenue, and fronting 120 feet on said Water Street; said lot of land comprising of those two lots or parcels of land which are laid down and described as Lots No. 3 and 4 on a plat filed with and as a part of the Bill of Sales of Joshua W. Miller, and H. Filmore Lankford Trustees, in No. 3770 Chancery in the Circuit Court for Somerset County, being all and the same land conveyed to Harry T. Phoebus and Mary C. Johnson, Leland J. Johnson and Lillian Johnson, his wife, and Olive C. Johnson by deed dated May 6, 1926, and recorded among the Land Records of Somerset County, Maryland, in Liber W.J.S. No. 93, folio 67.

Parcel II: All that lot or parcel of land situate, lying and being in East Princess Anne Election District, and binding on the north side of said Water Street (erronously described in the hereinafter mentioned deed as binding on the south side of said Street) being laid down and described as Lots No 5 and 6 on the plat filed in No. 3770 Chancery as set forth in the first parcel herein; being all and the same land which was ocnveyed unto said Harry T. Phoebus by William H. Dryden, Sheriff, by deed dated September 30, 1935, and recorded as aforesaid, in Liber J.M.T. No. 115, folio 481.

The above two parcels being the same and all that property conveyed to the Mortgagors herein from Vera B. Phoebus, et al by deed dated March 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237, folio 364.

Parcel III: All that lot or parcel of land situate, lying and being in East Princess Anne Election District, and being adjacent to the above described property and being bound on the south side of Water Street and containing 1779 square feet and being the same and all that property conveyed to the mortgagors herein from Winton Gouge and wife, by deed dated March 16, 1968, and recorded among the aforesaid Land Records in Liber I.T.P. No. 243. folio 418.

Parcel IV: All that lot or parcel fo land situate, lying and being in East Princess Anne Election District, being located on the south side of Water Street and being adjacent to the above described property and containnig 2072 square feet and being the same and all that property conveyed to the mortgagors herein from Winton Gouge and wife, by deed dated March 8, 1970, and recorded as aforesaid, in Liber I.T.P. No. 256, folio 394.

Parcel V: All that lot or parcel of land situate lying and being in St. Peters Election District, Somerset County, Maryland, and being a part of a tract of land called "Almodington" described in 1874 (see Liber L. W. No. 15, folio 15) and being located on the east side of St. Peters Creek and containing 2¼ acres, more or less, and being the same and all that property conveyed to the mortgagors herein from Lena M Bedsworth by deed dated April 12, 1967, and recorded as aforesaid, in Liber I.T.P. No. 237, folio 504

This property is improved by a Garage on the Princess Anne property and a residential dwelling on the St Peters Creek

Terms of Sale: Cash as prescribed by Mortgage. Title papers at the expense of the purchaser or purchasers.

Wade D. Ward, Attorney
Assignee of said Mortgage
4-3tc

---

**PRINCESS ANNE, MD., May 1973**

This is to certify that the annexed Public Sale Val. Property has been published in the *MARYLANDER and HERALD*, a weekly paper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: May 17 24 31, 1973

Business Manager MARYLANDER and HERALD

Edward Ellingsen
Barbara Ellingsen

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Edward Ellingsen
and Barbara Ellingsen, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9356 Chancery

In the Circuit Court for

Somerset County,

State of Maryland

FINAL ORDER

Ordered by this Court this 19th day of July, 1973, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

E. McMaster Dize
Judge

PRINCESS ANNE, MD., July

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a newspaper published in Somerset County, Maryland, acco the terms and requirements contained in said Nis

Dates Inserted: June 21 28 July 5

Clarence L Byrd
Business Manager MARYLANDER and

ORDER NISI

Wade D. Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Edward Ellingsen and Barbara Ellingsen, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

No. 9356 Chancery In The Circuit Court for Somerset County Maryland

ORDERED that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 16th day of July 1973, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weks before the 9th day of July, 1973.

The report states the amount of sale of Eighteen Thousand Two Hundred Dollars ($18,-200.00).

TRUE COPY, TEST:
s/I. THEODORE PHOEBUS
CLERK
I. Theodore Phoebus, Clerk
6-3to

LIBER 044 PAGE 731

Levin Wilson
Princess Anne, Md.
Vs.
Effie Collins
330 Ulrich Street
Wilmington, Delaware
and
Victoria Dashiell
Address Unknown

---

Levin Wilson
Princess Anne, Md.
Vs.
Clyde W. Brown
Princess Anne, Md.
and
Margaret Cox
Hattie M. Muir
Bessie C. Ford
Robert T. Ford
Norman C. Ford
Della D. Ford
H. Stanley Ford
Lillie Milligan
Addresses Unknown

NO. 2560 CHANCERY CASES

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY

STATE OF MARYLAND

IN EQUITY

LIBER 044 PAGE 732

* * * * * * *

AND ALL PERSONS having or claiming any interest in certain real property described as follows:

1. All that lot or parcel of land consisting of 5 acres, more or less, in the Westover Election District of Somerset County, State of Maryland, on the north side of the Arden Station Road, adjoining the property of J. I. Wells Co., Inc. and others, shown on the County Tax Map No. 33 as parcel 37--heretofore assessed in the name of Effie Collins.

2. All that tract or parcel of land consisting of 15 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29--heretofore assessed to the names of John Muir and Harry Muir heirs.

3. All that tract or parcel of land consisting of 112 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29--heretofore assessed to the John Muir heirs.

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Complainant, Levin Wilson, by Logan C. Widdowson, his Solicitor, respectfully represents:

1. That the Complainant is a resident of Somerset County, Maryland.

2. That on the 17th of June, 1969, there was issued to the Complainant by Carlos Bozman, Collector of Taxes for Somerset County and Treasurer for Somerset County, Maryland, a Certificate of Sale showing payment made by the Complainant to said Treasurer and Collector of the sum of $40.47 and the sale to the Complainant on said date of "all that lot of land consisting of 5 acres and improvements on the north side of the Arden Station Road, bearing County Tax Map #33-15-37, deed reference 21/351." The same being in the Westover Election District, Somerset County, Maryland, and assessed to Effie Collins.

3. That on the 4th day of April, 1972, there was issued to the Complainant by the said Treasurer and Collector the following Certificates of Sale:

A. A Certificate of Sale showing payment made by the Complainant to said Treasurer and Collector for the sum of $58.95 and the sale to the Complainant on said date of "all that lot of land consisting of 15 acres on the Annamessex River, near Frenchtown, Maryland, bearing County Tax Map #47-12-29, deed reference 241/370." The same being in the Fairmount Election District of Somerset County, Maryland, and assessed to John Muir and Harry Muir heirs.

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11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

B. A Certificate of Sale showing payment made by the Complainant to said Treasurer and Collector of the sum of $159.03 and the sale to the Complainant on said date of "all that lot of land consisting of 112 acres on the Annamessex River, near Frenchtown, Maryland, bearing County Tax Map #47-12-29, deed reference 241/370, Right of Way, 21/134." The same being in the Fairmount Election District of Somerset County, Maryland, and assessed to the John Muir heirs.

4. That the above properties have not been redeemed by any party of interest, although more than one year from the date of the sales has expired.

5. That your Complainant has caused the Land and Testamentary Records of Somerset County to be examined by Logan C. Widdowson, a member of the Bar of the State of Maryland, whose affidavit is attached hereto, and in reliance upon which your Complainant alleges and avers that the said Effie Collins has never conveyed, according to the records, any of the real estate standing in her name and that there are no liens or encumbrances of record against the same. And, further, that the interest of Harry Muir descended unto Lillie Milligan and Sue Hickman; that the said Lillie Milligan has never conveyed, according to the records, any of her interest in said real estate and that the interest of Sue Hickman was conveyed by her heirs by a deed unto Clyde W. Brown. Furthermore, the interest of John Muir passed to Mary L. Muir by Will; and upon her death, said interest was distributed to her heirs according to law, whose whereabouts are unknown and who have been made parties to this Bill of Complaint.

6. That the amounts necessary to redeem the respective properties are the amounts shown on the respective Certificates aforesaid and Court costs and a reasonable Attorney's fee.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

WHEREFORE, your Complainant prays:

A. That a subpoena be issued for the named Respondent:

Clyde W. Brown

B. That your Honor may grant unto the Complainant the Order of Publication, directed to the said named Respondents, and all persons having or claiming any interest in the aforesaid property.

C. That this Honorable Court pass a final decree foreclosing all rights of redemption of the Respondents and any of them or any other persons having or claiming an interest in the aforesaid properties.

D. That your Complainant may have such other and further relief as his case may require.

AND, AS IN DUTY BOUND, ETC.

Levin Wilson
Levin Wilson, Complainant

Logan C. Widdowson
Logan C. Widdowson
Solicitor for the Complainant

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

I hereby certify that on this 2nd day of ~~April~~ May, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Levin Wilson, the above-named Complainant, and made oath in due form that the matters and things set forth in the foregoing Bill of Complaint are true to the best of his knowledge, information and belief.

In witness whereof, I have hereunto set my hand and Notarial Seal.

Dawn N. Dryden
Notary Public

My commission expires July 1, 1974.

LIBER 044 PAGE 735

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

# AFFIDAVIT OF SOLICITOR

STATE OF MARYLAND
COUNTY OF SOMERSET
SS

LIBER C44 PAGE 736

I hereby certify that on this 2nd day of ~~April~~ May, 1973, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Logan C. Widdowson of Princess Anne, Somerset County, Maryland, personally known to me and being duly sworn to depose and say:

1. That he is a member of the Bar of the State of Maryland, having been admitted thereto on June 22, 1970, and that he has made an examination of the public records of Somerset County in regard to the following properties:

A. All that lot or parcel of land consisting of 5 acres, more or less, in the Westover Election District of Somerset County, State of Maryland, on the north side of the Arden Station Road, adjoining the property of J. I. Wells Co., Inc. and others, shown on the County Tax Map No. 33 as parcel 37--heretofore assessed in the name of Effie Collins.

B. All that tract or parcel of land consisting of 15 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29--heretofore assessed to the names of John Muir and Harry Muir heirs.

C. All that tract or parcel of land consisting of 112 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29--heretofore assessed to the John Muir heirs.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

2. And that he found no conveyances by or liens against any of the parties mentioned and that he has made an examination of the Chancery Records of Somerset County and has found no Chancery Proceedings involving the lands described in these proceedings; and he has examined the Testamentary Records of Somerset County with regard to the said parties and has found no proceedings relative to Effie Collins, Victoria Dashiell or Clyde W. Brown, but that he has found Estate No. 870, the same being the estate of Mary L. Muir and that the heirs mentioned therein are Margaret Cox, Hattie M. Muir, Bessie C. Ford, Robert T. Ford, Norman C. Ford, H. Stanley Ford, and L. Shanley Ford; and that he found Estate No. 1894, the same being the estate of L. Shanley Ford, and that the heir mentioned therein is Della Diamond Ford, all of whom have been named as Respondents herein.

Logan C. Widdowson, Affiant

Subscribed and sworn to before me, this 2nd day of ~~April~~ May, 1973.

Dawn M. Dryden
Notary Public

My commission expires July 1, 1974.

LIBER 044 PAGE 737

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

## ORDER OF PUBLICATION

The object of these proceedings is to secure the foreclosure of all rights of redemption in and to the properties above described, all lying and being in Somerset County, Maryland, and sold by Carlos Bozman, Treasurer of Somerset County, Maryland and Collector of State and County taxes therein.

The Bill of Complaint states, among other things, that the amounts necessary for the redemption of the aforesaid properties have not been paid, although more than a year and a day from the dates of sales, the dates being June 17, 1969 and April 4, 1972, have expired; it is, thereupon, this 3 day of ~~April~~ May, 1973, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by publication by insertion of a copy of this Order in some newspaper having general circulation in Somerset County, once a week for four successive weeks, warning all persons interested in said properties, or either of them, to be and appear in this Court by the 5 day of July, 1973, and redeem the properties and answer the Bill of Complaint; or thereafter, a final decree will be rendered foreclosing the right of redemption in said properties, or either of them, and vesting in the Complainant a title to said properties, free and clear of all claims or encumbrances.

E. McMaster Duer
E. McMaster Duer, Chief Judge

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2500

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

## The State of Maryland,
## Somerset County, to wit:

TO *Clyde W. Brown*
*Princess Anne, Md.*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....*May*.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Levin Wilson*
*Princess Anne, Md.*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..*3rd*....day of.....*May*....., 19...*73*..

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...*3rd*.....day of.....*July*....., 19...*73*. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Logan C. Widdowson*
Name *11 N. Somerset Ave.*
*Princess Anne, Md. 21853*
Address

MEF 04[illegible] PG 739

L. Theodore Phoebus
Clerk

Non Est: 8/8/73
Thomas Tokwell
Sheriff
Resides St. Luke's Rd
Fruitland - Wi. Co.

| | | |
|---|---|---|
| Levin Wilson<br>Princess Anne, Maryland<br>Vs.<br>Effie Collins<br>330 Ulrich Street<br>Wilmington, Delaware<br>and<br>Victoria Dashiell<br>Address Unknown | *<br>*<br>*<br>*<br>*<br>* | No. 9( ) Chancery Cases<br><br>LIBER 044 PAGE 740<br><br>In the Circuit Court for |
| Levin Wilson<br>Princess Anne, Maryland<br>Vs.<br>Clyde W. Brown<br>Princess Anne, Maryland<br>and<br>Margaret Cox<br>Hattie M. Muir<br>Bessie C. Ford<br>Robert T. Ford<br>Norman C. Ford<br>Della D. Ford<br>H. Stanley Ford<br>Lillie Milligan<br>Addresses Unknown | *<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>* | Somerset County<br><br>State of Maryland<br><br>In Equity |

* * * * * * *

MR. CLERK:

Please reissue the summons in this cause for Clyde W. Brown at St. Luke's Road, Fruitland, Maryland 21826.

Logan C. Widdowson
Attorney for the Complainant

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

K.H.

**WRIT OF SUBPOENA:** *No. 9360 Chancery Case*

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO *Clyde W. Brown*
*St. Luke's Road*
*Fruitland, Maryland 21826*

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....June.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of *Levin Wilson*
*Princess Anne, Md.*

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the.....17th.....day of.....May....., 19.....73.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....3rd.....day of.....July....., 19...73... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

*Logan C. Widdowson*
Name *11 N. Somerset Ave.*
*Princess Anne, Md. 21853*
Address

044 PAGE 741

S. Theodore Ackiss
Clerk

Summoned Clyde W. Brown and copy of Subpoena and Process left with him, this 18th day of May, 1973.

William E. Shockley
Sheriff of Wicomico County

Sheriff's cost $4.00

LIBER 044 PAGE 742

| | | |
|---|---|---|
| LEVIN WILSON<br>PRINCESS ANNE, MARYLAND | : | NO. 9360 CHANCERY CASES |
| | : | IN THE CIRCUIT COURT FOR |
| VS. | : | SOMERSET COUNTY, MARYLAND |
| CLYDE W. BROWN, ET AL | : | |
| | : | |

## ANSWER TO BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE RESPONDENT, CLYDE W. BROWN, BY THOMAS S. SIMPKINS, HIS SOLICITOR, FOR ANSWER TO THE BILL OF COMPLAINT EXHIBITED IN THIS CAUSE, SAYS:

1. THAT HE ADMITS THE FACTS AND ALLEGATIONS SET FORTH THEREIN.

2. THAT HE AVERS HE IS THE TITLEHOLDER TO A ONE-FOURTH UNDIVIDED INTEREST IN SAID PROPERTIES AND THAT BY VIRTUE THEREOF IS ENTITLED TO ONE-FOURTH OF THE BALANCE OF THE PROCEEDS OF SALE IN EXCESS OF THE AMOUNT REQUIRED FOR TAXES AND COST.

HAVING FULLY ANSWERED SAID BILL, THE RESPONDENT PRAYS THIS HONORABLE COURT TO PASS AN ORDER DIRECTING THE TREASURER OF SOMERSET COUNTY TO PAY UNTO CLYDE W. BROWN ONE-FOURTH OF THE PROCEEDS OF SALE REMAINING IN EXCESS OF TAXES AND COST.

THOS. S. SIMPKINS, SOLICITOR
FOR CLYDE W. BROWN, ONE OF
THE RESPONDENTS
51 N. MAIN STREET
PRINCESS ANNE, MD. 21853

I HEREBY CERTIFY, THAT ON THIS 7 DAY OF JUNE, 1973, I DI D MAIL A COPY OF THE AFOREGOING ANSWER BY REGULAR U. S. MAIL, POSTAGE PREPAID, TO LOGAN C. WIDDOWSON, ATTY. FOR COMPLAINANT, TO HE OFFICES IN PRINCESS ANNE, MD.

THOS. S. SIMPKINS

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| Levin Wilson<br>Princess Anne, Maryland<br>Vs.<br>Effie Collins<br>330 Ulrich Street<br>Wilmington, Delaware<br>and<br>Victoria Dashiell<br>Address Unknown | *<br>*<br>*<br>*<br>*<br>* | No. 9360 Chancery Cases<br><br>In the Circuit Court for |
| Levin Wilson<br>Princess Anne, Maryland<br>Vs.<br>Clyde W. Brown<br>Princess Anne, Maryland<br>and<br>Margaret Cox<br>Hattie M. Muir<br>Bessie C. Ford<br>Robert T. Ford<br>Norman C. Ford<br>Della D. Ford<br>H. Stanley Ford<br>Lillie Milligan<br>Addresses Unknown | *<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>* | Somerset County<br><br>State of Maryland<br><br>In Equity |

* * * * * * *

AFFIDAVIT

Comes now Logan C. Widdowson, Solicitor for the Complainant, pursuant to Rule 105, and states the following:

1. That he mailed to Effie Collins, one of the Respondents in this cause, by certified mail, a copy of the Bill of Complaint and Order of Publication in this cause, at 330 Ulrich Street, Wilmington, Delaware.

2. That the said notice was returned to the Solicitor by the Post Office Department marked "No Such Street."

3. That said letter is attached hereto.

4. That the Solicitor has reviewed the Tax Records and Tax Assessments Records of Somerset County and can find no other address for this Respondent.

5. That the Solicitor has inquired of The Reverend David Collins,

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 744

Mrs. Andrew Collins and Mrs. Elwood Collins, all residents of Westover, the area where the property is located; and none have any knowledge of the whereabouts of the said Effie Collins.

6. That the Solicitor has no other known means of locating the said Effie Collins.

Logan C. Widdowson
Solicitor for the Complainant

Subscribed and sworn to, before me, this 21st day of June, 1973.

Dawn M. Dryden, Notary Public

DAWN M. DRYDEN NOTARY PUBLIC SOMERSET CO.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2800

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
11 N. SOMERSET AVENUE
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER
Unclaimed
Address
Insufficient address
No such street
No such office in state
Do not remail in this envelope

CERTIFIED
No. 968171
MAIL

6-23-73

RETURN RECEIPT REQUESTED
Deliver to addressee only

Effie Collins
830 Ulrich Street
Wilmington, Delaware

PF

FREDERICK DOUGLASS 25 DEFINITIVE

10¢ ANDREW JACKSON UNITED STATES

FREDERICK DOUGLASS 25 DEFINITIVE

PRINCESS ANNE, MD.
NV 17 PM
1973

LIBER 044 PAGE 745

LOGAN C. WIDDOWSON
Law Office
Princess Anne, Maryland

# ORDER OF PUBLICATION

No. 9360 Chancery Cases
In The Circuit Court for Somerset County State of Maryland
In Equity

Levin Wilson
Princess Anne, Md.
Vs.
Effie Collins
330 Ulrich Street
Wilmington, Delaware
and
Victoria Dashiell
Address Unknown

---

Levin Wilson
Princess Anne, Md.
Vs.
Clyde W. Brown
Princess Anne, Md.
and
Margaret Cox
Hattie M. Muir
Bessie C. Ford
Robert T. Ford
Norman C. Ford
Della D. Ford
H. Stanley Ford
Lillie Milligan
Addresses Unknown

AND ALL PERSONS having or claiming any interest in certain real property described as follows:

1. All that lot or parcel of land consisting of 5 acres, more or less, in the Westover Election District of Somerset County, State of Maryland, on the north side of the Arden Station Road, adjoining the property of J. I. Wells Co., Inc. and others, shown on the County Tax Map No. 33 as parcel 37—heretofore assessed in the name of Effie Collins.

2. All that tract or parcel of land consisting of 15 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29—heretofore assessed to the names of John Muir and Harry Muir heirs.

3. All that tract or parcel of land consisting of 112 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29—heretofore assessed to the John Muir heirs

ORDER OF PUBLICATION

The object of these proceedings is to secure the foreclosure of all rights of redemption in and to the properties above described, all lying and being in Somerset County, Maryland, and sold by Carlos Bozman, Treasurer of Somerset County, Maryland and Collector of State and County taxes therein.

The Bill of Complaint states, among other things, that the amounts necessary for the redemption of the aforesaid properties have not been paid, although more than a year and a day from the dates of sales, the dates being June 17, 1969 and April 4, 1972, have expired; it is, thereupon, this 3rd day of May, 1973, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by publication by insertion of a copy of this Order in some newspaper having general circulation in Somerset County, once a week for four successive weeks, warning all persons interested in said properties, or either of them, to be and appear in this Court by the 3rd day of July, 1973, and redeem the properties and answer the Bill of Complaint; or thereafter, a final decree will be rendered foreclosing the right of redemption in said properties, or either of them, and vesting in the Complaint a title to said properties, free and clear of all claims or encumbrances.

s/E. McMaster Duer
Chief Judge

TRUE COPY, TEST:
J. Theodore Phoebus, Clerk
3-4te

---

PRINCESS ANNE, MD., May 1973

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Date Inserted: May 10 17 24 31

Business Manager MARYLANDER and HERALD

Levin Wilson
v s.
Effie Collins and others

Levin Wilson
Princess Anne, Maryland

Vs.

Clyde W. Brown, Et Al

* No. 9360 Chancery Cases

* In the Circuit Court for

* Somerset County, Maryland

* * * * * * *

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Levin Wilson, by Logan C. Widdowson, his Solicitor, respectfully represents:

ONE: That the Order of Publication heretofore passed in this cause has been duly published according to the terms thereof and that the time for appearing to and answering the Bill of Complaint have elapsed, and all the Respondents, but one, have neither appeared to nor answered the said Bill.

TWO: That the Petitioner stands ready to take testimony in support of his Bill of Complaint.

THREE: That the Solicitor for the Petitioner is the duly appointed Standing Examiner in this Court, and it would be improper for him to examine witnesses in this cause; therefore, it is necessary that a Special Examiner in Chancery be appointed.

Wherefore, your Petitioner prays this Honorable Court to:

A. Pass a Decree Pro Confesso against the adult, non-answering Respondents in these proceedings.

B. Pass an order to take testimony in these proceedings.

C. Pass an order appointing a Special Examiner in Chancery in these proceedings.

Logan C. Widdowson
Solicitor for the Petitioner

ORDER

LIBER 044 PAGE 747

It, appearing from the proceedings in the above cause, that the adult Respondents named therein have been duly notified by publication to appear to

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11-N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 044 PAGE 748

the Bill of Complaint filed against them, and all, but one, have failed to appear or file an answer thereto; IT IS, thereupon, this 19th day of July, 1973, by the Circuit Court for Somerset County, Maryland, In Equity, adjudged, ordered and decreed that the Bill of Complaint in this cause be and the same is hereby taken pro confesso against the non-answering Respondents; and it is further ordered that Virginia B. Coleman be, and she is hereby appointed Special Examiner in Chancery to take testimony in these proceedings.

T. McMaster Duer
Judge

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PRINCESS ANNE, MD. 21853
651-3800

Levin Wilson
Princess Anne, Maryland

Vs.

Clyde W. Brown, Et Al

* No. 9360 Chancery Cases

* In the Circuit Court for

* Somerset County, Maryland

* * * * * * *

TESTIMONY

In this cause, testimony having to be taken to support the allegations of the Bill of Complaint, I, Virginia B. Coleman, of Princess Anne, Maryland, Special Examiner in Chancery, in the Circuit Court for Somerset County, Maryland, In Equity, duly appointed, do hereby certify that on this 28th day of ~~July~~ August, 1973, in Somerset County, I did take the following testimony, to wit:

Levin Wilson, a witness of lawful age, one of the Complainants herein, being duly sworn, deposes and says:

Q. Please state your name and address.

A. I am Levin Wilson and live on South Somerset Avenue, in Princess Anne, Maryland.

Q. Are you familiar with the properties mentioned in these proceedings?

A. Yes; on June 17, 1969, I purchased one of the properties mentioned in these proceedings, and on April 4, 1972, I purchased the other two properties mentioned in these proceedings. All three properties were purchased at tax sales conducted in Princess Anne, Maryland, by Mr. Carlos Bozman, Collector of Taxes; and he issued me certificates of sale on those dates. I paid $500.00 for parcel one, $1,600.00 for parcel two, and $4,000.00 for parcel three described in the Bill of Complaint.

Q. Are these the same certificates mentioned in these proceedings and filed as Exhibits "A," "B," and "C"?

A. Yes, they are.

Q. Have you received any notice of redemption of these properties from anyone?

A. No.

LIBER 044 PAGE 749

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PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 750

Q. Has anyone attempted to redeem these or has any money or refund been paid to you for the certificates which you have described?

A. No, I have not been contacted by anyone, other than the Answer filed in these proceedings on behalf of Clyde Brown.

Levin Wilson
Levin Wilson, Complainant.

Virginia B. Coleman
Virginia B. Coleman
Special Examiner in Chancery

Carlos Bozman, a witness of lawful age, being duly sworn, deposes and says:

Q. Please state your name and address and occupation.

A. I am Carlos Bozman, of Princess Anne, Maryland; and I am the duly elected and qualified Treasurer and Collector of State and County Taxes for Somerset County.

Q. Were the three certificates of sale filed in these proceedings issued by you?

A. Yes, they were issued to Levin Wilson as the purchaser of the properties at tax sales held by me in my official capacity as Tax Collector.

Q. Prior to the offering of these properties for tax sale, did you or your office receive due notice of assessment of these properties?

A. Yes.

Q. Did you or your office issue tax bills for the properties for the years for which they were sold?

A. Yes.

Q. Did you or your office comply with all the requirements of the law concerning the tax sales of these properties?

A. Yes, the properties were duly assessed, bills were forwarded and I complied with all the prerequisites of the law in regard to tax sales.

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651-3500

Q. Have you received any notice from anyone of an intention to redeem the same or any offer for payment on account of such redemption from any person?

A. No, I have not.

Carlos Bozman
Carlos Bozman, Treasurer

Virginia B. Coleman
Virginia B. Coleman
Special Examiner in Chancery

Now comes Logan C. Widdowson, a witness of lawful age, being duly sworn, deposes and says:

I am Logan C. Widdowson, a resident of Somerset County, Maryland. I am an Attorney At Law and have my Office in Princess Anne. I represent Levin Wilson in this action; and I have made an examination of the public records of Somerset County in regard to the ownership and existence of liens on the properties in question, and I took the steps that were necessary by law to notify the former owners of record or any person who might be interested in said properties of their right to redeem the same. I personally examined the said records and have previously filed an affidavit in these proceedings, and I now reaffirm the contents of that affidavit as my testimony in these proceedings. I also caused to be published the Order of Publication herein, as will more fully appear by the Printer's Certificate which has been filed herein. No person has made any offer to me or to my Office to redeem the properties described in this action, nor has anyone disclosed to me any intention to redeem said properties.

Logan C. Widdowson
Logan C. Widdowson

Virginia B. Coleman
Virginia B. Coleman
Special Examiner in Chancery

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LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-5800

There being no further witnesses to be examined and at the suggestion of the Complainant, the papers are herewith returned to the Court, closed under my hand and seal. I hereby certify that this annex bill of costs is correct and paid by the Complainant, and I further certify that this examination was conducted in compliance with the Maryland Rules of Procedure.

As witness my hand and seal.

Virginia B. Coleman
Special Examiner in Chancery

Bill of Costs:
Examiner - $10.00 (Paid)

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11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

00-6/65

#13

# CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on June 17, 1969, I sold to Levin Wilson at public auction for the sum of $ 500.00 , of which $ 40.47 has been paid, the property in Somerset County, described as follows: All that lot of land consisting of 5 acres and improvements on the North side of The Arden Station Road; bearing county tax map #33-15-37; deed reference 21/351;

and assessed to Effie Collins.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 17th. day of June 1969.

Carlos Bozman

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on June 17, 1969 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

LIBER 044 PAGE 753

Gertrude H. Bozman

Notary Public

EXHIBIT A

500-6/65

LIBER 044 PAGE 754

John Muir & Harry Muir Heirs

CERTIFICATE OF SALE

#03 Dist. #06

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on APR 4 - 1972 I sold to Levin Wilson at public auction for the sum of $1600.00, of which $58.95 has been paid, the property in Somerset County, described as follows: all that lot of land 15 acres on the Annamessex River near Frenchtown, Md., bearing tax map # 47-12-29; deed reference 241/370;

and assessed to John Muir & Harry Muir Heirs.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After APR 5 - 1973 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 4th day of April, 1972

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on April 4, 1972, before me, a Notary Public of the State of Maryland in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude L. Bozman
Notary Public

EXHIBIT B

500-6/65

John Muir Heirs

CERTIFICATE OF SALE

#02 Dist. #06

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on APR 4 - 1972 I sold to Levin Wilson at public auction for the sum of $4,000.00, of which $159.03 has been paid, the property in Somerset County, described as follows: all that lot of land 112 acres on the Annamessex River near Frenchtown, Md., bearing tax map # 47-12-29; deed reference 241/370 - Right of Way 21/134;

and assessed to John Muir Heirs.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After APR 5 - 1973 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 4th day of April, 1972

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on April 4, 1972, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

LIBER 044 PAGE 755

Gertrude H. Gibson
Notary Public

EXHIBIT C

Levin Wilson
Princess Anne, Maryland

Vs.

Clyde W. Brown, Et Al

* No. 9360 Chancery Cases

* In the Circuit Court for

* Somerset County, Maryland

* * * * * * * LIBER 044 PAGE 756

Now comes Logan C. Widdowson, Solicitor for Levin Wilson, in response to the letter of Frank Dawedeit, in this matter and respectfully states:

(1) That Article 81, Section 103 of the Annotated Code of Maryland does not require that all parties claiming an interest in property subject to any proceeding to foreclose the right of redemption be specifically named as a defendant. Instead, it states: "It shall not be necessary to name as defendant any other person having or claiming to have any right, title, interest, claim, lien or equity of redemption in and to the property sold by the collector. Any or all of such persons may be included as defendants by the designation 'all persons having or claiming to have any interest in property.'"

(2) That the said Frank Dawedeit was notified by publication, as were all persons claiming an interest in said property.

(3) That the time for answering said Bill of Complaint has elapsed.

(4) That the said Frank Dawedeit began proceeding to foreclose the right of redemption in July of 1967; and, apparently, took no action thereafter.

(5) That Carlos Bozman, Treasurer of Somerset County, properly and lawfully advertised said property for sale some two years after Frank Dawedeit initiated his proceedings and the said Frank Dawedeit took no action at that time to stop the tax sale.

Wherefore, your Petitioner prays that:

(1) Frank Dawedeit be prevented from interferring with these proceedings.

(2) He may have such other relief as his case may require.

Logan C. Widdowson

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3300

I hereby certify that a copy of the aforegoing was mailed to Frank Dawedeit, President of The Landmah, Inc., at 6220 Rhode Island Avenue, Riverdale, Maryland 20840, by regular U. S. Mail, postage prepaid, on this 30th day of August, 1973.

Logan C. Widdowson
Solicitor for the Petitioner



LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

Levin Wilson * No. 9360 Chancery Cases
Princess Anne, Md. * In the Circuit Court for
Vs. * Somerset County, Maryland
Clyde W. Brown, Et Al * In Equity
* * * * * * * LIBER 044 PAGE 758

DECREE

The above-entitled cause coming on for hearing, the proceedings were read and considered; and it is thereupon, this 14 day of September, 1973, by the Circuit Court for Somerset County, sitting in Equity, ADJUDGED, ORDERED AND DECREED that the properties mentioned and described in these proceedings as having been sold to Levin Wilson by Carlos Bozman, Treasurer and Collector of State and County taxes in said Somerset County, on June 17, 1969 and April 4, 1972, are the properties of Levin Wilson, it appearing from the testimony that the properties were sold at said tax sale unto the said Levin Wilson, and that all of the right, title and interest of Effie Collins, Victoria Dashiell, Clyde W. Brown, Margaret Cox, Hattie M. Muir, Bessie C. Ford, Robert T. Ford, Norman C. Ford, Della D. Ford, H. Stanley Ford, and Lillie Milligan, and all persons having or claiming to have any interest in and to the real estate mentioned and described in these proceedings, be and the same are hereby foreclosed to the end that the said Levin Wilson may and is hereafter to have and to hold said properties by good and merchantable Fee Simple Title; said properties being more particularly described as follows:

1. All that lot or parcel of land consisting of 5 acres, more or less, in the Westover Election District of Somerset County, State of Maryland, on the north side of the Arden Station Road, adjoining the property of J. I. Wells Co., Inc. and others, shown on the County Tax Map No. 33 as parcel 37--heretofore assessed in the name of Effie Collins.

2. All that tract or parcel of land consisting of 15 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on

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PRINCESS ANNE, MD. 21853
651-3600

the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29--heretofore assessed to the names of John Muir and Harry Muir heirs.

3. All that tract or parcel of land consisting of 112 acres, more or less, in the Fairmount Election District of Somerset County, State of Maryland, on the Annamessex River, near Frenchtown, adjoining the property of the State of Maryland, shown on the County Tax Map No. 47 as parcel 29--heretofore assessed to the John Muir heirs.

And, it is further ADJUDGED, ORDERED AND DECREED that the said Carlos Bozman, Treasurer and Collector of State and County taxes herein, execute and deliver unto the said Levin Wilson, a good and sufficient deed under the laws of the State of Maryland to convey unto him, his successors and assigns, forever in Fee Simple, the above-described properties upon the payment of any balance of taxes due on said property, if any, from and after the last of the years to collect the taxes due for which said tax sale was made, together with all interest and penalties accrued thereon.

E. McMaster Duer

E. McMaster Duer, Chief Judge

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PRINCESS ANNE, MD. 21853
651-3500

LIBER 044 PAGE 760

| | | |
|---|---|---|
| Levin Wilson<br>Princess Anne, Maryland | * | No. 9360 Chancery Cases |
| Vs. | * | In the Circuit Court for |
| Clyde W. Brown, Et Al | * | Somerset County, Maryland |

* * * * * * *

# *Office Of Treasurer Of Somerset County*

*PRINCESS ANNE, MARYLAND*

*To* _____ *Dr.*

| | | | |
|---|---|---|---|
| Received from Levin Wilson for BALANCE PURCHASE PRICE on following properties ---- | | | |
| Effie Collins #33-15-37 District #13 | $ 459 | 53 | |
| John Muir Heirs #47-12-29 District #06 | 3,840 | 97 | |
| John Muir & Harry Muir Heirs #47-12-29 #06 | 1,541 | 05 | |
| | | $5,841 | 55 |
| Logan Widdowson, Att'y. | | | |

PAID
OCT 31 197
CARLOS BOZMAN
TREASURER

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

PLEASE REMIT TO:

CARLOS BOZMAN, TREASURER

PRINCESS ANNE, MARYLAND 21853

**SOMERSET COUNTY**

TAX BILL FOR 1973-74

10-73 .03 = 4.85

STATE AND COUNTY TAXES ARE DUE AND PAYABLE JULY 1, OF THE CURRENT YEAR INTEREST AT THE RATE OF 2/3 OF 1% PER MONTH OR A FRACTION THEREOF ADDED ON STATE AND COUNTY TAXES FROM OCTOBER 1ST OF THE CURRENT YEAR.

PAID

OCT 1 1973

CARLOS BOZMAN

TREASURER

13 222228

| LAND | BUILDINGS | TOTAL ASSESSMENT | COUNTY RATE | STATE RATE | |
|---|---|---|---|---|---|
| 200 | 0 | 200 | 2.20 | .21 | |
| | | | 4.40 | .42 | $4.82 |

RECEIPT

A33-15-37
TD 021/351

COLLINS, EFFIE
330 ULRICH STREET
WILMINGTON, DEL.

LOT 5 ACRES
W OF ARDEN-STA. RD
NE OF WESTOVER

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL PG. 927

| | |
|---|---|
| 04.73 | .03 |
| | |
| | |
| | 4.85 |

PLEASE MAIL OR BRING THIS BILL WITH YOU

IF CERTIFICATE OF CORPORATION, INTEREST WILL BE CHARGED ON OR AFTER OCTOBER 1ST OR 30 DAYS FROM DATE OF STATEMENT, WHICHEVER IS LATER.

COUNTY TREASURER'S OFFICE CLOSED SATURDAY

THIS IS A TWELVE MONTH BILL UNLESS STATED DIFFERENTLY ABOVE.

TAKE NOTICE - IF TAXES ARE NOT PAID ON OR BEFORE THE 1ST DAY OF JANUARY OF THE FOLLOWING YEAR, THE SAME MAY BE COLLECTED BY SALE OF PROPERTY AS PRESCRIBED BY LAW.

NOTE:
FAILURE TO RECEIVE A TAX BILL IS NO EXCUSE FOR NOT PAYING TAXES, INTEREST OR PENALTY.

---

PLEASE REMIT TO:

CARLOS BOZMAN, TREASURER

PRINCESS ANNE, MARYLAND 21853

**SOMERSET COUNTY**

TAX BILL FOR 1972-73

10-73 .40 + .04 = 5.46

STATE AND COUNTY TAXES ARE DUE AND PAYABLE JULY 1, OF THE CURRENT YEAR INTEREST AT THE RATE OF 2/3 OF 1% PER MONTH OR A FRACTION THEREOF ADDED ON STATE AND COUNTY TAXES FROM OCTOBER 1ST OF THE CURRENT YEAR.

PAID

OCT 31 1973

CARLOS BOZMAN

TREASURER

BOOK 044 PAGE 931

13-D 22222 8

| LAND | BUILDINGS | TOTAL ASSESSMENT | COUNTY RATE | STATE RATE | |
|---|---|---|---|---|---|
| 200 | | 200 | 2.30 | .21 | |
| | | | 4.60 | .42 | $5.02 |

RECEIPT

R-33-15-37
TD 021/351

COLLINS, EFFIE
330 ULRICH STREET
WILMINGTON, DEL.

LOT 5 ACRES
W OF ARDEN-STA. RD
NE OF WESTOVER

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL. PG. 915

| DATE | | |
|---|---|---|
| 04.73 | COUNTY INTEREST | .40 |
| | STATE INTEREST | .04 |
| | PENALTY | |
| | TOTAL | 5.46 |

PLEASE MAIL OR BRING THIS BILL WITH YOU

IF CERTIFICATE OF CORPORATION, INTEREST WILL BE CHARGED ON OR AFTER OCTOBER 1ST OR 30 DAYS FROM DATE OF STATEMENT, WHICHEVER IS LATER.

COUNTY TREASURER'S OFFICE CLOSED SATURDAY

THIS IS A TWELVE MONTH BILL UNLESS STATED DIFFERENTLY ABOVE.

TAKE NOTICE - IF TAXES ARE NOT PAID ON OR BEFORE THE 1ST DAY OF JANUARY OF THE FOLLOWING YEAR, THE SAME MAY BE COLLECTED BY SALE OF PROPERTY AS PRESCRIBED BY LAW.

NOTE:
FAILURE TO RECEIVE A TAX BILL IS NO EXCUSE FOR NOT PAYING TAXES, INTEREST OR PENALTY.

PAID
OCT. 31 1973
CARLOS BOZMAN
TREASURER

# RECEIPT FOR 1971-1972

JULY 1, 1971 TO JUNE 30, 1972
COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

10-23
.77
.07
5.89

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| EFFIE COLLINS<br>330 ULRICH ST<br>WILMINGTON DEL | 33 | 15 | 37 | 11.013 | 200 | 4.60 | 200 | .36 | 4.96 |
| | | | | | | COUNTY INTEREST | Oct. 73 | | .77 |
| | | | | | | STATE INTEREST | | | .07 |
| | | | | | | PENALTY | | | |
| | | | | | | TOTAL | | | 5.80 |

BACK TAXES DUE AND MUST BE PAID BEFORE PAYING THIS BILL.

County Tax Rate.....$ 2.30 per $100.00
State Tax Rate.....$ .18 per $100.00

PAID
OCT. 31 1973

# RECEIPT FOR 1969-1970

JULY 1, 1969 TO JUNE 30, 1970
COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

9-23
1.44
.13
6.37

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | BLOCK | PARCEL | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| EFFIE COLLINS<br>330 ULRICH ST<br>WILMINGTON DELA | 33 | 15 | 37 | 11.913 | 200 | 4.40 | 200 | .40 | 4.80 |
| | | | | | | COUNTY INTEREST | Oct. 73 | | 1.44 |
| | | | | | | STATE INTEREST | | | .13 |
| | | | | | | PENALTY | | | |
| | | | | | | TOTAL | | | 6.37 |

County Tax Rate.....$ 2.20 per $100.00
State Tax Rate.....$ .20 per $100.00

LIBER 044 PAGE 762

18-73 60-06 = 8.19

PLEASE REMIT TO:

CARLOS BOZMAN, TREASURER

PRINCESS ANNE, MARYLAND 21853

# SOMERSET COUNTY

TAX BILL FOR 1972-73

STATE AND COUNTY TAXES ARE DUE AND PAYABLE JULY 1, OF THE CURRENT YEAR INTEREST AT THE RATE OF 2/3 OF 1% PER MONTH OR A FRACTION THEREOF ADDED ON STATE AND COUNTY TAXES FROM OCTOBER 1ST OF THE CURRENT YEAR.

PAID OCT 31 1973 CARLOS BOZMAN TREASURER

06-D 09859 2

| LAND | BUILDINGS | TOTAL ASSESSMENT | COUNTY RATE | STATE RATE | |
|---|---|---|---|---|---|
| 300 | 0 | 300 | 2.30 | .21 | 87.53 |

| DATE | | |
|---|---|---|
| 04.73 | COUNTY INTEREST | .60 |
| | STATE INTEREST | .06 |
| | PENALTY | |
| | TOTAL | 8.19 |

RECEIPT

A-47-12-29 MUIR, JOHN (HEIRS)
241/370 HARRY MUIR (HEIRS)
021/134 CLYDE W. BROWN
C/O CLYDE W. BROWN
PRINCESS ANNE, MD. 21853

15 ACRES-MARSH
ANNAMESSEX RIVER
NEAR FRENCHTOWN

PG. 440

PLEASE MAIL ORIGINAL BILL WITH YOU

IF CERTIFICATE OF CORPORATION, INTEREST WILL BE CHARGED ON OR AFTER OCTOBER 1ST OR 30 DAYS FROM DATE OF STATEMENT, WHICHEVER IS LATER.

COUNTY TREASURER'S OFFICE CLOSED SATURDAY

THIS IS A TWELVE MONTH BILL UNLESS STATED DIFFERENTLY ABOVE.

TAKE NOTICE - IF TAXES ARE NOT PAID ON OR BEFORE THE 1ST DAY OF JANUARY OF THE FOLLOWING YEAR, THE SAME MAY BE COLLECTED BY SALE OF PROPERTY AS PRESCRIBED BY LAW.

NOTE:

FAILURE TO RECEIVE A TAX BILL IS NO EXCUSE FOR NOT PAYING TAXES, INTEREST OR PENALTY.

---

10-73 2.23 = 21 30.55

PLEASE REMIT TO:

CARLOS BOZMAN, TREASURER

PRINCESS ANNE, MARYLAND 21853

# SOMERSET COUNTY

TAX BILL FOR 1972-73

STATE AND COUNTY TAXES ARE DUE AND PAYABLE JULY 1, OF THE CURRENT YEAR INTEREST AT THE RATE OF 2/3 OF 1% PER MONTH OR A FRACTION THEREOF ADDED ON STATE AND COUNTY TAXES FROM OCTOBER 1ST OF THE CURRENT YEAR.

PAID OCT 31 1973 CARLOS BOZMAN TREASURER

LIBER 044 PAGE 063

06-D 09858 4

| LAND | BUILDINGS | TOTAL ASSESSMENT | COUNTY RATE | STATE RATE | |
|---|---|---|---|---|---|
| 1,120 | 0 | 1,120 | 2.30 | .21 | 028.11 |

| DATE | | |
|---|---|---|
| 04.73 | COUNTY INTEREST | 2.23 |
| | STATE INTEREST | .21 |
| | PENALTY | |
| | TOTAL | 30.55 |

RECEIPT

A-47-12-29 MUIR, JOHN (HEIRS)
241/370 HARRY MUIR (HEIRS) AND
CLYDE W. BROWN
PRINCESS ANNE, MD. 21853

112 ACRES-MARSH
ANNAMESSEX RIVER
NEAR FRENCHTOWN

PG. 440

PLEASE MAIL ORIGINAL BILL WITH YOU

IF CERTIFICATE OF CORPORATION, INTEREST WILL BE CHARGED ON OR AFTER OCTOBER 1ST OR 30 DAYS FROM DATE OF STATEMENT, WHICHEVER IS LATER.

COUNTY TREASURER'S OFFICE CLOSED SATURDAY

THIS IS A TWELVE MONTH BILL UNLESS STATED DIFFERENTLY ABOVE.

TAKE NOTICE - IF TAXES ARE NOT PAID ON OR BEFORE THE 1ST DAY OF JANUARY OF THE FOLLOWING YEAR, THE SAME MAY BE COLLECTED BY SALE OF PROPERTY AS PRESCRIBED BY LAW.

NOTE:

FAILURE TO RECEIVE A TAX BILL IS NO EXCUSE FOR NOT PAYING TAXES, INTEREST OR PENALTY.

10-73 04 = 7.27

PLEASE REMIT TO:
CARLOS BOZMAN, TREASURER
PRINCESS ANNE, MARYLAND 21853

06 098592

# SOMERSET COUNTY
TAX BILL FOR 1973-74

STATE AND COUNTY TAXES ARE DUE AND PAYABLE JULY 1. OF THE CURRENT YEAR INTEREST AT THE RATE OF 2/3 OF 1% PER MONTH OR A FRACTION THEREOF ADDED ON STATE AND COUNTY TAXES FROM OCTOBER 1ST OF THE CURRENT YEAR.

PAID OCT 31 1973 CARLOS BOZMAN TREASURER

| LAND | BUILDINGS | TOTAL ASSESSMENT | COUNTY RATE | STATE RATE | |
|---|---|---|---|---|---|
| | | 300 | 2.20 | .21 | |
| | | 300 | 6.60 | .63 | 07.23 |
| | | | | | Oct.73 .04 |
| | | | | | 7.27 |

RECEIPT

A47-12-29 MUIR, JOHN (HEIRS)
241/370 HARRY MUIR (HEIRS)
021/134 CLYDE W. BROWN
C/O CLYDE W. BROWN
PRINCESS ANNE, MD. 21853

15 ACRES-MARSH
ANNAMESSEX RIVER
NEAR FRENCHTOWN

BACK TAXES DUE AND MUST BE PAID BEFORE PAYING THIS BILL.

PG. 448

COUNTY TREASURER'S OFFICE CLOSED SATURDAY

10-73 17-02 = -27.18

PLEASE REMIT TO:
CARLOS BOZMAN, TREASURER
PRINCESS ANNE, MARYLAND 21853

06 098584

# SOMERSET COUNTY
TAX BILL FOR 1973-74

STATE AND COUNTY TAXES ARE DUE AND PAYABLE JULY 1. OF THE CURRENT YEAR INTEREST AT THE RATE OF 2/3 OF 1% PER MONTH OR A FRACTION THEREOF ADDED ON STATE AND COUNTY TAXES FROM OCTOBER 1ST OF THE CURRENT YEAR.

PAID OCT 31 1973 CARLOS BOZMAN TREASURER

| LAND | BUILDINGS | TOTAL ASSESSMENT | COUNTY RATE | STATE RATE | |
|---|---|---|---|---|---|
| | 0 | 1,120 | 2.20 | .21 | |
| | | | 24.64 | 2.35 | 026.99 |
| | | | | | Oct.73 .17 |
| | | | | | .02 |
| | | | | | 27.18 |

RECEIPT

BACK TAXES DUE

BOUGHT IN TAX SALE by Levin Wilson

PAID OCT. 31 1973 CARLOS BOZMAN TREASURER

# RECEIPT FOR 1970-1971
JULY 1, 1970 TO JUNE 30, 1971
COUNTY AND STATE TAXES ON REAL ESTATE
SOMERSET COUNTY, STATE OF MARYLAND
CARLOS BOZMAN, Treasurer

9-73
1.09
3.09
5.94

NOTE: UNDER ... TO RECEIVE A TAX ... NO EXCUSE FOR NOT ... TAXES, INTEREST OR ... TY.

| NAME & ADDRESS | PROPERTY DESCRIPTION MAP | | | BILL & DIST. NUMBER | COUNTY ASSESSMENT | COUNTY TAX | STATE ASSESSMENT | STATE TAX | TOTAL TAX |
|---|---|---|---|---|---|---|---|---|---|
| EFFIE COLLINS<br>330 ULRICH ST<br>WILMINGTON DEL | 33 | 15 | 37 | 11,113 | 200 | 4.40 | 200 | .36 | 4.76 |

| | | | |
|---|---|---|---|
| COUNTY INTEREST | Oct. 73 | | 1.09 |
| STATE INTEREST | | | .09 |
| PENALTY | | | |
| TOTAL | | | 5.94 |

County Tax Rate ____ $ 2.20 per $100.00
State Tax Rate ____ $ .18 per $100.00

BACK TAXES DUE
AND MUST BE PAID BEFORE
PAYING THIS BILL.

044 PAGE 764

| | | |
|---|---|---|
| LEVIN WILSON | : | NO. 9360 CHANCERY CASES |
| VS | : | IN THE CIRCUIT COURT FOR |
| CLYDE W. BROWN, ET AL | : | SOMERSET COUNTY, MARYLAND |

## PETITION FOR ALLOWANCE OF EXCESS FUNDS

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE PETITION OF CLYDE W. BROWN BY THOMAS S. SIMPKINS, HIS SOLICITOR, RESPECTFULLY REPRESENTS:

1. THAT HE WAS THE OWNER OF AN UNDIVIDED ONE-FOURTH INTEREST IN TWO PARCELS OF LAND IN FAIRMOUNT ELECTION DISTRICT, WHICH WERE SOLD AT A TAX SALE AND ARE THE SUBJECT OF THIS PROCEEDING.

2. THAT UPON SERVICE OF THE BILL OF COMPLAINT FOR THE FORECLOSURE OF THE EQUITY OF REDEMPTION HE DID FILE HIS ANSWER THERETO SETTING FORTH HIS CLAIM TO THE EXCESS FUNDS.

3. THAT THE SALE HAS BEEN FULLY RATIFIED AND CONFIRMED AND THE FULL BALANCE OF THE PURCHASE PRICE HAS BEEN PAID UNTO CARLOS BOZMAN, TREASURER OF SOMERSET COUNTY.

4. THAT THERE IS NOW THE SUM OF $5382.02 IN THE HANDS OF SAID TREASURER, WHICH REPRESENT EXCESS MONIES DUE THE PREVIOUS OWNERS AS PROVIDED BY ARTICLE 81, SECTION 81 OF THE MARYLAND CODE.

5. THAT THE PETITIONER IS ENTITLED TO THE SUM OF $1345.50 AS HIS RIGHTFUL SHARE OF THE EXCESS FUNDS.

WHEREFORE, YOUR PETITIONER PRAYS THIS HONORABLE COURT TO PASS AN ORDER, AUTHORIZING AND DIRECTING THE TREASURER OF SOMERSET COUNTY TO PAY UNTO YOUR PETITIONER THE SUM OF $1345.50

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FROM THE FUNDS IN HIS HANDS IN THIS CAUSE.

THOMAS S. SIMPKINS, SOLICITOR

CLYDE W. BROWN, PETITIONER

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I HEREBY CERTIFY, THAT ON THIS 3rd DAY OF December 1973, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED CLYDE W. BROWN, PETITIONER AND ONE OF THE DEFENDANTS IN THE AFOREGOING, AND HE MADE OATH IN DUE FORM OF LAW THAT THE MATTERS AND FACTS SET FORTH THEREIN ARE TRUE AND CORRECT AND THAT HE IS COMPETENT TO TESTIFY THERETO.

AS WITNESS MY HAND AND NOTARIAL SEAL.

NOTARY PUBLIC

ORDER OF COURT

UPON THE AFOREGOING PETITION AND AFFIDAVIT, IT IS, THIS 6 DAY OF December, 1973, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, ORDERED AND DECREED THAT CARLOS BOZMAN, TREASURER OF SOMERSET COUNTY, MARYLAND, PAY UNTO CLYDE W. BROWN THE SUM OF $1345.50 FROM THE FUNDS IN HIS HANDS IN THIS CAUSE.

JUDGE

I HEREBY CERTIFY, THAT ON THIS 3 DAY OF Dec 1973, I DID MAIL A COPY OF THE AFOREGOING PETITION, AFFIDAVIT AND ORDER BY REGULAR U.S. MAIL, POSTAGE PREPAID, TO LOGAN C. WIDDOWSON.

ATTORNEY FOR COMPLAINANT, PRINCESS ANNE, MARYLAND 21853

ATTORNEY FOR PETITIONER/DEFENDANT

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

| | | |
|---|---|---|
| William B. Daugherty<br>Charlotte G. Daugherty<br>Box 52<br>Airport Road<br>Crisfield, Maryland | *<br>*<br>* | No. 9366 Chancery |
| Vs. | * | In the Circuit Court for |
| Marie Walker<br>Tyaskin<br>Maryland | *<br>* | |
| Joseph Walker<br>313 Naylor Street<br>Salisbury, Maryland | *<br>* | Somerset County |
| Mary Hinman<br>300 S. Union Street<br>Wilmington, Delaware | *<br>* | State of Maryland |
| Margaret Britton<br>Chesapeake Avenue<br>Crisfield, Maryland | *<br>* | |
| Charles Walker<br>9 Douse<br>Everett, Massachusetts | *<br>* | |
| Sara Stiemer<br>507 Linden Avenue<br>Salisbury, Maryland | *<br>* | |
| Robert Walker<br>104 Shad Point Road<br>Salisbury, Maryland | *<br>* | |
| John Walker<br>Zion Church Road<br>Salisbury, Maryland | *<br>* | |
| Leon Walker<br>1002 Cecil Street<br>Salisbury, Maryland | *<br>* | |
| Thelma Miltich<br>2019 Parkway Drive<br>Williston, North Dakota | *<br>* | |
| Josephine Donaway<br>Tyaskin<br>Maryland | *<br>* | |
| Gary Walker<br>5801 Chaucer Drive<br>Hannahan, South Carolina | *<br>* | |

LIBER 044 PAGE 787

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Eugene Walker
Route 1, Box 204
Moncks Corner, South Carolina

Linda Selzek
K17
Wallops Island, Virginia

LIBER 044 PAGE 768

Cindy Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Cindy Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Victor Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Victor Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Lorraine Walker
Booth Street
Salisbury, Maryland

and any unknown heir of Zachariah Walker and Louisa Walker, and all persons having or claiming any interest in certain real property described as follows: All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek, containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed, dated September 6, 1832; recorded in Liber GH 6, page 478; and further conveyed to Zachariah Walker by William Roach by deed dated October 5, 1885; recorded in Liber HFL 3, page 338.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of William B. Daugherty and Charlotte G. Daugherty, by Logan C. Widdowson, their Attorney, respectfully represents:

1. That the said William B. Daugherty and Charlotte G. Daugherty, his wife, are seized and possessed of an interest as Tenants in Common with known and possibly unknown heirs of Zachariah Walker and Louisa Walker in the foregoing described real estate, by virtue of a deed recorded in the Land Records for Somerset County at Liber I. T. P. 273, page 84, a copy of which is attached to this Petition.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

2. That Zachariah Walker and Louisa Walker, deceased, were the parents of eight children: Dora Townsend, James Walker, Ida Walker, Lillian Walker, William Walker, Ira Walker, Elizabeth Walker, Minnie Tennyson, their heirs at law.

3. That Lillian Walker, Ira Walker, Elizabeth Walker and William Walker are deceased; and their heirs are their surviving brothers and sisters and the issue of their brothers and sisters.

4. That the interest of Dora Townsend in said real estate descended to Luther Townsend, her only heir, and the said Luther Townsend has since conveyed his interest, by the aforementioned deed, to the Petitioners.

5. That the interest of Ida Walker in said real estate descended to Iris Lacolla and Minnie Jackson, her only heirs; and they have since conveyed their interest, by the aforementioned deed, to the Petitioners.

6. That the interest of Minnie Tennyson in said real estate descended to Iona Odell and Milton Tennyson, her only heirs; and they have since conveyed their interest, by the aforementioned deed, to the Petitioners.

7. That the interest of James Walker in said real estate descended to Ernest Walker and Paul Walker, his only heirs; and that Paul Walker's interest has since been conveyed, by the aforementioned deed, to the Petitioners.

8. That the said Ernest Walker died intestate during the year 1958, survived by his wife, Marie Walker, and the following named eleven children as his only heirs: Joseph Walker, Mary Hinman, Margaret Britton, Charles Walker, Sara Stiemer, Robert Walker, John Walker, Jean Walker, Josephine Donaway, Thelma Miltich, and James Walker.

9. That the said James Walker died on February 10, 1965, leaving his widow, Lorraine Walker, and the following named five children as his only heirs: Gary Walker, Eugene Walker, Linda Selzek, Cindy Walker (infant), and Victor Walker (infant).

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

10. That the Petitioners desire that the tenancy in common be terminated and that because of its nature, the property cannot be divided without loss or injury to the parties interested and without the aid of the Court.

TO THE END, THEREFORE, your Petitioners pray:

LIBER 044 PAGE 770

1. That a decree be passed for the sale of said real estate.

2. That the proceeds of said sale may be distributed between your Petitioners and said Defendants, according to their respective interests.

3. That the Court grant unto your Petitioners the Writ of Subpoena directed to the following residents of the State of Maryland:

Marie Walker
Tyaskin
Maryland

Robert Walker
104 Shad Point Road
Salisbury, Maryland

Joseph Walker
313 Naylor Street
Salisbury, Maryland

John Walker
Zion Church Road
Salisbury, Maryland

Margaret Britton
Chesapeake Avenue
Crisfield, Maryland

Leon Walker
1002 Cecil Street
Salisbury, Maryland

Sara Stiemer
507 Linden Avenue
Salisbury, Maryland

Josephine Donaway
Tyaskin
Maryland

Cindy Walker, a minor
c/o Lorraine Walker
Booth Street
Salisbury, Maryland

Victor Walker, a minor
c/o Lorraine Walker
Booth Street
Salisbury, Maryland

Lorraine Walker
Booth Street
Salisbury, Maryland

commanding them to be and appear in this Court at some certain day to be named therein and answer the premises and abide and perform such decree as may be passed therein.

4. That the Court grant unto your Petitioners the Order of Publication, directed to the said Defendants, and all persons having or claiming any interest in the aforesaid property.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-6600

5. That the Petitioners may have such other and further relief as their cause may require.

AND, AS IN DUTY BOUND, ETC.

William B. Daugherty

Charlotte G. Daugherty

Logan C. Widdowson
Attorney for the Petitioners

STATE OF MARYLAND
COUNTY OF SOMERSET
TO WIT:

I hereby certify that on this 8th day of May, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared William B. Daugherty and Charlotte G. Daugherty, his wife, the Petitioners in the within proceedings; and they made oath in due form of law that the matters and facts set forth in the above Petition are true to the best of their knowledge, information, and belief.

As witness my hand and Notarial Seal.

Dawn M. Dryden
Notary Public

My commission expires July 1, 1974.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

THIS DEED made March 15, 1968, by Paul Walker and others, signatories hereof, who are some of the heirs of Zachariah Walker and Louisa Walker, his wife, grantors.

LIBER 044 PAGE 772

WITNESSETH that in consideration of the sum of one dollar and other valuable consideration, receipt of which is hereby acknowledged, the grantors hereby grant and convey unto William B. Daugherty and Charlotte G. Daugherty, his wife, of Crisfield, Maryland,

ALL that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek; containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832, recorded in Liber GH 6 page 478; and further conveyed by William Roach to Zachariah Walker by deed dated October 5, 1885, recorded in Liber HFL 3 page 338.

And special reference is here made to the said deeds and all the references therein contained for a more full and accurate description of the lands and premises hereby conveyed.

TOGETHER with all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging,

TO HAVE AND TO HOLD the said land and premises to the proper use and benefit of the said William B. Daugherty and Charlotte G. Daugherty, his wife, as tenants by the entirety, in fee simple.

AND the grantors do hereby covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of the said land as may be requiste.

WITNESS the hands and seals of the grantors.

Witness:
Feb. 28 69 Frances D. Fleetwood
Notary Public
Lt Wmp Co.
Comm Exp 7-1-69

Paul Walker seal
Paul Walker

William R. Jackson seal

Minnie Jackson seal

Edward Jacobs seal

Iris Lacella seal

Lottie H. Francisco seal

seal

seal

seal

seal

seal

seal

seal

seal

seal

seal

seal

seal

seal

Witnessed this 5th day of Dec. 72
Charlotte B Dougherty
Notary Public
My Commission Expires July 1, 1974

I hereby certify that all State and County taxes levied against the property have been paid.
Dated, May 3, 1973

Treasurer for Somerset County

Iona B. O'Dell seal
Iona O'Dell

John S. O'Dell seal
John O'Dell

LIBER 044 PAGE 774 Milton Tennyson seal
Milton Tennyson

Eleanore Tennyson seal
ELEANORE Tennyson

STATE OF MARYLAND, Howard County:

I hereby certify that on May 23, 1970, before me, a Notary Public of the State of Maryland, in and for Howard County, personally appeared John O'Dell and Iona O'Dell, his wife, two of the above named grantors, and they acknowledged the foregoing deed to be their act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

J. RALPH MORELOCK NOTARY PUBLIC BALTIMORE COUNTY, MD.

J. Ralph Morelock
Notary Public

STATE OF MARYLAND, Anne Arundel County:

I hereby certify that on May 26, 1970, before me, a Notary Public of the State of Maryland, in and for Anne Arundel County, personally appeared Milton Tennyson and ELEANORE Tennyson, his wife, two of the above named grantors, and they acknowledged the foregoing deed to be their act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Eleanor N. Eckhardt
Notary Public

STATE OF MARYLAND, St. Mary's County:

I hereby certify that on February 28, 1969, before me, a Notary Public of the State of Maryland, in and for St. Mary's County, personally appeared Paul Walker, one of the above named grantors, and he acknowledged the foregoing deed to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Notary Public

STATE OF MARYLAND, Baltimore County:

I hereby certify that on May 12, 1970, before me, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Edward Lacolla and IRIS Lacolla, his wife, two of the above named grantors, and they acknowledged the foregoing deed to be their act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Michael J Marino
Notary Public

STATE OF MARYLAND, Baltimore County:

I hereby certify that on May 13, 1970, before me, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared William R Jackson and Minnie L Jackson, two of the above named grantors, and they acknowledged the foregoing deed to be their act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Michael J Marino
Notary Public

| | | |
|---|---|---|
| William B. Daugherty<br>Charlotte G. Daugherty<br>Box 52<br>Airport Road<br>Crisfield, Maryland | *<br><br>*<br><br>* | No. 9366 Chancery<br><br>LIBER 044 PAGE 776 |
| Vs. | * | In the Circuit Court for |
| Marie Walker<br>Tyaskin<br>Maryland | *<br><br>* | |
| Joseph Walker<br>313 Naylor Street<br>Salisbury, Maryland | *<br><br>* | Somerset County |
| Mary Hinman<br>300 S. Union Street<br>Wilmington, Delaware | *<br><br>* | Maryland |
| Margaret Britton<br>Chesapeake Avenue<br>Crisfield, Maryland | *<br><br>* | |
| Charles Walker<br>9 Douse<br>Everett, Massachusetts | *<br><br>* | |
| Sara Stiemer<br>507 Linden Avenue<br>Salisbury, Maryland | *<br><br>* | |
| Robert Walker<br>104 Shad Point Road<br>Salisbury, Maryland | *<br><br>* | |
| John Walker<br>Zion Church Road<br>Salisbury, Maryland | *<br><br>* | |
| Leon Walker<br>1002 Cecil Street<br>Salisbury, Maryland | *<br><br>* | |
| Thelma Miltich<br>2019 Parkway Drive<br>Williston, North Dakota | *<br><br>* | |
| Josephine Donaway<br>Tyaskin<br>Maryland | *<br><br>* | |
| Gary Walker<br>5801 Chaucer Drive<br>Hannahan, South Carolina | *<br><br>* | |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

Eugene Walker
Route 1, Box 204
Moncks Corner, South Carolina

Linda Selzek
K17
Wallops Island, Virginia

Cindy Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Cindy Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Victor Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Victor Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Lorraine Walker
Booth Street
Salisbury, Maryland

and any unknown heir of Zachariah Walker and Louisa Walker, and all persons having or claiming any interest in certain real property described as follows: All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek, containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832; recorded in Liber GH 6, page 478; and further conveyed to Zachariah Walker by William Roach by deed dated October 5, 1885; recorded in Liber HFL 3, page 338.

ORDER OF PUBLICATION

The object of these proceedings is to secure the sale of the aforedescribed real estate.

The Petition filed herein states William B. Daugherty and Charlotte G. Daugherty are seized and possessed of an interest in the above-described real estate as Tenants in Common with certain known and possibly unknown heirs of Zachariah Walker and Louisa Walker by virtue of a deed recorded in the Land Records of Somerset County at Liber I. T. P. 273, page 84.

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3900

The Petition further cites that the above-described real estate is not susceptible to partition and that it will be necessary for the real estate to be sold and the proceeds be divided among the parties, according to their interest.

The Petition prays for a decree ordering the sale and the distribution of the proceeds, according to the respective interest of the owners.

IT IS THEREUPON, this 9TH day of May, 1973, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED that the Petitioners, by causing a copy of this Order to be served upon said Defendants by personal service before the 11TH day of June, 1973, or by causing a copy of this Order to be inserted in some newspaper published in Somerset County, Maryland, once a week for four (4) successive weeks before the 11TH day of June, 1973, give notice warning all persons interested in said property to be and appear in this Court by the 11TH day of July, 1973, to show cause if any they have, why a decree ought not to be passed as prayed.

I. Theodore Phoebus

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

No. 9366 Chancery Case

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Margaret Britton
Chesapeake Avenue
Crisfield, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....June.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of William B. Daugherty
Charlotte G. daugherty
Box 52
Airport Road
Crisfield, Maryland

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....9th...day of.....May....., 19...73...

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the.....19th...day of.....June....., 19...73. . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Logan C. Widdowson
Name 11 N. Somerset Avenue
Princess Anne, Maryland
Address

LIBER 044 PAGE 779

L. Theodore Shockley
Clerk

Writ of Subpoena Filing, Petition, Affidavit and Copy of Deed left with Margarete Britton 5-10-73
Thomas H. Fopwell Sheriff
Edwin L. Sterling Deputy

No. 9366 Chancery Case

**WRIT OF SUBPOENA:**

LIBER 044 PAGE 780

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

The State of Maryland,
Somerset County, to wit:

TO Cindy Walker, minor
c/o Lorraine Walker,
mother and natural parent
of Cindy Walker, a minor
Booth Street, Salisbury, Maryland

Victor Walker, minor
c/o Lorraine Walker,
mother and natural parent
of Victor Walker, a minor
Booth Street,
Salisbury, Maryland

Lorraine Walker
1 Booth Street
Salisbury, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of June next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of William B. Daugherty
Charlotte G. Daugherty
Box 52
Airport Road
Crisfield, Maryland

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 9th day of May, 1973.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 19th day of June, 1973. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Logan C. Widdowson
Name 11 N. Somerset Avenue
Princess Anne, Maryland 21853
Address

L. Theodore Shockley
Clerk

Summoned Cindy Walker, minor, and copy of Subpoena, Information, Petition Affidavit and Exhibit left with her. Also copy of Subpoena, Information, Petition, Affidavit and Exhibit left with Lorraine Walker, Mother of the said Cindy Walker, this 10th day of May, 1973.

Summoned Victor Walker, minor, and copy of Subpoena, Information, Petition, Affidavit and Exhibit left with him. Also copy of Subpoena, Information, Petition, Affidavit and Exhibit left with Lorraine Walker, Mother of the said Victor Walker, this 10th day of May, 1973.

Summoned Lorraine Walker and copy of Subpoena, Information, Petition, Affidavit and Exhibit left with her, this 10th day of May, 1973.

William E. Shockley
Sheriff of Wicomico County

Sheriff's cost $12.00

No. 9366 Chancery Case

**WRIT OF SUBPOENA:**

# The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Marie Walker
Tyaskin, Maryland

Joseph Walker
313 Naylor Street
Salisbury, Maryland

Sara Stiemer
507 Linden Avenue
Salisbury, Maryland

Robert Walker
104 Shad Point Road
Salisbury, Maryland

John Walker
Zion Church Road
Salisbury, Maryland

Leon Walker
1002 Cecil Street
Salisbury, Maryland

Josephine Donaway
Tyaskin, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of.....June.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of William B. Daugherty
Charlotte G. Daugherty
Box 52
Airport Road
Crisfield, Maryland

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland.

Issued the...9th....day of.....May....., 19..73....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...19th.....day of....June....., 19..73... . Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Logan C. Widdowson
Name 11 N. Somerset Avenue
Princess Anne, Maryland 21853
Address

LIBER 044 PAGE 781

L. Theodore Phoebus
Clerk

Summoned Marie Walker, Joseph Walker, Robert Walker John Walker, Leon Walker, Sara Stiemer and Josephine Donaway and copy of Subpoena, Information, Petition, Affidavit and Exhibit left with each, this 10th day of May, 1973.

William E Shockley
Sheriff of Wicomico County

Sheriff's cost $28.00

| | | |
|---|---|---|
| William B. Daugherty<br>Charlotte G. Daugherty<br>Box 52<br>Airport Road<br>Crisfield, Maryland | *<br><br>*<br><br>* | No. 9366 Chancery<br><br>LIBER 044 PAGE 782 |
| Vs. | * | In the Circuit Court for |
| Marie Walker<br>Tyaskin<br>Maryland | *<br><br>* | |
| Joseph Walker<br>313 Naylor Street<br>Salisbury, Maryland | *<br><br>* | Somerset County |
| Mary Hinman<br>300 S. Union Street<br>Wilmington, Delaware | *<br><br>* | State of Maryland |
| Margaret Britton<br>Chesapeake Avenue<br>Crisfield, Maryland | *<br><br>* | |
| Charles Walker<br>9 Douse<br>Everett, Massachusetts | *<br><br>* | |
| Sara Stiemer<br>507 Linden Avenue<br>Salisbury, Maryland | *<br><br>* | |
| Robert Walker<br>104 Shad Point Road<br>Salisbury, Maryland | *<br><br>* | |
| John Walker<br>Zion Church Road<br>Salisbury, Maryland | *<br><br>* | |
| Leon Walker<br>1002 Cecil Street<br>Salisbury, Maryland | *<br><br>* | |
| Thelma Miltich<br>2019 Parkway Drive<br>Williston, North Dakota | *<br><br>* | |
| Josephine Donaway<br>Tyaskin<br>Maryland | *<br><br>* | |
| Gary Walker<br>5801 Chaucer Drive<br>Hannahan, South Carolina | *<br><br>* | |

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3300

Eugene Walker
Route 1, Box 204
Moncks Corner, South Carolina

Linda Selzek
K17
Wallops Island, Virginia

Cindy Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Cindy Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Victor Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Victor Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Lorraine Walker
Booth Street
Salisbury, Maryland

and any unknown heir of Zachariah Walker and Louisa Walker and all persons having or claiming any interest in certain real property described as follows: All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek, containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed, dated September 6, 1832; recorded in Liber GH 6, page 478, and further conveyed to Zachariah Walker by William Roach by deed, dated October 5, 1885; recorded in Liber HFL 3, page 338.

AFFIDAVIT OF SERVICE OF PROCESS BY REGISTERED MAIL

Comes now, Logan C. Widdowson, pursuant to Maryland Rule 105, and states the following:

1. That a copy of the Order of Publication, together with a copy of the Bill of Complaint in the above-captioned case, were mailed to Eugene Walker, Mary Hinman, Charles Walker, Thelma Miltich, and Linda Selzek by registered mail; delivery restricted to the addressee.

2. That the aforesaid copies were, in fact, received by the Defendants, as evidenced by their signatures on the original return receipts, which are

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3900

attached hereto and incorporated herein.

LIBER 044 PAGE 784

Logan C. Widdowson
Logan C. Widdowson
Attorney for the Complainants

SUBSCRIBED and SWORN to before me, this 11 day of June, 1978.

Dawn M. Doyle
Notary Public

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

William B. Daugherty, et al
Plaintiffs

vs

Marie Walker, et al
Defendants

No. 9366 Chancery
In the Circuit Court for
Somerset County, Maryland

ANSWER

The answer of Marie Walker, Joseph Walker, Mary Hinman, Margaret Britton, Charles Walker, Sara Stiemer, Robert Walker, John Walker, Leon Walker, Thelma Miltich, Josephine Donaway, Gary Walker, Eugene Walker, Linda Selzek by Lionel Bennett, their attorney, in answer to bill of complaint say:

1. They admit allegations of paragraphs 1, 2, 3, 7, 8, 9, and 10.
2. They are without knowledge as to the allegations of paragraphs 4, 5 and 6 since an incomplete copy of the deed mentioned in the bill of complaint was served on some of the defendants.

Lionel Bennett
Lionel Bennett
Attorney for Defendants
945 Main Street
Crisfield, Maryland 21817
968-1166

CERTIFICATE OF MAILING

I certify that on June 15, 1973, I mailed a copy of the foregoing answer to Logan C. Widdowson at Princess Anne, Maryland 21853.

Lionel Bennett
Lionel Bennett
Attorney for Defendants

William B. Daugherty, et al.,
Plaintiffs

vs

Marie Walker, et al.,
Defendants

In the Circuit Court for
Somerset County, Maryland
No. 9366 Chancery

PETITION OF DEFENDANTS

The petition of Marie Walker, Joseph Walker, Mary Hinman, Margaret Britton, Charles Walker, Sara Stiemer, Robert Walker, John Walker, Leon Walker, Thelma Miltich, Josephine Donaway, Gary Walker, Eugene Walker and Linda Selzek, by their attorney, Lionel Bennett, respectfully shows:

1. That petitioners have heretofore filed an answer herein substantially admitting the allegations of the bill of complaint.

2. That petitioners are advised and therefore allege that the plaintiffs will be actively interested in purchasing the aforesaid premises at the lowest price possible at the sale.

3. That it is to the interest of your petitioners that said premises bring the highest price obtainable at said sale.

4. That your petitioners believe and therefore allege that the interests of the plaintiffs and defendants in the sale of these premises are adverse, and since your petitioners are the owners of a substantial interest in the premises to be sold, they desire to have their counsel appointed co-trustee with counsel for the plaintiffs in the event that the Court should decree a sale of said premises for the purpose of partition.

Wherefore, your petitioners pray their Honorable Court that Lionel Bennett be appointed co-trustee with such other trustees as may be appointed to conduct the aforesaid sale of said premises.

Lionel Bennett
Lionel Bennett
Attorney for petitioners

CERTIFICATE OF MAILING

I certify that on June 28, 1973, I mailed a copy of the foregoing petition to Logan C. Widdowson, 11 North Somerset Avenue, Princess Anne, Maryland, 21853.

Lionel Bennett
Attorney for petitioners

William B. Daugherty *
Charlotte G. Daugherty
Box 52 *
Airport Road
Crisfield, Maryland *

Vs. *

Marie Walker *
Tyaskin
Maryland *

Joseph Walker *
313 Naylor Street
Salisbury, Maryland *

Mary Hinman *
300 S. Union Street
Wilmington, Delaware *

Margaret Britton *
Chesapeake Avenue
Crisfield, Maryland *

Charles Walker *
9 Douse
Everett, Massachusetts *

Sara Stiemer *
507 Linden Avenue
Salisbury, Maryland *

Robert Walker *
104 Shad Point Road
Salisbury, Maryland *

John Walker *
Zion Church Road
Salisbury, Maryland *

Leon Walker *
1002 Cecil Street
Salisbury, Maryland *

Thelma Miltich *
2019 Parkway Drive
Williston, North Dakota *

Josephine Donaway *
Tyaskin
Maryland *

Gary Walker *
5801 Chaucer Drive
Hannahan, South Carolina *

No. 9366 Chancery

LIBER 044 PAGE 788

In the Circuit Court for

Somerset County

State of Maryland

Eugene Walker
Route 1, Box 204
Moncks Corner, South Carolina

Linda Selzek
K17
Wallops Island, Virginia

Cindy Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Cindy Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Victor Walker, minor - c/o Lorraine Walker, mother and natural parent of
Booth Street Victor Walker, a minor, Booth Street, Salisbury,
Salisbury, Maryland Maryland

Lorraine Walker
Booth Street
Salisbury, Maryland

and any unknown heir of Zachariah Walker and Louisa Walker and all persons having or claiming any interest in certain real property described as follows: All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek, containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832; recorded in Liber GH 6, page 478, and further conveyed to Zachariah Walker by William Roach by deed dated October 5, 1885; recorded in Liber HFL 3, page 338.

## ANSWER

The answer of Lorraine Walker, individually and as mother and natural parent of Cindy Walker and Victor Walker, by Vaughn E. Richardson, their Attorney, in answer to the Bill of Complaint, say:

They admit the allegations of paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

Vaughn E. Richardson
Attorney for the Defendants
Salisbury, Maryland 21801
Telephone: 742-7105

I hereby certify that on this 12 day of July, 1973, a copy of the foregoing Answer was mailed to Logan C. Widdowson at 11 North Somerset Avenue, Princess Anne, Maryland 21853, by regular U. S. Mail, postage prepaid.

LIBER 044 PAGE 790

Vaughn E. Richardson

| | | |
|---|---|---|
| William B. Daugherty<br>Charlotte G. Daugherty<br>Box 52<br>Airport Road<br>Crisfield, Maryland | *<br>*<br>* | No. 9366 Chancery<br><br>In the Circuit Court for<br><br>Somerset County, Maryland |
| Vs. | * | In Equity |
| Marie Walker, Et Al | * | |

* * * * * * * *

TO THE HONORABLE JUDGE OF SAID COURT:

The Petition of William B. Daugherty and Charlotte G. Daugherty, by Logan C. Widdowson, their Attorney, respectfully represents:

FIRST: That the Petitioners stand ready to take testimony in support of their Bill of Complaint filed therein.

SECOND: That the Attorney for the Petitioners is the duly appointed Standing Examiner in this Court, and it would be improper for him to examine the witnesses in this cause; therefore, it is necessary that a Special Examiner in Chancery be appointed.

Wherefore, your Petitioner prays this Honorable Court to pass an order appointing a Special Examiner in Chancery to examine the Complainant's witnesses in said cause.

Logan C. Widdowson
Solicitor for the Complainant

ORDER OF COURT

Upon the aforegoing Petition, it is, this 17 day of July, 1973, by the Circuit Court for Somerset County, Maryland, in Equity, ordered that Virginia B. Coleman be and she is hereby appointed Special Examiner in Chancery to take testimony in the above-captioned cause.

E. McMaster Duer
Chief Judge

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

PRINCESS ANNE, MD., May 19 73

This is to certify that the annexed Order of Publication has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: May 10, 17, 31

Business Manager MARYLANDER and HERALD

William B. Daugherty
vs.
Marie Walker and others

LAW OFFICE
LOGAN C. WIDDOWSON

# ORDER OF PUBLICATION

No. [illegible] Chancery In the Circuit Court for Somerset County, Maryland

William B. Daugherty
Charlotte G. Daugherty
Box 52
Airport Road
Crisfield, Maryland

Vs.

Marie Walker
Tyaskin
Maryland

Joseph Walker
313 Naylor Street
Salisbury, Maryland

Mary Flanhan
300 S. Union Street
Wilmington, Delaware

Margaret Britton
Chesapeake Avenue
Crisfield, Maryland

Charles Walker
9 Douse
Everett, Massachusetts

Sara Stiemer
107 Linden Avenue
Salisbury, Maryland

Robert Walker
507 Linden Avenue
Salisbury, Maryland

John Walker
[illegible] Church Road
[illegible]ry, Maryland

Leon Walker
1022 Cecil Street
Salisbury, Maryland

Thelma Miltich
2019 Parkway Drive
Williston, North Dakota

Josephine Donaway
Tyaskin
Maryland

Gary Walker
5301 Chaucer Drive
Hanahan, South Carolina

Eugene Walker
Route 1, Box 204
[illegible]'s Corner, South Carolina

[illegible] Colzek
[illegible]
Wallops Island, Virginia

Cindy Walker - c/o Lorraine Walker, mother and natural parent of Cindy Walker, a minor, Booth Street, Salisbury, Maryland

Victor Walker, minor - c/o Lorraine Walker, mother and natural parent of Victor Walker, a minor, Booth Street, Salisbury, Maryland.

Lorraine Walker
Booth Street
Salisbury, Maryland

and any unknown heir of Zachariah Walker and Louisa Walker, and all persons having or claiming any interest in certain real property described as follows: All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek, containing 3 acres, more or less.... being the same land conveyed by [illegible] Crosswell to John Walker [illegible] September 6, 1882; recorded in Liber GH. 6, page 478; and further conveyed to Zachariah Walker by William Peach by deed dated October 5, 1885; recorded in Liber EFL. 8, page 338.

## ORDER OF PUBLICATION

The object of these proceedings is to secure the sale of the above-described real estate.

The Petition filed herein states that William B. Daugherty and Charlotte G. Daugherty are [illegible] possessed of an interest in the above-described real estate as Tenants in Common with certain known and possible unknown heirs of Zachariah Walker and Louisa Walker by virtue of a deed recorded in the Land Records of Somerset County at Liber I.T.P. 273, [illegible] 61.

The Petition further cites that the above-described real estate is not susceptible to partition and that it will be necessary for the real estate to be sold and the proceeds be divided among the parties, according to their interest.

The Petition prays for a decree ordering the sale and the distribution of the proceeds, according to the respectvie interest of the owners.

IT IS THEREUPON, this 9th day of May, 1973, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED that the Petitioners, by causing a copy of this Order to be served upon said Defendants by personal service before the 11th day of June, 1973, or by causing a copy of this Order to be inserted in some newspaper published in Somerset County, Maryland, once a week for four (4) successive weeks before the 11th day of June, 1973, give notice warning all persons interested in said property to be and appear in this Court by the 11th day of July 1973, to show cause if any they have, why a decree ought not to be passed as prayed.

I. THEODORE PHOEBUS
3-4tc

| | | |
|---|---|---|
| William B. Daugherty<br>Charlotte G. Daugherty<br>Box 52<br>Airport Road<br>Crisfield, Maryland | *<br>*<br>* | No. 9366 Chancery<br>In the Circuit Court for<br>Somerset County, Maryland |
| Vs. | * | |
| Marie Walker, Et Al | * | In Equity |

* * * * * * *

TESTIMONY

I, Virginia B. Coleman, Special Examiner in Chancery, duly appointed by this Court, do hereby certify that at the Law Office of Logan C. Widdowson in Princess Anne, Maryland, on August 2, 1973, I did take the following deposition; questions propounded by Logan C. Widdowson, Solicitor for the Complainant.

William B. Daugherty, a witness of lawful age, being duly sworn by me, deposes and says:

Q. Please state your name, address and occupation.

A. I am William B. Daugherty; my address is Box 52, Airport Road, Crisfield, Maryland, and I am a contractor.

Q. Are you the William B. Daugherty mentioned in the Bill of Complaint in this cause?

A. I am.

Q. Where is the property located which is the subject of this cause?

A. It is on the west side of Jones' Creek off Jacksonville Road in the lower part of Somerset County.

Q. What is your interest in this property?

A. My wife and I own a 7/8 interest or more of this property as Tenants by the Entireties and as Tenants in Common with some of the Zachariah Walker and Louisa Walker heirs.

Q. How did you obtain an interest in this property?

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11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

A. By a deed; we purchased the interests of Paul Walker, William R. Jackson, Minnie L. Jackson, Edward Lacolla, Iris Lacolla, Luther H. Townsend, Iona B. O'Dell, John S. O'Dell, Milton Tennyson and Eleanor Tennyson. This deed is recorded in the Land Records of Somerset County in I. T. P. Liber No. 273, folio 84.

LIBER 044 PAGE 794

Q. Are there any improvements on this land?

A. None of any value--just an old run-down shack.

Q. Can this property be divided among the various owners?

A. No, it's impossible. There are at least 17 other persons claiming an interest in this property besides my wife and myself.

Q. Do you think it's necessary to sell the property in order to make a division of your respective interests in it and the proceeds divided according to the respective interest?

A. Yes; I can see no other fair way to do it.

Q. What type of land is this?

A. The deed calls for 5 acres, more or less; some of it is high land and some marsh. It does front on the Creek as I previously indicated.

Q. What do you feel the property is worth?

A. About $1,500.00.

Virginia B. Coleman
Virginia B. Coleman
Special Examiner

Jimmie Lee Howard, a witness of lawful age, being duly sworn by me, deposes and says:

Q. Please state your name, address, and occupation.

A. I am Jimmie Lee Howard and am employed as a Real Estate Salesman by Woodrow Wilson Nelson on North Somerset Avenue, in Princess Anne.

Q. Are you licensed to sell Real Estate in the State of Maryland?

A, Yes, I am.

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11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Q. Are you familiar with real estate values in Somerset County?

A. Yes, the majority of the real estate which I handle is in this County.

Q. Are you familiar with the parcel of land which is the subject of this Court action?

A. Yes, I went to see the property.

Q. What do you feel it's worth?

A. It should sell in the $1500 - $2000 range. It has one high spot and the balance is marshland.

Virginia B. Coleman
Virginia B. Coleman
Special Examiner

There being no further witnesses produced to me, I herewith, at the request of the Complainant's Solicitor, return this deposition to the Court, closed under my hand and seal; and I certify that all of the testimony was taken in accordance with the Maryland Rules of Procedure; and I further certify that the witnesses have waived their right to sign their testimony.

Given under my hand and seal this 2nd day of August, 1973.

Virginia B. Coleman (SEAL)
Virginia B. Coleman
Special Examiner in Chancery



LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

| | | |
|---|---|---|
| William B. Daugherty<br>Charlotte G. Daugherty<br>Box 52<br>Airport Road<br>Crisfield, Maryland | *<br><br>*<br><br>* | No. 9366 Chancery<br><br>In the Circuit Court for<br><br>Somerset County |
| Vs. | * | State of Maryland |
| Marie Walker, Et Al | * | |

LIBER 044 PAGE 796

and any unknown heir of Zachariah Walker and Louisa Walker and all persons having or claiming any interest in certain real property described as follows: All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek, containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832; recorded in Liber GH 6, page 478, and further conveyed to Zachariah Walker by William Roach by deed dated October 5, 1885; recorded in Liber HFL 3, page 338.

* * * * * * *

This cause standing ready for hearing and being submitted on the Bill of Complaint and Answer, the proceedings were read and considered:

IT IS, THEREUPON, this 15 day of ~~July~~ August, 1973, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED AND DECREED that the property mentioned in the proceedings be sold; that Logan C. Widdowson and Lionel Bennett be, and they are, hereby appointed Trustees to make said sale and that the course and manner of their proceeding shall be as follows: They shall first file with the Clerk of this Court a bond to the State of Maryland, executed by themselves and a surety or sureties, to be approved by this Court, in the penalty of $2000.00, conditioned for the faithful performance of the trust reposed in them by this Decree, or to be reposed in them by a future decree or order in the premises; they shall then proceed to make the said sale, having given at least three weeks notice by advertisement, inserted in such weekly newspaper or newspapers published in Somerset County, Maryland, as they shall think proper, of the

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

time, place, manner and terms of sale, which terms shall be one-third cash, on day of sale, and balance to be paid upon the ratification of the Trustees; and, as soon as may be convenient after such sale or sales, the said Trustees shall return to this Court a full and particular account of their proceedings relative to such sale, with an annexed affidavit of the truth thereof and of the fairness of said sale; and, on obtaining the Court's ratification of the sale and on the payment of the whole purchase money, the said Trustees shall, by a good and sufficient deed, to be executed, acknowledged, and recorded according to law, convey to the purchaser or purchasers, his or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties hereto, plaintiff and defendants and those claiming by, from or under them, or either of them; and the said Trustees shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court after deducting the costs of this suit and such commissions to the said Trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

E. McMaster Duer

E. McMaster Duer
Judge

FOR BOND SEE BOND BOOK NO. 9, FOLIO 599.



LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

William B. Daugherty
Charlotte G. Daugherty
Box 52, Airport Road
Crisfield, Maryland

Vs.

Marie Walker, Et Al

* No. 9366 Chancery

* LIBER 044 PAGE 798

In the Circuit Court for

*

* Somerset County, Maryland

* * * * * * *

## REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Logan C. Widdowson and Lionel Bennett, Trustees appointed by this Court by Order dated August 15, 1973, respectfully represents to your Honors that after giving bond with security approved by the Clerk of this Court for the faithful performance of the trust so reposed in them by said Order and having given at least three weeks' notice of the time, place, manner and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in the Town of Princess Anne, Somerset County, Maryland, for three weeks before the date of sale, they did, pursuant to said notice, attend at the steps of the Courthouse on Prince William Street, Princess Anne, Maryland, on the 15th day of September, 1973, at 2:30 p.m. in the afternoon of said day, and then and there proceeded to sell the property described in the Bill of Complaint, to wit: All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin; on the south side of Jones Creek, containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832; recorded in Liber GH 6, page 478, and further conveyed to Zachariah Walker by William Roach by deed dated October 5, 1885; recorded in Liber HFL 3, page 338.

And sold the same to William B. Daugherty and Charlotte G. Daugherty, his wife, for Eight Thousand Dollars ($8,000.00); they being then and there

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LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

the highest bidders therefor; and the purchasers have complied with the terms of sale.

Respectfully submitted,

Logan C. Widdowson

Lionel Bennett, Trustees

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 19th day of September, 1973, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Logan C. Widdowson and Lionel Bennett, Trustees named in the foregoing Report of Sale and made oath in due form of law that the matters and facts therein are true and correct to the best of their knowledge and belief and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal the day and year first above written.

Notary Public

NOTARY PUBLIC SOMERSET

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

William B. Daugherty
Charlotte G. Daugherty
Box 52, Airport Road
Crisfield, Maryland

Vs.

Marie Walker, Et Al

* No. 9366 Chancery

* In the Circuit Court for

* Somerset County, Maryland

* * * * * * *

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to contrary thereof be shown on or before the 19th day of October, 1973, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County once in each of three consecutive weeks before the 12th day of October, 1973.

That the report states the amount of sale to be Eight Thousand Dollars ($8,000.00).

I. Theodore Phoebus
I. Theodore Phoebus
Clerk of the Circuit Court

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

William B. Daugherty
Charlotte G. Daugherty
Box 52, Airport Road
Crisfield, Maryland

Vs.

Marie Walker, Et Al

* No. 9366 Chancery

* In the Circuit Court for

* Somerset County, Maryland

* * * * * * *

PURCHASERS' AFFIDAVIT

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 19th day of September, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared William B. Daugherty and Charlotte G. Daugherty, his wife, purchasers of the real estate in the above-entitled proceedings; and they made oath in due form of law:

(1) That in making said purchase, they were not acting as agent for anyone.

(2) That other interest in said purchase as principal is none.

(3) That they did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal this day and year first above written.

Dawn M. Dryden
Dawn M. Dryden
Notary Public

My commission expires July 1, 19

My commission expires July 1, 1974.

DAWN M. DRYDEN NOTARY PUBLIC SOMERSET CO.

LIBER 044 PAGE 801

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 044 PAGE 802

no - 9366

Lionel Bennett
Attorney At Law
Crisfield, Maryland 21817
and
Logan C. Widdowson
Attorney At Law
Princess Anne,
Maryland 21853

# TRUSTEES' SALE

## Of Valuable Waterfront Property

in Lawson's Election District, Somerset County, Maryland known as Little Boltin, on the south side of Jones Creek.

By virtue of an Order & Decree of the Circuit Court of Somerset County, Maryland, the undersigned Trustees will sell at public auction at the front door of the Courthouse at Princess Anne, Maryland, on

**SATURDAY**
**SEPTEMBER 15, 1973**
at 2:30 P. M

all the following described land:

All that lot of land in Lawson's Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek; containing 5 acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832, and recorded in Liber GH 6, page 478; and further conveyed by William Roach to Zachariah Walker by deed dated October 5, 1835, and recorded in Liber HFL 3, page 333.

Possession of said property will be given upon ratification of sale.

Terms of Sale: One-third cash on day of sale and the balance to be paid upon final ratification of said sale by the Circuit Court of Somerset County; the unpaid portion to bear interest at the rate of 6 percent per annum and to be secured to the satisfaction of said Trustees.

Taxes, assessments and other public charges to be paid and adjusted date of sale. Title examination, if desired, title papers, revenue stamps and cost of recording at the expense of the purchaser or purchasers.

LOGAN C. WIDDOWSON
AND LIONEL
BENNETT,
TRUSTEES

CRISFIELD, MD. Oct. 26 19 73

THIS is to certify that the annexed TRUSTEES' SALE has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said TRUSTEES' SALE for 3 weeks beginning with the issue of August 24 19 73 and ending September 7 19 73

The Crisfield Times, Inc.
Publisher, THE CRISFIELD TIMES

Madelaine M. Bergman

NO 9366

Logan C. Widdowson
Attorney at Law
Princess Anne, Maryland 21853
and
Lionel Bennett
Attorney at Law
Crisfield, Maryland 21817

# TRUSTEES' SALE

## OF VALUABLE WATERFRONT PROPERTY

IN LAWSON'S ELECTION DISTRICT
SOMERSET COUNTY, MD.

(Known as Little Boltin, on the south side of Jones Creek.)

By virtue of an Order & Decree of the Circuit Court of Somerset County, Maryland, the undersigned Trustees will sell at public auction at the front door of the Courthouse at Princess Anne, Maryland on

***SATURDAY***

***SEPT. 15, 1973***

at 2 p.m., all the following described land:

All that lot of land in Lawsons Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek; containing five (5) acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832, and recorded in Liber GH 6, page 478; and further conveyed by William Roach to Zachariah Walker by deed dated October 5, 1885, and recorded in Liber HFL 3, page 338.

Possession of said property will be given upon ratification of sale.

Terms of Sale: One-third cash on day of sale and the balance to be paid upon final ratification of said sale by the Circuit Court of Somerset County; the unpaid portion to bear interest at the rate of six per cent per annum and to be secured to the satisfaction of said Trustees.

Taxes, assessments and other public charges to be paid and adjusted date of sale. Title examination, if desired, title papers, revenue stamps and cost of recording at the expenses of the purchaser or purchasers.

LOGAN C. WIDDOWSON
AND
LIONEL BENNETT
Trustees

18-4tc

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PRINCESS ANNE, MD., September 19 73

This is to certify that the annexed Trustee's Sale has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Sale

Dates Inserted: Aug 23, 30, Sept 6, 13

Business Manager MARYLANDER and HERALD

Little Boltin

---

GAN C. WIDDOWSON
Attorney at Law
Princess Anne, Maryland

# ORDER NISI

William B. Daugherty
Charlotte G. Daugherty
Box 52
Airport Road
Crisfield, Maryland
Vs.
Marie Walker, Et Al

and any unknown heir of Zachariah Walker and Louisa Walker and all persons having or claiming any interest in certain real property described as follows:

All that lot of land in Lawsons Election District, Somerset County, Maryland, known as Little Boltin, on the south side of Jones Creek, containing five acres, more or less; being the same premises conveyed by Hance Croswell to John Walker by deed dated September 6, 1832; recorded in Liber GH 6, page 478, and further conveyed to Zachariah Walker by William Roach by deed dated October 5, 1885; recorded in Liber HFL 3, page 338.

NO. 9366 CHANCERY

In the Circuit Court for Somerset County, State of Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to contrary thereof be shown on or before the 19th day of October, 1973, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County once in each of three consecutive weeks before the 12th day of October, 1973.

That the report states the amount of sale to be Eight Thousand Dollars ($8,000.00).

I. THEODORE PHOEBUS
Clerk of the Circuit Court
True Copy, Test.
I. Theodore Phoebus, Clerk

23-3tc

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PRINCESS ANNE, MD., September 19 73

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order

Dates Inserted: Sept 27 Oct 4 12

Business Manager MARYLANDER and HERALD

Daugherty vs. Walker

LIBER 044 PAGE 803

WILLIAM B. DAUGHERTY * NO. 9366 CHANCERY
CHARLOTTE G. DAUGHERTY
* IN THE CIRCUIT COURT FOR
VS.
* SOMERSET COUNTY, MARYLAND
MARIE WALKER, ET AL

* * * * * * * * *

FINAL ORDER

ORDERED by the Circuit Court for Somerset County, this 23rd day of January, 1974, that the sale made and reported by the Trustees aforesaid be, and the same is, hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause; and the Trustees are allowed the usual commissions and such proper expenses as they shall produce vouchers for to the Auditor.

Lloyd L. Simpkins
Judge

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

WILLIAM B. DAUGHERTY
CHARLOTTE G. DAUGHERTY

VS.

MARIE WALKER, ET AL

* NO. 9366 CHANCERY

* IN THE CIRCUIT COURT FOR

* SOMERSET COUNTY, MARYLAND

* * * * * * * * *

PETITION FOR REFERRAL TO SPECIAL AUDITOR

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Logan C. Widdowson and Lionel Bennett, Trustees named in the above-entitled proceedings, respectfully represent:

1. That the property referred to in the above-entitled cause has been sold and the proceedings paid or are in the process of being paid; and if there are no objections to the ratification of said sale, the proceedings will be ready for auditing following final ratification of the report of sale by this Court.

2. That Logan C. Widdowson is the Standing Auditor of this Court, and it would be improper for him to audit this cause.

WHEREFORE, your Petitioners request the appointment of a Special Auditor to file an audit in these proceedings.

Logan C. Widdowson

Logan C. Widdowson

Lionel Bennett

Lionel Bennett

ORDER OF COURT

The aforegoing Petition having been read and considered, it is thereupon this 28 day of January, 1974, by the Circuit Court for Somerset County, Maryland, ORDERED & DECREED that Dawn M. Dryden be and she is hereby appointed Special Auditor to examine and account the proceedings in this cause in conformity with the Laws of Maryland and the Maryland Rules of Procedure.

E. McMaster Dryden

Judge

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 044 PAGE 806

OATH OF SPECIAL AUDITOR PURSUANT TO ARTICLE 16, SECTION 9

OF THE ANNOTATED CODE OF MARYLAND

I hereby certify that on this 28 day of January, 1974, before me, E. McMaster Duer, Chief Judge of the First Judicial Circuit of Maryland and of Somerset County, Maryland, personally appeared Dawn M. Dryden, Special Auditor heretofore appointed by me in this proceeding and made oath in due form of law that she would well and faithfully execute the duties of said office of Special Auditor without favor, affection, partiality or prejudice.

As witness my hand and seal on this 28 day of January, 1974.

E. McMaster Duer (SEAL)
E. McMaster Duer, Chief Judge

Dawn M. Dryden
Dawn M. Dryden, Special Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

WILLIAM B. DAUGHERTY
CHARLOTTE G. DAUGHERTY

VS.

MARIE WALKER, ET AL

* NO. 9366 CHANCERY

* IN THE CIRCUIT COURT FOR

* SOMERSET COUNTY, MARYLAND

* * * * * * * * *

## SPECIAL AUDITOR'S REPORT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Special Auditor, to whom the proceedings were referred in the above case to state an account, submits the following Special Auditor's Report:

Logan C. Widdowson and Lionel Bennett, Trustees for the sale and distribution of the moneys arising therefrom, report the following collections and disbursements:

| | | | |
|---|---|---|---|
| Amount of Sale | | | $8,000.00 |
| Expenses, Costs & Fees: | | | |
| I. Theodore Phoebus, Clerk | | $111.00 | |
| Marylander & Herald | | | |
| Order of Publication | $110.00 | | |
| Advertising | 52.50 | | |
| Order Nisi | 20.00 | | |
| | | 182.50 | |
| Crisfield Times | | | |
| Advertising | | 48.00 | |
| Trustees' Bond | | 10.00 | |
| Edwin B. Muir, Auctioneer | | 50.00 | |
| Notary Fees | | 2.00 | |
| Auditor | | 35.00 | |
| Postage | | 8.69 | |
| Trustees' Commission | | 550.00 | |
| Total Expenses | | | $ 997.19 |
| Amount to be Distributed | | | $7,002.81 |

LIBER 044 PAGE 807

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

The balance of the funds in the hands of the Trustees is distributed as follows:

LIBER 044 PAGE 808

| | | | |
|---|---|---|---|
| To William & Charlotte Daugherty (7/8) - | | | $6,127.46 |
| To the Ernest Walker Heirs (1/8) - | | | 875.35 |
| Marie, Widow (1/3) - | | $291.78 | |
| Children (2/3) - | | $583.57 | |
| Joseph Walker - | $53.05 | | |
| Mary Hinman - | $53.05 | | |
| Margaret Britton - | $53.05 | | |
| Charles Walker - | $53.05 | | |
| Sara Stiemer - | $53.05 | | |
| Robert Walker - | $53.05 | | |
| John Walker - | $53.05 | | |
| Leon Walker - | $53.05 | | |
| Josephine Walker - | $53.05 | | |
| Thelma Miltich - | $53.06 | | |
| James Walker, Deceased - | $53.06 | | |
| Lorraine, Widow (1/3) | | $17.69 | |
| Children (2/3) - | | $35.37 | |
| Gary Walker - | $7.07 | | |
| Eugene Walker - | $7.07 | | |
| Linda Selzek - | $7.07 | | |
| Victor Walker, (Minor) | $7.08 | | |
| Cindy Walker - | $7.08 | | |

Respectfully submitted,

Dawn M. Dryden

Dawn M. Dryden
Special Auditor

January 29, 1974

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

WILLIAM B. DAUGHERTY * NO. 9366 CHANCERY
CHARLOTTE G. DAUGHERTY

* IN THE CIRCUIT COURT FOR

VS.

* SOMERSET COUNTY, MARYLAND

MARIE WALKER, ET AL

* * * * * * * * *

Take Due Notice that the Special Auditor's Report in the above-entitled cause was filed on January 29, 1974, with the Clerk of the Circuit Court for Somerset County, Maryland.

All exceptions to said Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

Dawn M. Dryden
Dawn M. Dryden, Special Auditor

Your Special Auditor hereby certifies that Rule 595 G2 of the Maryland Rules of Procedure, 1971 Replacement Volume, has been complied with by mailing on the date of the filing of this Audit, notice of this Report to the following parties:

Lionel Bennett, Esq.
Main Street
Crisfield, Maryland 21817

Vaughn E. Richardson, Esq.
Richardson Building
Salisbury, Maryland 21801

Marie Walker
Tyaskin
Maryland 21865

Joseph Walker
313 Naylor Street
Salisbury, Maryland 21801

Mary Hinman
300 S. Union Street
Wilmington, Delaware 19805

Margaret Britton
Chesapeake Avenue
Crisfield, Maryland 21817

Charles Walker
9 Douse
Everett, Massachusetts 02149

Sara Stiemer
507 Linden Avenue
Salisbury, Maryland 21801

Robert Walker
104 Shad Point Road
Salisbury, Maryland 21801

John Walker
Zion Church Road
Salisbury, Maryland 21801

Leon Walker
1002 Cecil Street
Salisbury, Maryland 21801

Thelma Miltich
2019 Parkway Drive
Williston, North Dakota 58801

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

Josephine Donaway
Tyaskin
Maryland 21865

Eugene Walker
Route 1, Box 204
Moncks Corner, South Carolina 29461

Lorraine Walker
Booth Street
Salisbury, Maryland 21801

Victor Walker
C/O Lorraine Walker
Booth Street
Salisbury, Maryland

Gary Walker
5801 Chaucer Drive
Hannahan, South Carolina 29410

Linda Selzek
K17
Wallops Island, Virginia 23337

Cindy Walker
C/O Lorraine Walker
Booth Street
Salisbury, Maryland 21801

William B. Daugherty
Charlotte G. Daugherty
Box 52, Airport Road
Crisfield, Maryland 21817

Dawn M. Dryden

Dawn M. Dryden, Special Auditor

January 29, 1974

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

No. 9366 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 29th day of January, 1974 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 13th day of February, 1974.

L. Theodore Phelps
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 20th day of February, 1974 that the within Report of the Auditor be and the same is Hereby finally Ratified and Confirmed.

L. Theodore Phelps
CLERK

MAR 5 1974

LIBER 044 PAGE 811